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DATE: November 2, 2021

TO: Milwaukee County Board of Supervisors

FROM: Margaret Daun, Corporation Counsel
Scott Brown, Deputy Corporation Counsel
Judd Tabak, Assistant Corporation Counsel

SUBJECT: File No. 21-793 Record Retention Schedule

On October 29, 2021, the Judiciary, Safety, and General Services Committee of the Milwaukee County Board voted to recommend adoption of the Resolution attached to File No. 21-793, which repeals Ordinance Sections 32.65 and 32.66 and amends Sections 56.14 and 56.29. The amendment to Section 56.14 adopts the General Records Schedule provided by the Wisconsin Public Records Board (PRB). Concerns were raised by the Committee as to the legality of the proposed record retention schedule.

Pursuant to Wis. Stat. §16.61(4), State agencies may not dispose of a public record unless they have a current record retention schedule approved by the PRB that covers that particular record series. The proposed record retention schedule in File No. 21-793 is the General Records Schedule provided by the PRB and the ordinance proposes to adopt this General Records Schedule in whole. Therefore, the proposed records retentions schedule will comply with Wis. Stat. §16.61(4).

In addition to complying with the state statute and PRB requirements, this retention schedule project included review and counsel by the late Deputy Corporation Counsel Paul Kuglitsch and Assistant Corporation Counsel Judd Taback. The final resolution, ordinance amendments, and the proposed records retention schedule have been reviewed by Corporation Counsel Margaret Daun and Deputy Corporation Counsel Scott Brown. As such, the Office of Corporation Counsel does not have concerns regarding the legality of adopting the proposed records retention schedule.
