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Sedgwick County

525 North Main Street 3rd
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Wichita, KS 67203

Legislation Text

File #: 18-260, **Version:** 1

A resolution to authorize destruction of Register of Deeds (DISP 2018-287 Register of Deeds 1909-2014).

Recommended Action: Approve the resolution and direct the Register of Deeds and the Records Manager to destroy the records.

Background: This records disposal follows the same model as disposals previously approved by the Board of County Commissioners (BOCC) and applies the Records Management Policy approved in 1998. Kansas law (K.S.A. 45-404(c)) requires that destructions of County records be authorized by the Board of County Commissioners. Approval at this time addresses the Register of Deeds directive to get the records stored in order and comply with state statutes regarding Register of Deeds records.

Records proposed for destruction total 182 boxes and consist of sales validation questionnaires, receipts for instruments filed, mortgage registration fee record books, and accounts receivable records. A detail inventory is available and will be maintained permanently by Records Management as part of the documentation for the destruction case. All records are currently palletized in the Courthouse Records Center.

Analysis: County Records Management Policy is to destroy at the earliest opportunity records identified (1) as eligible under State law, and (2) that lack continuing value adequate to offset costs to retain and make accessible. Custodian for the records proposed for destruction, Register of Deeds, Tonya Buckingham, has determined they have no continuing administrative value for operation of the Register of Deeds office. Chief Financial Officer Lindsay Poe-Rousseau has determined that they have no continuing fiscal value for County operations. The Records Manager has confirmed they are eligible for disposal by destruction, consistent with State retention schedules, and finds that they lack identifiable research value adequate to offset costs. Manager of Genealogy and Special Collections at Wichita Public Library, Michelle Enke, who serves as an independent reviewer for archival value, agrees they lack substantive research value, and concurs in the recommendation to destroy. The County Counselor has confirmed these records no longer are needed to represent the County's legal interests.

The resolution also would authorize the Register of Deeds and the Records Manager to destroy any records or duplicates, regardless of format or media, that may be found in the future and are identified as the records series listed on the inventory and that fall within the time periods listed or previous.

The Records Manager recommends that these records be destroyed by shredding.

Alternatives: These records could continue to be retained, either in whole or in part, which would

also continue associated costs and liabilities to store and make accessible.

Financial Considerations: One-time fees for the commercial vendor to destroy are estimated at \$511.20. Register of Deeds has identified funds available within 65001-110 sufficient to pay destruction fees.

Legal Considerations: The authority for this action is K.S.A. 45-401 et seq. A simple majority vote is required.

Policy Considerations: The recommended action would apply existing policy.