



## Legislation Details (With Text)

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**Title:** Removal of Microfilm Records from State Archives

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**Attachments:** 1. Board Summary Report, 2. US Imaging Facility Specifications for Security and Storage

Date	Ver.	Action By	Action	Result
9/13/2021	1	Board of County Commissioners	Study Session	
9/7/2021	1	Board of County Commissioners	Study Session	
<b>To:</b>		Board of County Commissioners		

**Through:** Joan Lopez, Clerk and Recorder

### Prepared By:

Monica Kovaci, Sr. Assistant County Attorney

**Presenter:** Juan Guzman, Director of Recording, Clerk's Office

### Subject:

Removal of Microfilm Records from State Archives

### Purpose and Request:

The purpose of this drop in is to request approval for the Clerk's Office to remove microfilm rolls from the Colorado State Archives for purposes of digitizing the records by US Imaging. The Board approved an Agreement for Services with US Imaging for digitization of the subject historical records via Resolution No. 21-254 on Aug. 10, 2021 and the contract was executed on September 1, 2021.

## **Background and Discussion:**

US Imaging has been retained to scan and digitize the Clerk & Recorder's historical records. The scope of this project includes approximately 2,125 books and 3,400 rolls of microfilm. The books are stored onsite at the Clerk's Office in the Administration Building and will be scanned for digitizing onsite.

With respect to records recorded on microfilm, Colorado Revised Statute section 30-10-407(2) requires that at least two microfilm records "shall be made of each recorded document, which shall be kept in separate buildings as far as reasonably may be done in order that they may not be subject to the same hazards. ... One set of microfilm shall always be kept by the county clerk and recorder so that it is available to the public for persons desiring to inspect or examine the record ... [and] said records shall not be removed from the county clerk and recorder's office at any time for any purpose." The extra copy "shall be kept in a security vault approved by the board of county commissioners and the county clerk and recorder."

The extra copy of the Arapahoe County microfilm rolls are currently stored at the Colorado State Archives. Because the microfilm that are maintained at the Clerk's Office are routinely used by the public, are not in the best condition, and by statute may not be removed from the building, the Clerk's Office has requested to temporarily remove the microfilm rolls kept at the State Archives for completing the digitization project.

The State Archives Office updated its policies in 2019 in an effort to fund the archives program and earn a target revenue. While storage and withdrawal of the microfilm rolls was previously free (or involved a very minimal fee), the Archives Office is now requesting payment of a temporary withdrawal fee of \$16/roll, which given the extensive number of microfilm rolls involved with the digitization project would cost roughly \$60,000.

As an alternative, the State Archives has offered the County the option to permanently remove the microfilm free of charge but that returning the rolls to storage after the digitization project is completed would involve a storage fee of approximately \$1,650/year, subject to annual rate changes.

The only statutory requirement for the extra set of microfilm rolls is that they be stored in a security vault approved by the Board and the Clerk's Office. C.R.S. § 30-10-407(2). There is no requirement that these rolls be stored with the State Archives. Therefore, the Clerk's Office requests Board approval to remove the microfilm rolls from the State Archives Office, permit the rolls to be secured by US Imaging for the digitization project, and thereafter for the Clerk's Office to acquire a new location for safe storage of the microfilm rolls. While US Imaging completes its work, the Clerk's Office can research other storage options, including permanent storage at US Imaging, Iron Mountain or another location.

While US Imaging completes the digitization project, the microfilm rolls will be stored at US Imaging's safety vault in Michigan. US Imaging's security specifications are attached. The security and storage specifications employed by US Imaging is significantly greater than the security provided by the State Archives.

**Fiscal Impact:** State Archives has requested a microfilm withdrawal fee of \$16/roll, which given the scope of the digitization project is approximately \$60,000. An alternative is a no-cost permanent withdrawal of the microfilm rolls for completion of the digitization project, but then after the project is completed the rolls will be placed for storage with a professional third-party vendor. The Clerk's Office will research options for permanent storage of the microfilm.

**Alternatives:** An alternative is to use the microfilm rolls maintained at the Clerk's Office for the scanning and digitization project. This option though will ultimately be more expensive because these microfilm rolls are not in as good condition due to constant use by the public and the cleanup and processing of the images will cost more.

**Alignment with Strategic Plan:**

- ☒ Be fiscally sustainable
- ☒ Provide essential and mandated service
- ☐ Be community focused

**Staff Recommendation:** n/a

**Concurrence:** n/a