

**INFORMATION OVERSIGHT: ARCHIVES AND RECORDKEEPING PRACTICES IN  
MANITOBA MUNICIPALITIES**

**by**

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## Abstract

Every municipality in Manitoba has a distinct and valuable history, but many stories are already lost, and many more are at risk due to poor recordkeeping and archiving. Municipal records document local decisions, actions, finances, the relationship between governments and citizens, and much more. Most of this information is only available in municipal government records; it does not exist anywhere else. Additionally, despite municipal reliance on local records and archives in their day-to-day operations, and as a key source in constructing specific community identities, many municipal government offices have neglected, forgotten, or no longer see the value in maintaining an archive. As a result, municipal governments cannot be held fully accountable for their actions and are unable to abide by the archival requirements of the *Municipal Act* and the access and privacy provisions outlined in the *Freedom of Information and Protection of Privacy Act*. They are also thereby failing to take advantage of the archival services offered through the Archives of Manitoba as outlined in the province's *Archives and Recordkeeping Act*.

This project examines how municipal employees and citizens view recordkeeping, particularly how archival records are considered. In order to learn how municipal officials deal with both their current and archival records a survey was sent to all the municipalities in Manitoba outside of Winnipeg, which was excluded because it had made considerable recent progress by establishing a city archives. Driven by a concern that municipal records outside of Winnipeg are not being adequately managed and archived, this thesis studies the way municipalities are treating both their operational and archival records. These findings are contextualized by looking at municipal archives and

archival practices across Canada. Finally, the thesis provides some suggestions for improving recordkeeping practices in Manitoba's municipalities.

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## **Introduction**

Municipal archives can document a valuable and underrepresented part of human history. Archival records, in particular, serve as fundamental knowledge resources for communities by documenting human experiences and decisions, and they play a central role in the construction of community memory. But municipal records in Manitoba are often inaccessible, making it impossible for either academics or local communities to make much use of them. As such, very little academic or non-academic work on Manitoba draws upon municipal archives. The term municipal records, for the purposes of this project, refers to the archival and non-archival records created by municipal governments. This is not meant to ignore the value of records created by individuals or private sector organizations within Manitoba's municipalities. Restricting the focus to municipal government records allowed me to survey municipal governments about their recordkeeping practices more easily and to focus on the role records play in governance practices and accountability.

Municipal archival records can be found in archives across Canada – in municipal and regional archives, as well as in provincial and territorial archives. Some provinces, like Quebec and Ontario, have fairly strict legislation in place governing municipal recordkeeping practices, including the fate of archival records. In Manitoba, despite clear legislative requirements to archive them, municipal records are still often not properly archived. However, in Manitoba and especially elsewhere in Canada there are examples of effective municipal archives – the Elgin County Archives in Ontario, the City of Vancouver Archives in British Columbia, and the Sam Waller Museum in Manitoba to

name a few.<sup>1</sup> Globally, municipal archives are also common, particularly in major cities – the London Metropolitan Archives, the New York City Municipal Archives, the Archives of Montreal, and the Amsterdam City Archives are all examples of well-established municipal archives.

This aim of this thesis is to explore the state of recordkeeping and archival practices by Manitoba municipalities outside of Winnipeg. Since Winnipeg has made considerable recent progress in these areas by establishing a city archives, and since the city archives has already been studied in some detail, the other municipalities (about which much less is known) will be the focus of this study.<sup>2</sup> The thesis will examine whether municipalities have records management and archives programs in place or in development, and ask whether records are being managed effectively enough for these governments to be held accountable for their actions and decisions. Properly managed and preserved municipal records have been proven to be valuable sources of information which can support administrative purposes, as well as foster personal, community, cultural and economic well-being. Finally, proper archives and records management enables municipalities to comply with provincial and municipal archival and privacy and freedom of information legislation. This project aims to fill a significant gap in both historical and archival literature, as there is little known about the fate of municipal government records in Manitoba and very little discussion of how local archives outside of Winnipeg might be further developed.

Because of the general nature of this topic, it was necessary to restrict which

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<sup>1</sup> The Sam Waller Museum is located in The Pas, Manitoba.

<sup>2</sup> Although the city deserves great credit for establishing an excellent municipal archives in 1997, the long delay in doing so (the city was incorporated in 1873) reinforces my overall point about the traditional neglect of municipal archives in Manitoba.

topics and themes to emphasize. As such, community attitudes towards local history and archives, legislative compliance, non-compliance, and governance practices are highlighted, as well as opportunities for improvement and reform in municipal government recordkeeping practices. Much more could be said about any of these themes than is possible to provide here, and many other themes would have been equally appropriate to discuss at length, but that must await further studies. This project is a necessary first step toward such studies. It is an introductory overview of a subject about which very little has been written.

This examination of the state of municipal recordkeeping is motivated by a desire to find out what is currently happening to government records in the province's municipalities once they are no longer operational. Are they being transferred to provincial or municipal archives? Are they being cared for by records managers? Are they simply being ignored? Or are they being destroyed without any regard for their archival or long-term significance? To discover the answers to these questions I sent a survey to all 197 municipalities in Manitoba outside of Winnipeg.<sup>3</sup> I did not expect to receive responses from every community, but I hoped for enough to allow me to make some accurate generalizations about the state of archives and records management in Manitoba. I received twenty-eight responses, which, though lower than I would have liked, is still a significant and valuable response rate for such a survey. Regardless of their number, these responses supplement and reinforce the overall conclusion reached by other means that the Manitoba municipal archives sector is significantly underdeveloped. Additionally, when many municipal officials declined to participate, they gave some indication of why

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<sup>3</sup> The total number of surveys sent out was 173, representing all 197 municipalities, as some municipalities have joint offices.

they were unable to complete the survey, which gives some insight into how recordkeeping is approached in these municipalities. The reasons they provide also confirm many of the trends identified by the survey responses. Responses were received from chief administrative officers, assistant chief administrative officers, executive assistants, tax clerks, records managers, archivists, archives staff, and curators. Participants were given the option of keeping their responses confidential, which very few chose to do.

This thesis is divided into four chapters. The first chapter offers a historical overview of the principal regions of Manitoba and municipalities in the province. It briefly examines current governance practices in Manitoba's municipalities and looks at the relationship between the government of Manitoba and the province's municipal governments. Chapter one stresses the importance to any academic study of Manitoba and to Manitoba's future well-being of understanding the important role of regional development. It also notes that there is local popular expression of interest in local and regional history that reflects strong commitments and identities. Together, these legal, governance, academic, and popular phenomena point to the need for strong municipal archives to undergird them.

Chapter two provides a look at archival legislation and services for municipalities in Manitoba. It outlines the role of the Archives of Manitoba in the acquisition, appraisal, and preservation of the province's municipal records. The chapter also discusses the history of and services offered by the few formal municipal archives that do exist in Manitoba outside Winnipeg. Municipal archives and the legislation governing municipal archival records across Canada are then examined for two major reasons: to demonstrate

that although Manitoba's municipal archival legislation is among the best in Canada, municipal archives seem to be more prevalent elsewhere in Canada. The chapter suggests that other provinces have come closer to viable solutions for their archival needs by creating more municipal archives programs than Manitoba has. This success elsewhere underlines the comparative very limited municipal archival progress in Manitoba and what could be done here to address it.

Chapter three presents the findings of the survey responses from municipal officials in order to determine current municipal government recordkeeping practices. It sheds further light on the overall weakness of the municipal archives sector in Manitoba outside of Winnipeg and thus on the need to consider the examples of other provinces if the purposes mentioned earlier in the chapter are to receive the needed additional archival support. The chapter draws upon the survey responses to evaluate records management and archival practices in Manitoba's municipalities outside of Winnipeg, particularly in the context of a municipality's ability to abide by legislation governing access to records as well as their retention and destruction.<sup>4</sup>

In light of these findings I suggest in chapter four a number of ways in which municipalities can improve their recordkeeping practices, ranging from simple improvements to more far-reaching proposals. The goal is to provide suggestions that are varied enough that every municipality, no matter the size or the budget, would be able to implement at least one of these recommendations.

This thesis argues that archival municipal records in Manitoba can not only provide evidence and accountability for municipal governments, but also add social and

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<sup>4</sup> *The Municipal Act*. C.C.S.M. c.M225 (Manitoba); *The Freedom of Information and Protection of Privacy Act*. C.C.S.M. c.F175 (Manitoba).

economic value to local communities, and help to shape community identity and memory. In a knowledge-based society and economy, the abundant and distinct information they contain makes them essential ingredients in Manitoba's hopes for sound governance, community social well-being, and economic development in all regions of the province. Despite this, research demonstrates that both operational and archival municipal records are grossly undervalued by municipal governments. Some municipalities are working hard to preserve and make their records accessible, but too many are neglecting their archival records. This needs to change. Municipal offices must recognize the importance of their records, and begin taking steps to improve their recordkeeping practices wherever necessary. In so doing, what has been an information oversight would become the proper oversight of information.

## **Chapter One: Regional and Community-Based History in Manitoba**

This chapter provides a broad historical overview of Manitoba's principal regions and evidence of popular local historical interest and identities. The significant role of these regions and local ties illustrates their importance to any understanding of Manitoba and thus also to the province's future prospects. The chapter will also provide a brief history of municipalities in Manitoba. The chapter aims to provide a context for understanding the importance of sound municipal recordkeeping and archival practices and the issues raised in this regard in Manitoba, which will be dealt with in more detail in subsequent chapters.

### **A Brief History of Manitoba's Communities**

Manitoba communities have historically been "intensely local" and loyal – a sense of community identity has stayed strong enough to inspire geographically specific traditions and history, and to cement generations of loyalty to a particular place.<sup>1</sup> Traditionally, ideas of community were linked to geographic location and, in part, that is how community will be discussed in this thesis. However, it is also important to recognize that community can also be defined as "a group of people who are seen as having something in common with one another."<sup>2</sup> The concepts of community as tied to a geographic boundary, and as a social group with a shared experience, are both central to this thesis. I will demonstrate that the history of place, interest in local history, and local

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<sup>1</sup> Gerald Friesen, "Afterword: Stuart Garson, Harold Innis, and Adult Education in Manitoba," in P. James Giffen, *Rural Life: Portraits of a Prairie Town, 1946* (Winnipeg: University of Manitoba Press, 2004), 262.

<sup>2</sup> Ian Richards, "Archives as a Cornerstone of Community Growth: Developing Community Archives in Brandon, Manitoba," Master's Thesis, Department of History, Archival Studies, University of Manitoba, 2009.

archives help to cement both these ideas of community. This is true even in the case of large municipalities or groups of municipalities where there is a shared sense of community identity.<sup>3</sup>

The divisions between urban and rural communities in Manitoba became increasingly distinct throughout the twentieth century, especially as Winnipeg became the dominant urban centre.<sup>4</sup> This “social division” separated the province into distinctive regions – the City of Winnipeg, the north, and, the “rural south”.<sup>5</sup> Each of these regions developed differently, and was treated differently by provincial and federal governments. It is not the purpose of this paper to provide a detailed historical analysis of any particular region; however, a brief summary of the historical context of how each region developed will help to demonstrate why communities across the province have developed distinct identities.

The City of Winnipeg was incorporated in 1873, and was fortunate to see what would be the city’s most prosperous period shortly after incorporation. The decision to build the Canadian Pacific Railway line through the city had an enormous impact; the population simply exploded, tripling in the aftermath of construction.<sup>6</sup> The late nineteenth century saw a period marked by “systematic, organized, and expensive promotion of economic enterprise” by groups in the city.<sup>7</sup> Winnipeg’s largest boom was between the years of 1900 and 1913, but even as late as 1941 the city remained the “dominant urban

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<sup>3</sup> Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (London: Verso, 1983; 1991), 1-8.

<sup>4</sup> Friesen, “Afterword” in *Rural Life*, 261.

<sup>5</sup> *Ibid.*

<sup>6</sup> Gerald Friesen, *The Canadian Prairies: A History* (Toronto: University of Toronto Press, 1987), 206. Friesen notes that the population jumped from 8,000 to over 20,000 in a sixteen month period.

<sup>7</sup> *Ibid.*, 209.

centre” of Canada’s prairie region.<sup>8</sup> Winnipeg’s early prosperity was due to a combination of factors, predominantly the influence of the railway, the “grain trade,” and, the “wholesale market”.<sup>9</sup> The city’s dominance in the prairies declined after 1913 as other major prairie cities encroached on Winnipeg’s hold on the wholesale market and began to challenge Winnipeg’s monopoly over the wheat market.<sup>10</sup> Winnipeg’s decline as the metropolitan centre of the prairies placed it on par with the region’s other capital cities – that is, Winnipeg remained the dominant centre in Manitoba, but had a decreased influence in the prairie region.<sup>11</sup>

The social fabric of early Winnipeg was dominated by a few established land owners who made up the city’s elite, and who decided the political and economic fate of the city. Shortly after its incorporation, during the boom years, Winnipeg attracted a massive floating population, consisting heavily of transient “unattached males.”<sup>12</sup> The city quickly developed social divisions between the working and upper classes, a strict separation that was reinforced geographically by the presence of the rail lines in the city. Winnipeg’s north end (north of the rail yards) belonged to the poor, the working class, and to the recent immigrants who made up a large part of both these societal groups. The city’s south end was home to the elites, and was characterized by wide streets near the river and neighbourhoods boasting large houses and yards. Later, green spaces and parks were developed throughout the city, but far from the “areas where working people

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<sup>8</sup> Ibid., 275.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid., 280.

<sup>11</sup> Ibid., 279.

<sup>12</sup> Ed Rea, “Epilogue: Prairie Metropolis, A Personal View,” in Esvyllt W. Jones and Gerald Friesen, eds., *Prairie Metropolis: New Essays on Winnipeg Social History* (Winnipeg: University of Manitoba Press, 2009), 244.

lived.”<sup>13</sup> New immigrants were expected to conform to the British Protestant values of the city’s elites; this reform movement was a major feature of upper class social institutions during the years before the First World War.<sup>14</sup> After the war Winnipeg was wrought by an influenza epidemic that wreaked havoc on all classes.<sup>15</sup> Shortly after, the city’s increasingly “militant” labour movement confronted the upper classes in the General Strike of 1919.<sup>16</sup> Although the strike was broken, it shaped politics within the city through to the 1980s.<sup>17</sup> The Second World War, with its limitless appetite for labour, enabled many workers to become skilled in a particular field, lessening the tension between classes, as divisions were not as distinct as they once had been.<sup>18</sup> After the Second World War, tension between the British Protestants and immigrants of other ethnicities and religions eroded somewhat. By the 1970s, the city’s “ethnic diversity” was something to be celebrated; and remains a defining feature of Winnipeg society today.<sup>19</sup>

The development of the region that is today known as northern Manitoba was greatly influenced by the fur trade, and particularly the Hudson’s Bay Company. While the fur trade dominated the way much of Canada was developed, the situation in northern Manitoba is distinct. Oral histories indicate that many First Nations groups viewed portions of central and northern Manitoba as either a “primary homeland” or as an “extension of a homeland.”<sup>20</sup> This view contrasted with that of the European explorers

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<sup>13</sup> Ibid., 245.

<sup>14</sup> Ibid., 247.

<sup>15</sup> Eysyllt W. Jones, *Influenza 1918: Disease, Death, and Struggle in Winnipeg* (Toronto: University of Toronto Press, 2007).

<sup>16</sup> Rea, “Epilogue,” 248.

<sup>17</sup> Ibid., 249.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid., 250.

<sup>20</sup> Jim Mochoruk, “The Construction of a Regional Identity: From Homeland to Industrial Frontier,” *Manitoba History*, 69 (Summer 2012), 2. These included Chipewyan/Dene, Cree, Ojibwa/Anishanabeg, and Assiniboine First Nations peoples.

who came to the area. They constructed the north as an uninhabitable wilderness, fit only for Aboriginal populations and the hunting and trapping associated with the fur trade, certainly not fit for European settlement.<sup>21</sup> What is striking about this view is that it has persisted in popular opinion as a realistic construction of the north through to today, despite evidence to the contrary.

The Hudson's Bay Company was well aware that the north contained value beyond the fur trade, and was not simply a wilderness, yet it had a "vested interest in constructing, maintaining, and broadcasting, a more dismal and unitary view of the interior."<sup>22</sup> However, after Confederation, a new vision of the north began to emerge. The federal government took an economic interest in the north and worked to negotiate control of "Indian lands" to develop them for "transportation projects, for mill sites, and later for town site expansion."<sup>23</sup> Between 1870 and 1912 the northern region was envisioned as "a land of unlimited economic opportunity for whites."<sup>24</sup> The development projects that were funded during this period, in part by the federal government, came with an environmental and social cost. Particularly noteworthy is that hugely devastating "alterations in landscape" were often considered acceptable in the north, when they would never be considered so in the more agriculturally fertile southern regions.<sup>25</sup> Environmental damage in pursuit of economic development was frightfully common: lakes were drained, flooding the surrounding area; vast numbers of trees were cut down;

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<sup>21</sup> Ibid., 3.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid., 8.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid., 12.

land was polluted; and dams were placed in many large northern rivers, permanently changing the landscape.<sup>26</sup>

Rural southern Manitoba can be generalized, fairly accurately, as widely agricultural. Farmland dominates the prairie, and the countryside in many areas is still dotted with isolated farm houses, much as it was in the early twentieth century. There are, of course, smaller urban centres, towns, and villages still thriving in the rural south; however, most areas have seen a steady population decrease since 1871 as younger generations migrated to larger cities, notably Winnipeg, Brandon, Winkler, and Steinbach.<sup>27</sup> The early success of the Selkirk Settlement, established in 1812, proved that a farm economy (which could support large populations) was viable in the prairie region.<sup>28</sup> This fact helped encourage Canada to purchase Rupert's Land in 1870 and opened up the prairies to European immigrants.<sup>29</sup> Agricultural development quickly became a staple in southern Manitoba. Prairie historian Gerald Friesen notes:

Settlements in the outlying agricultural districts were the most important new feature of the Manitoba landscape. Southwest of Winnipeg ... a populous and lively farm community had grown up around Crystal City, Manitou, and Glenboro; further west, another area was developing south of Brandon ... around such towns as Hartney, Killarney, Deloraine, and Souris, prosperous farms were taking shape and a settled social and political life was being established. Similarly, north of Brandon, in an area that included Neepawa and Minnedosa but stretched as far west as Birtle and Russell, yet another sub-region was taking form.<sup>30</sup>

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<sup>26</sup> Ibid.

<sup>27</sup> Gordon Goldsborough, *With One Voice: A History of Municipal Governance in Manitoba* (Portage La Prairie: Association of Manitoba Municipalities, 2008), 123.

<sup>28</sup> Harry Duckworth, "The Selkirk Settler Bicentenary," *Manitoba History*, 69 (Summer 2012), 32.

<sup>29</sup> Ibid.

<sup>30</sup> Friesen, *The Canadian Prairies*, 202.

This vast agricultural development determined how the province was settled, and farming communities thrived alongside a booming Winnipeg region in the early twentieth century. British and Anglo-Canadian pioneers flocked to southern Manitoba in the late nineteenth century alongside a smaller, but still significant, number of immigrants from elsewhere. Communities developed around a tight core of immigrants from a particular place. For example, after the first wave of settlers arrived, the next waves of immigrants tended to cluster near their countrymen: Icelanders in the Rural Municipality of Argyle, Hungarians and Scandinavians near Minnedosa, and French Canadian settlers flocked to St. Felix.<sup>31</sup> The Rural Municipality of Louise remains remarkably British-Protestant while the Rural Municipality of Gimli is still dominated by people with Icelandic heritage. The Rural Municipality of Hanover, especially the city of Steinbach, has a predominant German Mennonite population.<sup>32</sup> The dominance of ethnically homogenous populations in these areas has had a direct impact on their history and development. Some have argued that after 1945 prairie culture disappeared in favour of a homogenous North American culture dominated by media coming across the border from the United States.<sup>33</sup> Yet, while those influences are present, the rural south, indeed all regions of Manitoba, maintain a distinct local culture, one that has variations in each town or municipality. Communities have distinct histories which inform their past and present identities and their collective memory. Our understanding of these rich local histories is limited by the weaknesses of municipal archives, and in particular, the difficulties of accessing archival municipal government records that can arise when such records are not housed in an archive.

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<sup>31</sup> Ibid., 204.

<sup>32</sup> Ibid., 202-204.

<sup>33</sup> Ibid., 453.

In today's globalized society, communities are not bound by the same geographic limitations that bound them historically. Increasingly available communications technologies have determined that it is incredibly easy to form both virtual and physical communities that are not dependent on physical space. It is even more striking that communities at the local level (ones that are identified by finite geographic boundaries) can retain such overwhelmingly specific identities. Yes, there are similarities between all communities in Manitoba, and yes, these similarities are often more numerous among neighbouring communities; however, as Ian Richards discovered "the particular cultures and histories of communities still give different communities their distinctive character."<sup>34</sup>

Benedict Anderson, in his seminal work *Imagined Communities*, argues that a nation is an "imagined political community".<sup>35</sup> Nations, according to Anderson, are imagined because citizens of a nation will never meet the majority of their fellow citizens, and yet they share many ideas and assumptions about each other regarding what they have in common. Anderson argues that the nation as we understand it today has emerged in our relatively recent history as a consequence of a particular series of events and movements. His idea of nations, of communities, of such 'imagined' political spaces, is useful here because he notes that means of communication, such as maps, recordkeeping (censuses), and memory keeping (museums) are among the key ways the imagined community is held together. Although he does not mention archives as such, they are among these means of imagining a community.

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<sup>34</sup> Richards, "Archives as a Cornerstone of Community Growth," 22.

<sup>35</sup> Anderson, *Imagined Communities*, 6.

Anderson also says that communities are to be distinguished from one another “by the style in which they are imagined.”<sup>36</sup> Every nation has a different historical narrative that has been constructed over time to perpetuate a specific idea of national identity.<sup>37</sup> Collective memory, and the historical myths and truths that shape it, becomes a determining factor in establishing community identity when viewed in light of Anderson’s argument. In addition to recognizing the geographic boundaries that shape a community – such as those of a nation, city, or municipality – citizens share particular ideas about their past that directly influence community identity. The presence or absence of archives, as institutions that collect the records of government-citizen interactions,<sup>38</sup> and that preserve and make historical records accessible, plays an instrumental role in shaping collective memory. If each community is distinguished by the way it is imagined by its citizens, then any institution that can support or deconstruct that narrative is valuable because it allows for critical analysis of the narrative that shapes the imagined community. And if those records are not created and available or are lost or destroyed, their absence from that community formation process has an equally profound yet nearly incalculable effect. In addition to their role in enabling responsible governance, archives (and archival records) are pivotal to the construction and re-construction (and possible deformation) of imagined communities. Archives have directly shaped both national and local communities and are central to creating the varied narratives that distinguish communities from each other. Terry Cook argues that archives are necessary because

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<sup>36</sup> Ibid.

<sup>37</sup> Ibid.

<sup>38</sup> Terry Cook, “Archival science and postmodernism: new formulations for old concepts,” *Archival Science*, Vol. 1 (2001), 19.

they are “able to offer citizens a sense of identity, locality, history, culture, and personal and collective memory” in order to enable “public and historical accountability”.<sup>39</sup>

Manitoba communities – townships, municipalities, and regions – have demonstrated their distinct community identities and an interest in the historical record through the publication of local histories. It is estimated that 1200 of these local histories have been published.<sup>40</sup> The very existence of these publications makes it clear that local history, and archival records, are important to how communities imagine themselves. The deliberate preservation of stories within these volumes indicates that the historical record plays a central part in the construction of community identity. In addition to using the memories of community members as sources of information, these local history books used a number of physical records of archival value, but only some are actually housed in an archive. Some records are held by the Archives of Manitoba or a municipal archive. These include homestead records, maps, correspondence, photographs, and census data. Other records remained in the hands of private citizens – photographs, local committee minutes (church minutes, for example), diaries and letters. Still other records were consulted in municipal offices – council meeting minutes, annual reports, by-laws, and correspondence. Back copies of local newspapers were consulted; often these were housed within the community but not in an archive. Additionally, and problematically, many records were utilized without any identification of where they came from.

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<sup>39</sup> Ibid., 18-19.

<sup>40</sup> Andrea Geary, “Manitoba communities’ history goes Online,” *The Headliner* (February 22, 2013). <http://www.winnipegfreepress.com/our-communities/headliner/Manitoba-communities-history-goes-online-191891251.html>. Accessed January 11, 2014. This estimate was based on an analysis done by the Legislative Library of Manitoba based on their holdings of these volumes. Many local histories are available in the University of Manitoba Libraries, the University of Winnipeg Library, the Local History Room at the Millennium Library in Winnipeg, and many are available online through “Manitobia: Digital Resources on Manitoba History”: [http://manitobia.ca/content/en/books/local\\_histories](http://manitobia.ca/content/en/books/local_histories). Accessed June 17, 2013.

Through these local histories we are able to see, specifically, the way in which community is constructed in different locations. One volume from the Rural Municipality of Dufferin, frames the community's historical narrative as "an account of faith and fortitude, of humour and happiness".<sup>41</sup> The Rural Municipality and Town of Carberry identified a history "of war and peace, of recession and prosperity, but through it all runs the continuous thread of progress".<sup>42</sup> In a local history of Arborg and the surrounding area, the editors identify a "sense of humor that often made a heavy load seem lighter" and indicate this tendency among residents as a "culture that has enriched" the community.<sup>43</sup> Michael Ewanchuk's well-known manuscript *Spruce, Swamp and Stone*, describes the history of the Ukrainian pioneers who settled around Gimli as the "history of sincere, honest people who due to their indefatigable spirit and stubborn dedication overcame insurmountable obstacles and odds hoping to give their children a better life."<sup>44</sup> These local history books all emphasize the importance of the history of place, and consider an area's past to be an integral part of its present. According to residents around the province, community identity has been shaped by regional history. Some archival records have been used to tell that narrative, but on the whole archives have not been able to inform the imagined community. What self-understandings and thus community characteristics might have emerged if they had been? It is hard to know this, of course, but access to the fuller record of a community's history that well established archives have in abundance can only enrich and ultimately strengthen a community, widening its

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<sup>41</sup> June M. Watson, ed., *The Rural Municipality of Dufferin, 1880-1980* (Carman: The Rural Municipality of Dufferin, 1982), xii.

<sup>42</sup> Welland Stonehouse, ed., *The Carberry Plains: Commemorating the 75<sup>th</sup> Anniversary of the Carberry Agricultural Society the Rural Municipality of North Cypress, The Town of Carberry* (Carberry, 1959), 149.

<sup>43</sup> The Arborg Historical Society, *A Century Unfolds: History of Arborg and District, 1889-1987* (Arborg: InterCollegiate Press, 1987), 2.

<sup>44</sup> Michael Ewanchuk, *Spruce, Swamp and Stone: A History of the Pioneer Ukrainian Settlements in the Gimli Area* (Winnipeg: Michael Ewanchuk, 1977), 4-5.

‘imagined’ membership, discourse, and concerns. Thus archives need to be afforded the same attention that historic buildings, spaces, and libraries for local stories are afforded. Without archives, much knowledge about local history has been and will continue to be lost.

These sources demonstrate that a community’s identity is linked to its history, represented (sometimes unconsciously) through their archival records. The archival records that have been used appear to be linked to geography and space, and play a fundamental role in shaping regional identity in Manitoba.

### **History of Municipalities in Manitoba**

The history of municipalities in Manitoba has been studied most recently by Gordon Goldsborough, a professor of biological sciences at the University of Manitoba who has also been very active in the Manitoba Historical Society, including as a past president. His 2008 publication, *With One Voice: A History of Municipal Governance in Manitoba* is the only comprehensive work that examines the history of municipal governance across the province, primarily by studying the history of municipal associations in Manitoba.<sup>45</sup> Through to the present day, local governments in Manitoba (with the exception of the City of Winnipeg, which is governed separately) “draw their authority” from the *Municipal Act*.<sup>46</sup> The Act was introduced in 1873 with the purpose of allowing communities to organize on a “township or parish basis.”<sup>47</sup> The legislation has undergone numerous revisions, at one point almost annually, each reflecting the growth

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<sup>45</sup> Goldsborough, *With One Voice*, 3.

<sup>46</sup> *Ibid.*, 6.

<sup>47</sup> *Ibid.*, 5. *The Municipal Act*. C.C.S.M. c. M225 (Manitoba) is the current version of this act and is referred to in this thesis simply as the *Municipal Act*.

or changes happening in Manitoba at the time.<sup>48</sup> *The Municipal Act* dictates “the composition and duties of municipal councils”, and outlines the specific powers of both rural and urban municipalities.<sup>49</sup>

Manitoba’s first municipalities – the City of Winnipeg, the Rural Municipality of Westbourne, and the Rural Municipality of Springfield and Sunnyside – were incorporated in 1873, the same year the *Municipal Act* came into effect.<sup>50</sup> In 1877 a county system was introduced to govern municipalities, modeled after the system in Ontario; however, this system proved to be too complex for the comparatively small provincial population and was abandoned by 1884.<sup>51</sup> Also in the 1880s, the Office of Municipal Commissioner was created; this position was to be occupied by a “provincial civil servant” who would “oversee municipal affairs throughout the province”.<sup>52</sup> This is significant because it demonstrates the beginning of the provincial government’s oversight of municipal governance, an oversight that continues today in the provincial department Manitoba Municipal Government. Between 1879 and 1890 seventy-seven towns, rural, and urban municipalities were incorporated, signifying a period of noteworthy municipal and population growth in the province.<sup>53</sup>

Municipalities in Manitoba realized they could be more effective politically when “working together towards achieving mutually important goals.”<sup>54</sup> Thus, the Union of Manitoba Municipalities was established in March 1905. Municipalities across Canada quickly followed suit, and in July 1905 the Union of Canadian Municipalities, the

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<sup>48</sup> Goldsborough, *With One Voice*, 6-7.

<sup>49</sup> *Ibid.*, 6.

<sup>50</sup> “Manitoba Municipal Timeline,” The Manitoba Historical Society, <http://www.mhs.mb.ca/docs/features/municipaltimeline/index.shtml>. Accessed January 6, 2013.

<sup>51</sup> *Ibid.*

<sup>52</sup> Goldsborough, *With One Voice*, 7.

<sup>53</sup> “Manitoba Municipal Timeline,” The Manitoba Historical Society. Accessed January 6, 2013.

<sup>54</sup> Goldsborough, *With One Voice*, 2.

predecessor of the current Federation of Canadian Municipalities, was established. The creation of municipal associations demonstrates the power struggle in the relationship between municipalities in Manitoba and the provincial and federal governments. The reasons for such tension between governments varied widely, but included issues regarding establishing and managing road construction, other infrastructure, and garbage disposal. Establishing a municipal association through which municipalities could lobby the provincial government gave them significantly more power than when they acted individually. The associations that preceded the current Association of Manitoba Municipalities enabled member municipalities to negotiate with the provincial government over contentious bills that would directly affect taxation policies, public safety, control of utilities, wildlife protection, and education, as well as enable discussion of amendments to the *Municipal Act*.<sup>55</sup>

As municipalities were organized, one of the first major priorities was constructing public buildings, including municipal offices. These offices could include space for municipal staff, an “auditorium” for council and public meetings, and a vault for the “safe storage of municipal records”.<sup>56</sup> This early emphasis on records preservation, and presumably recognition of the importance of records in good governance, is not dissimilar to what is found in many municipalities today. In fact, as of a 1955 revision, the *Municipal Act* specifies that a space for the safe storage of municipal records must be present in municipal offices.<sup>57</sup> Despite this, there have been ongoing problems concerning the safe and reliable storage of municipal records. Instances when

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<sup>55</sup> Ibid., 14-15.

<sup>56</sup> Ibid., 17. Today, one of the biggest challenges all municipalities face is maintaining this basic infrastructure.

<sup>57</sup> *The Municipal Act*. C.C.S.M. c. M225 (Manitoba), 76.

municipalities have lost records due to improper storage, lack of disaster planning, or simple neglect are disturbingly common. Goldsborough problematizes the situation of archival municipal records succinctly, explaining that municipalities must:

prepare for disasters by ensuring copies of critical information are kept in a safe location, and steps are taken to store and preserve archival records so they will be available for future generations. Old municipal records can be an invaluable source of historical information ... all too often, they are seen as a liability, with little thought given to preserving them properly. Boxes of old files might be piled haphazardly in a municipal office basement, subject to the ravages of time, temperature extremes, excessive humidity, mould issues, rodents, and careless workers digging for specific documents.<sup>58</sup>

Municipal records become more vulnerable as municipalities become less prosperous, as is the case in many rural municipalities in Manitoba. The proportion of the population in Manitoba residing in rural areas has decreased a great deal since 1871. The result is that the population of almost every rural municipality in the province (and the vast majority of municipalities in Manitoba are considered rural) “is dwindling”.<sup>59</sup> This raises concerns about the future of municipalities and municipal services around the province. This is particularly true in light of the recent provincial decision to forcibly amalgamate municipalities with less than 1000 residents.<sup>60</sup> And what does this mean for municipal records? Does the preservation of municipal records become an even lower priority for such municipal councils? It should not, given that these records not only remain of great historical value, but also for smaller communities, struggling ones especially, information is a powerful asset.

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<sup>58</sup> Goldsborough, *With One Voice*, 104.

<sup>59</sup> *Ibid.*, 123. Municipalities in Manitoba fall into only two categories: urban and rural. An urban municipality has over 400 residents per square kilometer, while a rural municipality has less than 400 residents per square kilometer.

<sup>60</sup> The Canadian Press, “Manitoba announces amalgamation of 14 municipalities,” *CBC News Manitoba*, December 18, 2013. <http://www.cbc.ca/news/canada/manitoba/manitoba-announces-amalgamation-of-14-municipalities-1.2469394>. Accessed January 11, 2014.

## Current Governance in Manitoba Municipalities

Municipal governance in Manitoba is shaped by the *Municipal Act*. The Act has not changed in its key points since it was passed in 1873; however, a few reforms made during the most recent revision in 1996 are worth mentioning.<sup>61</sup> This version of the *Municipal Act* “expanded authority of municipalities to adopt their own administrative and political structures and manage their internal affairs.”<sup>62</sup> The 1996 *Municipal Act* granted municipalities in Manitoba corporate powers, which gave them the “authority to enter, by contract, into agreements with one another,” with municipalities outside the province, the federal government, the provincial government, or with a local authority.<sup>63</sup> This new legislation dictates the administrative structure that municipalities must follow, but otherwise leaves them “free to organize the business of their municipalities as they see fit.”<sup>64</sup>

Reform has continued in the area of municipal governance in recent years. Recent reforms demonstrate increased standardization “in the treatment of municipalities by the province; increased authority for municipal governments; and a market model for service delivery”.<sup>65</sup> These priorities, identified by Christopher Leo and Mark Piel in their article on municipal reform across Manitoba, require some explanation. First, the treatment of municipalities by the provincial government has been “homogenized” in recent years under the overall authority of the Manitoba government.<sup>66</sup> Winnipeg, which

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<sup>61</sup> Goldsborough, *With One Voice*, 120.

<sup>62</sup> Christopher Leo and Mark Piel, “Municipal Reform in Manitoba: Homogenizing, Empowering, and Marketing Municipal Government,” in Joseph Garcea and Edward C. LeSage Jr. eds., *Municipal Reform in Canada: Reconfiguration, Re-Empowerment, and Rebalancing* (Oxford: Oxford University Press, 2005), 113.

<sup>63</sup> *Ibid.* This does not apply to the City of Winnipeg, which is treated separately by the Municipal Act.

<sup>64</sup> *Ibid.*

<sup>65</sup> *Ibid.*, 107.

<sup>66</sup> *Ibid.*

had been overseen by the Department of Urban Affairs, while all other municipalities were governed by the Department of Rural Development, joined them under a shared administration when the two departments were amalgamated. This new Department of Intergovernmental Affairs was fully operational by 2000.<sup>67</sup> This is the uniformity Leo and Piel are referring to – this general common framework for oversight of municipalities by the Government of Manitoba. Although recent changes in this department (now Manitoba Municipal Government) have meant that the City of Winnipeg is again governed separately, the homogenization of the administration of municipalities outside the capital city remains.

Second, since the 1996 revision of the *Municipal Act*, municipalities now “have a greater ability to govern in their jurisdictions the way they see fit.”<sup>68</sup> This increased authority has been accompanied by an increase in responsibility.<sup>69</sup> Municipal councils are now able to embrace “their own administrative and political structures and manage their internal affairs.” There are, naturally, some restrictions – notably, that each municipal council is required to appoint an Chief Administrative Officer who is responsible for leading the administration of municipal governments – but generally speaking, much more freedom has been granted.<sup>70</sup>

Third, Leo and Peil’s final assertion, that a market model of governance has been encouraged through recent municipal reforms, is supported by C. Richard Tindal and Susan Nobes Tindal in *Local Government in Canada*. Effectively, all four authors argue that recent reforms to governance at the local level have reflected a global trend towards a

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<sup>67</sup> Ibid..

<sup>68</sup> Ibid., 124.

<sup>69</sup> Ibid., 111.

<sup>70</sup> Ibid., 113.

reduction in government size while substituting “market mechanisms for bureaucratic methods of action and control.”<sup>71</sup> This method of viewing administrative services through the lens of service delivery means that the municipality operates as “one of many players in a competitive market place”.<sup>72</sup> This is problematic when it comes to ensuring responsible and democratic municipal governance as it encourages municipalities to “act as individuals in the market” which can threaten “democratic accountability in planning” by prioritizing the market over good governance.<sup>73</sup> Tindal and Tindal point out that utilizing funding from the private sector (in the style of the market model) instead of funding from taxes (the primary source of municipal income) prioritizes the “pursuit of the bottom line” over “pursuit of the public interest”.<sup>74</sup> Additionally, when the market is emphasized as the method through which municipalities should govern they “are viewed as vehicles for service delivery”.<sup>75</sup> This focus, as Tindal and Tindal eloquently argue, “misses the primary purpose and benefit of municipal government. Local citizens should be the focus and their active involvement and participation in municipal government should be the objective”.<sup>76</sup> A government can only be held accountable by its citizens. Active citizen involvement in municipal governance ensures democratic accountability, and it demonstrates that people care enough about their communities to work to improve them. But one of the key ways citizens can hold governments to account is through the existence of and ready access to records. As Manitoba's municipalities take on new

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<sup>71</sup> Ibid., 124.

<sup>72</sup> C. Richard Tindal and Susan Nobes Tindal, *Local Government in Canada* (Scarborough: Nelson/Thompson Canada Ltd., 2004), 383.

<sup>73</sup> Leo and Piel, “Municipal Reform in Manitoba,” 113, 115.

<sup>74</sup> Tindal and Tindal, *Local Government*, 386.

<sup>75</sup> Ibid., 20.

<sup>76</sup> Ibid.

responsibilities and arrangements with the private sector, such records and access to them *over time* will enable archives to become increasingly important.

Municipalities are democratic institutions, “governed by an elected council” through which “local citizens can identify and address their collective concerns.”<sup>77</sup> Municipal governments function as “an extension of the community” and play a key role in the determination of community identity.<sup>78</sup> These governments, like their provincial and federal counterparts, need effective records management systems and archives in place – not only to preserve their records for posterity, but to improve efficiency, and to enable accountability. The crux of this thesis lies in understanding and problematizing municipal records management and archival preservation; it involves simultaneously emphasizing the unique value of local records and recognizing the cost associated with their care – something that is difficult for many municipalities to manage alone. The major obstacle standing in the way of municipalities valuing and prioritizing a local archives is that they are not viewed as a “worthy investment,” particularly when other, seemingly more important, demands are made of municipal resources.<sup>79</sup> Yet, if government functions cannot be performed effectively without good recordkeeping and archives, and governments cannot be held to proper account without such records, thereby increasing the chances of inefficiency and mismanagement and thus wasted public funds, then recordkeeping and archiving are indeed ‘worthy investments’.

Manitoba's provincial government municipal agencies – embodied in the Department of Municipal Affairs (1953-1989), followed by the Departments of Urban

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<sup>77</sup> Ibid., 113.

<sup>78</sup> Ibid., 6.

<sup>79</sup> This is particularly true with respect to building and maintaining infrastructure in municipalities; see Richards, “Archives as a Cornerstone of Community Growth”, 1.

Affairs and Rural Development (1989-1999), the Department of Intergovernmental Affairs (1999-2009), the Department of Local Government (2009-2013), and finally Manitoba Municipal Government (2013 – present) – have officially managed municipal governments in Manitoba in recent decades. However, the official oversight of municipalities by the provincial government predates all of these departments. The Office of the Municipal Commissioner was established in Manitoba in 1886, and persisted in various forms until the position came to be housed in the Department of Municipal Affairs in 1953.<sup>80</sup>

When the Department of Intergovernmental Affairs was launched in 2000,<sup>81</sup> its functions included: services for planning use of community space and land; supporting provincial-municipal relations; fostering “economic and community development”; and strategic planning.<sup>82</sup> Its mission was generally defined as facilitating “improvements in the economic, social and environmental well-being of Manitoba communities and its citizens.” This mandate has remained much the same in the department’s latest incarnation as Manitoba Municipal Government.<sup>83</sup> Municipalities were also to receive funding from the department that would supplement their tax revenue for these new purposes.<sup>84</sup> The most significant change since the department has been reshaped as Manitoba Municipal Government is that Winnipeg is now governed separately by a Minister for the City.<sup>85</sup>

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<sup>80</sup> Goldsborough, *With One Voice*, 7.

<sup>81</sup> Intergovernmental Affairs, *Annual Report 2000/2001*, Winnipeg: Government of Manitoba (2001), <http://www.gov.mb.ca/ia/annualreports/index.html>, 4. Accessed December 22, 2013.

<sup>82</sup> *Ibid.*, 4.

<sup>83</sup> *Ibid.*, 9.

<sup>84</sup> *Ibid.*, 5.

<sup>85</sup> Currently, the Minister for the City is Kevin Chief. Government of Manitoba, “Kevin Chief,” *Government of Manitoba*, [http://www.gov.mb.ca/minister/print\\_min\\_cyo.html](http://www.gov.mb.ca/minister/print_min_cyo.html). Accessed March 24, 2014.

The official oversight of municipal governance by the province is considered necessary because of the broad range of services provided by both provincial and municipal governments. As the Department of Intergovernmental Affairs matured, its mission became clearer: it was to serve as the point of contact between municipal and provincial governments; organize tripartite planning and programming; and deliver services relating to relevant legislation, policies, and programs.<sup>86</sup> The Department of Intergovernmental Affairs changed its name to the Department of Local Government, which became Manitoba Municipal Government in 2013.<sup>87</sup> The current mandate of the department is “to help improve the economic, social and environmental well-being of Manitoba communities and their citizens.”<sup>88</sup> Additionally, the department works to establish “a legislative, financial, planning and policy framework that supports democratic, accountable, effective and financially efficient local government” and lists local governments in Manitoba among its clients, along with individuals and community organizations.<sup>89</sup> This historical legal oversight has particular implications for municipal governments, which are thus legally and financially responsible to both the provincial government and their own citizens.

There are certain advantages bestowed upon municipal governments as a result of their relationship with Manitoba Municipal Government, the most significant of which is the financial assistance provided by the provincial government through the department to municipalities. These grants increase municipal budgets, which enables municipalities to

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<sup>86</sup> Intergovernmental Affairs, *Annual Report 2002/2003*, Winnipeg: Government of Manitoba, (2003), <http://www.gov.mb.ca/ia/annualreports/index.html>, 7. Accessed December 22, 2013.

<sup>87</sup> This is a very recent name change, and so far is only referenced on the Department’s website, the most recent annual report (2012-2013) still identifies the department as the Department of Local Government.

<sup>88</sup> “Role and Mandate” Manitoba Municipal Government, <http://www.gov.mb.ca/ia/aboutus/mandate.html>. Accessed January 7, 2013.

<sup>89</sup> Local Government, *Annual Report 2011/2012* (Winnipeg: Government of Manitoba, 2012), <http://www.gov.mb.ca/ia/annualreports/index.html>, Accessed December 22, 2013.

provide a higher level of service to their citizens. The department also helps support sustainable urban development, community planning, “water and wastewater” systems, and good governance structures.<sup>90</sup> The department provides property assessment services to municipalities outside of Winnipeg and also develops property tax policy.<sup>91</sup> The provincial government’s official oversight of municipal governance undoubtedly provides necessary supports for municipalities. As creatures of the provinces the legal authority of municipalities is granted by the provincial government. In fact, the provincial government not only dictates the powers are allowed to have, but also their sources of revenue.<sup>92</sup> Municipal powers can be altered at any point by the provincial government through the *Municipal Act*. Despite this, the provincial government does encourage a certain degree of autonomy of municipalities. It would be impossible, and widely unpopular, for Manitoba Municipal Government to dictate all decisions within municipalities.

## **Conclusion**

This chapter provides some historical background on Manitoba’s regions, including an overview of how the province’s municipalities developed to help provide context for current recordkeeping practices and issues. It also discusses some of the reasons communities maintain such unique identities.

Very distinct and sometimes unique histories, communities, cultural memories, and collective identities are found in every town, village, or rural municipality in

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<sup>90</sup> Ibid., 11, 18, 36.

<sup>91</sup> Ibid., 18.

<sup>92</sup> Michael Dewing, William R. Young, and Erin Tolley, “Background Paper: Municipalities, The Constitution, and The Canadian Federal System,” Parliamentary Information and Research Service (Ottawa: Library of Parliament, Revised May 2006).

Manitoba. They differ drastically depending on location, especially in a region as vast as Manitoba. As seen early in this chapter, the histories of the City of Winnipeg, the rural south, and the northern part of the province are very different from each other, each region shaped in differing ways by powerful influences such as the Hudson's Bay Company and the resulting fur trade, the aggressive agricultural and industrial development of the province, and the changes wrought by pioneers and settlers. It is for this reason that the preservation of municipal government records that have long-term value is so important. The history of a particular place informs its present, and directly influences collective memory and a sense of community. Communities have already demonstrated a willingness to embrace their local history through the painstakingly detailed process of researching and publishing local history books.

This chapter demonstrates that particular trends – especially those concerning municipal reform and governance – affect all municipalities in Manitoba in much the same way. This is especially obvious when examining the impact of the provincial department of Manitoba Municipal Government which oversees municipal governance in Manitoba. In order to deal with all the municipalities across the province, this department has created a standardized way of dealing with them. While understandable from an administrative point of view, this homogenization of municipal governance does treat local differences in communities across the province as insignificant. While there are definitely generalizations that can be made about all (or most) Manitoba municipalities, regions can be widely varied in their historical contexts, and their present-day methods of governance. Municipal governance will be examined in greater detail in the next chapter, which looks at the *Manitoba Municipal Act* and the *Archives and Recordkeeping Act*,

both of which govern records retention, destruction, and archival practices in municipalities.

## **Chapter Two: Municipal Archiving in Manitoba – Legislation and Services**

This chapter looks at the legislation governing municipal government records in Manitoba – *The Municipal Act* and the *Archives and Recordkeeping Act*. It also looks at the role played by the Archives of Manitoba in the preservation of municipal records. The few formally established municipal archives in Manitoba are examined, although only a couple acquire municipal government records. As a point of comparison to the situation in Manitoba, this chapter also examines municipal archives in other provinces.

### **Legislation Governing Municipal Records in Manitoba**

*The Municipal Act* defines a municipal record as “any kind of recorded information that is created or received by, or in the custody or control of, a municipality, regardless of physical form or characteristics.”<sup>1</sup> The Act dictates that municipal councils are required to retain all records for a minimum retention period, and specifies that municipal councils do not have the power to destroy records that are designated as archival.<sup>2</sup> In fact, regulation 53/97 of the *Municipal Act* states that records designated as archival must be “transferred to the Archives of Manitoba, or to an archives that the council has determined meets established minimum archival standards, as soon as is reasonably possible after the minimum retention period”.<sup>3</sup> Certain records must be kept at the municipal office, and access is to be provided to them upon request. Despite this requirement, many municipalities, even those considering themselves to be operating in compliance with the *Municipal Act*, are not always able to provide reliable access to these records, partly due to poor recordkeeping.

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<sup>1</sup> “Part 1: Definitions and Municipal Purposes,” *The Municipal Act*, C.C.S.M. c.M225, 4.

<sup>2</sup> “Part 9: Retention and Disposition of Municipal Records,” *The Municipal Act*, C.C.S.M. c.M225, 139.

<sup>3</sup> *The Municipal Act*, C.C.S.M. c. M225, Regulation 53/97, 2.

The *Archives and Recordkeeping Act* governs the Archives of Manitoba and enables the preservation of both provincial government and selected private sector archival records in Manitoba. A record of archival value is defined in the Act as “a record of lasting significance to the government or society.”<sup>4</sup> The provincial archives is tasked with identifying and preserving such records. An additional role of the Archives of Manitoba according to the Act is to assist good recordkeeping in government to “support accountability.”<sup>5</sup> This reference to government implies that only the provincial government should be the recipient of archival assistance for good recordkeeping and good governance. However, the Act later discusses the records of municipal governments, stating that the provincial archives “may enter into an agreement with a municipality with respect to its records.”<sup>6</sup> This includes: advising municipalities about good recordkeeping practices; arranging with municipalities for the retention and disposition of their government records in accordance with *The Municipal Act*; and, preserving (and potentially acquiring) records that have archival value.<sup>7</sup>

Concerning the destruction of government records, the *Archives and Recordkeeping Act* and the *Municipal Act* are in agreement. That is, both Acts specify that government records cannot be destroyed outside the authority of an approved records schedule, and that records designated as archival (and records designated as requiring archival disposition) are not to be destroyed.<sup>8</sup> Municipalities are able to enter into agreements with the provincial archives for the preservation and storage of their archival records, but they are not *required* to do so.

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<sup>4</sup> *The Archives and Recordkeeping Act*. C.C.S.M. c. A132, 4.

<sup>5</sup> *Ibid.*, 5.

<sup>6</sup> *Ibid.*, 8.

<sup>7</sup> *Ibid.*

<sup>8</sup> *The Municipal Act*, 139. *The Archives and Recordkeeping Act*, 14.

The Government Records Office of the Archives of Manitoba specifies that municipalities in Manitoba “may” transfer to the province records that are designated as archival by the *Municipal Act*.<sup>9</sup> Despite the lack of power to compel such transfers, the Archives of Manitoba does have a significant role in preserving municipal archival records. In addition to preserving the archival records of the municipalities that choose to send their records to the province, the Government Records Office provides “records management advice and archival services to municipalities.”<sup>10</sup> Indeed, many municipalities currently have agreements with the Archives of Manitoba and regularly transfer records to the archives. According to the archives online descriptive database, fifty-seven past and present municipalities have donated records to the archives.<sup>11</sup> The Government Records Office also deals with the records of provincial government departments, including, Manitoba Municipal Government. There appears to be an incomplete collection of records from this department and its predecessors in the archives. The archives descriptive database lists three records series from the Department of Rural Development dating between 1952 and 2007. None of the departments other predecessors or any of its successors are listed.

These agreements between municipalities and the Archives of Manitoba are voluntary. While municipal councils are required to transfer their archival records to a recognized archive, they are not required to send their records to the Archives of Manitoba. This control over their records is granted to municipalities in the *Municipal*

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<sup>9</sup> “Government Records Office,” Archives of Manitoba, [http://www.gov.mb.ca/chc/archives/gro/about\\_records.html](http://www.gov.mb.ca/chc/archives/gro/about_records.html), Accessed August 13, 2012.

<sup>10</sup> Ibid.

<sup>11</sup> Fifty-seven is the number of municipalities listed as records creators in the Archives of Manitoba’s Keystone Descriptive Database. There may be a few more additional municipalities that have recently donated records to the Archives of Manitoba whose information has not yet been entered into the publicly accessible database. Database last accessed in December of 2013.

*Act*, and is significant in that it enables them to retain some control over their records. The problem is that only twenty-nine percent of Manitoba's municipalities have sent records to the Archives of Manitoba, and very few have sent their records to other established archives.<sup>12</sup> What responsibilities must the Archives of Manitoba, as the only repository in the province with the authority to collect records from all municipalities, assume with regard to municipal records? Very few archives in Manitoba accept municipal government records, generally because it is outside the scope of their collecting mandates. The archives that do collect municipal government records only do so for their immediate geographic region.

### **Municipal Archives in Manitoba**

Historically Canadian archival practices have been dominated by the nationalistic vision of the country's oldest and largest state archives. The National Archives (now part of Library and Archives Canada) collects records from all over the country, which reflects the "nation building" policies spearheaded by the federal government.<sup>13</sup> In more recent years, this institution has adapted to the growing number of provincial, territorial, and civic archives, which aim to "keep their documents on their own soil."<sup>14</sup> Enthusiasm for local archives reached a peak in the late 1960s, sparked by centennial celebrations across the country. Archival records helped to inspire local memories and served to solidify a community's sense of place and sense of identity. Today, professionals tend to agree that "cultural artifacts" and records should "remain or return to where they were

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<sup>12</sup> Twenty-nine percent, or 57 of the 197 municipalities in Manitoba.

<sup>13</sup> Hugh Taylor, "'Heritage' Revisited: Documents as Artifacts in the Context of Museums as Material Culture," *Archivaria* 40 (Fall 1995), 12.

<sup>14</sup> *Ibid.*

created.”<sup>15</sup> This is part of a broader trend, which emphasizes the import and influence of local systems and identities alongside national ones.<sup>16</sup>

Most archivists will agree that records should remain within the region where they were created whenever possible. Community identity is bolstered by the “site-specific authenticity” provided by archival records. There are a number of sources that support this idea.

First, as discussed in the previous chapter, Gerald Friesen identified the tendency of immigrant populations to settle in units around the province. That is, successive waves of immigrants tended to settle near their countrymen, creating ethnically homogenous pockets around the prairies. Many of these areas are still dominated by people of the same ethnicity as these original settler groups.<sup>17</sup> The dominance of ethnically homogenous populations in these areas has had a direct impact on their history and development.

Second, Ian Richards discussed in his thesis that the majority of respondents to the community archival questionnaire he distributed across Southwestern Manitoba “expressed a desire to keep local historical records and artefacts in the community that created them.”<sup>18</sup> His survey respondents also indicated that “local, grassroots approaches to providing archival access were also preferred.”<sup>19</sup> Richards discovered that respondents representing small communities in Southwestern Manitoba, in the event of a regional archive being established in Brandon, felt that transferring their archival records to such a

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<sup>15</sup> Ibid., 12-14.

<sup>16</sup> Ibid., 12.

<sup>17</sup> Friesen, *The Canadian Prairies*, 202-204.

<sup>18</sup> Richards, “Archives as a Cornerstone of Community Growth,” 88.

<sup>19</sup> Ibid.

central repository would amount to “giving away their local identity.”<sup>20</sup> Respondents were not adamantly against the establishment of a regional archive in Brandon, but their support hinged on their ability to retain control over their own records.

Third, Manitoba communities – townships, municipalities, and regions – have demonstrated an interest in the historical record through the publication of local histories.<sup>21</sup> These publications make it clear that local history, and archival records, are important to communities. Despite this, very few primary source records consulted for these books were in the custody of an archive. This only serves to emphasize the point that despite local interest, many municipal records are being neglected, and their long-term preservation is in jeopardy.

While the Archives of Manitoba has custody of some municipal government and private records, a few municipalities in the province have their own archives, including: the City of Winnipeg; the Minnedosa Regional Archives; the Boissevain Community Archives; the Beautiful Plains Archives;<sup>22</sup> the North-Norfolk-MacGregor Archives; the Altona and District Regional Heritage Inc.; the Hamiota and District Archives; the Brandon General Museum and Archives; the Carberry Plains Archives; the Springfield Municipal Archives; and the Sam Waller Museum in The Pas. However, many of these formal municipal archives do not collect the records of municipal governments. Only a few collect them as part of their mandates. Regardless, it is worth discussing the mandates of these formal municipal archives in some detail, as that helps to demonstrate

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<sup>20</sup> Ibid., 93.

<sup>21</sup> There are many examples of these histories in the University of Manitoba Libraries, the University of Winnipeg Libraries, the Local History Room at the Millennium Library in Winnipeg, and many are available online through “Manitobia: Digital Resources on Manitoba History”: [http://manitobia.ca/content/en/books/local\\_histories](http://manitobia.ca/content/en/books/local_histories), Accessed June 17, 2013.

<sup>22</sup> In Neepawa.

the types of archival service offered in the province, as well as the types of successful archives in municipalities.

The City of Winnipeg Archives and Records Control is the largest municipal archives in Manitoba. It is within the City Clerk's office. This body is responsible for the city's records management program, as well as its archival records – civic records are managed from “creation to destruction” through the department.<sup>23</sup> Civic records include the records of the city and those from “all the amalgamated and the Metropolitan Corporation of Greater Winnipeg”.<sup>24</sup> The holdings are made up of the corporate records of the city as well as private sector records that are directly related to Winnipeg's history and municipal affairs. The city archives is an institution that was only created very recently. It was not fully established until 1997 when the first professional staff members were hired. Although the City of Winnipeg Archives is not the focus of this thesis, it is worth mentioning because it is somewhat indicative of the current state of municipal archives in Manitoba – excellent work is currently being done in municipal archives, but only very recently, and in very few cases.

The Minnedosa Regional Archives, located in Minnedosa, Manitoba, aims to collect and preserve “material of archival or informational value that illustrates the history, growth, and development of the region.”<sup>25</sup> The areas around the town of Minnedosa, including Odanah and Minto, decided to establish this regional archive to

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<sup>23</sup> Richards, “Archives as a Cornerstone of Community Growth,” 16.

<sup>24</sup> City of Winnipeg Archives and Records Control, “Winnipeg City Archives,” (Winnipeg: City of Winnipeg), 1. The municipalities that amalgamated to form the current City of Winnipeg are: the former City of Winnipeg, St. James-Assiniboia, St. Boniface, Transcona, St. Vital, West Kildonan, East Kildonan, Tuxedo, Old Kildonan, North Kildonan, Fort Garry, and Charleswood.

<sup>25</sup> “Minnedosa Regional Archives”, Discover Minnedosa, <http://www.minnedosa.com/index.php?pageid=230&contactid=820>. Accessed January 13, 2013.

promote the value “of preserving the area’s history.”<sup>26</sup> Established only recently in 2005, the holdings of the archives include minutes from private sector committees, local area history books, school district records, and copies of local newspapers.<sup>27</sup> Notably, government records from the surrounding municipalities are absent from the archives holdings. The Town of Minnedosa has sent some government records to the Archives of Manitoba, but it is a small amount – hardly the complete collection. The surrounding municipalities of Odanah and Minto have elected not to send their corporate municipal records to the provincial archives. It is unclear whether the Minnedosa Regional Archives plans to collect government records in the future, but given the lack of existing agreements with the province, some of the surrounding municipalities might consider depositing their government records with the Minnedosa archives. But it is not yet clear that this is a truly practical option for this new and very small archives. As for the town of Minnedosa itself, it clearly needs to re-examine its agreement with the provincial archives – municipal records need to be transferred on a regular basis. Or perhaps the agreement could be terminated in order to allow records to be sent to the regional archives instead. As it stands now, archival government records from the Minnedosa region are not being placed in an archives, despite the existence of an established and accredited regional archive.

The Boissevain Community Archives holds material from “municipalities, churches, organizations, families and individuals concerning the Boissevain, R.M. of

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<sup>26</sup> “Interview with an Archivist: Carl Ranson – Minnedosa Regional Archives,” *Association for Manitoba Archives Newsletter* (Summer 2009), 13.

<sup>27</sup> *Ibid.*, 14.

Morton and Turtle Mountain areas”.<sup>28</sup> Both the mandate and the collection demonstrate the emphasis placed on collecting private records from the individuals and organizations in the area. In fact, the archive specifies that building their collection depends “on the interest and generosity of the community”.<sup>29</sup> They urge private sector organizations to donate “their annual reports, minutes, and financial records at regular intervals.”<sup>30</sup> In fact, the types of records listed as part of their holdings on their website are entirely composed of private sector records. This makes mention of donations from municipalities in their official mandate confusing, as municipal government records do not seem to make up any part of their collection. To further confuse the situation, the town of Boissevain, the Rural Municipality of Morton, and the Rural Municipality of Turtle Mountain have all sent some municipal records to the Archives of Manitoba. In all cases, the government records sent to the province are skeletal, or copies, at best – they consist of reels of microfilm containing copies of “minutes, by-laws, and assessment and collectors rolls.”<sup>31</sup> As with the Minnedosa region, the existence of a regional archive has not ensured that the archival government records of Boissevain and the surrounding area are accessible and preserved.

In Neepawa, the Beautiful Plains Archives is dedicated to “preserving the history of...the Rural Municipalities of Langford, Landsdowne & Rosedale and the Town of

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<sup>28</sup> “Community Archives,” Boissevain & Morton Regional Library,” <http://bmlibrary.ca/resources/community-archives>, Accessed January 13, 2012.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

<sup>31</sup> Archives of Manitoba, “Rural Municipality of Morton fonds”, Archives of Manitoba: Keystone Archives Descriptive Database, [http://pam.minisisinc.com/scripts/mwimain.dll/21414/DESCRIPTION\\_LINK/REFD/10671?JUMP](http://pam.minisisinc.com/scripts/mwimain.dll/21414/DESCRIPTION_LINK/REFD/10671?JUMP), Accessed January 13, 2013.

Neepawa”.<sup>32</sup> The archive, established only in 2005, does not collect municipal government records, but solely private sector records.<sup>33</sup> The Town of Neepawa and Rural Municipalities of Langford, Lansdowne, and Rosedale have not transferred any corporate municipal records to the Archives of Manitoba. This implies that the archival and inactive government records of the region are in limbo. These records are hopefully accessible to the public through municipal offices.<sup>34</sup> If they are, that needs to be publicized. Simply keeping records is not enough – access through an archive needs to be provided.

The North Norfolk-MacGregor Archives was established in 1988, and aims to collect and preserve “the history of the people in the Municipality of North Norfolk, the Town of MacGregor,” and surrounding communities.<sup>35</sup> Like the other municipal archives discussed previously, the North Norfolk-MacGregor Archives only collects private sector records. Municipal government records that are considered to be archival are the responsibility of the Rural Municipality.<sup>36</sup> Neither the Town of MacGregor, nor the Rural Municipality of North Norfolk have transferred records to the Archives of Manitoba.

The Altona & District Heritage Research Inc. (also known as the Altona Archive) was established to preserve and provide access to “research materials relating to the story of the communities, organizations and people of southern Manitoba”.<sup>37</sup> The archive is

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<sup>32</sup> “Beautiful Plains Archives,” ICA-AtoM Archival Descriptive Software – MAIN Collections, <http://nanna.lib.umanitoba.ca/icaatom/index.php/beautiful-plains;isdiah>, Accessed January 13, 2013.

<sup>33</sup> Email message to author, December 17, 2012.

<sup>34</sup> According to the survey response I received from one municipality, the archival government records of at least one of these municipalities are accessible through the municipal offices. I do not know if all the records are similarly accessible. This survey respondent wished to remain anonymous. This response came in the answer to question fifteen of the survey, submitted on November 12, 2012.

<sup>35</sup> “Archives,” Municipality of North Norfolk, <http://northnorfolk.ca/Archives.aspx>, Accessed January 13, 2013.

<sup>36</sup> Email message to author, November 8, 2012.

<sup>37</sup> “Altona & District Heritage Research Inc.,” Altogether Altona, <https://altona.ca/residents/service-groups/altona-district-heritage-research-inc/>, Accessed January 15, 2013.

supported financially, in part, by the Town of Altona and some local businesses.<sup>38</sup> The collecting area mandate of the Altona Archive is the Rural Municipality of Rhineland in southern Manitoba. Private papers and the records of local organizations make up the majority of the collection. This archive does not acquire municipal government records.<sup>39</sup> The Rural Municipality of Rhineland does have an agreement with the Archives of Manitoba. A large number of government records of the municipality have been transferred to the provincial archives under this agreement. However, the most recent records (anything created after 1975) have not yet been transferred. This raises an interesting question. The Altona Archive, the only one for that area, is dedicated to preserving the historical record of the area, but only preserves private sector records. It might be possible for this regional archive to serve as a repository for municipal government records, but at the moment it is classified as one of the “Service Groups” in the community, which means it is seen more as a private entity, and is thus grouped with a Youth for Christ-sponsored youth centre and the town’s senior’s club among community amenities. Should public records be placed in the custody and control of an organization that is so loosely tied to the local government? The many obvious problems that this scenario raises merely underscores the inadequacy of municipal archives in Manitoba.

The Hamiota and District Archives is a volunteer-run archive established in 1986. While the Town of Hamiota is certainly supportive of the archive, it is unclear whether the archive collects municipal government archival records.<sup>40</sup> The purpose of the archives is somewhat vague as it collects and preserves “print and pictorial materials relevant to

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<sup>38</sup> Ibid.

<sup>39</sup> Email message to author, January 15, 2013.

<sup>40</sup> Town of Hamiota, “Municipal Records and Archives Survey,” January 25, 2013.

Hamiota and District”.<sup>41</sup> There are skeletal records from the Rural Municipality of Hamiota in the Archives of Manitoba, but none from the Town. Certainly, the Hamiota and District Archives appears to have the potential to collect the government records of the Rural Municipality and the Town of Hamiota, and the town’s current Chief Administrative Officer is certainly supportive of the archives.<sup>42</sup> That said, the archives is currently run by volunteers, if governments commit to transferring their records to this archives they would definitely want to look into hiring a professional archivist, further archival training for their current volunteers, and accreditation for the archives through the Association for Manitoba Archives.

The Brandon General Museum and Archives was established in 2007 and works to collect and preserve records and artifacts that relate to the City of Brandon and its place in Manitoba.<sup>43</sup> The archives collects private sector records, not municipal records, which are maintained elsewhere by the city. Many of the city’s old records (not necessarily archival records) are stored in vaults in the “basement of City Hall”.<sup>44</sup> The civic archives held by the city are used infrequently as few people even know they exist.<sup>45</sup> Despite the fact that a recently established archive exists within the City of Brandon, government records are not being transferred to this archive.

The Carberry Plains Archives was established in 1988 and works to preserve records that illustrate the “growth and development of the Town of Carberry and the Rural Municipality of North Cypress” and the surrounding areas both “before and after

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<sup>41</sup> Hamiota: Leaders in Community Innovation, “Hamiota and District Archives,” *Hamiota: Leaders in Community Innovation*, [http://www.hamiota.com/hamiota\\_and\\_district\\_archives.htm](http://www.hamiota.com/hamiota_and_district_archives.htm), Accessed March 27, 2014.

<sup>42</sup> Town of Hamiota, “Municipal Records and Archives Survey,” January 25, 2013.

<sup>43</sup> Brandon General Museum and Archives Inc., “Mission Statement,” *Brandon General Museum and Archives*, <http://www.bgma.ca/mission-statement/>, Accessed March 2, 2014.

<sup>44</sup> City of Brandon, “Municipal Records and Archives Survey,” November 29, 2012

<sup>45</sup> Ibid.

incorporation”.<sup>46</sup> The holdings of the archive include private collections as well as census information and some municipal government records. The municipal records of the Town of Carberry were transferred to the archives starting in 1988 and date between 1890 and 2005. The municipal records of the Rural Municipality of North Cypress also were transferred starting in 1988 when the archives was first established. These records date between 1883 and 1996. The fact that both collections of municipal government records were transferred to the Carberry Plains Archives in the same year that the archives was established is significant. It indicates that both municipal governments favoured keeping their archives locally, and sought to support the municipal archives by entrusting them with their records. Given that archival records have been transferred fairly consistently since 1988<sup>47</sup> it appears that these municipal governments continue to value and support the archive in this way.

The Springfield Municipal Archives, located in Oakbank, Manitoba in the Rural Municipality of Springfield, is volunteer-run. The institution received accreditation with the Association for Manitoba Archives in September of 2011.<sup>48</sup> The purpose of this municipal archive is to “preserve and collect archival materials which illustrate the growth and development of Springfield”.<sup>49</sup> The archive is funded by the municipality and has a mandate to collect both the government and private sector records of the municipality.<sup>50</sup> The local demand for corporate municipal records and the private sector records of the region is increasing, and local interest in establishing and maintaining the

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<sup>46</sup> “Carberry Plains Archives,” ICA-AtoM Archival Descriptive Software – MAIN Collections, <http://nanna.lib.umanitoba.ca/atom/index.php/carberry-plains-archives>, Accessed March 27, 2014.

<sup>47</sup> Ibid.

<sup>48</sup> Email message to author, December 12, 2012.

<sup>49</sup> “Council Meeting,” The Rural Municipality of Springfield, June 21, 2011, [http://www.rmofspringfield.ca/municipal\\_services/council\\_minutes](http://www.rmofspringfield.ca/municipal_services/council_minutes), Accessed December 22, 2013, 3.

<sup>50</sup> Rural Municipality of Springfield, “Municipal Records and Archives Survey,” December 20, 2012.

archives<sup>51</sup> demonstrates that the local preservation of archival records is important to the community.<sup>52</sup>

The Sam Waller Museum in The Pas operates as both a museum and a regional archive. Part of its official mandate is to “serve as the archival repository for the records of The Town of The Pas and private manuscript materials of enduring significance”.<sup>53</sup> This municipal archive has formally recognized preservation and description standards in place for both its corporate and private records and, as with the Springfield Municipal Archives discussed above, there is no reason for The Pas to enter into an agreement with the Archives of Manitoba for the preservation of its archival records. Additionally, “because the community is 6 hours from Winnipeg it makes it more convenient for [the municipal records] to be housed locally.”<sup>54</sup> The increasing local demand for these corporate municipal records is a further reason for the records continued presence in the community archive.<sup>55</sup>

Having access to archival municipal government records within the municipality can only benefit the municipal government and citizens of the area. Aside from simple convenience, the presence of a regional archive in a community that preserves both government and private sector records – such as the Springfield Municipal Archives and the Sam Waller Museum – strengthens community identity. Archives “ground us into the community,” and the archival records in their collections “perform complicated roles of commemoration, celebrations, and communication that establish or strengthen

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<sup>51</sup> As demonstrated in the Council Minutes of June 21, 2011.

<sup>52</sup> R.M. of Springfield, “Municipal Records and Archives Survey,” December 20, 2012.

<sup>53</sup> “Mission Statement,” Sam Waller Museum, <http://www.samwallermuseum.ca/mission/>, Accessed January 20, 2013.

<sup>54</sup> Town of the Pas, “Municipal Records and Archives Survey,” December 19, 2012.

<sup>55</sup> Ibid.

communities”.<sup>56</sup> The inclusion of municipal records in a community archive helps to establish the corporate memory of the region and to place its relationship within the broader community.<sup>57</sup>

The few municipalities that have established archives that acquire municipal government as well as private sector records seem to be the most efficient. That is, those municipalities that maintain both their operational government records and their archival government records within, or near, the municipality seem to have better control of their records. These municipalities, The Pas and the Rural Municipality of Springfield, appear to be better organized, and have a more comprehensive understanding of the current state of both their operational and non-operational records.<sup>58</sup>

The Archives of Manitoba currently has agreements in place with fifty-seven municipalities according to which they transfer their archival government records to the provincial archives for preservation. Thus approximately two-thirds of Manitoba’s municipalities (excluding Winnipeg) do not, and not every municipality that has such an agreement is transferring its most recent records. Most municipalities that have archives are not transferring their archival government records to these repositories instead of the province. In some cases, this means that archival corporate municipal records are simply not being cared for in an archives, although that is required by the *Municipal Act*. What is happening to these corporate municipal records? Are they being held within municipal offices? Are they being illegally destroyed? These questions will be studied more fully in the next chapter.

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<sup>56</sup> Richard J. Cox, "The archivist and community," in Jeannette A. Bastian and Ben Alexander, eds., *Community Archives: The Shaping of Memory* (London: Facet Publishing, 2009), 252, 254.

<sup>57</sup> *Ibid.*, 253.

<sup>58</sup> This is a judgement made by the author, based on all the responses to the “Municipal Records and Archives Survey,” Distributed November 5-10, 2012.

## Municipal Archives in Canada

Although there is a general lack of successful municipal archives in Manitoba, this is not the case elsewhere in Canada. The development of municipal archives is much further along in some other provinces. The odd feature of this is that while Manitoba's legislation in support of municipal archiving is as strong as any in the country, it has a weak municipal archives sector overall. Manitoba's archival and municipal law identifies certain categories of municipal government records as archival and requires them to be placed in "an archives", which "may" be the Archives of Manitoba.<sup>59</sup> Other provinces have weaker legislation (Prince Edward Island, Nova Scotia, and Newfoundland and Labrador) and no stronger municipal archives sector than Manitoba's. Some with weaker legislation (British Columbia and Alberta) have a stronger municipal archives sector than Manitoba's. Saskatchewan and Quebec have similar legislation to Manitoba's and similar municipal archives sector strength. New Brunswick has recently improved its legislation and is comparable to Manitoba's, but there has not yet been time to see the effects. Ontario, with strong legislation, has a better developed municipal archives sector than Manitoba.<sup>60</sup> That legislative strength in Manitoba has yet to translate into overall strength for the municipal archives sector in the province. As a point of comparison, I offer an overview of the provincial scene elsewhere in Canada.

The British Columbia *Museum Act*, which regulates both the Royal BC Museum, and BC Archives, states that the main purpose of the archives is to "hold and manage the

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<sup>59</sup> *The Municipal Act*, C.C.S.M. c. M225, Regulation 53/97, 2.

<sup>60</sup> It is important to consider that one reason for this difference is that Ontario has a much larger economy than Manitoba. This probably translates into larger budgets for Ontario municipalities and therefore greater financial support for municipal archives.

archives of the [provincial] government.”<sup>61</sup> There is no discussion of municipal governments, or local archival records in the Act. Similarly, the *Local Government Act* (which replaced the *Municipal Act* in 2000) does not discuss archival municipal government records. In fact, between these two pieces of legislation, no provision seems to be made for either municipal records preservation or destruction. The BC Archives does contain some municipal records, but the holdings are not comprehensive. It is unclear whether the BC Archives is actively acquiring municipal records; however, from the policy outlined in the legislation, and the information available on the BC Archives website, it does not appear to be looking to acquire municipal records. Rather, it simply acquires them if they are offered.

There are some well-established municipal archives in British Columbia. The City of Vancouver Archives has long preserved municipal government records, and a variety of private sector records. The archive was established in 1933 and its holdings include civic government records dating back to Vancouver’s incorporation in 1886. The archive also collects private records belonging to individuals, organizations, and businesses active in the community. Similarly, the City of Victoria Archives acquires both private sector and civic records, dating back to at least 1872.<sup>62</sup> Other municipalities with archives for their civic records include: Nanaimo, Surrey, Chilliwack, Richmond, Delta, and Coquitlam.

In Alberta the provincial archives operates according to the *Historical Resources Act*, which provides for the “acquisition, preservation, publication and public exhibition”

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<sup>61</sup> *Museum Act*, SBC 2003, Chapter 12, Part 1.

<sup>62</sup> City of Vancouver, “City of Vancouver Archives,” <http://vancouver.ca/your-government/city-of-vancouver-archives.aspx>, Accessed July 1, 2013.; City of Victoria, “Archives”, <http://www.victoria.ca/EN/main/departments/legislative-services/archives.html>, Accessed January 11, 2013.

of public records regardless of format, for records where their preservation “is in the public interest.”<sup>63</sup> There is no mention of municipal records, but the archives does act as the repository for Government of Alberta records. The *Municipal Government Act* states that a municipal council may authorize the destruction of municipal records as long as a reliable copy has been made.<sup>64</sup> There is no mention of the Provincial Archives of Alberta, or of archival records more generally. However, the Provincial Archives does contain the records of some (many defunct) municipalities in its holdings. Additionally, there are many well established municipal archives in Alberta. This implies that the Provincial Archives of Alberta supports archiving of municipal records, yet does not act as their official repository.

The Calgary Corporate Records and Archives was established in 1981 and is responsible for Calgary’s municipal government records.<sup>65</sup> Similarly, the municipal archives in Edmonton primarily acquires the city’s civic records. However, the archives also accepts private donations of records of Edmonton’s “individuals, organizations, and businesses.”<sup>66</sup> The City of Wetaskiwin Archives was established in 1978, with a broad mandate to collect records relating to “the documentary heritage of the City of Wetaskiwin and surrounding areas”.<sup>67</sup> The City of Red Deer and District Archives and the South Peace Regional Archives in Grand Prairie also acquire municipal records.

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<sup>63</sup> *Historical Resources Act*, RSA 2000, Chapter H-9, 8.

<sup>64</sup> *Municipal Government Act*, RSA 2000, Chapter M-26, 118-119.

<sup>65</sup> City of Calgary, “Corporate Records and Archives,” <http://www.calgary.ca/CA/city-clerks/Pages/Corporate-records/Archives/Corporate-Records-and-Archives.aspx>, Accessed January 11, 2014.

<sup>66</sup> The City of Edmonton, “City of Edmonton Archives Mandate”, [http://www.edmonton.ca/city\\_government/edmonton\\_archives/city-of-edmonton-archives-mandate.aspx](http://www.edmonton.ca/city_government/edmonton_archives/city-of-edmonton-archives-mandate.aspx), Accessed January 11, 2014.

<sup>67</sup> City of Wetaskiwin, “Archives,” <https://www.wetaskiwin.ca/index.aspx?NID=107>, Accessed January 11, 2014.

The Saskatchewan *Archives Act* states that “any municipality or school district in Saskatchewan may deposit any of its non-current records with the Archives Board for preservation.”<sup>68</sup> The *Municipalities Act* specifies certain types of municipal records that must be retained permanently, and that municipalities may deposit their archival records with the provincial archives – the Saskatchewan Archives Board. The collection of municipal records in the provincial archives is extensive, but “by no means comprehensive.”<sup>69</sup> Only a few municipalities, such as the cities of Regina and Saskatoon, have established their own archives programs, independent of the province, although Regina had long used the provincial archives to house its civic records. This situation seems to closely mirror the one in Manitoba – where municipal records can be deposited in the provincial archives, but can also be preserved by the municipality, depending on the wishes of the municipality, and yet few municipal archives exist.

The Ontario *Archives and Recordkeeping Act* only makes reference to municipal government in the context of access and privacy legislation – granting the provincial archivist the right to access any public record. The act states that nothing in the *Municipal Act* will prevent the Archivist from accessing public records if necessary for the purpose of performing his or her duties.<sup>70</sup> The *Municipal Act* mandates that municipalities must provide an archive for their records, or must enter into an agreement with a local, regional, or university archives for the preservation of their archival records.<sup>71</sup> The Archives of Ontario does contain a significant number of municipal government records, although nothing dating later than 1970s, implying that it no longer accepts municipal

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<sup>68</sup> *The Archives Act, 2004*, Chapter A-26.1 of the Statutes of Saskatchewan, 12.

<sup>69</sup> “Municipal Records,” Saskatchewan Archives Board. <http://www.saskarchives.com/collection/municipal-records>, Accessed May 4, 2013.

<sup>70</sup> *Archives and Recordkeeping Act*, S.O. 2006, Chapter 34, Schedule A.

<sup>71</sup> *Ibid.*, Section 254.

archival records. There are a lot of municipal and regional archives in Ontario that house local government records.<sup>72</sup> This model, where the archival preservation of municipal records is legislated in the *Municipal Act* is a good one. It ensures that records with enduring value are housed in a local (or nearby) archive, despite the lack of involvement of the provincial archives.

The Elgin County Archives in Ontario is one example of a flourishing regional archive. The archive was established in 2001 in response to concerns within the community that Elgin's archival heritage was not being preserved. As early as the 1980s, community members lobbied for the creation of a community archive that would preserve and provide access to the archival records of the community. The Elgin County Archives adopted the total archives approach; its mandate includes the acquisition and preservation of and provision of access to both the municipal government and private sector records of the community.<sup>73</sup> Notably, the mandate specifies that the archives is to function, in part, as a "highly visible public resource."<sup>74</sup> This condition reinforced the link between the archives and the community, and has resulted in an archives program that has become an invaluable resource to the community.

The Simcoe County Archives was the first county archives established in Ontario in 1966. The institution preserves the archival government-produced records of the

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<sup>72</sup> The Simcoe County Archives has compiled a list of all the municipal archives in Ontario. This includes an appendix that lists all of the local government records held by the Archives of Ontario. Fifty-five archives in total are willing to accept municipal government records upon request, in compliance with the Ontario *Municipal Act*. The latest version of the document was updated in 2006. Simcoe County Archives, "Municipal Archives in Ontario", <http://www.simcoe.ca/dpt/arc/research/resources/directory/#.UY56Gsoy6KI>, Accessed May 11, 2013.

<sup>73</sup> The phrase "total archives" refers to a Canadian acquisition strategy whereby both the records of an archives' sponsoring institution and related private sector generated records are acquired by the archives.

<sup>74</sup> Elgin County – Archives. "Creating the Archives." <http://www.elgincounty.ca/archives/about/creating-archives>, Accessed April 13, 2013.

county and “its constituent municipalities”.<sup>75</sup> This collection of public records includes the corporate records of the City of Barrie “and 25 current or pre-amalgamated municipalities”.<sup>76</sup> The archives also preserves private sector records from the region. The Simcoe County Archives has become a fixture in the region, and has worked to publicize “the way in which historical records impact our communities”.<sup>77</sup> The archive has also played a role in the development of a regional identity through preservation of and access to the community’s records, its “collective memory.”<sup>78</sup>

There are numerous other examples of flourishing municipal archives in Ontario, too many to discuss here. These include the City of Toronto Archives, the City of Ottawa Archives, The City of Thunder Bay Archives, the Region of Waterloo Archives, and the Port Hope Archives, all of which collect and preserve municipal government records.<sup>79</sup>

The Quebec *Archives Act* rarely references municipalities, except to classify them as public bodies, over which the Act has jurisdiction. According to the *Archives Act* public bodies must establish management policies and retention schedules for their operational records. Additionally, public bodies must transfer archival records to the Bibliothèque et Archives nationales annually once their retention periods have lapsed.<sup>80</sup>

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<sup>75</sup> “About the Archives,” The Simcoe County Archives, <http://www.simcoe.ca/dpt/arc/#.UZjf7cpIGIA>, Accessed May 19, 2013.

<sup>76</sup> Bruce Beacock, “Making Municipal History: Simcoe County Archives,” *Municipal World* (May 2007), 117, 5, 34.

<sup>77</sup> *Ibid.*, 31.

<sup>78</sup> *Ibid.*

<sup>79</sup> City of Toronto, “City of Toronto Archives,” [https://gencat4.eloquent-systems.com/webcat/request/DoMenuRequest?SystemName=City+of+Toronto+Archives&UserName=wa+public&Password=&TemplateProcessID=6000\\_1580\\_11104&bCachable=1&MenuName=City+of+Toronto+Archives&eloquentref=toronto](https://gencat4.eloquent-systems.com/webcat/request/DoMenuRequest?SystemName=City+of+Toronto+Archives&UserName=wa+public&Password=&TemplateProcessID=6000_1580_11104&bCachable=1&MenuName=City+of+Toronto+Archives&eloquentref=toronto), Accessed January 11, 2014.; City of Ottawa, “City of Ottawa Archives,” [http://ottawa.ca/en/node/266164/index\\_en.html](http://ottawa.ca/en/node/266164/index_en.html), Accessed January 11, 2014.; City of Thunder Bay, “City Archives & Records,” [http://www.thunderbay.ca/City\\_Government/City\\_Records\\_and\\_Archives.htm](http://www.thunderbay.ca/City_Government/City_Records_and_Archives.htm), Accessed January 11, 2014.; Region of Waterloo, “Region of Waterloo Archives,” <http://www.regionofwaterloo.ca/en/regionalgovernment/archives.asp>, Accessed January 11, 2014.; Port Hope Archives, <http://www.porthopearchives.com/>, Accessed January 11, 2014.

<sup>80</sup> *Archives Act*, Chapter A-21.1, 1983, C.38 S.1.

*The Municipal Code* of Quebec also regulates the control of municipal records. The code states that every municipality must have a staff member in charge of its archives, and that the municipal archival records must be made accessible to anyone who requests to see them.<sup>81</sup> This is excellent, if a bit confusing, as it implies that municipal archival records are retained within municipalities, while the *Archives Act* stipulates that the Bibliothèque et Archives nationales is the repository for the records of all public bodies. The Bibliothèque et Archives nationales does have the records of some municipalities in its collection, but not of every municipality. Despite the seemingly strong legislation many municipal records in Quebec are apparently unaccounted for. Although, it is worth mentioning that there are some examples of flourishing municipal archives in Quebec, most notably, the Archives of Montreal and the Quebec City Archives both of which preserve civic records.<sup>82</sup>

The New Brunswick *Archives Act* states that the provincial archives (through the position of provincial archivist) should encourage municipalities to adopt “modern records storage and classification systems” to ensure that “public records are protected against deterioration, loss, and destruction.”<sup>83</sup> The *Archives Act* makes no statements regarding the transfer of municipal records to the archives, or regarding the preservation of such records in any other archival setting. The *Municipalities Act* makes no mention of archival records. However, the recently created Municipal Records Authority (MRA) of 2011 states that the provincial archives “may enter into a contractual agreement with the municipality for the maintenance and preservation of municipal records of archival value

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<sup>81</sup> *Municipal Code of Québec*, Chapter C-27.1

<sup>82</sup> Ville de Quebec, “Archives,”

[http://www.ville.quebec.qc.ca/en/apropos/portrait/archives\\_historiques.aspx](http://www.ville.quebec.qc.ca/en/apropos/portrait/archives_historiques.aspx), Accessed January 11, 2014.; Archives de Montreal, <http://archivesdemontreal.com/>, Accessed January 11, 2014.

<sup>83</sup> *Archives Act*, S.N.B. 1977, c. A-11.1, 5-6.

as defined by this Authority.”<sup>84</sup> The MRA also provides “comprehensive file plan and retention schedules” for municipalities, and provides them with a straightforward method of transferring records.<sup>85</sup> The MRA stops short of insisting that municipalities transfer their archival records to the province, indicating that some municipalities would prefer to keep these records near the place that created them. The MRA clearly states that archival records should be transferred to an archival facility for long-term preservation.<sup>86</sup> But even larger centres such as Fredericton and Saint John do not yet have city archives.

The *Public Archives Act* of Nova Scotia makes no explicit reference to local or municipal government records.<sup>87</sup> However, the *Municipal Government Act* discusses municipal government records in the context of access to information and privacy legislation, noting that private information present in archival municipal records may be disclosed in certain circumstances.<sup>88</sup> The Act makes reference to both the Public Archives of Nova Scotia, as well as unspecified municipal archives, as possible locations of archival municipal government records. The provincial archives offers records management courses to interested parties among government bodies, crown corporations, or municipalities, implying that the provincial archives has adopted some responsibility for ensuring that municipal records are properly looked after.<sup>89</sup> According to the available online resources, it does not appear as though the Nova Scotia Archives acquires

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<sup>84</sup> The Municipal Records Management Steering Committee of the Provincial Archives and the Association of Municipal Administrators of New Brunswick, “Municipal Records Authority for New Brunswick,” (Fredericton: Provincial Archives of New Brunswick, 2011), 4.

<sup>85</sup> *Ibid.*, 2.

<sup>86</sup> *Ibid.* I could not find any information online regarding established municipal archives in New Brunswick. This obviously does not mean that there are no municipal archives in New Brunswick, simply that they lack a web presence.

<sup>87</sup> *Public Archives Act*, Chapter 24, 1998, Amended 2006, c.15 and 2011, c.26.

<sup>88</sup> *Municipal Government Act*, S.N.S. 1998, c. 18.

<sup>89</sup> Government of Nova Scotia, “Records Management Training Courses,” *Government of Nova Scotia*, Accessed May 5, 2013, <http://gov.ns.ca/nsarm/training.asp>.

municipal records. The Regional Municipality of Halifax, however, has recently established a municipal archives that acquires both government and private sector records of the municipality. The Argyle Township Courthouse Archives was the first municipal archives in the province. It acquires the records of the government of the Municipality of the District of Argyle. The province has several community archives that are similar to those in Manitoba, and thus few have a formal mandate for municipal records.

The Prince Edward Island *Archives and Records Act* does not mention municipal records. Similarly, the *Municipalities Act* does not discuss archival records. Although, according to the online database of the Prince Edward Island Public Archives and Records Office, a few municipalities have transferred records to the archives.<sup>90</sup> It is unclear how many municipal archives in the province are currently preserving municipal government records. It seems there little activity in this regard.

In Newfoundland and Labrador neither the *Municipalities Act* nor the *Rooms Act* (which governs the provincial archives) mention the archival care of local government records.<sup>91</sup> The provincial archives at The Rooms heritage centre does have some municipal records in its holdings. While there are some municipal archives in the province, notably St. John's, it is unclear how many municipal archives there are outside of these major cities. The fate of local government records is uncertain, with neither the provincial archives nor a network of municipal or regional archives working to acquire them.

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<sup>90</sup> *Municipalities Act*, RSPEI 1988, c. M-13. *Archives and Records Act*, RSPEI 1988, c. A19-1.

<sup>91</sup> *Municipalities Act*, SNL 1999, c M-24. *Rooms Act*, SNL 2005, c R-15.1.

## Conclusion

The legislation in Manitoba governing both the destruction and archival preservation of municipal records is strong when compared to similar legislation in other provinces. Specifically, the Manitoba *Municipal Act* states that local government records with archival value must be preserved indefinitely. The Act also states that non-archival records can only be destroyed in accordance with established records schedules. Additionally, the Act states that records designated as archival must be transferred to an archives. Other provincial municipal acts do not provide nearly this level of instruction regarding local records. As far as the Archives of Manitoba is concerned, its relationship with municipal records appears to be in line with the situation in many other provinces.<sup>92</sup> That is, it may accept municipal archival records when offered. Most provincial archives, including Manitoba's, have incomplete holdings of municipal records. And although there are some excellent municipal archives in Canada, the vast majority of Canadian and Manitoban municipalities do not have archives. In Manitoba, the few that do, excluding the Sam Waller Museum and the Springfield Municipal Archives, do not yet deal adequately with municipal records. And since municipal governments are not required to transfer their records to the Archives of Manitoba, and have neither placed them in other archives nor established their own municipal archives, many archival records appear to be in limbo, regardless of Manitoba's strong legislation. The following chapter will examine the recordkeeping and archiving practices of municipalities in greater detail.

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<sup>92</sup> Alberta and Saskatchewan were the most similar to Manitoba both in the legislation and in practice.

### **Chapter Three: Municipal Recordkeeping Trends in Manitoba**

This chapter discusses municipal recordkeeping and archiving practices in Manitoba municipalities as indicated in the responses to the Municipal Records and Archives Survey sent out between November 2012 and January 2013. The chapter offers a candid look at recordkeeping practices in Manitoba. The reasons behind survey responses will be examined, particularly how they relate to the concepts of good governance and accountability by municipal governments. Excellent records management and archival practice will be acknowledged, and areas where improvements can be made will be identified. I will also propose a model for archives and records management in municipalities that I believe should be the ideal that is worked towards. Finally, I will examine how municipal recordkeeping practices might start moving towards this ideal, as well as how practical that is for municipalities today.

#### **Overview of Current Recordkeeping Practices in Manitoba**

The survey I sent to records professionals, or employees in charge of records, in Manitoba municipalities questioned whether municipalities were currently transferring archival records to the Archives of Manitoba or were interested in doing so. While twenty-three respondents (eighty-two percent) indicated that they were aware archival records could be transferred to the provincial archives, only a minority of six respondents (twenty-one percent) actually transferred records. Thirteen (or forty-six percent) of respondents indicated that they would consider entering into an agreement with the Archives of Manitoba, while eight of these respondents (or twenty-nine percent) indicated they would like to send their records to the Archives of Manitoba. These

findings mimic the current reality of municipal archival records in the holdings of the Archives of Manitoba. Roughly twenty-nine percent of the municipalities in Manitoba currently in existence (not including those that have been amalgamated or abandoned and no longer exist) have transferred archival records to the Archives of Manitoba. Nine respondents (or thirty-two percent) do not want to transfer their archival records, and five (or eighteen percent) are undecided. Further, eighteen respondents (or sixty-four percent) are not interested in establishing a municipal archive. These numbers suggest that municipal governments might be hesitant to transfer their records to the custody of the provincial government. As well, these numbers indicate a preference among many municipal administrators to keep their archival records within their municipality.

The functions of municipal archives in Manitoba have already been discussed in some detail. At this point, it is essential to look at records management and archival practices within Manitoba's municipalities, particularly in those places where there is no archives program in place. While it is clear that recordkeeping is often not considered a priority by municipal councils as far as budgeting is concerned, it is equally clear that many municipal officials and citizens believe good recordkeeping practices to be essential.

Comprehensive records management and archives programs are essential for governments to provide the services expected of them, as well as ensuring that they remain accountable to and accessible by their citizens. Good records management practices are crucial at all levels of government. As discussed previously, municipalities can be leaders in this respect, and many across Canada have demonstrated that comprehensive archives programs have brought significant benefits to their operations.

According to the survey I sent to municipalities in Manitoba, many municipalities also feel this way. The survey contained eighteen questions, many of them multiple choice, which questioned municipal administrators and records professionals about the state of their government records (both operational and archival).<sup>1</sup> In all cases, I attempted to find contact information for a municipality's records manager or archivist. When this was impossible (either because the information simply was not available, or neither position existed within a given municipality) I addressed the survey to the Chief Administrative Officer. I sent out 173 surveys, representing all the 197 municipalities in the province, excluding Winnipeg.<sup>2</sup> Of these, I received twenty-eight responses. Additionally, when many municipal officials declined to participate, they gave some indication of why they were unable to complete the survey, which gave some insight into how recordkeeping is approached in these municipalities. These reasons – lack of resources, time, and staff necessary to complete the survey – confirm many of the trends identified by the full survey responses. I think these reasons are indicative of the state of recordkeeping within that municipality. Clearly, the vast majority of municipalities did not reply.<sup>3</sup> It is reasonable to consider that such a lack of response means that recordkeeping and archiving are not high priorities for these municipalities. Communities with successful programs to report would have no obvious reason not to share that information. And that could have been done quickly and easily, as the survey form was not long or complex. Regardless, enough responses were received to allow some reasonable generalizations

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<sup>1</sup> See the appendix for a blank copy of the questionnaire.

<sup>2</sup> Many municipalities have combined administrative offices, for example: the Rural Municipalities of Minto and Odanah.

<sup>3</sup> 145 municipal offices did not respond.

and conclusions to be drawn that reinforce the finding based on other sources that the Manitoba municipal archives sector is significantly underdeveloped.

Despite being generally supportive of records management programs, or at least the processes that drive them, many municipalities in Manitoba do not appear to have sufficient control over their records. Nineteen respondents to the survey (or sixty-eight percent) were unable to state or estimate the amount of records created by the municipal government within the past year. Despite this, twenty-one (or seventy-five percent) indicated that the total volume of municipal records created had grown either significantly or moderately, within the last five years. Additionally, fifteen respondents (or fifty-four percent) were unable to identify or estimate which types of records had most increased in volume within the last five years.<sup>4</sup> It is unsurprising that the seven respondents (twenty-five percent) who did provide a definitive answer to this question identified digital records as the form of record that had most increased in volume.<sup>5</sup>

When questioned about the current management of records in the day-to-day administration of their municipal government, there was a fairly even divide among respondents. Eleven respondents (or thirty-nine percent) believed that the day-to-day management of municipal records was growing in complexity, while fifteen (or fifty-four percent) stated that their impression was that the management of current operational records was not getting more complex. Respondents were also asked whether they believed other municipalities perceived daily records management processes to be

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<sup>4</sup> Surveys were initially sent out on November 7, 2012; the last response was received on January 27, 2013. The time period of “last five years” would have varied between these two dates depending on the respondent.

<sup>5</sup> These three answers were in response to the questions: Has the volume [of records] grow significantly, moderately, or not at all within the last five years?; and: What types of records have increased in volume the most? (Questions 2 and 3 in the Appendix).

increasing in complexity. Fourteen (or fifty percent) were under the impression that the administration of records in other municipalities was getting more complex, eleven (or thirty-nine percent) did not know, while only seven percent (two respondents) believed that records management in municipalities other than their own was not getting any more complicated.

The reasons respondents gave for this perceived increase in the complexity of records management were varied, as the question allowed for free-form responses. Some respondents indicated that employees had a tendency to ignore records management policies, particularly as institutions attempt to control the way electronic documents are named. This results in complicated and unorganized digital files. Other municipalities felt that restrictions imposed by legislation, specifically the *Municipal Act* and the *Freedom of Information and Protection of Privacy Act* (FIPPA), made records management more complicated. A number of municipalities also seemed confused regarding retention periods, despite the fact that the retention requirements for particular types of records are legislated through the *Municipal Act*. Another respondent seemed frustrated by the instability of digital records and what they termed “unreliable electronic systems”.<sup>6</sup> A number of respondents indicated that the sheer volume of records in their custody presented a problem with regard to records management, especially when tasked with a FIPPA request. In fact, the most common response to this query about the causes of complexity in records management centred on the difficulty offices had in dealing with FIPPA requests and requirements. Municipalities seem to have issues locating records

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<sup>6</sup> This survey respondent wished to remain anonymous. This response came from the answer to question six, submitted on November 12, 2012.

when tasked with a request under FIPPA, and some seem daunted by the requirements outlined in the legislation.<sup>7</sup>

The vast majority of survey respondents (twenty-one, or seventy-five percent) rated the quality of records management with regard to the daily administration of their municipalities as satisfactory. Three respondents (eleven percent) described their quality of records management as excellent, but it is worth noting that none of these respondents have municipal archives in place. However, all three have some sort of agreement in place with the Archives of Manitoba, and at least two of these respondents indicated that periodic reviews of their records management processes are undertaken. Only two respondents (seven percent) described current records management practices in their municipalities as poor.

Finally, when questioned about which methods or procedures would improve records management practices within their municipality respondents provided a variety of answers. The most popular response with ten responses (or thirty-six percent) was a generalized desire for better control over their records. Respondents also indicated a need for increased storage space (eight, or twenty-nine percent), more time to devote to records management (six, or twenty-one percent), and additional staff to deal with records (five, or eighteen percent). Interestingly, and rather alarmingly, no respondents identified a need for a professional records manager, archivist, or information manager. Many respondents did indicate a need for an increase in financial support from the municipality as a way to improve records management. This was done with either an explicit statement

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<sup>7</sup> The way in which survey respondents feel about the regulations outlined in FIPPA and the Municipal Act is revisited in more detail later in this chapter.

(two responses, or seven percent), or a variety of statements that all implied the need for additional financial support (fourteen responses, or fifty percent).<sup>8</sup>

Municipalities were also questioned about archives programs and the management of archival records. Municipal administrators were asked how their archival records were identified and maintained. Five respondents (eighteen percent) indicated that they were guided by the *Municipal Act*. Taken as a whole, the responses to this question were limited. While some municipalities provided clear and detailed responses, many more provided vague and unhelpful responses. For example, one municipality indicated paradoxically that archival records were identified but not maintained in any way.<sup>9</sup> Another municipality stated that its archival records were identified and maintained by “binders and files.”<sup>10</sup> The entirety of another answer was that records were identified and maintained by “property number project government department.”<sup>11</sup> Another respondent indicated that records were cared for simply “by administration”,<sup>12</sup> and another stated that records are “stored in a room and listed on a sheet of paper.”<sup>13</sup> Responses like these indicate that many administrators seem uninformed about appropriate records management and archival management practices, a significant concern that will be addressed more fully in the next chapter.

Municipalities were quick to identify the types of records present in their archival holdings. Many of these reflect the regulations outlined in the *Municipal Act*: assessment

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<sup>8</sup> These responses included identifying a need for increased storage, staff, and time to deal with records. Others indicated a desire to digitize records or to implement some type of electronic document management system. All of these changes would require the financial backing of the municipality and/or external sources of funding.

<sup>9</sup> Rural Municipality of Cartier, “Municipal Records and Archives Survey,” January 19, 2013.

<sup>10</sup> Rural Municipality of Kelsey, “Municipal Records and Archives Survey,” November 13, 2012.

<sup>11</sup> Town of Hamiota, “Municipal Records and Archives Survey,” January 25, 2013.

<sup>12</sup> This implies that records groups (of sorts) have been identified, and are presumably maintained in some way that facilitates access. Confidential survey number seventeen, submitted on November 13, 2012.

<sup>13</sup> Town of Powerview-Pinefalls, “Municipal Records and Archives Survey,” January 5, 2013.

rolls, financial plans, financial statements, reports of the auditor, council meeting minutes, council by-laws and resolutions, Ombudsman reports, and, financial statements filed by electoral candidates. Other records identified include: maps, plans, financial records, personnel records, cemetery records, tax rolls, statutes, blueprints, records relating to municipal projects, and unspecified old or historical records. Some of these records clearly have no archival value – personnel files in particular should not be retained longer than necessary. The vagueness about historical records indicates that better control over archival records is most likely needed. Finally, when asked to identify or estimate the extent of their archival records seventeen (or sixty-one percent) respondents were unable to do so.

Twelve respondents (or forty-three percent) indicated that there was demand for access to their archival records, while fifteen respondents (or fifty-four percent) claimed there was not any significant demand for access to their archival records. Seventeen respondents (or sixty-one percent) indicated that their archival records were being cared for in a satisfactory manner.<sup>14</sup> Five respondents (or eighteen percent) indicated that the quality of the care of archival records was excellent. The reasons for this answer varied, but included statements that the records are held in compliance with the *Municipal Act*, easily accessible, protected from environmental damage, kept in secure areas, and have documentation that accompanies them. Another five respondents (or eighteen percent) indicated the quality of care for archival records was poor. Reasons for this response also varied, but included statements that the records were susceptible to environmental damage, already damaged, needed better storage facilities, and that administrators

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<sup>14</sup> Notice, sixty-one percent were also unable to indicate the extent of archival records. Not all of the respondents answered both questions with these two answers, but there is some overlap.

required better control over their records. Records that are neglected are at a greater risk of loss due to unexpected and environmental factors. Flooding in Manitoba is of particular concern. Municipalities where disaster plans do not include provisions for their current and archival records are unprepared to deal with such scenarios.

These survey results demonstrate a general awareness of the significance of treating archival records with particular care, driven in many cases by a need to abide by the *Municipal Act* and the *Freedom of Information and Protection of Privacy Act*. These responses also show that in some cases this legislated obligation to keep organized records is viewed as a burden by municipal office staff. Some municipal administrators simply do not have proper control over their current and archival records. I would argue this is the case for the vast majority of survey respondents.<sup>15</sup> Despite these shortcomings, these survey responses also demonstrate that there is a general desire among municipalities to retain control over their archival records. There is a general (if undefined) sense that local history is important, and that the archival records of a municipality contribute to the history and sense of community within a region.

Currently municipalities in Manitoba view records management in two distinct ways. Some consider good records management practices to be essential as they enable municipal governments to have well organized offices, resulting in efficient service delivery and a better use of the municipality's financial resources. Proponents of good records management also acknowledge that such practices make it easier for municipal staff to comply with the regulations of the *Municipal Act* and the *Freedom of Information and Protection of Privacy Act*. Others view records management as a burden of sorts.

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<sup>15</sup> Despite what the respondents themselves seemed to think. Many respondents rated their records management and archival practices as satisfactory or excellent even when their answers to the rest of the survey questions indicated a lack of control over their records.

While they recognize the necessity of records management practices in maximizing office efficiency and easing workflow, they also view the work involved with records management as problematic. Specifically, municipal employees appear confused by records retention schedules, frustrated by the necessity of complying with FIPPA, and overwhelmed by the difficulty of controlling hybrid records systems where both paper and digital records are present.<sup>16</sup>

Municipal archives, on the other hand, are generally viewed in a more positive light. The existence of some municipal archives around the province, and the support they receive from both municipal governments and local communities, demonstrates at least a cursory awareness of their value. Records already housed in archives or, at least, records that are quite old, are a source of fascination for many people in municipalities who believe, correctly, that these records are in need of protection. Historical archival records (but not current records that have archival value) tend to be seen as artifacts – interesting pieces and neat reflections of a previous time. This is a perfectly appropriate way of conceptualizing archival records; however, it ignores their value as evidence, as proof of government accountability and honesty, and as unique resources that can be utilized to tell the history of a particular place or people. It is the operational records with archival value, and older non-operational records of this type that are not yet old enough to be fascinating, that are in danger. At least some of these records must be retained by municipalities according to the regulations of the Municipal Act, but undoubtedly some are neglected, damaged, or destroyed.<sup>17</sup>

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<sup>16</sup> Various answers to survey question six.

<sup>17</sup> Goldsborough, *With One Voice*, 104 (see page 21 above) and various survey responses.

## **Municipal Governance, Accountability, and the *Freedom of Information and Protection of Privacy Act***

The Manitoba *Freedom of Information and Protection of Privacy Act* allows individuals to request information from public bodies in accordance with the regulations outlined in the Act. It also enables people to request access to personal information about themselves that is within the control of public bodies. FIPPA regulates the way public bodies (including local governments) may collect, utilize, and store personal information with the specific intention of dictating policies which protect personal information from unauthorized access or disclosure.<sup>18</sup> FIPPA applies to “all records in the custody or under the control of a public body”.<sup>19</sup> Any person has the right of access to any record in the custody or control of a public body.<sup>20</sup> Public bodies must respond to a request made under FIPPA within a reasonable amount of time designated as 30 days or any extension thereof. If a public body does not respond to a request within the legislated period of time “it is to be treated as a decision to refuse access to the record”.<sup>21</sup> For public bodies whose actions are a breach of the legislation outlined in the act, the consequences are very clear. Any person who discloses information that should have remained private, misleads or obstructs anyone attempting to access information in accordance with the act, or “destroys a record or erases information in a record that is subject to this Act with the intent to evade a request for access to records” can be convicted of an offence, and will be required to pay a fine up to \$50,000.<sup>22</sup> FIPPA’s structure is consistent with similar

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<sup>18</sup> *The Freedom of Information and Protection of Privacy Act*. C.C.S.M. c. F175, “Purposes of this Act,” 8

<sup>19</sup> *Ibid.*, 9.

<sup>20</sup> *Ibid.*, 11. There are of course exceptions to this rule, but they are stipulated based on the protection of personal and confidential information, and concerning records which, if released to the public, would jeopardize the need for such confidentiality.

<sup>21</sup> *Ibid.*, 13.

<sup>22</sup> *Ibid.*, 76.

legislation in other provinces and territories across Canada, which all promote “the general principle that information held by government should be available to the public, except where other considerations legitimately require denial of such access. Disclosure is the rule rather than the exception”.<sup>23</sup>

The *Freedom of Information and Protection of Privacy Act* exists to provide accountability for governments and other public bodies. By legislating that any individual may access records created and held by all levels of government within the province, FIPPA ensures that citizens are capable of holding government officials accountable for their decisions and their actions. FIPPA also provides support for the work done by the Office of the Auditor General and the Manitoba Ombudsman in promoting fairness and accountability in governance at both the provincial and municipal level.

The Office of the Auditor General, while primarily responsible for ensuring financial accountability within the provincial government and related organizations, does play a role in ensuring municipal government financial accountability. Specifically, the *Municipal Act* “establishes a reporting framework to the Minister of Intergovernmental Affairs now Manitoba Municipal Government, including external audit requirements of annual financial statements, an annual audit of compensation ... and the submission of an annual supplementary audit report.”<sup>24</sup> Upon conducting an audit of a municipality, the Auditor General directs government officials to behave responsibly, which “includes transparency of their plans, actions and results, along with an organized approach to

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<sup>23</sup> John D. Stefaniuk, “Let it all Hang Out: Freedom of Information and Municipalities,” *Municipal Leader*, (Fall 2009), 80.

<sup>24</sup> Office of the Auditor General, “Special Audit: Rural Municipality of La Broquerie,” March 2008. <http://www.oag.mb.ca/reports/>, Accessed December 27, 2013.

understanding and following laws and good management practices”.<sup>25</sup> These are reasonable expectations to have of a democratic government, and yet, when an audit is requested (often by citizens of the municipality in question), it is typically because financial transparency and general accountability are no longer a reality.

The purpose of a municipal audit conducted by the Auditor General’s office is to address any allegations against the government, to identify weaknesses regarding financial spending and reporting, and to provide recommendations based on the assessment that the municipality is expected to implement. A Special Audit (the type conducted on municipalities when appropriate) is undertaken in response to allegations brought against the municipal government. As such, the specific reasons for each municipal special audit vary according to circumstances. In the case of La Broquerie the special audit undertaken in 2007 revealed that the municipality did not have in place any “appropriate internal controls for its day-to-day operations”, which exposed the municipality to the risk that “inappropriate transactions” might have occurred that were not noticed.<sup>26</sup> The audit also revealed that the municipality did not have **any** formal policies or procedures in place to govern “significant areas of their operations”.<sup>27</sup> Auditors discovered that many outstanding accounts had not been paid by the municipality and that certain annual financial budgets approved by council were not realistic and resulted in deficits.<sup>28</sup> The municipal government did not have formal policies in place for staff claiming expense accounts, which exposed them to the risk that

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<sup>25</sup> Ibid.

<sup>26</sup> Ibid., 3.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid., 5-6.

inappropriate expenses were claimed.<sup>29</sup> In a number of cases the audit found that the Rural Municipality of La Broquerie failed to comply with the *Municipal Act*. The municipal government failed to: establish “an organizational by-law and a procedures by-law until July 2005”; allow taxpayers sufficient time (90 days as legislated in the *Municipal Act*) “to pay supplementary taxes”; file a Statement of Assets and Interest with the municipality on an annual basis; and make the approval process for capital projects open and transparent.<sup>30</sup> The recommendations provided by the Auditor General’s Office as a result of the audit required that these issues regarding municipal governance be addressed by the municipality. Detailed formal reports such as this add to concerns about the quality of municipal recordkeeping.

The Manitoba Ombudsman performs a complementary role to the Auditor General. The Ombudsman’s authority is derived from the *Ombudsman Act*, the *Freedom of Information and Protection of Privacy Act*, the *Personal Health Information Act* (PHIA), and the *Public Interest Disclosure (Whistleblower Protection) Act*. The ombudsman’s office has the authority to “investigate complaints about administration by government bodies” including municipal and local governments.<sup>31</sup> The office is in charge of dealing with breeches of privacy and general complaints about a lack of access to information that should be available under FIPPA and PHIA. The function of this office is to ensure fairness, openness, and transparency among governments, public bodies, and trustees. If an individual believes a municipal government has acted in an unfair or incorrect manner, she or he can bring the complaint to the Ombudsman who will in turn

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<sup>29</sup> Ibid , 8.

<sup>30</sup> Ibid., 4-9.

<sup>31</sup> “About the Office,” Manitoba Ombudsman, <http://www.ombudsman.mb.ca/info/about-the-office.html>, Accessed June 30, 2013.

conduct an investigation into the governance practices of the municipality. The Ombudsman's office and the Auditor General's office ensure that municipal governments act in a fiscally responsible manner, protect personal and confidential information entrusted to them, and keep a record of their decisions and actions that is freely accessible to their citizens or any interested party.

Some municipalities and local governments are working to help ensure government transparency by making council and committee agendas and minutes available online or through a local library. Canadian municipal governments are encouraging their citizens to attend council meetings in person whenever possible, while at the same time making council and other municipal meetings open to the media so that a wider audience can be reached. Some municipalities are also webcasting municipal government meetings to make them more widely accessible.<sup>32</sup> Any steps made by municipalities towards making government decisions more easily accessible by the public are good ones. One of the best models for this in Canada, at the moment, appears to be the City of Vancouver Open Data catalogue, which “provides free and open access to over 130 city datasets”.<sup>33</sup> The catalogue is the result of the city's commitment to keeping its data open and accessible to the public by making as much of it available as possible “while respecting privacy and security concerns”.<sup>34</sup> There are a great variety of datasets available. They have included datasets that help to make government decisions and actions more transparent, such as council expenses, election results, contracts awarded by

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<sup>32</sup> Brad Alford, “Transparency Within Local Government,” *Municipal World*, June 2010, 120, 6, 27-28.

<sup>33</sup> “Open Data Catalogue,” City of Vancouver, <http://vancouver.ca/your-government/open-data-catalogue.aspx>. Accessed July 1, 2013.

<sup>34</sup> *Ibid.*

the city, city project sites, and city owned properties.<sup>35</sup> The number and types of datasets available are increasing as the city strives to make as much information as possible available online.<sup>36</sup> Other cities across Canada are pursuing open government much like Vancouver, and are striving to make their data available online in a similar way.<sup>37</sup>

In the context of FIPPA, PHIA, and a general desire to enable transparency through good governance practices, municipal governments in Manitoba must consider their records management and/or archives programs as tools through which information can be both protected and easily accessed by the public. “Records management frameworks need to be risk based, flexible”, and include policies and procedures that make appropriate records available as soon as possible after their creation.<sup>38</sup> Good governance “implies that processes are in place to ensure an organization is able to account for its actions through its records”.<sup>39</sup> This can **only** be done if an appropriate records management program is in place. Records support accountable and transparent governance practices; they are “the primary means by which organizations can defend their actions”.<sup>40</sup> Without the maintenance of authentic records governments are unable to prove that “policies and procedures were correctly followed”.<sup>41</sup> Additionally, the

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<sup>35</sup> “Data Catalogue”, City of Vancouver Open Data Catalogue, <http://data.vancouver.ca/datacatalogue/index.htm>. Accessed July 1, 2013.

<sup>36</sup> “Open Data Catalogue,” City of Vancouver, <http://vancouver.ca/your-government/open-data-catalogue.aspx>. Accessed July 1, 2013.

<sup>37</sup> A comprehensive list of the municipalities in Canada making some of their data available online is available here: <http://datacatalogs.org/group/canada>, (Accessed January 23, 2014). Many of these municipalities have utilized the same licence as Vancouver, some of which offer more datasets than the Vancouver. These include the District of North Vancouver, Edmonton, and the City of Niagara Falls. Despite this, I chose to use Vancouver as an example because it had the most information about the open data project available.

<sup>38</sup> Elizabeth Lomas, “Information governance: information security and access,” *Records Management Journal*, vol. 20, no. 2 (2010), 182.

<sup>39</sup> *Ibid.*, 184.

<sup>40</sup> Elizabeth Shepherd and Geoffrey Yeo, *Managing Records: a handbook of principles and practice* (London: Facet Publishing, 2003), xi.

<sup>41</sup> *Ibid.*, xiii.

democratic and personal rights of “citizens and the wider community may also be impaired”. On the most basic level, municipalities that have little or no control over their records will be utterly unable to comply with the *Municipal Act*, the *Freedom of Information and Protection of Privacy Act*, and, the *Personal Health Information Act*.

The way in which Manitoba municipalities view FIPPA varies. Many municipalities respond to requests to access information without the need for a formal request.<sup>42</sup> However, there are still many instances where a request for information under FIPPA is “resisted or refused.”<sup>43</sup> There are multiple reasons for this, but the most common seems to be a general unwillingness to share information that may be viewed negatively, and an inability to locate the requested records due to unorganized records systems.<sup>44</sup> This is obviously problematic given the legal obligation placed on municipalities by FIPPA to make their information easily accessible. In 2012 the Manitoba Ombudsman’s office received 117 complaints about municipalities in the province over their inability or unwillingness to abide by FIPPA and PHIA.<sup>45</sup> This indicates that some municipalities are struggling to fulfil their obligations under the act. The Access and Privacy Division of the Ombudsman’s office deals with complaints regarding “any decision, act or failure to act,” “requests for information from public bodies or trustees,” as well as “privacy concerns about the way their personal information” is handled.<sup>46</sup> This statistic is even more concerning when placed in the context of the last ten years. The 117 complaints regarding municipalities out of a total of

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<sup>42</sup> Stefaniuk, “Let it all Hang Out,” 81.

<sup>43</sup> *Ibid.*, 81.

<sup>44</sup> Various survey responses to question 6.

<sup>45</sup> Manitoba Ombudsman’s Office, “2012 Annual Report under the Freedom of Information and Protection of Privacy Act and the Personal Health Information Act”

[http://www.ombudsman.mb.ca/documents\\_and\\_files/annual-reports.html](http://www.ombudsman.mb.ca/documents_and_files/annual-reports.html), 4. Accessed December 22, 2013.

<sup>46</sup> *Ibid.*, 1.

313 complaints received by the Ombudsman's office in 2012 is significantly more than in preceding years. In 2003, the office received 58 complaints about municipalities out of a total of 403.<sup>47</sup> In 2004, it received 61 such complaints out of 521.<sup>48</sup> In 2005, the office received 90 complaints about municipalities out of 456.<sup>49</sup> In 2006, it received 43 such complaints out of 361.<sup>50</sup> In 2007, a total of 508 complaints were received by the Ombudsman's office, 91 of which were in reference to municipalities.<sup>51</sup> In 2008, the office received 40 complaints about municipalities out of 351.<sup>52</sup> In 2009, 91 complaints about municipalities were handled out of a total of 494.<sup>53</sup> In 2010, the Ombudsman's office received 93 complaints about municipalities out of a total of 465.<sup>54</sup> Finally, in 2011 the office handled 97 complaints regarding municipalities out of a total of 453.<sup>55</sup> The jump in complaints from 2012 shows that many municipalities are handling privacy concerns and access to information requests even more poorly than in the preceding years. The fact that the Ombudsman's office is receiving so many complaints about municipalities indicates a tendency among them to neglect or mistreat information and

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<sup>47</sup> Manitoba Ombudsman's Office, "2003 Access and Privacy Annual Report".

[http://www.ombudsman.mb.ca/documents\\_and\\_files/annual-reports.html](http://www.ombudsman.mb.ca/documents_and_files/annual-reports.html), Accessed December 22, 2013.

<sup>48</sup> Manitoba Ombudsman's Office, "2004 Access and Privacy Annual Report".

[http://www.ombudsman.mb.ca/documents\\_and\\_files/annual-reports.html](http://www.ombudsman.mb.ca/documents_and_files/annual-reports.html), Accessed December 22, 2013.

<sup>49</sup> Manitoba Ombudsman's Office, "2005 Access and Privacy Annual Report",

[http://www.ombudsman.mb.ca/documents\\_and\\_files/annual-reports.html](http://www.ombudsman.mb.ca/documents_and_files/annual-reports.html), Accessed December 22, 2013.

<sup>50</sup> Manitoba Ombudsman's Office, "2006 Annual Report",

[http://www.ombudsman.mb.ca/documents\\_and\\_files/annual-reports.html](http://www.ombudsman.mb.ca/documents_and_files/annual-reports.html), Accessed December 22, 2013.

<sup>51</sup> Manitoba Ombudsman's Office, "2007 Annual Report",

[http://www.ombudsman.mb.ca/documents\\_and\\_files/annual-reports.html](http://www.ombudsman.mb.ca/documents_and_files/annual-reports.html), Accessed December 22, 2013.

<sup>52</sup> Manitoba Ombudsman's Office, "2008 Annual Report",

[http://www.ombudsman.mb.ca/documents\\_and\\_files/annual-reports.html](http://www.ombudsman.mb.ca/documents_and_files/annual-reports.html), Accessed December 22, 2013.

<sup>53</sup> Manitoba Ombudsman's Office, "2009 Annual Report",

[http://www.ombudsman.mb.ca/documents\\_and\\_files/annual-reports.html](http://www.ombudsman.mb.ca/documents_and_files/annual-reports.html), Accessed December 22, 2013.

<sup>54</sup> Manitoba Ombudsman's Office, "2010 Annual Report",

[http://www.ombudsman.mb.ca/documents\\_and\\_files/annual-reports.html](http://www.ombudsman.mb.ca/documents_and_files/annual-reports.html), Accessed December 22, 2013.

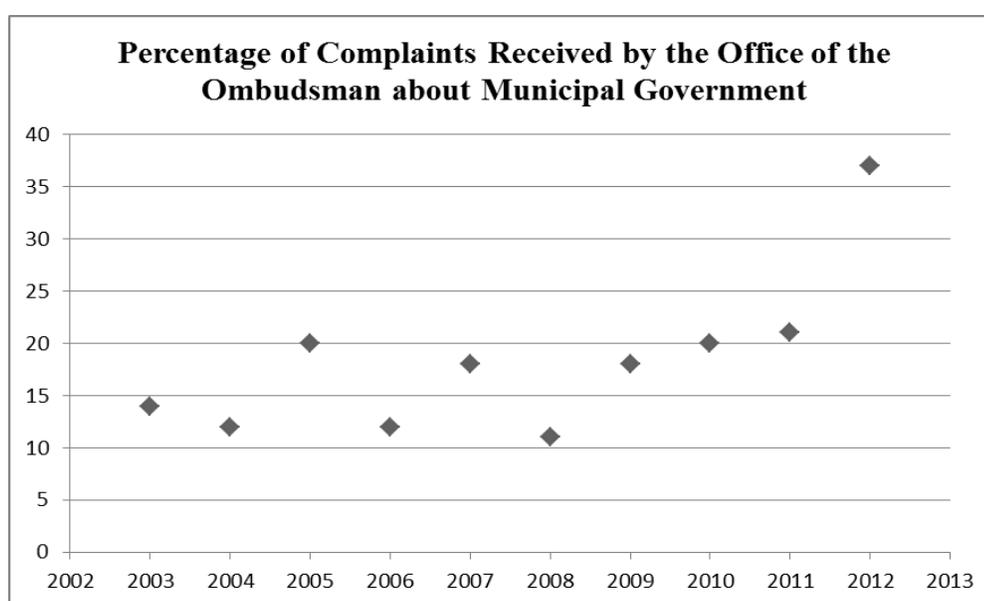
<sup>55</sup> Manitoba Ombudsman's Office, "2011 Annual Report under the Freedom of Information and Protection of Privacy Act and the Personal Health Information Act".,

[http://www.ombudsman.mb.ca/documents\\_and\\_files/annual-reports.html](http://www.ombudsman.mb.ca/documents_and_files/annual-reports.html), Accessed December 22, 2013.

likely records as well. The survey responses I received from municipal office staff support this suggestion.

**Figure 1: Percentage of Complaints Received by the Office of the Ombudsman about Municipal Governments**

Percentage of complaints received per year by the Access and Privacy Division of the Manitoba Ombudsman's Office regarding the application of the Manitoba Freedom of Information and Protection of Privacy Act by Municipal Governments, out of the total number of such complaints received by the division regarding all entities governed by the act



Some municipal administrators and records professionals believe that stricter control over municipal government records is necessary, especially to enable municipal compliance with FIPPA.<sup>56</sup> Survey respondents identified the increasing amount of records created as problematic in regard to fulfilling FIPPA requirements and requests.<sup>57</sup>

<sup>56</sup> City of Brandon, "Municipal Records and Archives Survey," November 29, 2012; Rural Municipality of St. Francois-Xavier, "Municipal Records and Archives Survey," November 13, 2012.

<sup>57</sup> Rural Municipality of Cameron and Town of Hartney, "Municipal Records and Archives Survey," November 27, 2012; Confidential survey, submitted on November 12, 2012; Confidential survey, submitted December 4, 2012.

Some municipalities have difficulty locating records when faced with a formal request for information.<sup>58</sup> In particular, a number of respondents identified the increasing complexity of dealing with hybrid records systems that are both paper based and digital as a major issue with regard to controlling their records. Some respondents expressed concern over this complexity, particularly with respect to filling FIPPA requests and a general fear of legal action being taken against the municipality. In summary, despite a desire to gain better control over their increasingly complex records systems, many municipalities continue to struggle with records management, especially as it affects their ability to fulfil FIPPA requirements.

The complaints fielded by the Manitoba Ombudsman's office indicate a failure of many municipal governments to appropriately deal with personal confidential information and formal requests submitted under FIPPA. These complaints also demonstrate a failing in the relationship between a municipal government and the people it governs. A government's inability or unwillingness to protect personal information implies (perhaps unintentional) disrespect for the people it governs. A government's inability or unwillingness to share a record of its decisions and actions with the people it governs implies that it is neglectful, has something to hide, or is corrupt in some way. These failings are directly linked to a government's ability to abide by the *Freedom of Information and Protection of Privacy Act*. When a municipal government is unable to do this, either through a desire to hide its decisions, or through neglectful recordkeeping practices, it is operating outside of the policies and laws that exist to hold all levels of government accountable. A government that cannot be held accountable by its citizens is not a democratic government.

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<sup>58</sup> Town of Powerview-Pine Falls, "Municipal Records and Archives Survey," January 4, 2013.

The survey responses I received, in combination with reviewing Auditor General and Ombudsman reports and a comprehensive literature review, indicated that in many cases governments simply do not understand the purpose of records management programs and archives, particularly as they relate to democratic accountability. Particularly jarring for me was discovering the high percentage of survey respondents who seemed to have no concept of the functions of records management and archives. This was indicated by participants ignoring questions, or providing only skeletal answers to questions. Some respondents were unable to estimate the volume of current records or the extent of their archival records. Others were unable to indicate what types of records were increasing, or identify if and why the administration of their current records was becoming more complex. Additionally, some respondents are under the impression that simply digitizing paper files will make records easy to locate. This is just not true. Scanning paper records to make them available electronically is not a substitute for records management. In fact, digitizing paper records comes with its own set of records management (and archival preservation) issues. An institution that lacks a records management program will not be equipped to deal with these digital records any better than they currently deal with paper records. There is a common misconception among people who are not records professionals that digital records do not need to be managed because they can be found by searching a computer or network drive via keyword. I cannot stress enough how problematic this type of thinking is. Not only is it wrong, but it does not account for the fact that for records to have value they need to be authentic and usable as evidence if necessary. Ephemeral documents do not allow for this. In an unorganized system that is not administered by any higher authority or policy it is so easy

to delete or alter records, erasing a previous version that may (down the road) prove to be necessary.

Some survey respondents made it clear that their understanding of records management and of archives was on par with how records professionals view recordkeeping.<sup>59</sup> However the majority of respondents had a different viewpoint. As discussed above, many participants provided only skeletal or non-descriptive answers to free-form questions. This, in combination with limited understanding of the functions of both records management and archives programs, strongly suggests the low priority municipal governments assign to their records.

The general perception seemed to be that if current and archival records could be located, even with difficulty, then the current procedures were good enough. The vast majority of participants rated the quality of the management of current records as “satisfactory”.<sup>60</sup> And yet, other responses indicated that for many municipalities their records management practices were problematic. Ten respondents (or thirty-six percent) indicated that they wanted to gain better control over their records, while eleven (or thirty-nine percent) specified a need for additional staff and time to devote to improving records management practices. Similarly, a majority of participants rated the quality of care of their archival records as “satisfactory”<sup>61</sup> and yet seventeen respondents (or sixty-one percent) were unable to estimate the extent of their archival holdings.<sup>62</sup>

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<sup>59</sup> This was particularly true for the responses from the Sam Waller Museum in the Pas, the Springfield Municipal Archives, and the City of Brandon. The first two responses were sent in by established archives, and the last response was sent in by the City’s Records and Information Manager/Access and Privacy Officer.

<sup>60</sup> Twenty-one out of twenty-eight responses, or seventy-five percent.

<sup>61</sup> Seventeen out of twenty eight respondents, or, sixty one percent.

<sup>62</sup> Forty-three percent equals twelve out of twenty-eight responses. Eight of these twelve respondents rated the control of their archival records as “satisfactory”, another two of the twelve rated the control of their archival records as “excellent”.

These two points demonstrate that while many respondents believed that records were being managed decently, their other responses undermined that belief. Despite municipal administrators' conviction that records were being properly controlled, in many cases, records are clearly not under their control. The sheer number of complaints received by the Ombudsman's Office regarding municipalities supports this finding. Most notably, 117 complaints were received in a one year period by the Access and Privacy division of the Ombudsman's office regarding municipalities, out of a total of 313 complaints – over one third of the complaints received by the office had to do with municipalities' inability or unwillingness to abide by FIPPA and PHIA. While these numbers from 2012 are particularly high, there were still a significant number of complaints received in the preceding ten-year period. Current and archival records in many of Manitoba's municipalities are often being neglected or ignored, and many are certainly not being properly looked after. Not only does this harm future historians or citizens who might require such records, it also hurts current governance practices and the relationship between municipal governments and the people they serve.

### **An Ideal Model for Municipal Archives and Records Management Programs**

Every municipality needs to have an appropriate and functional records management program in place. There are a number of ways a records management program can be implemented, but the steps are the same for every government, business, or academic institution. A records manager needs to be hired, ideally to a permanent position. Alternatively, hiring a records manager on a contract to establish the records management program, ensure appropriate policies are enacted, and to train staff would

also work. In the process of setting up the program, the records manager will inventory current records and set up retention and disposition schedules that comply with the regulations of the *Municipal Act*, FIPPA, PHIA, and any other relevant pieces of legislation. If there is a municipal archives in place the records manager should consult with the municipal archivist at this point. In the process of establishing retention schedules, the records manager will need to classify both operational and non-operational records. There is a variety of ways to do this, but the most common, and most logical, is to undertake a function-based analysis of the records whereby they are classified according to the functions they serve within the government.<sup>63</sup> The fundamental purposes of records management programs are to ensure that an organization is in “compliance with recordkeeping laws and regulations”, organize and manage both active and inactive records, determine how long records should be retained, and to protect private, confidential, or personal records (or records containing such information).<sup>64</sup> All of these functions contribute to organizational best practice and good accountable governance practices by municipal governments. Most significantly, in order for records to be useful to both government staff and the public “they must be accessible”.<sup>65</sup> This is virtually

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<sup>63</sup> Any recently published book on records management indicates these steps as essential to the establishment of a records management program. Specifically, I consulted: William Saffady, *Managing Electronic Records, 4<sup>th</sup> edition* (New York: ARMA International, 2009).; William Saffady, *Records and Information Management: Fundamentals of Professional Practice* (Lenexa: ARMA International, 2004); Elizabeth Shepherd and Geoffrey Yeo, *Managing Records: a handbook of principles and practice* (London: Facet Publishing, 2003); and Kelvin Smith, *Planning and implementing electronic records management: a practical guide* (London: Facet Publishing, 2007).

<sup>64</sup> Saffady, *Records and Information Management*, 9.

<sup>65</sup> *Ibid.*, 11.

impossible for municipalities, at least with any consistency, if they do not have proper control over both their current and archival records.<sup>66</sup>

Municipalities also need to start properly caring for their archival records. The ideal option would be to have a local archive established in every municipality in the province. This is similar to the situation in many Ontario communities. The Ontario *Municipal Act* legislates that municipal archival records must be kept in a secure yet accessible location. Municipal archives are prevalent in Ontario, although municipalities have the option of sending their archival records to a regional or university archive instead of establishing a local municipal archive.<sup>67</sup> Housing municipal archival records in a local archive has a number of benefits, all of which have been discussed previously, but are worth reiterating here. To begin with, keeping records in the locality that created them supports the most basic archival principle, their provenance. Location shapes the context of understanding of archival records, and it is a generally accepted principle in Canadian archival practice that records should remain as close to the place where they were created as possible. This reflects how people within municipalities feel their archival records should be treated. Municipalities are apprehensive about giving up control of their archival records to external institutions, particularly if those institutions are geographically distant. Some of this apprehension could be mitigated if the archive that records are transferred to was physically close and set up for the collection of municipal government records. And archives are “arsenals of democratic accountability and

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<sup>66</sup> This was apparent when comparing survey responses between municipalities that had records management or archives programs in place (or were working to establish them) and municipalities that had no similar methods of controlling their records.

<sup>67</sup> *Municipal Act*, S.O. 2001, Section 254.

continuity”.<sup>68</sup> They protect against government corruption and unethical governance practices by forcing transparency and accountability.<sup>69</sup> Archival records serve as fundamental knowledge resources for communities by documenting the human experiences and decisions of a community.<sup>70</sup> The knowledge resources of an organization are embodied in records which represent “an organization’s intellectual capital”.<sup>71</sup> Municipal government records are unique, and are a vital part of the story of a given community, the province, and the country. By providing evidence of decisions and actions records contribute to societal memory and help shape the social fabric and collective memory of a region.

There are a number of challenges facing a municipality in Manitoba that wants to improve its records management and archival practices, many of which are outside of the control of any municipality. Currently, municipalities determine which government records have archival value according to the regulations of the *Municipal Act*, which has an extremely narrow definition of what types of records are considered archival.<sup>72</sup> According to the *Municipal Act, Regulation 53/97* regarding the retention and disposition of archival records, the municipal records designated as archival are: minutes, by-laws, committee reports, lists of electors, the annual report of the auditor, general ledgers, site plans/plot register/index, operation licences or permits, assessment rolls, tax collectors roll or tax collection activity reports, and the tax sale ledger. This list of archival records

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<sup>68</sup> Terrence M. Eastwood, “Reflections on the Development of Archives in Canada and Australia” in Sue McKemmish and Frank Upward, eds., *Archival Documents: Providing Accountability Through Recordkeeping* (Melbourne: Ancora Press, 1993), 36.

<sup>69</sup> Sue McKemmish, “Recordkeeping, Accountability and Continuity: The Australian Reality,” in Sue McKemmish and Frank Upward, eds., *Archival Documents: Providing Accountability Through Recordkeeping* (Melbourne: Ancora Press, 1993), 9-26.

<sup>70</sup> Richards, “Archives as a Cornerstone of Community Growth,” 4.

<sup>71</sup> Saffady, *Records and Information Management*, 21.

<sup>72</sup> Richards, “Archives as a Cornerstone of Community Growth,” 62.

is too limited a method for determining whether records have long-term value. Without a doubt, the records indicated in the *Municipal Act* have archival value. But, it is very unlikely that they are the **only** records created by municipal governments that should be designated as archival. What about correspondence and memoranda? Policy documents? Project planning files? The data and results of any studies undertaken? Many institutions (and I believe municipal governments can be included here) create some records that are totally unique to their situation, rather than only a set common type of record. What is happening with these files? If the survey responses I received are any indication, most of them are being destroyed. Most participants seemed to be following the regulations in the *Municipal Act* to the letter with regard to the retention and disposition of their records, as they are correct to do. There is no other legislation currently in place to supplement these regulations and municipal administrators are not archivists. They are not in a position to make confident appraisal decisions.

If the regulations in the *Municipal Act* regarding archival records are too narrow, and other provincial legislation is lacking, what is the answer? How should the archival quality of municipal records be determined? The obvious answer would be to have an archivist appraise the records. This is probably the ideal option, especially if a municipal government is developing an archive and hiring its own archivist. Alternatively, an archivist could be hired on a contract to conduct an appraisal. Currently the Association for Manitoba Archives (AMA) offers advisory services to institutions looking to improve their recordkeeping practices and/or establish an archive.<sup>73</sup> This does not appear to include appraisal (or appraisal consultation) services, but such a service could be

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<sup>73</sup> "Advisory Services," Association for Manitoba Archives, <http://mbarchives.ca/services/advisory>. Accessed July 8, 2013.

developed.<sup>74</sup> Or, if the AMA is unable to provide appraisal consultation services itself, it could provide contact information for archivists and records managers willing to work on contract to help establish an archives program and/or conduct a records appraisal.

Another action that might help improve municipal archival records preservation is legislative reform. Admittedly, this is a daunting topic, and even if certain reforms were approved, there is no guarantee that they would actually strengthen records management and archival practices in municipal governments. That said, it is worth considering what types of changes might be effective. With regard to the *Municipal Act*, little reform would be necessary. Currently, regulation 53/97 of the act dictates that municipal councils must ensure that archival records (as identified above) are “transferred to the Archives of Manitoba, or to an archives that the council has determined meets established minimum archival standards, as soon as reasonably possible after the minimum retention period.”<sup>75</sup>

Despite this regulation, only six (or twenty-one percent) of the municipalities that responded to the survey are transferring their archival records to the Archives of Manitoba. Only three respondents (or eleven percent) have an archives in their locality to which they might be able to transfer government records, although they are not necessarily transferring their records. In total, only nine survey respondents (or thirty-two percent) are currently transferring their archival records to an accredited archive. The remaining nineteen (or sixty-seven percent) are not doing anything with their archival records, aside from not destroying them. Presumably they are retained within municipal

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<sup>74</sup> I realize this is dependent on professional archivists being willing and able to volunteer their services, or (more reasonably) on the availability of external sources of funding administered by the AMA to support this work. Currently the association is hindered in how much it is able to directly help local archives because of Library and Archives Canada’s recent decision to eliminate of the National Archival Development Program, which supported archives across Canada by providing limited grant funding.

<sup>75</sup> *The Municipal Act*, C.C.S.M. c. M225, Regulation 53/97, 2.

offices, but this is not clear. This is a fairly small sample of the municipalities in the province; however, I believe these results to be representative because these survey responses are supportive of other evidence gleaned from annual reports and local histories (very few records from archives and even fewer municipal government records were used in these books). Clearly, the fact that the regulations in the *Municipal Act* specify that archival records must be transferred to an archive is not enough to motivate municipalities to do so. Since regulations are supposed to have the same force behind them as enacted legislation there is no logical reason for municipalities not to abide by the regulation. Perhaps municipalities are in need of reminding that they are, in fact, obligated to comply with **all** sections of the *Municipal Act*. Failing this, maybe a stricter penalty for failure to comply with regulation 53/97 should be considered. Or, maybe municipalities would be more willing to deal with their archival records appropriately if they had easier access to recordkeeping advice and supports.

The Archives of Manitoba could also play a stronger role in the preservation of municipal archival records. The *Archives and Recordkeeping Act* specifies that the archives “may enter into an agreement with a municipality with respect to its records” which can include giving recordkeeping advice to the municipality, aiding municipalities with the retention and disposition of their records, or having the municipality’s archival records transferred to the Archives of Manitoba.<sup>76</sup> This wording supports a largely passive role, and does not require the Archives of Manitoba to initiate any specific action regarding municipal records. I am conflicted about this. On the one hand, I think that as much control as possible over municipal records should remain with municipalities. As it is now, the *Archives and Recordkeeping Act* allows for this. However, I also believe that

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<sup>76</sup> *The Archives and Recordkeeping Act*, C.C.S.M. c. A132, 8.

the provincial archives has a responsibility, as the leading force in Manitoba's archival community, to advocate for archival records that are being neglected or mistreated. Municipal governments are already expected to be accountable to their citizens, the Auditor General, the Ombudsman's office, and Manitoba Municipal Government. And while logically the necessity of being held accountable for their decisions and actions by all of these groups should influence good recordkeeping practices, this is clearly not the case.<sup>77</sup> The Archives of Manitoba could be granted the authority to review and make recommendations on good recordkeeping and archiving practices in municipalities. If municipalities are already accountable to the bodies mentioned above with regard to the information contained within their records, why should they not be accountable to the Archives of Manitoba as well regarding the creation, use, and preservation of those records? Clearly, not all municipalities are equipped to monitor their own recordkeeping practices, why not make them accountable to an external, expert authority on this subject?

This suggestion is fairly aggressive, and is not without its problems. Significantly, by forcing the recordkeeping practices of municipal governments to be monitored, some agency and control is removed from municipalities. I am hesitant to endorse anything that does not allow municipal governments total autonomy in governance (and the associated administrative) practices because it implies that municipalities are not capable of governing themselves and their citizens. That said, perhaps the Archives of Manitoba could oversee municipal recordkeeping practices temporarily – help to establish good

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<sup>77</sup> At least, not enough of the time. Too many municipalities lack proper control of their records.

practices, stay involved long enough to troubleshoot any problems, and remain available to answer questions and offer advice.<sup>78</sup>

There are other less invasive methods through which the Archives of Manitoba could advocate for municipal records and archives. This could be as simple as more actively publicizing to municipalities that the archives is available to offer recordkeeping advice, something they are already obligated to do upon request by the *Archives and Recordkeeping Act*. By educating municipal governments about good recordkeeping, and especially the importance of caring for archival records, the provincial archives would ensure that records and recordkeeping practices are taken more seriously by municipalities. Currently, the Archives of Manitoba can only deal with municipal records when they are requested to by municipalities. While this ensures services are available to municipal governments, it does not address the many municipalities that do not value their records or make little effort to control them adequately. The municipalities that are currently neglecting their records are the ones most in need of the educational services that could be provided by the Archives of Manitoba (and the Association for Manitoba Archives), and yet these municipalities are the least likely to take advantage of these services. It is this discrepancy – that the municipalities most in need of help are totally unaware that there is even a problem with their current practice – which I believe the Archives of Manitoba has a responsibility to address.

Municipalities wishing to establish records management and archives programs, or wishing to strengthen existing programs, would be wise to consider an integrated records management and archives program. Such a program is ideal in that it ensures that

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<sup>78</sup> This, and the suggestions below, is an attempt to identify possible ways the Archives of Manitoba could help to ensure municipal records are preserved.

current records are handled properly and that archival records are not neglected. Privacy concerns will be taken into account, while also ensuring that records are accessible. An integrated records management and archives program enables organizations (including governments) to gain strict control over their current and archival records which increases transparency, accountability, office efficiency, and contributes to the collective memory and identity of a community. There is documented community support for records management and archives programs within Manitoba communities, although some people may not articulate their support in such terms.<sup>79</sup> Lack of familiarity with the professional jargon leads individuals to discuss the importance of “historical artifacts” and stories told by community elders when referring to archival records and previously unrecorded oral histories. But this does not diminish the importance community members feel such records have to their locality. In fact, people believe that such stories and artifacts are integral pieces of community identity, and fear their loss.<sup>80</sup> A municipal or regional archive, and more importantly, a professional archivist, can directly address this concern. Archivists are trained to preserve and provide access to historic material. Not only are they capable of dealing with physical records, but they are also among the most qualified people to undertake oral history projects. These types of projects are extremely valuable in general, but especially in smaller communities facing population declines. Many municipalities in Manitoba are declining as people move away in favour of larger (urban) centres. Before long, much of the history of municipalities in the province that currently resides in basements, attics, and the memories of the elderly, will be lost unless actions

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<sup>79</sup> Responses to the Municipal Records and Archives Survey, respondents to Ian Richards’ Archives and Community Development Questionnaire, all published community and local history books from around the province.

<sup>80</sup> This was articulated the most forcefully in local history books.

are taken to preserve it. Archivists can directly add value to a community, not only by preserving its history and collective memory, but by ensuring the actions taken by the government are visible and accessible to community members.

## **Conclusion**

The large number of complaints regarding municipal governments received by the Manitoba Ombudsman's office and the Office of the Auditor General indicates an inability or unwillingness to comply with both the *Freedom of Information and Protection of Privacy Act* and the *Municipal Act*. Given that many survey responses indicated that municipal offices had difficulty locating relevant records when tasked with FIPPA requests, and that the majority of respondents indicated that better control over both current and archival records was needed, it seems obvious that governance practices could easily be improved if recordkeeping practices were improved.

There is significant interest in local history within Manitoba's communities and sufficient enthusiasm for municipal archival records to inspire positive changes in the way many are currently handled. The problem, however, is that such support appears to be primarily conceptual. Although there is a sense within municipalities of the value archival records bring to their community, there is a discrepancy between the perceived value and level of care provided. People are more than willing to express support, but are less willing to follow through with action. The authors of local history books, municipal administrators, and the Archives of Manitoba all have underscored the value and importance of municipal archival records, but do not seem to know where to start working to improve the situation. The final chapter will provide a number of suggestions

for ways municipalities can improve their recordkeeping practices ranging from relatively minor and comparatively inexpensive changes to a total overhaul of the way both current and archival records are managed.

## **Chapter Four: Options for Archiving Municipal Records**

This chapter offers a variety of suggestions and alternative methods for improving municipal recordkeeping, recognizing that there may be a difference between the ideal model proposed in the previous chapter and what municipalities can reasonably hope to accomplish. My goal is to provide suggestions that are varied enough that every municipality, no matter the size or the budget, would be able to implement at least one of these recommendations. This chapter outlines some of the challenges facing municipalities that are looking to improve their recordkeeping practices. It also examines a variety of suggestions for municipalities interested in making positive changes to their records management and archival practices. These range from the fairly simple: transferring their archival records to the Archives of Manitoba, or another established archive in the region, and seeking advice from the Association for Manitoba Archives – to the challenging: collaborating with local libraries and museums, developing a regional archive with nearby municipalities – and to the demanding: establishing a proper local archives for each municipality. This chapter also looks briefly at the challenges digital records these pose for municipalities.

Despite the benefits comprehensive records management programs and archives can bring to a government and a community, there are still a number of challenges facing municipalities regarding the establishment of municipal archives. One of the most significant challenges is monetary – many municipalities do not believe they can support an archive or a records management program financially. Many municipalities are facing the fact that they simply do not have the “financial resources to do everything their citizens want them to do” while also taking care of basic needs like infrastructure, water

treatment, public safety, transit, and maintaining other core services.<sup>1</sup> In many cases this includes establishing and supporting an archives program. Records management programs are also ghettoized. As long as the municipal government offices are functioning, administrators see no reason to implement any records management practices, let alone an entire program.<sup>2</sup> The thing people fail to realize is that records management and archives are integral to the effective delivery of these other services. By maximizing efficiency, enabling the protection of personal and confidential information, and providing evidence of decisions and transactions, information management programs ensure that municipal services are actually delivered in a way that most benefits the government and the population. It stands to reason that the cost of programs and services municipalities provide actually goes up when records required to administer them are poorly managed.

The monetary issue remains a very real one. In addition to the initial set up cost of establishing an archives or records management program (or both), which is not inconsequential, municipalities are then responsible for providing the ongoing necessary storage space (both physical and digital), staff, and training for employees. Many survey respondents indicated that they needed more time in order to improve their records management practices and the treatment of archival records. More time equals more staff resources dedicated to improving both services. The best way to do this is to hire someone qualified. I understand that many municipalities might struggle to find room in their budgets for another staff member, particularly one with such a specialized skill set but that does not mean such an employee is not needed. One of the best ways to

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<sup>1</sup> Goldsborough, *With One Voice*, 128.

<sup>2</sup> This is very well documented in both records management and archival literature, and was supported by the survey responses.

maximize what cash-strapped municipal governments can get out of such an employee is to hire someone qualified into a joint position of archivist and records manager. This folds nicely into the previous discussion of establishing an integrated archives and records management program. A single employee responsible for both functions is ideally positioned to integrate those functions.

There are other challenges facing municipalities interested in establishing any form of information management program. Lack of financial support is probably the most significant, but there are also problems of perception – a lack of understanding of how records and archives management works – which are a close second. Survey respondents identified that the management of both current and archival records is often increasing in complexity. Digital records are increasingly prevalent, and many municipalities do not have a program or plan in place to deal with them. Some respondents indicated concerns over managing digital records that were not governed by a records policy, while others believed they could solve their records management problems by digitizing paper files in order to make them easier to locate. In many municipalities, as in many offices, it makes sense that much of the difficulty in managing records “results from a history of inconsistent records management practices within municipal government,” a problem that has been exacerbated by technology.<sup>3</sup> Some municipal administrators appeared confused by records retention as outlined in the *Municipal Act*; clearly the guidance of a records manager or archivist would be helpful in this case.

Another major impediment to the establishment and support of municipal archives is that the fundamental purpose of such archives, keeping records as evidence of government actions, can work against the interests of government. Good recordkeeping

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<sup>3</sup> City of Brandon, “Municipal Records and Archives Survey,” November 29, 2012.

practices hold “governments and organizations accountable,” something many politicians and administrators do not actually want directed at them, despite a tendency to call for their opposition to be held accountable.<sup>4</sup> Secrecy, and the fear of the information contained within records can drive governments to attempt to conceal their actions through destruction or obfuscation of records.<sup>5</sup> Since one fundamental purpose of government records – to stand as testament whether or not they are ever needed or accessed – is at odds with some governments, the archives that should collect these records are neglected.<sup>6</sup> Government officials who do not want their decisions or actions recorded sometimes take extreme measures and ignore access to information legislation by destroying records illegally, and sometimes actively avoid creating documents so no official record exists.<sup>7</sup> Richard Cox notes that “the value of records for evidence and accountability will always make government and corporate leaders intent on wrongdoing or misguided control uncomfortable.”<sup>8</sup> However, by the same measure, maintaining and preserving records for the purposes of evidence and accountability helps to legitimize governments that work to engage with their citizens as part of the political process. Well-kept records “have the power to establish a basis of trust within a community and beyond it. That trust cannot be broken if actions can be defended and revisited in documents

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<sup>4</sup> Shelley Sweeney, “Lady Sings the Blues: The Public Funding of Archives, Libraries, and Museums in Canada” in Cheryl Avery and Mona Holmlund, eds., *Better off Forgetting?: Essays on Archives, Public Policy, and Collective Memory* (Toronto: University of Toronto Press, 2010), 29.

<sup>5</sup> Richard Cox and David A. Wallace, eds., *Archives and the Public Good: Accountability and Records in Modern Society* (Westport: Quantum Books, 2007), 13.

<sup>6</sup> Sweeney, “Lady Sings the Blues,” 29-30.

<sup>7</sup> Jo-Ann Munn Gafuik, “Access-to-Information Legislation: A Critical Analysis,” in Avery and Holmlund, eds., *Better off Forgetting?*, 44.

<sup>8</sup> Richard Cox, *Ethics, Accountability, and Recordkeeping in a Dangerous World*, (London: Facet Publishing, 2006), 231.

honestly prepared and kept”.<sup>9</sup> Information and knowledge equal power, especially politically where an “uninformed” public “cannot take part in the political process with any real effect.”<sup>10</sup> A politically active community is going to demand that municipal officials are able to defend and justify their actions. The best way for governments to do this is by keeping comprehensive records and making them as accessible as possible.

Given the potential difficulties facing municipalities that need to implement a records management and/or archives program, it is not surprising that many find it to be overwhelming. Despite the clear benefits to municipalities of launching an integrated records management and archives program, it is not an option open to everyone, and there are a number of other alternatives to consider. The simplest choice, especially given the way care of municipal archival records is currently legislated in Manitoba, is for municipalities to transfer their records to the Archives of Manitoba. One concern about that is if municipalities transfer their archival records to the province they will no longer be held within the community, and municipalities will relinquish some control over their records. However, there is no denying that the Archives of Manitoba is a sensible option for municipal records that would guarantee they are both cared for and accessible. This is most likely also the cheapest option for municipalities, which would only incur the one-time cost of organizing and shipping the records, and not the ongoing costs associated with storage and providing access. Another problem to consider is that while transferring archival records to the Archives of Manitoba means that municipalities are no longer required to deal with them, it does little to motivate municipal governments to get their current records in order. Unlike an integrated records management and archives program,

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<sup>9</sup> Barbara L. Craig, “The Anchors of Community Trust and Academic Liberty: The Fabrikant Affair,” in Cox and Wallace, eds., *Archives and the Public Good*, 289.

<sup>10</sup> McKemmish and Upward, *Archival Documents*, 132.

this solution ignores the fact that many municipalities need to improve their policies and practices regarding current records as well as archival ones. Finally, the Archives of Manitoba does not currently have the capacity to accept born-digital records, something municipalities should keep in mind when deciding if they want to enter into an agreement with the provincial archives.

Another alternative is that each municipality have its own archive. The access to archival records kept within the community would make citizen engagement with municipal governments easier, and may help to empower voters to hold their representatives accountable. Arguably, the biggest reason to establish and support a local archive is that that would allow communities to retain control over their records. Local archives act as knowledge resources for a community, and by their work in preserving and making local records accessible they both construct and preserve community memory and identity.<sup>11</sup> Localities that give up their records to other archives (or that neglect their records) are missing this vital part of what makes them unique. This option would require finding new resources or reallocating some existing ones, but as with any new important priority a start at least can be made and steady progress toward the goal achieved.

An alternative to the transfer of municipal records to the Archives of Manitoba or establishment of a local archive in all municipalities is that municipalities join together to support the creation and maintenance of regional archives around the province. While these archives would be located in only certain municipalities, they would be designed to serve numerous surrounding municipalities. This approach would be significantly less expensive than having every municipality set up its own archive as it would only require all participating municipalities to commit to a percentage of the set up and ongoing costs.

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<sup>11</sup> Richards, "Archives as a Cornerstone of Community Growth," 17.

A regional archive would be much closer to home for many municipalities (even if some travel was required) than the Archives of Manitoba. Control over the records of a given municipality could remain in its hands even if in a shared facility. There are a number of successful regional archives already in Manitoba, including the Altona and District Heritage Research Centre, the Boissevain Community Archives (located within the Boissevain and Morton Regional Library), the Minnedosa Regional Archives, and the North Norfolk-MacGregor Archives Inc. Municipalities might begin by exploring the potential role of such archives.

Collaboration between archives, libraries, and museums is not new. While these institutions have distinct functions, they all serve the broad purpose of ensuring that communities have access to knowledge resources. As recently as 2004 Canada's National Archives and National Library amalgamated to create Library and Archives Canada. At the provincial level, The Rooms in Newfoundland houses the provincial archives, museum, and gallery and functions as a cultural centre in St. John's. The Rooms offers a public space for community events, including grounds suitable for outdoor performances and events. This model is one that holds great potential for municipalities. Many municipalities in Manitoba have a library. Many also have museums. Creating a combined space to act as archive, library, and museum, or combined archive and library, or combined archive and museum, would cost much less than housing these institutions separately. The financial burdens associated with office and storage space would be reduced. Some municipalities in Manitoba have already adopted this model. The Boissevain and Morton Regional Library includes an archives space, and the Brandon General Museum and Archives offers another example of a recently established joint

space. Libraries, museums, and archives are all spaces “where people come to know themselves and their communities”.<sup>12</sup> Archives would also have an easier time integrating themselves into the fabric of their community and promoting their collections if aided by libraries and museums, both of which typically have higher community profiles than archives.

Another option is for the province to fund a full-time professional archives advisor, most likely administered through the Association for Manitoba Archives, modelled on similar positions in Ontario and Alberta. Both provinces employ archives advisors who provide advice to all types of archivists and archives within the province. These professionals visit archives that seek their advice and provide training and general consultation services. The archives advisor serves established archives as well as organizations interested in setting up an archive. An advisor would provide advice specific to each situation and targeted at helping organizations improve their “procedures and practices”.<sup>13</sup> Until recently the Association for Manitoba Archives employed an archivist part time to offer advisory services within the province. While advisory services are still offered through the AMA, federal funding cuts have necessitated that the position of archives advisor be abolished. This has meant that individuals or groups seeking advice are forced to wait (sometimes months) for a meeting.<sup>14</sup> This gives the false impression that the AMA is not interested in advising local organizations and is

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<sup>12</sup> Julie Biando Edwards, Melissa S. Rauseo, and Kelley Rae Unger, “Community Centered: 23 Reasons Why Your Library Is The Most Important Place in Town,” Public Libraries Online, <http://publiclibrariesonline.org/2013/04/community-centered-23-reasons-why-your-library-is-the-most-important-place-in-town/>, Accessed November 10, 2013.

<sup>13</sup> “Advisory Services,” Archives Society of Alberta, <http://archivesalberta.org/programs-and-services/advisory-services/>, Accessed September 22, 2013.

<sup>14</sup> A friend of the author first contacted the AMA in April 2013 on behalf of their workplace to get advice on how to establish an archive for the organization. After corresponding regularly with AMA volunteers they were finally able to set up a meeting in early December 2013. Correspondence with author, September -December, 2013.

unconcerned with offering quality services. Now that the service can only be offered by volunteers who have their own full-time jobs, the AMA is doing what it can meet these needs.

A full-time professional archives advisor would also be able to act as an advocate at the provincial level for small, local, and underfunded archives. Such a position is especially important in aiding groups, governments, or individuals that want to set up an archives but do not know where to start. In a scenario like this an archives advisor would often provide a plan of how to proceed tailored to the interested group, at no cost to them. A similar service, contracted out to a professional consultant would cost more than many municipalities or smaller businesses would likely be able or willing to afford. A provincial archives advisor could be essential in helping municipalities gain control of their archival records, and would help ensure that any changes pose no risks to the records.

Ultimately, while I am convinced that the only real way to make lasting improvements to recordkeeping in municipalities is for professional archivists and records managers to be involved, I understand that this is not an immediate possibility for many municipal offices. While I strongly encourage municipalities to consider one of the options outlined above, I also would like to offer some other more general, smaller-scale, suggestions for ways recordkeeping can be improved.

To improve records management within municipal offices administrators should implement policies to govern records creation and use if none already exist. Any file plan and filing system for born-digital records should mirror the one in place for paper records to make locating similar types of records easy regardless of format. Offices should

strongly consider employing software that regulates version control over born digital documents as they are created to ensure that all records, but particularly vital records, are reliable and authentic. Processes for handling documents that contain confidential and/or personal information are needed to ensure that such information stays safe and secure while also remaining accessible to staff. Finally, offices need to ensure that ephemeral documents are culled regularly and that records are appropriately destroyed or archived after their retention periods have lapsed.

To improve care of archival records currently held in municipal offices governments need to ensure that they are actually only keeping records designated as archival according to Municipal Act Regulation 53/97. Additionally, offices need to work to establish some level of intellectual control over their archival records so that it is possible for staff to locate them reliably and so that access to these records can be provided. Municipal offices need to start publicising the fact that they have archival records and that they are available for anyone who might want or need to see them. There are also some simple measures that can be utilized to improve storage conditions – getting archival records currently stored on the floor up onto shelving, moving records out of high risk areas, and, securing archival records so that only authorized staff can retrieve records. These simple recommendations will certainly help to improve recordkeeping in any interested municipality. However, these options are not meant to replace the work and involvement of professional records managers and archivists; rather, I view these as interim steps.

One important topic remains – the issue of preserving born-digital archival municipal records. There is no obvious solution here for Manitoba yet, and this problem

still creates great challenges for all archives across the world. So far sponsors of archives, whether governments or other entities, have not been willing to fund digital preservation programs. Thus there is a discrepancy between provincial archival and municipal legislation that requires that all archival records, regardless of format, be archived as well as accessible under FIPPA, and the failure to provide the resources to do so. A collaborative approach for the many small municipalities in Manitoba may well be the only solution, whereby a shared trusted digital repository (TDR) is established and access is provided through one of the types of options for archival services mentioned above. But no local archives (including the Archives of Manitoba) currently maintains a TDR or seems likely to have one in the near future.<sup>15</sup> Much greater attention to archives for born-digital records will be required before such viable long-term solutions are adopted.

Communities interested in improving their recordkeeping practices have many options available to them. The ideal would involve hiring an information management specialist (a records manager, an archivist, or both). I have made other suggestions above as well that would assist municipalities to improve their records management and archiving. And any municipality is able to contact the Archives of Manitoba for recordkeeping advice, and the Association for Manitoba Archives for advice on better care of their archival records. Fundamentally, any steps municipalities can take towards improving practices and policies regarding current and archival records are positive.

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<sup>15</sup> The University of Manitoba Archives & Special Collections is a possible exception here, although I doubt any type of TDR they establish in the immediate future would be capable of accepting digital records not directly relevant to the university community.

## **Conclusion**

While it is clear from the answers provided by many survey respondents that they have a basic understanding of what records management and/or an archive is, it is also very clear that their use of these terms is vastly different from that of professional archivists and records managers. Although this discrepancy is understandable, it is also problematic. Municipal staff seem to have a loose understanding of archives, rightfully viewing them as spaces where important and historical municipal records are kept when they are no longer operational day-to-day. However, professional archivists have a much broader view of the functions and purposes of archives. This includes what is perhaps most relevant to municipal administrators – that archival records that reflect the core purposes of municipal government work are kept as evidence to enable accountable and democratic governance, and that archives preserve those unique and valuable records indefinitely. Records management appears to be misunderstood as filing and document retention. While records management policies and professionals do govern filing and records retention, they also do much more than that by instilling systems that enable control over records creation, use, and destruction in both paper and digital environments. All of this simply reinforces the point that municipalities in Manitoba need records professionals to be involved in their administration.

Everything discussed in this chapter has been aimed at helping municipalities improve their recordkeeping practices. The survey I conducted indicated that there is a huge range in how municipalities are dealing with their records, ranging from excellent practices to neglect. This finding was reinforced when I looked at the Archives of Manitoba and various municipal archives around the province and examined their

relationship with municipal government archival records. It has been my goal to offer a variety of options for municipalities looking to improve their recordkeeping practices. The budget and governance priorities are different in every municipality and I have tried to provide options suitable for a variety of situations. Even in municipalities which have the best practices of those surveyed, there is still room for improvement, particularly with regard to born-digital records. Many administrators do not appear to know how to deal with these records, particularly when it comes to long-term care. While the suggestions I have offered for dealing with born-digital records are skeletal, it is my hope that they will inspire archivists and administrators in Manitoba to work seriously towards a solution, hopefully one that has the potential to benefit a number of municipalities.

## Conclusion

*“May the next generations also be wiser and not wait 100 years to record events.”*<sup>1</sup>

This thesis examined the frankly massive topic of recordkeeping practices in Manitoba municipalities excluding the City of Winnipeg. Driven by a fear that municipal records outside of the province’s capital city were not being archived, the author set out to discover how municipalities were treating their current and archival records. Somewhat unexpectedly, I also ended up looking into how municipal employees and citizens view recordkeeping, particularly how archival records are considered. I discovered that individuals and communities across Manitoba place a high societal value on their archival, or so-called “historic”, records. Community history, and the records that narrate it, directly shape how current municipal residents view their community, their role in it, and their place in relation to the rest of the province. Every municipality in Manitoba has a valuable history, many stories are already lost, and many more are at risk as rural populations diminish and municipalities are amalgamated. Although people in Manitoba and elsewhere have used municipal archives and local history as a tool to construct community identity, and as a necessity for efficient and ethical governance practices, most municipal government offices in Manitoba have neglected, forgotten, or no longer see much use in keeping a fully developed archive. Because records are not readily accessible in many municipalities, communities do not have full and ready access to their history, local governments are not held as effectively to account by the public, and have difficulty complying with the *Municipal Act* and the *Freedom of Information and Protection of Privacy Act*.

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<sup>1</sup> Melita-Arthur History Committee, *Our First Century 1884-1984: Town of Melita and Municipality of Arthur* (Melita: Melita-Arthur History Committee, 1983), vi.

It is my hope that this thesis can serve as a starting point for anyone else interested in examining municipal archives in Manitoba, or local governance practices, as this is a topic that certainly requires more research. In particular: a closer look at successful municipal archives in Manitoba; a study looking at the specific steps, costs, and processes needed to create a municipal archives program; and, a detailed examination of the current recordkeeping situation in specific municipal offices, are all sorely needed. These types of studies, in combination with this project, all will hopefully help to inspire municipal offices to change (and in some cases overhaul) their recordkeeping practices. Such a change is necessary if current records are to be accurate and useful and if archival records are going to be accessible in the future.

In Canada, not just Manitoba, archives have a history of being underfunded. Archives serve both cultural and administrative purposes and typically “the underappreciated administrative side of archives and the comparison of archives to museums and planetariums and zoos contribute to underfunding”.<sup>2</sup> Archives have a fairly low profile in the public eye, and the funding for archives that are already established is often “insufficient” to cover even their basic costs.<sup>3</sup> The broader problem with this lack of funding is that “governments and other funders have implicitly acted as if we are better off forgetting,” even our recent past.<sup>4</sup> Funding for archives needs to come from government, especially for government records.<sup>5</sup> While many municipal governments may be unable to fund an archive on their own, it may be possible for them to partially fund a regional archive to be used as a repository by many municipalities, or partially

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<sup>2</sup> Sweeney, “Lady Sings the Blues,” in Avery and Holmlund, eds., *Better off Forgetting?*, 23.

<sup>3</sup> Avery and Holmlund, eds., *Better off Forgetting?*, xi.

<sup>4</sup> *Ibid.*, xvi.

<sup>5</sup> Marion Beyea, “Pennies from Heaven: The History of Public Funding for Canadian Archives,” in *Ibid.*, 13.

fund a joint archive-library-museum space. Regardless, government administration needs to support the creation and maintenance of a local archive both financially and ideologically in order for it to be useful. This includes committing to long-term physical and digital storage costs, and hiring professional archivists and records managers, not simply relying on volunteers.

Local records in Manitoba are important; they are neglected; and many are unaccounted for and may be disappearing. And while many seem to be aware of this, very few people are acting to stop it. **No one** is dealing with born-digital records in a way that suggests they will be accessible in ten or fifteen years, never mind indefinitely. Municipalities need to step up and take action to preserve their digital archival records before everything is lost. We have been lucky so far. Paper is durable and can survive a lot of mistreatment. But current business records are increasingly born and remain digital. Neglect and abuse will only result in the heartbreaking loss of local history. We cannot afford to wait one hundred years.

## Appendix

### Sample Introductory Letter

*(name of Archivist/Records Manager/Chief Administrative Officer)*  
*(position title)*  
*(office or institution)*  
*(place)*

Dear *name of recipient*,

My name is Andrea Martin, I am a graduate student at the University of Manitoba, currently undertaking research in order to complete a Master's thesis. I am enrolled in the University's Archival Studies Program (through the Department of History) and am requesting your municipality's participation in the attached survey.

I am sending this survey to you because I believe that you are the person most likely to be responsible for management of your municipality's current records and/or archival records. If I have contacted the wrong person I would appreciate you letting me know, so that I can contact the correct individual.

My project involves examining the records management and archival practices of municipalities in Manitoba. My main concern is that the valuable archival records of Manitoba's municipalities do not seem to be receiving the care they require. My study will attempt to find ways of assisting municipalities to address this concern. I am sending a copy of this survey to every rural and urban municipality in the province, with the exception of the City of Winnipeg, which has a city archives. I hope to receive enough responses to get a holistic picture of the situation across the rest of the province.

I am trying to gain an understanding of the general types of records municipal governments in Manitoba are creating, how they are being managed, and whether and, if so, how they are being preserved as archives.

Also attached is an informed consent form. If you choose to participate, please sign the consent form and return a copy to me with your responses to the survey. Please also keep a copy of the consent form for your records.

Identifying information about you and your municipality can be excluded from my thesis, however I encourage all participants to opt-out of this confidentiality provision in order to permit my thesis to be as useful as possible. There are no personal questions in the survey.

Please feel free to contact me with any questions or concerns.

Thank you for your consideration. I look forward to hearing from you.

Sincerely,

Andrea Martin

M.A. Student  
Archival Studies Program  
University of Manitoba

## Sample Consent Form

**Research Project Title:** *Municipal Records and Archives in Manitoba Outside Winnipeg: A Preliminary Needs Assessment*

**Principal Investigator:** Andrea Martin

**Research Supervisor:** Tom Nesmith

**This consent form, a copy of which will be left with you for your records and reference, is only part of the process of informed consent. It should give you the basic idea of what the research is about and what your participation will involve. If you would like more detail about something mentioned here, or information not included here, you should feel free to ask. Please take the time to read this carefully and to understand any accompanying information.**

This project is being undertaken as part of the requirements for a Master's degree in Arts (Archival Studies) through the Joint Master's Program in History offered by the University of Manitoba and the University of Winnipeg. The purpose of this study is to gather information about municipal records management and archival records in the province of Manitoba, outside of the City of Winnipeg. It aims to discover whether these municipalities have records management and archives programs in place. Ultimately, this project will suggest a variety of ways to assist municipal records management work and archival preservation in Manitoba. Participants are being asked to complete the attached survey voluntarily. It is expected that the survey will take between 45 and 60 minutes to complete.

The most obvious potential benefit to participants who choose to be a part of this research project, is free advice and/or some basic recommendations regarding the implementation of comprehensive records management and archives programs in the municipal context once the research and analysis is completed.

If you wish, identifying information about you and your municipality can be excluded from my thesis, however I encourage all participants to opt-out of this confidentiality provision in order to permit my thesis to be as useful as possible. There are no personal questions in the survey.

The results of this study will be compiled and analysed in a Master's thesis. After a successful thesis defence the study will be available online through the University of Manitoba Libraries. I also hope to be able to provide a link to the final version of the study through the website of the Association of Manitoba Municipalities. Since data collection is being done via survey responses undertaken by the participants on their own time, no debriefing is planned. Participants are free to contact the Principal Investigator with questions before or after the survey has been completed. Additionally, if participants are interested they can be provided with a method of accessing the final version of the

project (i.e. the completed thesis) after a successful defence once it has been made available online.

Signed copies of this consent form must be returned to the Principal Investigator. **Your signature on this form indicates that you have understood to your satisfaction the information regarding participation in the research project and agree to participate as a subject. In no way does this waive your legal rights nor release the researchers, sponsors, or involved institutions from their legal and professional responsibilities. You are free to withdraw from the study at any time, and /or refrain from answering any questions you prefer to omit, without prejudice or consequence. Your continued participation should be as informed as your initial consent, so you should feel free to ask for clarification or new information throughout your participation.**

**The University of Manitoba Research Ethics Board(s) and a representative(s) of the University of Manitoba Research Quality Management / Assurance office may also require access to your research records for safety and quality assurance purposes.**

**This research has been approved by the Joint Faculty Research Ethics Board. If you have any concerns or complaints about this project you may contact any of the above-named persons or the Human Ethics Coordinator (HEC) at 474-7122. A copy of this consent form has been given to you to keep for your records and reference.**

Participant's Contact Information:

Name:

Employer:

Mailing Address (work):

Phone (work):

Email (work):

Preferred Method of Contact:

\* This contact information is not considered to be part of the study, it is simply requested in case further discussion between the Principal Investigator and the Participant is necessary \*

( ) Please indicate here with a check mark whether you would like to keep your name, position title, and the length of time you have held your current position confidential.

Participant's Name (please print) \_\_\_\_\_ Date \_\_\_\_\_

Participant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Researcher and/or Delegate's Signature \_\_\_\_\_ Date \_\_\_\_\_

### Sample Questionnaire

Municipality: \_\_\_\_\_

Position Title: \_\_\_\_\_

Length of Time in Current Position: \_\_\_\_\_

1. Please say if you know precisely (or estimate) the volume of records in all media (whether in analogue or digital form) created and/or received by your municipal government in the last year.

2. Has this volume grown  significantly,  moderately, or  not at all in the last five years? Please check one.

3. If it has grown significantly, what types of records have increased in volume the most?

4. Do you perceive the work of managing records used in the day-to-day administration of your municipality to be growing in complexity and difficulty?  Yes  No.

5. Is it your impression that other Manitoba municipalities would answer question four with the same answer you gave?  Yes  No  Do not know.

6. If your answer is yes to question four, what do you think causes the growing complexity and difficulty? What role in this does meeting the requirements of the Freedom of Information and Protection of Privacy Act play?

7. How do you assess the overall quality of the management of the records used in day-to-day administration of your municipality?  excellent,  satisfactory,  poor.

8. If improvement is needed in the quality of the management of those records, what would improve it?

9. How are your municipality's archival records identified and maintained?

10. Are you aware that Manitoba's municipalities can send their archival records to the Archives of Manitoba for preservation?  Yes  No. Does your municipality do so?  Yes  No.

If you replied no to the proceeding question, do you think your government would be interested in archiving its records at the Archives of Manitoba?  Yes  No.

11. Is your municipality contemplating creating its own archives service for its municipal records?  Yes  No.

12. Please say if you know precisely (or estimate) the physical extent of your archival holdings?
13. What types of records are in your archival holdings?
14. What time period(s) do your archival materials document?
15. Is there much local or other demand for access to your archival records? ( ) Yes ( ) No. Please give an indication of how much demand there is?
16. How would you assess the overall quality of the care of the archival records of your municipality? ( ) excellent ( ) satisfactory ( ) poor.
17. If you replied excellent or satisfactory to question 16, what prompts that response?
18. If you replied poor to question 16, what would enable you to provide a better archival service?

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