



Staff Report

Agenda Item: **Proposed Amendments to the Town of Clarkdale Archive Policy --**
Approval of amendments to the Town of Clarkdale Archive Policy.

Staff Contact: Dawn Norman, Community Services Supervisor

Meeting Date: November 10, 2009

Background: On September 9, 2008, Town Council approved the Town of Clarkdale Archive Policy Manual as recommended by the Heritage Conservancy Board. With this document now having been in effect for one year, staff has identified areas where amendments might serve to improve the clarity of its text and/or intent.

On October 21, 2009, the Heritage Conservancy Board approved the following amendments:

1. Reformatted structure of Contents page and other general formatting throughout the document;
2. Section III – Verbiage amended to acknowledge future changes as a part of the adopted document;
3. Section V – Verbiage amended to clarify authority of Collections Manager and include a term of service for that position. This change will provide consistency with other Town appointed terms;
4. Sections IX and X all contain minor amendments to verbiage in order to provide clarity and consistency with other Town documents;
5. Section XIV – Verbiage amended to clarify the difference between access by Town staff as opposed to non-staff access requests.

Recommendation: To approve the amendments to the Town of Clarkdale Archive Policy.

Town of Clarkdale Archive Policy Manual

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I. Mission of the Heritage Conservancy Board

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The Mission of the Heritage Conservancy Board is: *To collect, identify, interpret, document, and disseminate accurate information pertaining to the history of Clarkdale and to preserve and protect this history and all historic archives, artifacts and structures.*

II. Town Archive

The Town of Clarkdale Heritage Conservancy Board preserves and makes accessible the archives and artifacts of enduring value of the Town of Clarkdale and its predecessors. Any restrictions placed on these collections are applied in a uniform manner to all users. The Town Clerk's office is responsible for the implementation of the Town's Archive Policy.

The official repository for the historical archives and artifacts of the Town of Clarkdale is the Town Clerk's office. Town-owned historical archives are currently located in the Archive on the lower floor of the town-owned building at 900 First North Street, Clarkdale, Arizona. Town-owned historical artifacts are currently located in the Archive and in various other locations in the Town Complex at Ninth and Main Streets, Clarkdale, Arizona.

III. Policies

The Town of Clarkdale Archive Policy Manual, which was as approved by The Clarkdale Town Council on September 9, 2008, and including all amendments subsequently approved, governs the preservation of the archives and artifacts regarding the history, prehistory, culture, or natural history of the Verde Valley of Arizona.

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IV. Definitions

- Accession – The formal process used to add to the Archive's permanent collections.
- Acquisition – The discovery, preliminary evaluation, and negotiation for custody and title of potential additions to the Archive's collections.
- Archive – A building or room that houses archives.
- Archives – A collection of documents, photographs (including those that are framed), maps, ledgers, journals, books, or paintings kept for their historical interest and permanent preservation.
- Artifact – An object that documents the history, prehistory, culture, or natural history of the Verde Valley of Arizona.
- Collections – Archives and artifacts held in trust and preserved by the Heritage Conservancy Board.
- Collections Manager – A person appointed by the Heritage Conservancy Board, under Supervision of the Town Clerk, having direct responsibility for working with historical collections.
- Deaccession – The formal process used to remove an item from the Archive's permanent collections.
- Display – To place in view, show, exhibit.
- Loans – Temporary transfers of material to or from the Archive that do not involve change of ownership.

Trust – A fiduciary relationship in which a trustee holds legal title to property that must be managed for the benefit of others.

V. Authority and Responsibilities/Purpose

Authority for this policy rests with the Town Council of the Town of Clarkdale, and is administered through the Heritage Conservancy Board of the Town of Clarkdale under the supervision of the Town Clerk. The Collections Manager, under the supervision of the Town Clerk, is responsible for the daily application of these standards. The Heritage Conservancy Board shall appoint a person to be the Collections Manager. This appointment shall be for a term of one (1) year commencing January 1 and expiring December 31. The Collections Manager shall serve without compensation.

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The Collections Manager has responsibility, as assigned by the Heritage Conservancy Board, for safely and efficiently housing these collections; for adding to the holdings through donation and purchase; for preparing materials for use in research, exhibition, and loans; and for compiling and maintaining documents which record origin, accession, deaccession, registration, loans and any other functions of the collections.

VI. Collections

The Heritage Conservancy Board shall make decisions on accessions, deaccessions, loan requests, and disposal of deaccessioned or unaccessioned material.

An inventory of the collection shall be completed annually.

VII. Acquisitions

Items to be considered for accession shall be evaluated by the Heritage Conservancy Board, in accordance with the priorities of accession listed below.

A. Artifact and Archive Priorities of the Town of Clarkdale

1. Historic items from the Clubhouse.
2. Items regarding Clarkdale's heritage from any source.
3. Originals preferred. Copies depending on the content.

B. Items Considered for Accession Must:

1. Document directly the history, prehistory, culture, or natural history of the Verde Valley of Arizona or, on a more selective basis, be representative of the material culture or natural material of those areas.
2. Be in good physical condition unless they have such outstanding historical value, rarity, or significance that they are otherwise desirable; or unless their condition can be brought to an acceptable level.
3. Be capable of appropriate storage, protection, and preservation under conditions at the Archive.
4. Be accompanied by a clear and valid title or by a designation of the Archive as repository of trust from an appropriate state or federal land manager. To this end, donors will sign the Archive's Receipt and Provisional Deed of Gift

certifying that they have clear and valid title that they transfer to the Archive without donor-imposed restrictions or stipulations except that:

- a) Anonymous donations may be considered with the stipulation that the Town of Clarkdale will apply the measures of A.R.S. 44-380 through 44-388 that define the process of acquiring title to abandoned property.
- b) Donations bearing donor-imposed restrictions may be accepted if the Heritage Conservancy Board decides their value exceeds the burden of the restrictions.
- c) Illegally obtained material can never convey good title. Therefore, ethnographic and archaeological specimens will not be considered if there is reason to believe they have been collected in contravention of state or federal laws* or in violation of accepted Archive ethical standards. However, such material may be held in trust if it is assigned to the Archive by the appropriate Land Manager. Natural history material will not be accepted if there is reason to believe it has been collected in violation of state, federal or international laws regulating such collecting.**
- d) Be accompanied by documentation of its origin and history, if possible.

* Including but not limited to the American Antiquities Act of 1906; the Archaeological Resources Protection Act of 1979 (PL. 96-95); the National Historic Preservation Act of 1966; and Arizona Revised Statute 41-841-846, dealing with resources on state land.

** In particular the Lacey Act of 1900, amended 1981; the endangered Species Act of 1973; the Marine mammal Protection Act of 1972; the Migratory Bird Treaty Act of 1918; and the bald Eagle Protection Act of 1940.

VIII. Items Donated for Resale or Other Non-collections Use

- A. If, during preliminary negotiation, some or all of the items in a proposed acquisition seem unsuitable for the permanent collection but suitable for resale, the donor must be apprised of this intent and must mark and sign the Receipt and Provisional Deed of Gift indicating his or her approval of this use. Alternately, donors may specify return of items refused by the -Heritage Conservancy Board.
- B. Collections-related materials which are donated specifically for resale will be so marked on the Archive's Receipt and Provisional Deed of Gift, and will be reviewed by the Heritage Conservancy Board, but will not be accessioned into the collections.
- C. Approved sale and disposal will be governed by Arizona State Statute Title 9, Chapter 4, Article 1, 9-402.

IX. Loans

- A. Loans from the Archive Collections:
 1. All requests will be evaluated and approved or denied by the Heritage Conservancy Board based upon conformity with the criteria of this policy.
 2. Require the borrowing institution provide proof of Bailee's Customer Insurance or fine arts insurance coverage in an amount to be determined at the

time of the loan, be trained in archival handling, have appropriate security, use safe display practices, and have environmental controls appropriate for the condition and value of the material.

3. Loaned items may, from time to time, be inspected to ensure that items are stored, handled, preserved, protected, and displayed by currently accepted standards. Loaned items may be requested to be returned if, upon inspection, the borrowing institution has not met the appropriate practices.
4. Will be administered by the Collections Manager using a Contract of Loan of Collections Material and a Condition Report for each loaned item. These documents will be retained as a part of the item's history.
5. Must not conflict with the Archive's use of the materials, nor of staff time or expertise, or other resources.
6. Must be consistent with the philosophy of public trust and be for exhibition to the general public or for scholarly research.
7. Must help the Town of Clarkdale to achieve its goals or have a public benefit to an extent that clearly outweighs any risk to the material or loss to the Town's other programs.
8. Will be packed and transported in a manner approved by the Collections Manager. It will be returned to the Archive packed in the container(s) and manner in which it was sent.
9. Will be for a specific period of time, not to exceed six (6) months. Requests for renewal shall be considered by the Heritage Conservancy Board. Formatted: Highlight
10. Must be requested in writing at least thirty (30) days before the date needed. Requests made with less lead time may be granted if time permits. Formatted: Highlight
11. Will be credited prominently as "From the Town of Clarkdale Archive Collections".

B. Loans to the Archive:

1. The Collections Manager will verify the Condition Report with the item upon acceptance.
2. The Town of Clarkdale will provide proof of Bailee's Customer or fine arts insurance coverage, be trained in archival handling, have appropriate security, use safe display practices, and have environmental controls appropriate for the condition and value of the material, as requested by the owner.
3. Loans will be for a specified length of time, not exceeding one (1) year, with option to renew. Formatted: Highlight

X. Deaccession

- A. Permanently removing items from the Archive's collections must be done with extreme care and be carefully documented so as to avoid the possible appearance of violation of the public trust.

- B. No accessioned item shall be deaccessioned until at least two (2) years after the date of its accession (see U.S. Tax Reform Act of 1984) if the donor claimed an IRS deduction for that donation. Formatted: Highlight
- C. Will be initiated by the Collections Manager and be presented to the Heritage Conservancy Board, which may approve or reject the deaccession.
- D. Will be documented on a standardized Deaccessions Form, which will be kept as a permanent record.
- E. Will include a reasonable effort to ascertain that the Town of Clarkdale -is legally free to dispose of the item, considering possible donor restrictions.
- F. If item for deaccession has a value of more than one thousand dollars (\$1,000.00), deaccession will be approved by the Town Council after being recommended by the Heritage Conservancy Board. Formatted: Highlight
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- G. Criteria for deaccessioning. Material may be considered for deaccession if it:
1. Is outside of the scope of the Town of Clarkdale's collection priorities.
 2. Had been misidentified or wrongly attributed.
 3. Is a poorer duplicate adequately represented by a better sample.
 4. Can't be properly preserved by the Town of Clarkdale.
 5. Is damaged or has deteriorated beyond usefulness.
 6. Is dangerous to staff or harmful to other collection materials.
 7. Has been accessioned more than once.
 8. Has been lost or stolen from the collections for more than two (2) years. Formatted: Highlight
- H. Method of Disposal:
1. Will be determined by Arizona State Statute.
 2. Will be considered first for public auction.
 3. Will not violate federal or Arizona laws regulating the sale of archaeological resources, plants, animals, or mineral specimens.

XI. Ethics Regarding Collections

All Archive workers shall observe accepted high standards regarding their work and access to the Archive collections. The worker holds his or her position as a public trust, and any effort to realize personal gain through official conduct is a violation of that trust. The reputation and name of the Archive and the Town of Clarkdale must not be exploited for personal advantage.

XII. Appraisal or "Expert Opinion" by Archive Workers

No Archive workers may furnish appraisals of the monetary value of donations to the Archive. They may help donors to obtain appraisals by:

- A. Furnishing a list of known appraisers, noting their areas of expertise, but not specifically recommending any of them.

- B. Permitting access to the donated material by appraisers.
- C. Providing publicly circulated sales catalogs or price lists to the donor, or suggesting where they may see similar items offered for sale.

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XIII. Care of Collections

The Archive workers will make every reasonable effort to assure that its collections are stored, handled, preserved, and exhibited by the best currently accepted standards. They will keep records that are necessary to establish title, to maintain physical control, and to retain origin and historical associations of the materials in the collections.

XIV. Access to Collections

- A. Aside from Town staff, persons must receive certification. Only those persons certified by the Collections Manager prior to having access will be allowed in the Archive without supervision.
- B. Individuals requesting access to collections must complete a Request for Access form for the Collections Manager, or designee, stating their reason for the request and describing the items they wish to examine. Positive identification and written references may be required. The Collections Manager, or designee, will review the form in order to determine and provide a response to the access request.
- C. Items to be studied will be retrieved from storage by the Archive workers and brought to the researcher.
- D. Information concerning the nature and location of any archaeological or historical resource on public land the excavation or removal of which requires a permit under federal or Arizona statute will not be released to the public without permission from the appropriate Land Manager. This restriction does not apply to books or published documents which are normally for sale to the public.
- E. The Collections Manager may withhold access to archival documents if it is believed that such access would constitute an unwarranted invasion of personal privacy, expose an individual to physical harm, release business secrets, violate donor restrictions, or inhibit ongoing negotiations or litigations.
- F. Information such as storage location, appraised value, donor names, and site locations will not be released without compelling reasons.
- G. Access to collections by Town staff will be based upon need to perform work in the Archive. No non-collections work will be done in collections storage areas unless it is necessary for security, building maintenance, or similar Archive needs. Should Town staff need to enter the storage area, efforts will be made ahead of time to notify the Collections Manager, should be notified by Town staff of the need to enter storage areas ahead of time unless it is in the event of an emergency.

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XV. Authority For and Appeal of Decisions

- A. Appeal of decisions may be made first to the Heritage Conservancy Board, then to the Town Clerk, and then to the Town Council.

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