

# M I N U T E S

## BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

### MARCH 2005 TERM

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Supervisor **CONNIE M. ROCKCO** moved adoption of the following:

**ORDER APPROVING FOR SECOND READING AND FINAL ADOPTION  
THE HARRISON COUNTY, MISSISSIPPI RECORDS MANAGEMENT,  
STORAGE AND DISPOSAL POLICY**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE for second reading and final adoption the Harrison County, Mississippi Records Management, Storage and Disposal Policy.

Harrison County, Mississippi  
Records Management, Storage and Disposal Policy

The history and operations of Harrison County government are reflected in the records the County and its various offices and agencies create and maintain. Although not all records have historical significance, a standard policy is necessary to govern the management, storage and disposal of all of the County's records to ensure that recordkeeping practices in the County comply with statutory and operational requirements.

The Local Government Records Act of 1996, Senate Bill 2832, is now codified as Title 25, Chapter 60 of the Mississippi Code of 1972. Section 25-60-1 states, in part, "Each municipality and participating county shall establish and maintain an active and continuing program for the management of its records." On July 15, 1996, the Harrison County Board of Supervisors voted to become a Participating County, appointing the Chancery Clerk as "Keeper of Records." The Records Management staff functions under the authority given the Chancery Clerk in order to comply with this Act.

Purpose

The purpose of this Policy is to provide guidance to Harrison County offices and agencies on the retention and disposition of records under their jurisdiction. County officials and their employees shall maintain and manage such records in a manner that ensures the accessibility, reliability and accuracy of those records. Under Section 25-59-23 of the Mississippi Code of 1972, it is a misdemeanor offense for any County official or employee to dispose of any record without proper authorization.

Scope

This policy shall be for the use of all Harrison County Government offices and agencies.

The following definitions apply to this Policy.

- a) "Agency" shall mean any Harrison County office, department, division, board, bureau, commission or other separate unit or institution of County government created or established by law or ordinance.
- b) "Public records" shall mean all or any data, documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other materials regardless of physical media, format or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency or by any appointed or elected official. Books, periodicals and other published material normally found in a library are excluded from this definition.
- c) "Vital record" shall mean any record vital to the resumption of the legal and financial status of Harrison County government or to the protection and fulfillment of obligations to the citizens of Harrison County.

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- d) "Records storage facility" shall mean an establishment maintained by Harrison County or a private or commercial facility contracted with the County primarily for the storage, processing, servicing and security of public records that must be retained for varying periods of time but need not be maintained in an agency's office, equipment or space.
- e) "Records retention schedule" shall mean a set of instructions prescribing how long, where and/or in what form records shall be kept. Records retention schedules shall be authoritative and directive, and shall have the force and effect of law.
- f) "Records management" shall mean the application of management techniques to the creation, utilization, maintenance, retention, preservation and disposal of records undertaken to reduce costs and improve efficiency of recordkeeping. Records management includes management of filing and microfilm equipment and supplies, filing and information retrieval systems, historical documentation, micrographics, records system scheduling and vital records protection.
- g) "Local Government Records Committee" shall mean a committee established by Section 25-60-1 of the Mississippi Code of 1972, chaired by the Director of the Mississippi Department of Archives and History. It is the duty of the committee to review, approve, disapprove, amend or modify records retention schedules submitted by municipalities, municipal courts and participating counties for the disposition of records based on administrative, legal, fiscal or historical value.

**Retention Schedules**

The Local Government Records Committee reviews, modifies and approves all records retention schedules for participating Mississippi counties. Both General Schedules and schedules specific to Harrison County are available on the MDAH website at <http://www.mdah.state.ms.us/locgov/retsched.html>. Any County-specific Schedule takes precedence over a comparable General Schedule.

No record may be destroyed before it is eligible under the appropriate retention schedule. If a record has not yet been scheduled, it must be kept and maintained until the Local Government Records Committee approves and the Board of Supervisors adopts an appropriate schedule.

All court-related records, other than financial, from Chancery, Circuit, County or Justice Courts fall under the jurisdiction of the Mississippi Supreme Court per Section 25-59-17 of the Mississippi Code, which has delegated disposition authority to the Mississippi Department of Archives and History. MDAH staff considers all requests for disposal of court-related records on a case-by-case basis.

**Off-Site Storage**

Due to space limitations in County offices, Harrison County utilizes an off-site records storage facility for retention of inactive records. Each office is encouraged to work with the Records Management staff to determine how long records should be kept in the office and when they should be transferred to off-site storage for the duration of their retention period.

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Authorized employees may request retrieval of that office's records directly from the storage facility when needed.

No NEW records shall be sent to off-site storage without the authorization of Records Management staff. This is required in order to properly document the location of all County records. Instructions and supplies for preparing records for off-site storage are available from the Records Management staff. Offices are requested to utilize these supplies as they are purchased from the dedicated Records Management Fund; this also ensures uniformity in storage procedures.

#### Disposal of Records

All records must receive approval from the Board of Supervisors prior to disposal, except as noted below. Documentation of disposal authorization must be recorded in the Board of Supervisors Minutes. **The penalty for intentional disposal of records without proper authorization is a fine of \$500 to \$1000 (Section 25-59-23, Mississippi Code of 1972).** Due to the sensitive nature of many records, County offices and agencies should consult with Records Management staff to determine the appropriate method of disposal.

There may be instances when an office, upon the expiration of the retention period, may choose to transfer a records series to a public library or a local historical organization as an alternative to destruction. This action must first be cleared through the Board of Supervisors and the Local Government Records Committee.

Notwithstanding the appropriate retention schedules, County officials and employees shall retain applicable records in those instances where litigation, audit, or regulatory or governmental agency investigation has been threatened, is pending, or is occurring. County officials and employees shall consult with the Board Attorney for guidance on the scope of those records to be retained in such instances, notifying Records Management staff of such action to avoid inadvertent disposal.

#### References

Mississippi Department of Archives and History, Local Government Records website:

<http://www.mdah.state.ms.us/locgov/localgov.html>

Records Retention Schedules for Participating Counties (available in PDF or Word)

<http://www.mdah.state.ms.us/locgov/counties.html>

Special Records Retention Schedules for Harrison County (PDF or Word)

<http://www.mdah.state.ms.us/locgov/harrison.html>

Instructions for Implementation of Retention Schedules

<http://www.mdah.state.ms.us/locgov/inst.html>

Mississippi Code of 1972

<http://198.187.128.12/mississippi/lpext.dll?f=templates&fn=fs-main.htm&2.0>

Title 25, Public Officers and Employees, Public Records

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Chapter 59, Archives and Records Management  
Chapter 60, Local Government Records  
Chapter 61, Public Access to Public Records  
Title 9, Courts  
Chapter 5, Chancery Courts  
Section 171, Destruction of Records

Harrison County Board of Supervisors Minutes

MB 286 Page 96 et seq., Resolution Authorizing the Collection of a Document Filing Fee  
and Appointing the Chancery Clerk as Keeper of Records, dated July 15, 1996

MB 353 Page 125, Order Requesting Establishment of County-wide Records Policy,  
dated June 25, 2001

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Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing Order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	(ABSENT & EXCUSED)
Supervisor LARRY BENEFIELD voted	(ABSENT & EXCUSED)
Supervisor MARLIN LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The Motion having received the affirmative vote from the majority of the Supervisors present, the motion was declared carried and the Order adopted.

THIS, the 7th day of March 2005.

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