

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

1. CALL TO ORDER - CHAIRMAN

2. APPROVAL OF WORK SESSION AGENDA - CHAIRMAN

2.1. BOC - Changes to the Agenda

3. DISCUSSION ITEMS - NO ACTION

3.1. Infrastructure and Asset Management - Historic Courthouse Clock Tower Structural Repairs and Renovations

3.2. Early Childhood Task Force Advisory Board Update

4. DISCUSSION ITEMS FOR ACTION

4.1. Finance - Cabarrus County Schools Mobile Unit Request - \$2,400,000

4.2. BOC - Appointments to Boards and Committees

4.3. BOC - Resolution Amending the Board of Commissioners' 2019 Meeting Schedule

4.4. County Manager - Adoption of the New Retention Model for North Carolina and the Program Records for Soil and Water Conservation District

4.5. County Manager - Agreement with Rocky River Road Associates LLC

4.6. County Manager - Allocate Funds from Board Contingency to Replace the Truck Used for Community Development

4.7. County Manager - EMS Station Co-Location with Concord Fire Station 10

4.8. County Manager - Offer to Purchase County Property off Bradford Road

4.9. County Manager - On Behalf of A.C.E. Academy Regarding the Issuance of Charter School Revenue Bonds - Public Hearing 6:30 p.m.

4.10. County Manager - Request the Use of Excess Medicaid Hold Harmless Funds for One-Time Purchases Requested in FY 2020 Budget

4.11. Finance - Write Off Completed Clerk of Court Renovation Project

4.12. Finance - Lottery Fund History and Write Off of Old Projects

4.13. Infrastructure and Asset Management - Offer for Purchase of Tax Foreclosure Property

4.14. ITS - Funding of CIP Project Detention Center Security

4.15. Library - MOU with Kannapolis City Schools

5. APPROVAL OF REGULAR MEETING AGENDA

5.1. BOC - Approval of Regular Meeting Agenda

6. ADJOURN

In accordance with ADA regulations, anyone in need of an accommodation to participate in the meeting should notify the ADA coordinator at 704-920-2100 at least 48 hours prior to the meeting.

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Approval of Work Session Agenda - Chairman

SUBJECT:

BOC - Changes to the Agenda

BRIEF SUMMARY:

A list of changes to the agenda is attached.

REQUESTED ACTION:

Motion to approve the agenda as amended.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Lauren Linker, Clerk to the Board

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Changes to the Agenda



**CABARRUS COUNTY BOARD OF COMMISSIONERS
CHANGES TO THE AGENDA
APRIL 1, 2019**

ADDITIONS:

Discussion Items for Action

4.1 Finance – Cabarrus County Schools Mobile Unit Request - \$2,400,000

4.10 County Manager - Request for the Use of Excess Medicaid Hold Harmless Funds for One-Time Purchases Requested in FY 2020 Budget

MOVED TO MAY

Human Resources – Presentation of Salary Study

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items - No Action

SUBJECT:

Infrastructure and Asset Management - Historic Courthouse Clock Tower Structural Repairs and Renovations

BRIEF SUMMARY:

The structural upgrades to the Historic Courthouse clock tower have been completed in preparation for the installation of the refurbished clock. Demolition and construction drawings were prepared by local architect Ken Griffin. Cabarrus Timesavers, along with help from Cabarrus County Infrastructure and Asset Management personnel, removed the clock and all of its components from clock tower. Individual pieces of the clock were tagged and numbered so that they could be reassembled correctly. Ike's Construction demolished the original stairs and framing leading up to the clock in the tower and built back a structurally sound and code compliant set of steps and landings to support the clock. This portion of the project was funded through the FY19 Infrastructure & Asset Management operating budget.

Phase 1 of the clock restoration was removal of the clock and dials from the clock tower, getting the dials completely rebuilt, constructing the auto-winding units, and cleaning of all clock components. So far, Phil Wright has done an incredible job of doing an accurate restoration and recreation of the proper and era correct dials and hands. Cabarrus Timesavers has come up with a design along with Mr. Wright for the Seth Thomas reproduction auto-winders and cleanup of the components is moving along.

Cabarrus Timesavers is planning for Mr. Wright to be on site around the beginning of May to install the new dials. Between now and then the plan is to keep cleaning the clock components and to continue to expose and preserve the original paint details, which is proving to be a time consuming task.

Fundraising is continuing.

Phase 2 of the project will be the actual reproduction of the missing parts on the clock and doing finish work on the clock, such as reproducing damaged or missing paint details, cleaning the bell, and starting the run-in and installation of any and all completed parts.

Phase 3 will be the run-in, setup, and official commissioning of the clock.
All three phases are expected to have some overlap as components are completed and much of the phase completions will be determined by funding as resources become available.

REQUESTED ACTION:

No action required.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Michael Miller, Infrastructure and Asset Management Director

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▢ Clock Tower Project Pictures

Historic Courthouse Clock Tower Repairs and Renovations











































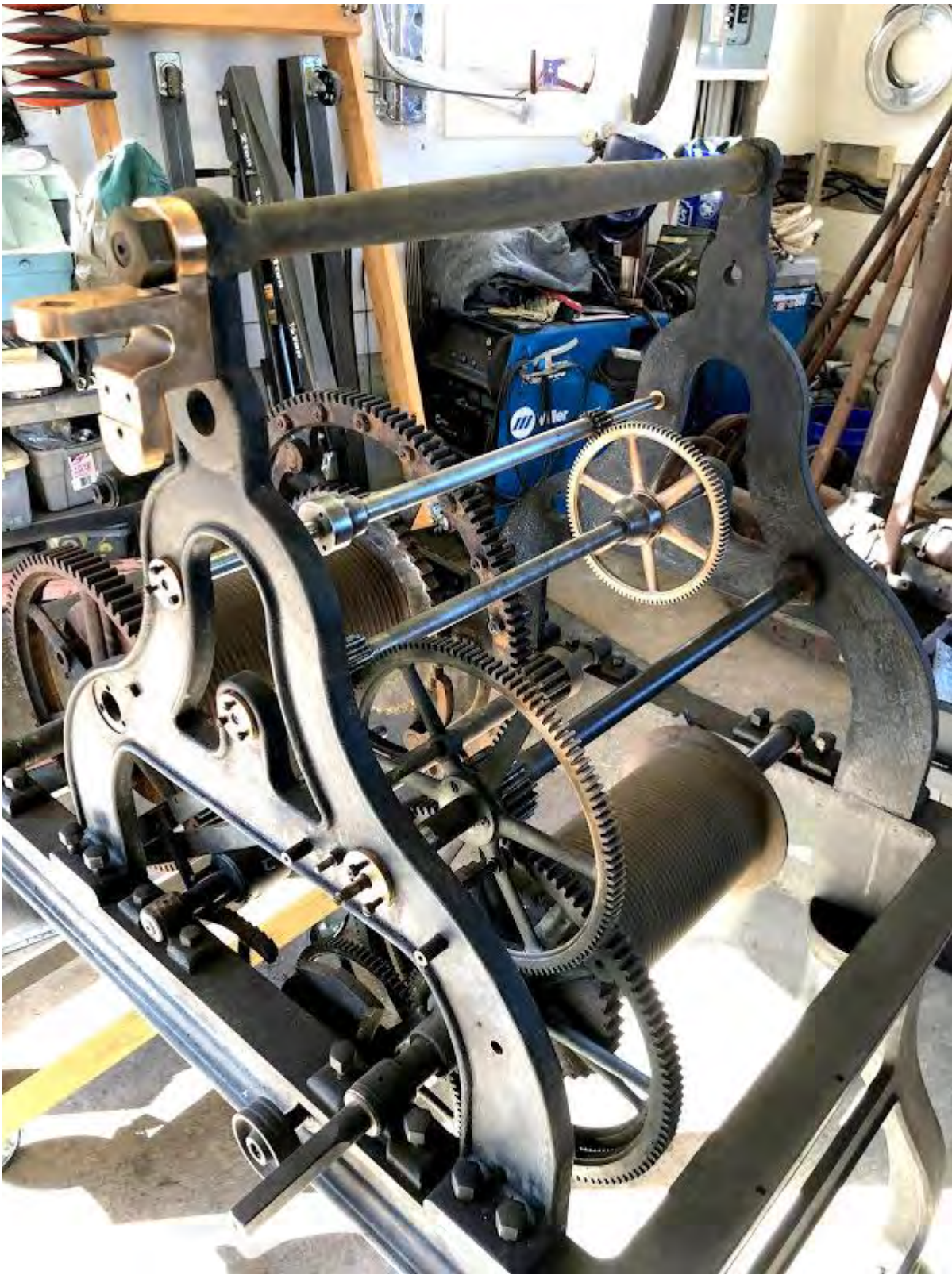




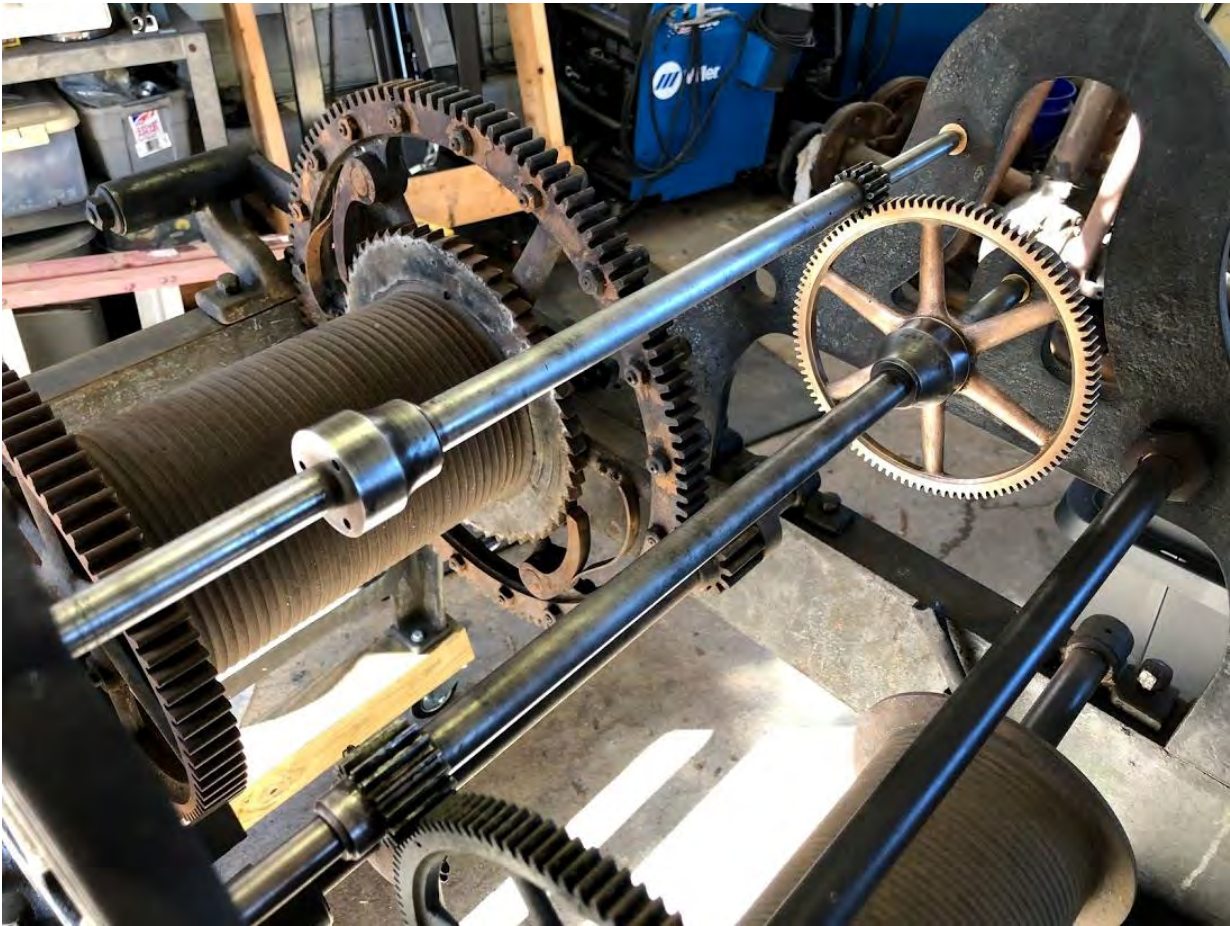




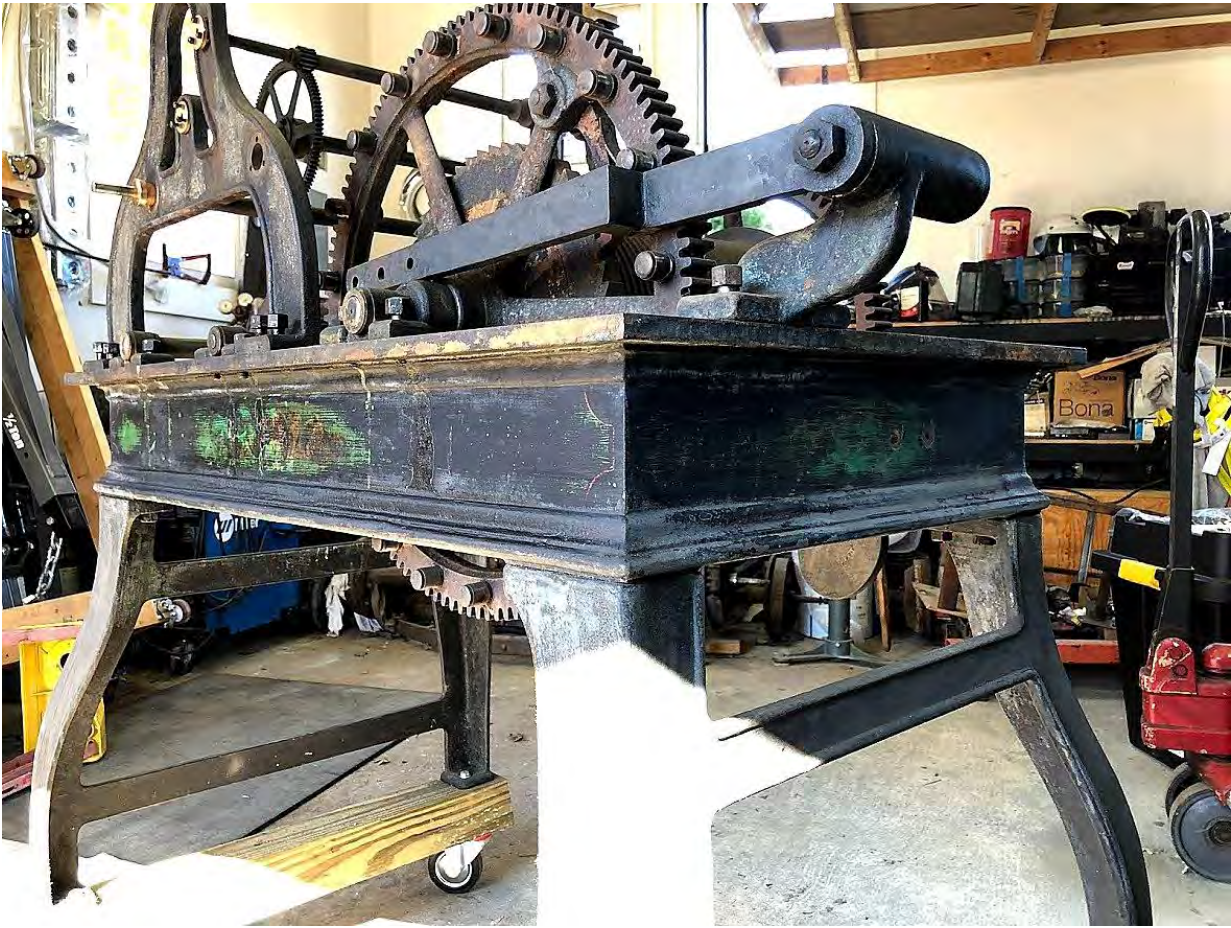






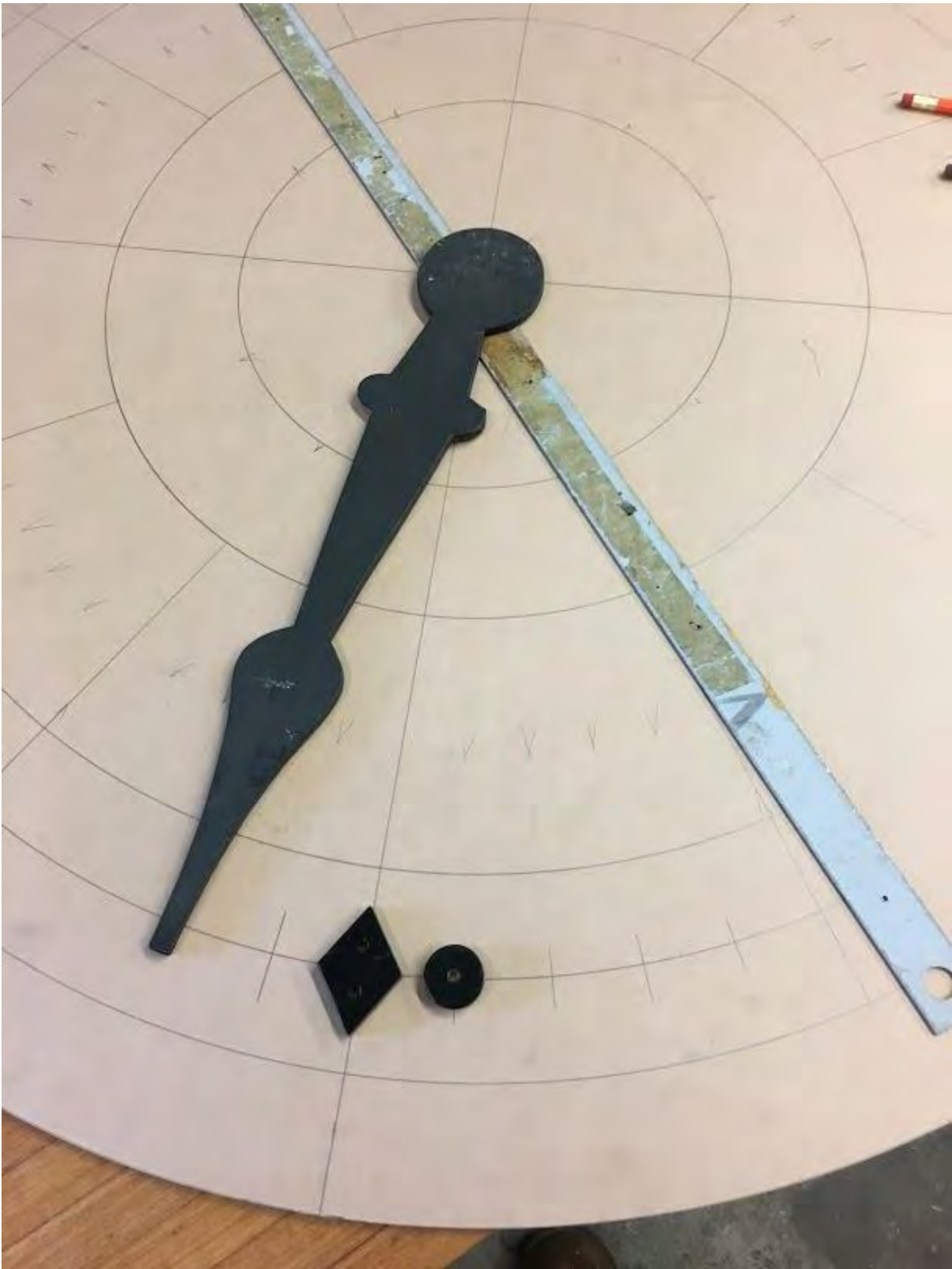




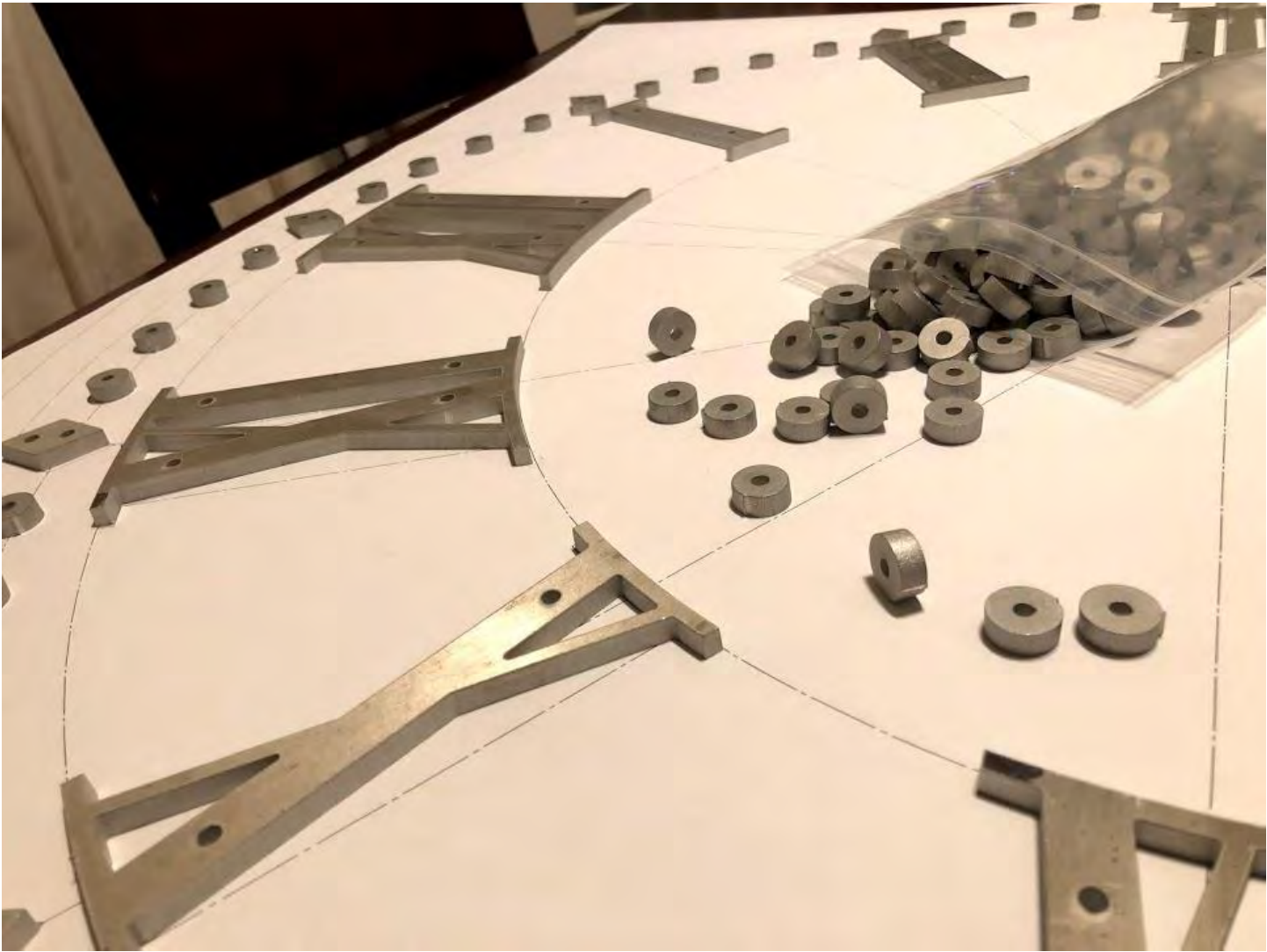














CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items - No Action

SUBJECT:

Early Childhood Task Force Advisory Board Update

BRIEF SUMMARY:

The Early Childhood Task Force Advisory Board was established in 2018. The group has been meeting for several months and will come before the Board to present a report of the direction in which the task force has decided to focus. Several board members will present the goals and objectives of the task force regarding the North Carolina Early Childhood Action Plan Executive Summary approved by Governor Roy Cooper. The Executive Summary report is attached for your review.

REQUESTED ACTION:

Receive input.

EXPECTED LENGTH OF PRESENTATION:

15 Minutes

SUBMITTED BY:

Jackie Whitfield
Ann Benfield
Waynell Taylor
Ginny Amendum

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ One Page Summary
- ▣ Executive Summary



NC Early Childhood Action Plan



Bold

- Sets a vision and goals to reach by 2025 for NC children.
- Focuses on how we can change outcomes for young children from birth through age 8 and their families.
- Centers on three themes: that North Carolina's young children are healthy, grow up safe and nurtured, and are well-supported to be learning and ready to succeed.
- Builds off the extensive leadership of NC Pathways to Grade-Level Reading led by the NC Early Childhood Foundation, NC Think Babies, the NC Perinatal Health Strategic Plan, the North Carolina Institute of Medicine Essentials for Childhood Taskforce, and others.



Data-Informed

- All 10 goals feature a measure of accountability by 2025.
- Data for each goal include statewide and county information, broken down by demographics.
- An online data dashboard provides public accessibility for over 50 measures.



Evolving

- Governor Roy Cooper issued an executive order charging the NC Department of Health and Human Services (NCDHHS) to collaboratively lead the development of a statewide early childhood plan, with support from the Early Childhood Advisory Council (ECAC), other departments and stakeholders.
- Nearly 1,500 people from across the state provided feedback and input in the drafting of the plan.
- Feedback was provided from a broad range of stakeholders, including parents, families, healthcare providers, child care providers, educators, school administrators, child advocacy groups and researchers.
- The plan will be reevaluated on an ongoing basis as appropriate measures and areas of focus shift over time.

Visit www.ncdhhs.gov/early-childhood to view the NC Early Childhood Action Plan and the Data Dashboard.

2025 Goals At-A-Glance



Goal 1: Healthy Babies

Babies across North Carolina from all backgrounds will have a healthy start in their first year of life.



Goal 2: Preventive Health Services

Babies, toddlers, young children and their families will have regular, ongoing access to high-quality health services.



Goal 3: Food Security

Babies, toddlers, young children and their families across North Carolina will have access to enough healthy food every day.



Goal 4: Safe and Secure Housing

Babies, toddlers, young children and their families across North Carolina will have access to safe, secure and affordable housing.



Goal 5: Safe and Nurturing Relationships

Babies, toddlers and young children across North Carolina will grow up with safe and nurturing family and caregiver relationships.



Goal 6: Permanent Families for Children in Foster Care

Babies, toddlers and young children in foster care will grow up in stable, consistent and nurturing families, whether that is with the child's birth family or through an adoptive family.



Goal 7: Social-Emotional Health and Resilience

Babies, toddlers and young children across North Carolina will express, recognize and manage their emotions in a healthy way, especially under stress.



Goal 8: High-Quality Early Learning

Babies, toddlers and young children across North Carolina will have access to high-quality opportunities to engage in early learning.



Goal 9: On Track for School Success

Young children across North Carolina will enter kindergarten on track for reaching their developmental goals.



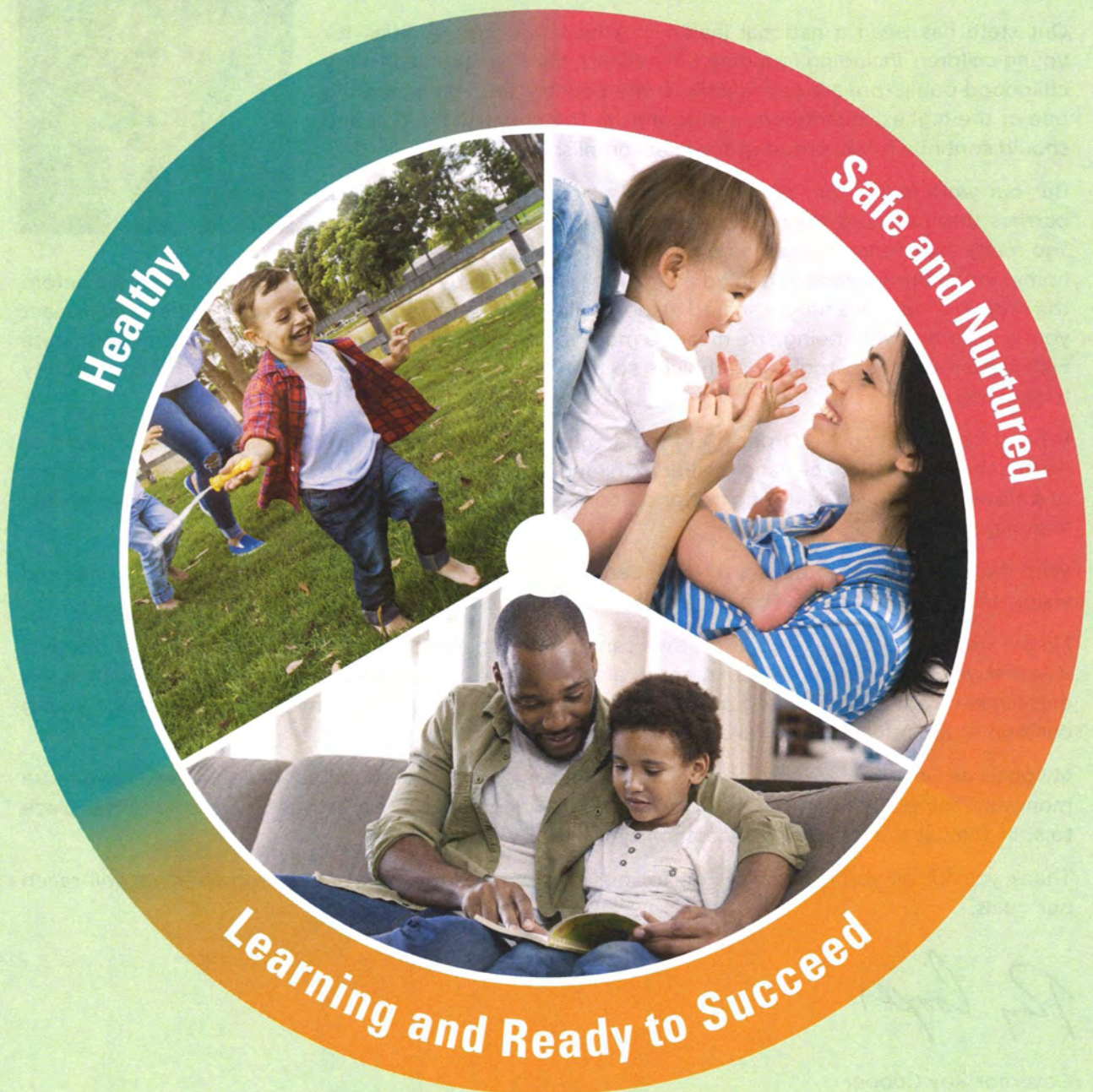
Goal 10: Reading at Grade Level

Young children across North Carolina will read on grade-level in elementary school, with a particular focus on African American, American Indian and Hispanic children who face the greatest systemic barriers to reading success.

NORTH CAROLINA EARLY CHILDHOOD ACTION PLAN

Executive Summary

FEBRUARY 2019





North Carolina's future depends on our children today. We know that the foundation for future learning, health and well-being is built during early childhood. When we commit to giving every child a strong foundation in their first years of life, we create healthy and vibrant communities for all of us.

Our state has been a national leader in advancing opportunities for young children, including founding Smart Start, the first statewide early childhood public-private partnership in the country, and implementing one of the highest quality pre-k programs in the country. We are, and should continue to be, proud of these accomplishments.

But our work is far from done. Too many of our young children face barriers that can hold them back from achieving everything they can. Too many experience hunger on a daily basis, or abuse and neglect at home. Too many are already behind on their reading levels by third grade. Too many babies die before their first birthday. We have a shared responsibility to take on racial and other disparities that impact young children's well-being. We must do more to provide families and communities across our state with better supports, tools and choices so that every child in North Carolina has the opportunity to succeed.



When I issued Executive Order 49 in the summer of 2018, I challenged our state's Department of Health and Human Services and the Early Childhood Advisory Council to spearhead the development of a statewide plan for achieving better outcomes for young children's health, safety, well-being, and learning success.

With the input of over a thousand North Carolinians, the Early Childhood Action Plan lays out a bold vision and roadmap for how we can create change for our young children by 2025.

I know we can reach these goals, but we can only get there if we do it together. Right now, today - whether you are a parent or grandparent, a small business owner, an educator, a pediatrician, a law enforcement officer, an elected official, or just someone who wants to make a difference for young children - I am asking you to take action for our young children.

My goals as Governor are to help all North Carolinians be better educated, healthier, and have more money in their pockets so that they can live more abundant, purposeful lives. There is no better place to start than at the beginning, by committing to our young children.

Thank you for all you do and will do for our children and our great state. Together, we will reach our goals.

Governor Roy Cooper

Our Vision for NC's Children

Vision Statement: All North Carolina children will get a healthy start and develop to their full potential in safe and nurturing families, schools and communities.

By 2025, all North Carolina young children from birth to age eight will be:

1. **Healthy:** Children are healthy at birth and thrive in environments that support their optimal health and well-being.
2. **Safe and Nurtured:** Children grow confident, resilient, and independent in safe, stable, and nurturing families, schools, and communities.
3. **Learning and Ready to Succeed:** Children experience the conditions they need to build strong brain architecture and skills that support their success in school and life.



Guiding Principles

Our fundamental beliefs to be used throughout the development and implementation of the Early Childhood Action Plan.

1. Children and families are at the center of our work.

North Carolina's early childhood systems serve children in the contexts of families and communities. Child development is a dynamic, interactive process that is not predetermined; it occurs in the context of relationships and communities. We know it is possible, and essential, to build resilience and healthy development by creating positive and protective factors in young children's lives, including strong relationships between children and caring adults.

2. Brain and developmental science are fundamental.

Brains are built through children's earliest experiences and through the environments around them. During a child's first eight years of life, brain architecture is forming a foundation for all future learning, behavior, and health. While positive experiences and environments can set up a child on a stronger life-long path, traumatic experiences or environments during those formative years can have long-lasting, detrimental impact.

3. Alleviate inequity to ensure that all of North Carolina's children can reach their fullest potential.

North Carolina is committed to equity of opportunity for all children by confronting disparities through strategic commitments across the state. Child outcomes that vary disproportionately across race, ethnicity, socioeconomic status, physical and developmental ability, and geography must be recognized in order to identify and implement strategic interventions.

4. Build upon existing strengths and partnerships in early childhood systems.

North Carolina has a rich history of innovation in early childhood. The Early Childhood Action Plan builds upon existing efforts and promotes diverse participation, cross-sector collaboration, and partnerships with families and organizations that have worked to improve child and family outcomes.

5. Set bold priorities and achievable goals for North Carolina's young children.

We must commit to a prioritized set of areas to tackle for our state's children, knowing that the process of prioritizing makes accomplishing outcomes more feasible. Not only must we prioritize, but we must hold ourselves accountable with measurable and achievable goals for each priority, because without accountability, we may not see the changes our children deserve.

6. Track progress toward all goals, ensuring transparency, accountability, and good stewardship of resources.

We will report on the outcomes of our work and use data to continuously improve our efforts to ensure cost-effective strategies that result in the highest impact for children. Effective early childhood interventions can yield significant positive returns on investment to communities through better outcomes in education, health, social behaviors, and employment.

2025 Goals At-A-Glance



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Goal 2: Preventive Health Services

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Babies, toddlers, young children and their families across North Carolina will have access to enough healthy food every day.



Goal 4: Safe and Secure Housing

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Goal 9: On Track for School Success

Young children across North Carolina will enter kindergarten on track for reaching their developmental goals.



Goal 10: Reading at Grade Level

Young children across North Carolina will read on grade-level in elementary school, with a particular focus on African American, American Indian and Hispanic children who face the greatest systemic barriers to reading success.



GOAL 1: HEALTHY BABIES

Babies across North Carolina from all backgrounds will have a healthy start in their first year of life.

Every North Carolina baby deserves to have a healthy start. Unfortunately, too many babies in our state face great challenges at birth, such as preterm birth and low birth weight.

Infant mortality can be used as a measure of child, family and community health. It is a rate of infant death, but is also used more broadly to indicate societal health, poverty levels, racial disparities, and the availability and quality of health services in a community.¹

In North Carolina, stark disparities in infant mortality exist. For example, African American infant deaths persistently occur at over double the rate of white infant deaths.² The North Carolina Early Childhood Action plan focuses specifically on reducing this disparity, recognizing that overall birth outcomes for children will then also improve.

OUR SHARED RESPONSIBILITY

Decrease disparities in infant mortality, thereby improving overall birth outcomes for all children.

BY THE NUMBERS

- NC has the 11th highest infant mortality rate in the country.³
- The African American infant mortality rate in NC is over twice as high as the white infant mortality rate.²



GOAL 2: PREVENTIVE HEALTH SERVICES

Babies, toddlers, young children, and their families will have regular, ongoing access to high-quality health services.

Timely health check-ups are essential to support the optimal health and well-being of babies, toddlers and young children across North Carolina. During well-child visits, healthcare professionals provide preventive care, such as immunizations, lead screenings, and developmental and social-emotional screenings, to identify possible health concerns as early as possible. Parents also have a chance to talk about their concerns, get information, guidance and advice about their child's health and development, and get connected to the right services for their child.

The North Carolina Early Childhood Action Plan focuses on timely well-child check-ups, and also includes other important indicators of children's health. For example, access to health insurance for children and families is critical to ensure that children receive the healthcare they need. Other services, including oral healthcare, lead screenings and immunizations, are important ways of protecting children from potential harmful environmental exposures and disease.

OUR SHARED RESPONSIBILITY

Increase the percentage of young children who get timely check-ups.

BY THE NUMBERS

- Nearly one third of children ages 3-6-years-old enrolled in NC Medicaid or Health Choice do not receive on time well-child visits.⁴
- Almost 20% of NC heads of household with young children do not have health insurance.⁵



GOAL 3: FOOD SECURITY

Babies, toddlers, young children and their families across North Carolina will have access to enough healthy food every day.

Today, too many North Carolina children do not know if there will be enough food for them every day, or do not get enough quality, nutritious food. Food insecurity puts young children at risk for negative health, developmental, behavioral and academic outcomes.⁶⁻⁹ Food insecurity also puts young children’s parents and other caregivers at risk for poor physical and mental health, and can lead to family conflict.^{10, 11}

The North Carolina Early Childhood Action Plan focuses on decreasing child food insecurity, but also includes measures that address overall healthy nutrition, like child obesity and the percent of young children who receive supplemental food and nutrition services.

OUR SHARED RESPONSIBILITY

Decrease rates of food insecurity among young children.

BY THE NUMBERS

- Over 1 in 5 children across North Carolina face hunger.¹²

2025 TARGETS AT-A-GLANCE: HEALTHY

Goal 1: Healthy Babies

2025 TARGET: By 2025, decrease the statewide infant mortality disparity ratio from 2.5 to 1.92, according to data provided by the State Center for Health Statistics.



Goal 2: Preventive Healthcare

2025 TARGET: By 2025, increase the percentage of North Carolina's young children enrolled in Medicaid and Health Choice who receive regular well-child visits as part of a healthcare delivery process that provides comprehensive, patient-centered, accessible, quality care as recommended for certain age groups, according to data provided through NC Medicaid and HEDIS measures.

- For children ages 0-15 months, increase from 63.9% to 68.7%.
- For children ages 3-6 years, increase from 69.8% to 78.5%.



Goal 3: Food Security

2025 TARGET: By 2025, decrease the percentage of children living across North Carolina in food insecure homes from 20.9% to 17.5% according to data provided by Feeding America.





GOAL 4: SAFE AND SECURE HOUSING

Babies, toddlers, young children and their families across North Carolina will have access to safe, secure and affordable housing.

Too many children across North Carolina do not have a safe and stable place to sleep at night. Some families may be living in shelters, in their cars, or temporarily living with friends or relatives. Unstable housing is stressful, especially for families with young children.¹³ This puts these children at a higher risk for poor physical health, and mental health and behavioral problems.¹⁴⁻¹⁶ They are also at risk for delayed language and literacy skills, attention difficulties, and poor self-regulation.^{15, 17, 18} They may also struggle in school with relationships with their classmates and their teachers.¹⁹

Children living in unsafe or unstable conditions also often face greater challenges at home and in their communities, such as family and neighborhood violence, maltreatment, food insecurity, chronic illness, and lack of proper healthcare.²⁰⁻²² They may face unhealthy home environments that expose them to things such as lead, pests, poor ventilation, or mold, that could lead to health problems such as asthma, or physical dangers that could lead to injury. Further, caregivers of young children who experience homelessness often report poor health, signs of maternal depression or other mental illness, putting them at risk for low confidence in parenting and using harsh parenting practices.²³

The North Carolina Early Childhood Action Plan focuses on decreasing rates of homelessness for all young children across the state, and particularly among those children participating in high-quality early learning programs. There are also other measures in the plan that focus on safe living environments, such as reducing emergency care for asthma and tracking elevated blood lead levels, both of which may be caused by harmful environmental exposure.

OUR SHARED RESPONSIBILITY

Decrease the number of young children experiencing homelessness.

BY THE NUMBERS

- Over 26,000 NC children under age 6 are homeless, or roughly 1 in 28.²⁴



GOAL 5: SAFE AND NURTURING RELATIONSHIPS

Babies, toddlers and young children across North Carolina will grow up with safe and nurturing family and caregiver relationships.

Strong, positive relationships between children and their caregivers is a key ingredient for healthy brain development. When young children face severe adversity, such as abuse, neglect or witnessing violence, the structure and function of their brain and bodies can change. For some children, the level of stress produced by severe adversity causes their bodies to respond by staying set on high-alert, which can result in long-term health consequences.²⁵ Caregivers play an active role in shielding children from feeling overwhelming amounts of stress.

Child maltreatment is defined as abuse and neglect of a child under the age of 18 by a parent, guardian or caregiver. While child maltreatment occurs within families from all economic backgrounds, it is more common among children in low-income families.²⁶ Factors that can contribute to child maltreatment include the presence of adults who face substance use disorders, mental illness (notably maternal depression) and intimate partner violence.²⁷

The North Carolina Early Childhood Action Plan focuses on reducing rates of child maltreatment as the primary measure of safe and nurturing relationships. When focusing on this measure, it is critical to note the limitations of child maltreatment data, including that minority populations are disproportionately reported, investigated and substantiated for cases of maltreatment.

OUR SHARED RESPONSIBILITY

Reduce the number of children who experience abuse or neglect.

BY THE NUMBERS

- Children under age 4 make up over half of substantiated child maltreatment cases.²⁸



GOAL 6: PERMANENT FAMILIES FOR CHILDREN IN FOSTER CARE

Babies, toddlers and young children in foster care will grow up in stable, consistent and nurturing families, whether that is with the child’s birth family or through an adoptive family.

Young children need safe, permanent homes with nurturing and secure relationships with adults for healthy growth and development.²⁹ For children who must be placed in foster care, being removed from their home and placed in a foster home may be stressful.

North Carolina is committed to ensuring that all children in foster care across the state grow up in a home environment with safe and nurturing family relationships, whether that is with the child’s birth family or through an adoptive family. Right now, too many of North Carolina’s children in foster care spend hundreds of days in the foster care system before being placed in a permanent home.

In order to reach North Carolina’s commitment to stronger, lasting relationships for children in the foster care system, the Early Childhood Action Plan focuses on decreasing the number of days it takes for a child in the foster care system to be reunified with his or her family, if appropriate, or decreasing the number of days it takes for a child in the foster care system to be adopted, if reunification is not appropriate.

OUR SHARED RESPONSIBILITY

Decrease the number of days young children spend in foster care.

BY THE NUMBERS

- More than half of 4- and 5-year-olds in NC’s foster care system spent over 1,000 days in foster care before being adopted.³⁰



GOAL 7: SOCIAL-EMOTIONAL HEALTH AND RESILIENCE

Babies, toddlers and young children across North Carolina will express, recognize and manage their emotions in a healthy way, especially under stress.

Social-emotional skills, such as the ability to recognize and manage one's emotions and the ability to understand the emotions of others, provide a foundation for building trusting relationships that are important at home, school and the work place. For example, skills like cooperation and helpfulness have been linked to positive outcomes later in life such as having a job, being physically and mentally well, and being less criminally involved.^{31, 32}

The importance of social-emotional health and resilience for young children is becoming increasingly recognized nationwide. Currently, we do not have a strong statewide data source on young children's social-emotional health and resilience. North Carolina has an opportunity to be a national leader in developing the ability to track social emotional well-being for young children at a state level. The state has already begun work to identify appropriate data sources that would allow for this to be tracked.

OUR SHARED RESPONSIBILITY

Become a national leader in developing a statewide measure of social-emotional health and resilience, and make steady progress on improving children's social-emotional health and resilience.

BY THE NUMBERS

- Data not yet available. Promising data sources include the Survey of Well-being of Young Children (SWYC), and select indicators on the National Survey of Children's Health (NSCH).

2025 TARGETS AT-A-GLANCE: SAFE AND NURTURED

Goal 4: Safe and Secure Housing

2025 TARGET:

Part 1) By 2025, decrease the percentage of children across North Carolina under age six experiencing homelessness by 10% from 26,198 to 23,578, according to data from the Administration for Children and Families (ACF).

Part 2) By 2025, decrease the number of children in kindergarten through third grade enrolled in NC public schools who are experiencing homelessness by 10%, from 9,970 to 8,973, according to data provided by the NC Department of Public Instruction (NCDPI).



Goal 5: Safe and Nurturing Relationships

2025 TARGET: By 2025, decrease by 10% the rate of children in North Carolina who are substantiated victims of maltreatment**

- For children ages 0-3 years, reduce from 20.1 to 18.1 per 1,000 children
- For children ages 4-5 years, reduce from 14.5 to 13.1 per 1,000 children
- For children ages 6-8 years, reduce from 13.4 to 12.1 per 1,000 children

All data for this target is provided by the Division of Social Services Central Registry and NC FAST.

Goal 6: Permanent Families for Children in Foster Care

2025 TARGET:

Part 1) Reunification: By 2025, decrease the number of days it takes for a child in the foster care system to be reunified with his or her family, if appropriate.

- For children aged 0-3 years, decrease the median number of days from 371 to 334

- For children aged 4-5 years, decrease the median number of days from 390 days to 351 days
- For children aged 6-8 years, decrease the median number of days from 371 to 334

Part 2) Adoption: By 2025, decrease the number of days it takes for a child in the foster care system to be adopted, if reunification is not appropriate.

- For children aged 0-3 years, decrease the median number of days from 822 to 730
- For children aged 4-5 years, decrease the median number of days from 1,006 to 730
- For children aged 6-8 years, decrease the median number of days from 988 to 730

All data for this target is provided by the Division of Social Services, Child Placement and Payment System (CPPS) and NC FAST.

Goal 7: Social-Emotional Health and Resilience

2025 TARGET: By 2025, North Carolina will have a reliable, statewide measure of young children's social-emotional health and resilience at the population level.

* In setting this target, we acknowledge that current counts are likely to be an underestimation of homelessness among young children and that rates could increase as identification methods improve.

** In setting this target, it is critical to note the limitations of these data, including that minority populations are disproportionately reported, investigated, and substantiated for cases of maltreatment.



GOAL 8: HIGH-QUALITY EARLY LEARNING

Babies, toddlers and young children across North Carolina will have access to high-quality opportunities to engage in early learning.

High-quality early care and education programs help prepare children physically, academically, socially and emotionally. While children from all backgrounds can benefit from attending high-quality and affordable child care and education programs, children facing challenges related to poverty, disabilities or limited English proficiency often benefit the most from these programs.³³ A growing amount of evidence shows that high-quality child care programs help better prepare children become more on-track for school success, which supports them in becoming healthy, successful adults.^{34, 35} Research also shows that employers benefit when employees' children are in quality child care arrangements.³⁶ When parents know their children are provided quality care that fosters healthy development, they are more productive and focused on work.

There is broad demand for high-quality early learning programs across the state. The North Carolina Early Childhood Action Plan focuses on two measures of families' access to child care programs: rates of eligible families enrolled in NC Pre-K and affordability of child care programs. Affordability is defined based on the percent of a family's income spent on child care. The plan also highlights other important measures centering around access to high-quality early learning, such as enrollment in Head Start, receiving child care subsidy and enrollment in high-quality programs, and higher education among early learning teachers.

OUR SHARED RESPONSIBILITY

Increase the percentage of eligible children enrolled in NC Pre-K and child care subsidy, and decrease the percentage of income families spend on high-quality child care and early learning programs.

BY THE NUMBERS

- Less than half of eligible children, approximately 30,000, are enrolled in NC Pre-K.³⁷
- Nearly 12% of an NC family's income is devoted to infant care.^{37, 38}
- Roughly one in five eligible children under age five, approximately 46,000, receive child care subsidy in NC.³⁷



GOAL 9: ON TRACK FOR SCHOOL SUCCESS

Young children across North Carolina will enter kindergarten on track for reaching their developmental goals.

A child’s developmental progress at kindergarten entry has been linked to success in school and into adulthood.^{31, 39, 40} Assessments of children’s ongoing development, before they get to kindergarten, facilitates referrals and services to address identified needs. The North Carolina Early Childhood Action Plan focuses on increasing the percent of children across North Carolina who enter kindergarten at a level typical for their age group. In addition to the Kindergarten Entry Assessment (KEA), other forms of developmental screening, and appropriate supports for identified needs, are also important. Measures addressing these areas are included as secondary areas of focus.

OUR SHARED RESPONSIBILITY

Increase the percentage of North Carolina’s children who enter kindergarten on-track for reaching their developmental goals.

BY THE NUMBERS

- Over 70% of children ages 0-3-years-old enrolled in NC Medicaid receive a developmental screening.⁴¹
- Kindergarten Entry Assessment (KEA) data is not yet available.*

* The North Carolina Department of Public Instruction (NCDPI) administers the KEA and is working to provide state-level reporting.



GOAL 10: READING AT GRADE LEVEL

Young children across North Carolina will read on grade-level in elementary school, with a particular focus on African American, American Indian and Hispanic children who face the greatest systemic barriers to reading success.

Reading at grade-level in third grade is linked to children's early success in school, graduating ready for college or a career after high school, and becoming productive adults.⁴² Beyond third grade, time in the classroom is less and less devoted to the fundamentals of learning to read, so learning to read well early is important for young children.⁴³ It is often said that a child learns to read until third grade and then reads to learn after third grade. Across North Carolina and the country, there are significant differences in reading achievement by race and ethnicity because of systemic factors that hold students back from being able to reach their full potential.⁴⁴

The North Carolina Early Childhood Action Plan uses two data sources to measure reading proficiency. The first is North Carolina's end of grade tests (EOGs), which are administered to all public school students in third grade and above. The second is the National Assessment of Educational Progress (NAEP). The NAEP measures reading proficiency based on a sample of 4th grade students in each state so we can compare North Carolina's scores to others across the country.

OUR SHARED RESPONSIBILITY

Increase the percentage of children reading at or above proficiency in third grade.

BY THE NUMBERS

- Less than half, 45%, of North Carolina third graders read above proficiency on state EOGs.⁴⁵
- Less than 40% of North Carolina fourth graders read proficiently on the NAEP.⁴⁶

2025 TARGETS AT-A-GLANCE: LEARNING AND READY TO SUCCEED

Goal 8: High-Quality Early Learning

2025 TARGET:

Part 1) By 2025, increase the percentage of income-eligible children enrolled in NC Pre-K statewide from 47% to 75%.

Part 2) By 2025, decrease the percent of family income spent on child care, according to data provided by Child Care Aware America:

- Infant Care: Decrease from 11.6% to 7.0%
- Toddler Care: Decrease from 10.5% to 7.0%
- Four-Year-Olds: Decrease from 10.0% to 7.0%



Goal 9: On Track for School Success

2025 TARGET: By 2025, increase the percentage of children across North Carolina who enter kindergarten at a level typical for their age group, according to the five domains of the NCDPI Kindergarten Entry Assessment (KEA).*



Goal 10: Reading at Grade Level

2025 TARGET: By 2025, increase the percentage of children across the state achieving high levels of reading proficiency according to the following measures:

Part 1) Increase the percentage of students reading above proficiency from 45.8% to 61.8% for third through eighth grade students on statewide end of grade tests (EOGs), consistent with the state’s Every Student Succeeds Act (ESSA) Plan 2025 reading proficiency benchmark.

Part 2) Increase reading proficiency from 39% to 43% according to the fourth grade National Assessment of Educational Progress (NAEP).



* The North Carolina Department of Public Instruction (NCDPI) administers the KEA and is working to provide state-level reporting.

COMMITTING TO ACTION: Strategies for All of Us

As North Carolinians, we all have a role in improving the health, safety and well-being of young children from birth through age eight. Whether you are a parent, a health care provider, a policymaker, a business leader, a teacher or anyone else who is committed to our state's future, right now each of us can commit to actions that will create a better future for young children, their families and all of us.

Public and private partners across the state have come together to create an initial list of strategies that will help North Carolina move the needle on that vision and the 10 Early Childhood Action Plan goals by 2025.

Healthy: Children are healthy at birth and thrive in environments that support their optimal health and well-being.



North Carolinians can support young children's healthy growth and development by:

- Closing the insurance coverage gap to ensure more families have regular access to physical, mental and oral health services.
- Increasing access to healthcare providers, including pediatricians, OB/GYNs, oral health providers and pediatric specialists, particularly in rural areas.
- Making it easier for young women to visit a primary care provider more regularly, which can help support healthy future pregnancies.
- Promoting referrals to and participation in early intervention services for infants and young children with developmental delays and disabilities, and their families.
- Making it easier for eligible families to enroll in supplemental food and nutrition benefits programs, especially during times of disaster and recovery.

- Promoting opportunities for young children to access breakfast and after-school meals during the traditional school year, as well as opportunities to receive meals on weekends and school breaks.
- Promoting exercise and healthy eating habits for young children in early care and learning programs, kindergarten through third grade classrooms, and at home with their families.



North Carolinians can create healthy environments for young children by:

- Encouraging breastfeeding-friendly policies and services in local communities.
- Increasing children's access to safe, clean drinking water and indoor and outdoor air.
- Reducing exposure to toxic substances, such as lead.
- Making more safe and affordable housing and transportation available for low-income families with young children.

Safe and Nurtured: Children grow confident, resilient and independent in safe, stable and nurturing families, schools and communities.



North Carolinians can support safe, stable and nurturing families by:

- Promoting evidence-based home visiting and parent education programs.
- Providing better care for mothers facing depression.
- Providing increased access to research-based mental health services to children and adults who need them.
- Improving the process for getting children who are in the foster care system into permanent families.
- Investing in family-centered systems like the Smart Start network.



North Carolinians can support safe, stable and nurturing schools and communities by:

- Hiring more staff in supportive roles such as school counselors, social workers and school nurses.
- Training professionals who work with young children on best practices in mental health and resilience, including doctors, teachers, law enforcement and others.
- Eliminating or minimizing the use of suspension and expulsion in birth through third grade classrooms.
- Promoting family-friendly work places, such as paid sick leave, paid parental leave and reliable work schedules.
- Increasing wages and promoting tax policies for working families that support a high quality of life.
- Promoting access to higher education to improve young parents' ability to increase his or her income.

Learning and Ready to Succeed: Children experience the conditions they need to build strong brain architecture and skills that support their success in school and life.



North Carolinians can support making high-quality early learning available to more families by:

- Increasing access to NC Pre-K, 4- and 5-star early learning programs, and other high-quality early childhood programs.
- Increasing funding for child care subsidy for eligible families.
- Increasing access to high-quality education programs and improving wages to attract, recruit and retain highly-qualified birth through third grade teachers.
- Making transitions between preschool and kindergarten easier for children, families and teachers.
- Increasing access to high-quality early childhood programs for children who are homeless, in foster care, and from immigrant families.
- Providing greater access to high-quality early learning programs and ongoing classroom supports for young children with disabilities and other special healthcare needs.

Building Racial and Cultural Equity: Barriers along lines of race, ethnicity and other factors can limit a young child’s access to opportunities.



North Carolinians can help build racial and cultural equity by:

- Giving families and youth of color a seat at the table in program and policy design and implementation.
- Promoting learning environments for young children that are free from systemic racism and implicit bias.
- Training leaders who support young children and families in racial equity and cultural competence, including training on implicit bias, cultural variations in communication and interaction, adverse childhood experiences (ACEs), building resiliency, and child development.
- Using diagnostic and assessment tools in education and healthcare that are free of linguistic, racial and cultural bias.
- Hiring a diverse workforce of child- and family-facing providers across sectors, e.g. healthcare, education, law enforcement, ensuring more racial, ethnic, and geographic representation.



What other strategies can we add? Where can you take action now? Visit www.ncdhhs.gov/early-childhood to commit to take action today!

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Acknowledgements

The North Carolina Early Childhood Action Plan was made possible with the energy, passion and commitment of more than 1,500 people across the state who participated in focus groups, sent in written comments, or discussed the plan during formal meetings.

A special thanks is owed to the diverse group of leaders and experts and the organizations they represent, listed below. They provided financial support and spent extensive time serving on workgroups and reviewing and refining drafts of the plan.

Funders

Pritzker Children’s Initiative	ZERO TO THREE
Early Childhood Funders Collaborative	NC Department of Health and Human Services

Contributors

BEST NC	NC Early Education Coalition
Community Care of North Carolina	NC Head Start Collaboration Office
Duke University Center for Child and Family Policy	North Carolina Partnership for Children
Early Childhood Advisory Council	Prevent Child Abuse North Carolina
Frank Porter Graham Child Development institute	Skeebo Foundation
Mecklenburg County Department of Social Services	T.E.A.C.H. National Center
NC Child	The Duke Endowment
NC Child Care Services Association	University of North Carolina – Chapel Hill
NC Department of Public Instruction	University of North Carolina – Wilmington
NC Early Childhood Foundation	

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Finance - Cabarrus County Schools Mobile Unit Request - \$2,400,000

BRIEF SUMMARY:

Cabarrus County Schools has request the advanced funding of 20 mobile units. The school system listed the \$2,400,000 request as part of their FY20 capital needs. The advance funding will allow the school system to obtain permits and place orders so the units will be available to assist with overcrowding and class size requirements. If approved, funding for the mobile units will come from the Capital Reserve Fund.

REQUESTED ACTION:

Motion to approve the advance school mobile unit funding and the associated budget amendment and project ordinances.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Kelly Kluttz, Chief Financial Officer, Cabarrus County Schools
Susan Fearrington, Finance Director, Cabarrus County

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ CCS Mobile Unit Request
- ▣ Mobile Unit CIP Sheet
- ▣ Mobile Unit BA
- ▣ Fd 364 School Construction Ordinance
- ▣ Fd 450 Capital Reserve Ordinance



March 27, 2019

The Honorable
Mr. Steve Morris, Chair
Ms. Diane Honeycutt, Vice Chair
Ms. Liz Poole
Mr. Lynn Shue
Mr. Blake Kiger
Cabarrus County Board of Commissioners
65 Church Street, SE
Concord, NC 28026

Re: Funding request for mobiles in advance of June

Dear Board of Commissioners:

For at least the last two years, the commissioners have been able to provide funding to purchase and set up mobile units in the spring of the year rather than during the normal budget process. This is extremely beneficial for the school system, allowing us to get permits and place orders so that mobile classrooms will be set up and ready for our teachers/students in August.

We respectfully request that the funding of \$2.4 million for mobile unit purchase and set-up be approved in your April meeting.

Sincerely,

Kelly H. Kluttz, CPA
Cabarrus County Schools

Cc: Dr. Chris Lowder, Ms. Cindy Fertenbaugh, Mr. Rob Walter, Mrs. Carolyn Carpenter, Mr. Barry Shoemaker, Mr. David Harrison, Mrs. Holly Grimsley, Ms. Laura Blackwell

Capital Improvement Plan

Department: Cabarrus County Schools
Function: Education

Project Title: Mobile units

Type: New
Status: Future

Total Cost: \$ 4,495,676



Project Description
 Purchase, move, install and furnish mobile units.

Background & Justification/Status
 While it is extremely early in our planning process for the 2019-2020 school year, our preliminary estimate for additional mobile units is 20. Staff will continue to evaluate the additional costs associated with the mobiles. Examples of this are additional electrical, plumbing, telephone lines, servers, restroom facilities, etc. Staff has been charged to look inside all buildings for creative solutions for additional classroom space. If we are able to make some of these creative options work, there will still be a cost but hopefully not as much as adding a mobile unit. We believe this is worst case scenario.

Impact If Not Funded and Maximum Time it Can be Delayed
 CCS will be unable to provide adequate classroom capacity for students nor meet the letter of the law in regards to class size requirements..

Project Costs	FY 2019 Adopted	FY 2020 Proposed	FY 2021 Planning	FY 2022 Planning	FY 2023 Planning	FY 2024 Planning	Future Years
Planning/Design							
Land/Acquisition							
Construction							
Building Improvements							
Equipment							
Other	2,095,676	2,400,000					
Total	\$ 2,095,676	\$ 2,400,000	\$ -	\$ -	\$ -	\$ -	\$ -

Funding Sources	FY 2019 Adopted	FY 2020 Proposed	FY 2021 Planning	FY 2022 Planning	FY 2023 Planning	FY 2024 Planning	Future Years
General Fund							
Capital Reserve Fund							
Multi Year Fund							
Debt	2,095,676						
Grants							
Permits/Fees							
Other-To Be Funded		2,400,000					
Total	\$ 2,095,676	\$ 2,400,000	\$ -	\$ -	\$ -	\$ -	\$ -

Operating Budget Impact	FY 2019 Adopted	FY 2020 Proposed	FY 2021 Planning	FY 2022 Planning	FY 2023 Planning	FY 2024 Planning	Future Years
Salaries & Benefits							
Materials & Supplies							
Contracts & Services							
Capital Outlay							
Other							
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Budget Revision/Amendment Request

Date: 4/15/2019

Amount: \$ 2,400,000.00

Dept. Head: Susan Fearington (Sarah Chesley)

Department: Finance - 364 School Construction Fund

Internal Transfer Within Department

Transfer Between Departments/Funds

Supplemental Request

The purpose of this amendment is to move funds from Capital Reserve to purchase and upfit of 20 mobile units for Cabarrus County Schools.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
450	9	7220-9708	Cont'b to Capital Projects Fund	81,887,254.10	2,400,000.00		84,287,254.10
450	9	7220-9821	Building & Renovations	8,276,100.27		2,400,000.00	5,876,100.27
364	9	7338-9830	Other Improvements - Mobile Units	-	2,400,000.00		2,400,000.00
364	6	7338-6921	Cont'b from Capital Reserve Fund	922,000.00	2,400,000.00		3,322,000.00

Budget Officer

- Approved
- Denied

County Manager

- Approved
- Denied

Board of Commissioners

- Approved
- Denied

Signature

Signature

Signature

Date

Date

Date

CABARRUS COUNTY SCHOOL CONSTRUCTION PROJECT BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the construction and renovations of Public Schools. Details of the projects are listed in section D. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.
 - a. It is estimated that the following revenues will be available to complete capital projects as listed.

General Fund Contribution	\$49,047
Capital Reserve Contribution	6,240,465
Capital Projects Fund Contribution	54,055

TOTAL REVENUES	\$6,343,567
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- C. The following appropriations are made as listed.

Cox Elementary Sewer Relocation	23,537
Patriots Elementary Mobile Units	122,100
Site Evaluations-Multiple Schools	42,000
10 Yellow Buses-Multiple Schools	880,000
20 Mobile Units-Multiple Schools	2,400,000
J.N. Fries Middle School Other Improvements	300,000
Kannapolis Intermediate Renovations-Carver Elem	1,617,288
A.L. Brown HS Other Improvements	500,000
CBTC Campus Renovations, Safety, Security	184,075
CBTC A/C Units Replacement Phase II	105,000
RCCC – HVAC Replacement	100,000
Available Other Improvements	69,567

TOTAL EXPENDITURES	\$6,343,567
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GRAND TOTAL – REVENUES	\$6,343,567
GRAND TOTAL – EXPENDITURES	\$6,343,567

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein

under the following conditions:

1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.

- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 15th day of April, 2019.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: _____
Stephen M. Morris, Chairman

ATTEST:

Clerk to the Board

CABARRUS COUNTY CAPITAL RESERVE CAPITAL PROJECT BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is for the purpose of accumulating and appropriating funds specifically for future County and School capital projects.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.
- C. It is estimated that the following revenues will be available to complete capital projects as listed.

Interest on Investments	\$ 560,142
Contributions from General Fund	91,988,028
Contributions from Capital Projects Fund	2,089,009
Contributions from CVB	573,771
Contributions from other Governments	3,000,000

TOTAL REVENUES **\$98,210,950**

- D. The following appropriations are made as listed:

Mt. Pleasant Middle School	3,627,164
Royal Oaks Elementary	4,476,490
Kannapolis Middle School	5,018,148
Odell 3-5 Elementary School	19,755,175
G.W. Carver Renovations	1,520,978
CBTC Campus Renovations, Safety, Security	184,075
CBTC A/C Unit Replacement	205,000
Concord Middle School Roof	884,359
Harrisburg Elementary School Roof	630,306
Site Study Multiple Schools	30,000
Buses – WCHS and HRES	880,000
20 Mobile Units-Multiple Schools	2,400,000
J.N. Fries Middle School – Upfit	300,000
A.L. Brown High School Paving	500,000
Performance Learning Center	590,709
West Cabarrus High School	12,362,245
Hickory Ridge Elementary School	5,260,001
RCCC – Advanced Technology Center	2,293,941
RCCC Renovations	280,043
Cabarrus County Schools – Buses FY16	875,000
Cabarrus County Schools – Mobile Units FY16	1,110,000
Cabarrus County Schools yellow buses (10) FY17	880,000
Cabarrus County Schools mobile units (20) FY17	2,400,000
Kannapolis City Schools yellow buses (5) FY17	441,739
School Contingencies	1,487,043
Tax Collector’s Office Renovation	9,116
Frank Liske Park Overflow Parking Lot	24,908
Training & Firing Range Renovations	50,000

Public Safety Training Center	75,000
Carolina Thread Trail	50,000
FLP – Western Playground Restroom Facility	375,000
Arena Aisle Safety Lighting	185,000
Arena Marquee Replacement & Sign Enhancement	112,500
County Website Development	250,000
Renovations to 2325 Lake Concord Road	195,000
Courthouse Expansion	12,519,000
Arena Restroom Renovations	100,000
FLP Barn Restrooms	102,000
EMS Heart Monitors	550,111
EMS Relocation to Concord Fire #10	375,000
Government Center Bathroom ADA	205,000
Door Access & Security Cameras - Sheriff	70,000
ITS – Fiber Infrastructure Improvements	120,000
Governmental Center Chiller Replacement	211,000
Radio Network & Ethernet Backhaul & Edge	500,000
Arena Lighting Control System Replacement	235,000
Frank Liske Park Playground Replacement	100,000
EMS Headquarters - Consultant	50,000
Midland Library Furniture	75,000
Operations Center	2,641,264
County Facility Projects	27,717
Downtown Parking Deck	1,070,000
Robert Wallace Park	3,091,047
Park Projects/CVB	573,771
Other County Capital Projects	5,876,100

TOTAL EXPENDITURES **\$98,210,950**

GRAND TOTAL – REVENUES **\$98,210,950**

GRAND TOTAL – EXPENDITURES **\$98,210,950**

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
 - 1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
 - 2. The County Manager may transfer amounts up to \$100,000 between functions of the same fund.
 - 3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
 - 4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
 - 5. Upon notification of funding increases or decreases to existing grants or revenues,

or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.

6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 15th day of April, 2019.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: _____
Stephen M. Morris, Chairman

ATTEST:

Clerk to the Board

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

BOC - Appointments to Boards and Committees

BRIEF SUMMARY:

The following appointments to Boards and Committees are recommended for April.

Adult Care Home Community Advisory Committee

Richard Bovard has completed his orientation class, been certified by the State Ombudsman and is now eligible to be appointed to the Adult Care Home Community Advisory Committee. Mr. Bovard currently serves on the Library Board of Trustees. An exception to the "service on multiple boards" provision of the Appointment Policy will be needed for him. Additionally, Adult Care Home Community Advisory Committee members Toni Swick and Ed Burns have terms expiring in April and May. Both are willing to serve another term. Mr. Burns has served on this committee since 2009. An exception to the "length of service" provision of the Appointment Policy will be needed for him. Ms. Swick currently serves on the Cabarrus County Senior Centers Advisory Council. An exception to the "service on multiple boards" provision of the Appointment Policy will be needed for her.

Representative recommendations are Richard Bovard, Toni Swick and Ed Burns.

Human Services Advisory Board

Anthony White has taken employment out of North Carolina and has resigned from his position on the Human Services Advisory Board. An application has been received from Bobby Connor and he has been recommended to complete Pastor White's unexpired term. A letter of recommendation is included in the agenda.

Representative recommendation is Bobby Connor.

REQUESTED ACTION:

Provide information.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Lauren Linker, Clerk to the Board

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

BOC - Resolution Amending the Board of Commissioners' 2019 Meeting Schedule

BRIEF SUMMARY:

The venue for the Board of Commissioners' May 8th Cabarrus Summit will be held at the Laureate Center at Kannapolis City Hall. Additionally, the Board of Commissioners' May 28th and 30th Budget Workshop meetings have been moved to May 21st and 23rd.

REQUESTED ACTION:

Motion to adopt the resolution.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Resolution



**Resolution Amending the
Cabarrus County Board of Commissioners'
2018 Meeting Schedule**

WHEREAS, on December 17, 2018, the Cabarrus County Board of Commissioners adopted a meeting schedule for calendar year 2019, which sets forth the dates, times and locations of various official county meetings;

WHEREAS, the Board scheduled the Cabarrus Summit 2nd Quarterly Meeting to be held on May 8, 2019; and

WHEREAS, the Laureate Center at Kannapolis City Hall has been selected as the venue for the Cabarrus Summit 2019 2nd Quarterly Meeting; and

WHEREAS, the budget workshops scheduled to be held on May 28 and 30, 2019 need to be moved to May 21 and 23, 2019; and

NOW, THEREFORE BE IT RESOLVED that the Cabarrus County Board of Commissioners hereby amends its 2019 Meeting Schedule as follows:

1. The Board of Commissioners will hold the Cabarrus Summit 2nd Quarterly Meeting at 6:00 p.m. on May 8, 2019 at the Laureate Center at Kannapolis City Hall in Kannapolis, North Carolina.
2. The Board of Commissioners will hold the Budget Workshops on May 21 and May 23, 2019 at 4:00 p.m. in the Multipurpose Room at the Governmental Center in Concord, North Carolina.

ADOPTED this 15th day of April, 2019.

Stephen M. Morris, Chairman
Cabarrus County Board of Commissioners

ATTEST:

Lauren Linker, Clerk to the Board

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Adoption of the New Retention Model for North Carolina and the Program Records for Soil and Water Conservation District

BRIEF SUMMARY:

Beginning in 2019, all local records retention schedules will update on an annual basis. These annual updates to the General Records Standards as well as any scheduled updates to the Program Records Standards. Updating the schedules in this fashion will create greater consistency among government agencies and will allow agencies with older schedules to use the most current retention periods for their general records, even if their program records standards are not updated simultaneously. Included for adoption is the Records Standards for local governments and the Soil and Water Conservation District Standards.

REQUESTED ACTION:

Motion to adopted the Records Standards for Local Governments and Soil and Water Conservation Districts as presented.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Lauren Linker, Clerk to the Board
Pamela S. Dubois, Senior Deputy County Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ New Records Retention Model
- ▣ New Retention Records
- ▣ Soil and Water Retention Records

New Retention Schedule Model for North Carolina Local Governments

Emily Sweitzer / January 14, 2019

Since 1960, when the State Archives of North Carolina (SANC) first published a retention schedule for county governments, SANC has updated local government records retention and disposition schedules as records, recordkeeping processes, and the laws governing local agencies have changed. Currently, SANC amends schedules when legal changes necessitate only a few records series to be updated, and full updates are postponed until recommended changes reach a critical mass. This approach to writing retention schedules is practical, but it results in different retention periods for the records commonly created by all local government agencies, depending on when a particular schedule was most recently updated. This can present challenges:

- Counties that have a centralized Records Management program cannot effectively create uniform retention policies that apply to all departments
- Employees who perform the same work in multiple agencies have to keep track of multiple retention schedules for their day-to-day records
- Agencies with a large quantity of unique, program-specific records may have to wait longer to receive current retention periods for their general office records because their schedules may take longer to update
- Certain County programs like Animal Control and GIS may have different retention periods for their records depending on where the county has located them administratively

To mitigate these challenges, the Government Records Section of the State Archives of North Carolina is transitioning the process for updating local records retention schedules to a new model.

General Records

While some local government records are specific to the mission of the agency that creates them (for example, a Sheriff's case files, or a Health Department's patient records), many of the records created on a daily basis (for example, payroll and personnel) are common to all government agencies. Under the new model, we will update all of these general records on an annual basis. This will also allow us to keep local records retention periods consistent with State records retention periods where applicable, creating greater consistency in records management for the State of North Carolina as a whole.

Records standards that will update on an annual basis include:

- Administration and Management Records
- Budget, Fiscal, and Payroll Records
- Geographic Information System (GIS) Records
- Information Technology Records
- Legal Records
- Personnel Records
- Public Relations Records
- Risk Management Records

Program Records

Most local government records retention schedules have a section titled “Program Records,” which includes those records unique to the creating agency’s mission. Retention schedules that don’t have this section, such as the County Management and Municipal Schedules, still have sections of the schedule that apply to only one department (for example, Parks and Recreation records). These standards will update on a rotating cycle. We will also be updating Law Enforcement Records on a rotating basis, for greater consistency between municipal police departments and sheriffs’ offices. The current timetable for updating the program records standards is as follows:

- 2019 – Local Health Departments, Soil and Water Conservation Districts
- 2020 – Agricultural Extensions, County Management, Local Education Agencies, Municipalities, Regional Councils of Government, Tourism Development Authorities
- 2021 – County Social Service Agencies, County Veterans Services, Law Enforcement Agencies, Public Libraries, Public Transportation Systems and Authorities
- 2022 – Alcoholic Beverage Control Boards, County Boards of Elections, County Tax Administrations, Local Management Entities, DMH/DD/SAS Local Management Entities (LME), DMH/DD/SAS Provider Agencies
- 2023 – County Registers of Deeds, Land Use and Environmental Services Agencies, Public Hospitals, Water and Sewer Authorities and Sanitary Districts

What Does This Mean for You?

Beginning in 2019, *all* local records retention schedules will update on an annual basis. These annual updates will include any updates to the General Records Standards as well as any scheduled updates to the Program Records Standards. Updating the schedules in this fashion will create greater consistency among government agencies and will allow agencies with older schedules to use the most current retention periods for their general office records, even if their program records standards are not updated simultaneously. We are planning the first update on March 1, 2019. All subsequent updates will be issued on January 1 of each year.

Municipal clerks and clerks to other governing boards should be made aware of this change and plan to begin adopting the new retention schedules on an annual basis at the beginning of the calendar year.

While we update these schedules, we welcome feedback from general users and subject matter experts within your local government agency. We will be convening groups of stakeholders for all applicable program records standards during the calendar year prior to those schedules' updates. Once the drafts to these schedules are finalized, they will be posted on our website for feedback from all users.

What About Amendments?

Agencies that require localized amendments to their retention schedules are still welcome to request them from the Records Analysis Unit. If we determine that the requested change is a good practice for all agencies in North Carolina, we will then roll out that change on a statewide basis during the next annual update.

Most changes to the retention schedules that would have required an amendment in the past will now be implemented during the annual updates; however, when the laws governing a set of records change, we will still issue necessary amendments to the schedules even if they do not coincide with the annual update in January.



RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL RECORDS SCHEDULE FOR LOCAL GOVERNMENT AGENCIES



Issued By:



North Carolina Department of Natural and Cultural Resources
Division of Archives and Records
Government Records Section

March 1, 2019

CONTENTS

Approval	i
Front Matter	
Executive Summary	ii
Managing Public Records in North Carolina	iii
Audits, Litigation, and Other Official Actions	vi
Transitory Records	vii
Legend for Records Schedule	ix
Records Retention and Disposition Schedule	
Standard 1: Administration and Management Records	1
Standard 2: Budget, Fiscal, and Payroll Records	18
Standard 3: Geographic Information Systems Records	30
Standard 4: Information Technology Records	37
Standard 5: Legal Records	43
Standard 6: Personnel Records	49
Standard 7: Public Relations Records	66
Standard 8: Risk Management Records	70
Standard 9: Workforce Development Records	74
Appendix	
Destruction of Public Records	75
Sample Destructions Log	76
Electronic Records: E-mail, Born Digital Records, and Digital Imaging	77
Geospatial Records	79
Microfilm	81
Disaster Assistance	83
Staff Training	84
Request Forms	
Request for Change in Records Schedule	85
Request for Disposal of Unscheduled Records	86
Request for Disposal of Original Records Duplicated by Electronic Means	87
Sample File Plan	88
Index	89

2019 Local Government Agencies General Records Retention and Disposition Schedule

The records retention and disposition schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement. The local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. **Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.**

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when "reference value ends." All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction "destroy when reference value ends."

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule supersedes the general standards in all previous local government retention and disposition schedules and is to remain in effect from the date of approval until it is reviewed and updated.

APPROVAL RECOMMENDED

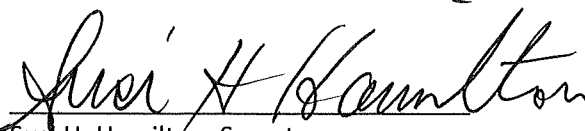
Municipal/County Clerk or Manager
Title: _____



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Head of Governing Body
Title: _____



Susi H. Hamilton, Secretary
Department of Natural and Cultural
Resources

Municipality/County: _____

EXECUTIVE SUMMARY

- ✓ According to G.S. § 121-5(b) and G.S. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Richard Pearce-Moses, *A Glossary of Archival and Records Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by G.S. § 121-5 and G.S. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- ✓ The State Archives of North Carolina provides microfilming services for the minutes of major decision-making boards and commissions. Once those records are filmed, we will store the silver halide negative (original) in our security vault. There is a nominal fee for filming and duplicating film. Contact the Records Management Analyst in charge of microfilm coordination for the most current information.

MANAGING PUBLIC RECORDS IN NORTH CAROLINA

Q. What is this “records retention and disposition schedule”?

- A.** This document is a tool for the employees of local government agencies across North Carolina to use when managing the records in their offices. It lists records commonly found in agency offices and gives an assessment of their value by indicating how long those records should be retained. This schedule is also an agreement between your agency and the State Archives of North Carolina.

This schedule serves as the inventory and schedule that the State Archives of North Carolina is directed by G.S. § 121-5(c) and G.S. § 132-8 to provide. It supersedes all previous editions, including all amendments.

Q. How do I get this schedule approved?

- A.** This schedule must be approved by your governing body for use in your agency. That approval should be made in a regular meeting and recorded as an action in the minutes. It may be done as part of the consent agenda, by resolution, or other action.
-

Q. Am I required to have all the records listed on this schedule?

- A.** No, this is not a list of records you must have in your office.
-

Q. What is “reference value”?

- A.** Items containing “reference value” in the disposition instructions are generally records that hold limited value, which is typically restricted to those documenting routine operations within the office. A minimum retention period should be established by the office for any items containing the phrase “destroy in office when reference value ends” in the disposition instructions.
-

Q. Do the standards correspond to the organizational structure of my agency?

- A.** Records series are grouped into standards to make it easier for users to locate records and their disposition instructions. You may find that the groupings reflect the organizational structure of your agency, or you may find that records are located in various standards depending on the content of the record. The intent of the schedule’s organization is to provide an easy reference guide for the records created in your agency.
-

Q. What if I cannot find some of my records on this schedule?

- A.** Sometimes the records are listed in a different standard than how you organize them in your office. Be sure to check the Index and utilize the search function on the PDF version of the schedule to facilitate the location of records series. If you still cannot locate your records on the schedule, contact a Records Management Analyst. We will work with you to amend this records schedule so that you may destroy records appropriately.
-

Q. What are public records?

- A.** The *General Statutes of North Carolina*, Chapter 132, provides this definition of public records:

“Public record” or “public records” shall mean all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions. Agency of North Carolina government or its subdivisions shall mean and include every public office, public officer or official (State or local, elected or appointed), institution, board, commission, bureau, council, department, authority or other unit of government of the State or of any county, unit, special district or other political subdivision of government.

Q. Is any person allowed to see my records?

A. Yes, except as restricted by specific provisions in state or federal law. G.S. § 132-6 instructs:

“Every custodian of public records shall permit any record in the custodian’s custody to be inspected and examined at reasonable times and under reasonable supervision by any person, and shall, as promptly as possible, furnish copies thereof upon payment of any fees as may be prescribed by law. ... No person requesting to inspect and examine public records, or to obtain copies thereof, shall be required to disclose the purpose or motive for the request.”

Q. What about my confidential records?

A. Not all government records are open to public inspection. Exceptions to the access requirements in G.S. § 132-6 and the definition of public records in G.S. § 132-1 are found throughout the General Statutes. You must be able to cite a specific provision in the General Statutes or federal law when you restrict or deny access to a particular record.

Q. Am I required to make available to the public copies of drafts that have not been approved?

A. Yes, even if a report, permit, or other record has not been finalized, it is still a public record subject to request. Any record that is not confidential by law must be provided when a request is received, whether it is “finished” or not.

Q. What do I do with permanent records?

A. Permanent records should be maintained in the office that created the records, forever.

The Department of Natural and Cultural Resources (DNCR) is charged by the General Assembly with the administration of a records management program (N.C.G.S. §121-4 (2) and §132-8.1) and the maintenance of “a program for the selection and preservation of public records considered **essential** to the operation of government and to the **protection of the rights and interests of persons**” (§132-8.2). Permanent records with these characteristics require preservation duplicates that are human-readable (paper or microfilm). Some examples of these characteristics include:

- Affect multiple people, without regard to relation
- Have significance over a long span of time
- Document governance
- Document citizenship

Examples of records with these characteristics:

- Minutes of governing bodies at the state and local levels are the basic evidence of our system of governance, and are routinely provided for the public to read.
 - Records, such as deeds and tax scrolls, about land document changes in ownership and condition. Counties maintain offices expressly for the purpose of making those records available to the public. Other records in local and state governments document potential public health hazards, such as hazardous materials spills.
 - Adoptions, marriages, and divorces document changes in familial relationships and document citizenship. Though adoptions are confidential (not available for public inspection), they document citizenship and changes in inheritance and familial succession.
 - Court records, such as wills, estates, and capital cases, affect people within and across family groups, are made available for public inspection, and often involve transactions related to the examples above.
- See the Human-Readable Preservation Duplicates policy issued by the North Carolina Department of Natural and Cultural Resources (<https://archives.ncdcr.gov/documents/human-readable-preservation-duplicates>) and check with a records analyst to determine whether your permanent records require a preservation duplicate.

Q. *What is historical value?*

- A.** Historical records document significant events, actions, decisions, conditions, relationships, and similar developments. These records have administrative, legal, fiscal, or evidential importance for the government or its citizens. Call a Records Management Analyst for further assistance in assessing historical value.

Q. *What if I do not have any records?*

- A.** Nearly every position in government generates, receives, or uses records. Computer files of any kind, including drafts and e-mail, are public records. Even if your records are not the official or final version, your records are public records. Not all records have high historical, legal, or fiscal value, but they all must be destroyed in accordance with the provisions of the appropriate records schedule.

Q. *May I store our unused records in the basement, attic, shed, etc.?*

- A.** Public records are public property. Though we encourage agencies to find places to store records that do not take up too much valuable office space, the selected space should be dry, secure, and free from pests and mold. Your office must ensure that records stored away from your main office area are well protected from natural and man-made problems while remaining readily available to your staff and the public.

Q. *Our old records are stored in the attic, basement, or off-site building, etc. Are we required to provide public access to these records?*

- A.** Yes, as long as the records are not confidential by law. You should also be aware that confidentiality can expire.

Q. *Aren't all our old records at the State Archives of North Carolina?*

- A.** Probably not. The State Archives of North Carolina collects only very specific types of records from local government offices. Contact a Records Management Analyst for more information about which records are held or can be transferred to the State Archives of North Carolina for permanent preservation.

Q. *I found some really old records. What should I do with them?*

- A.** Call a Records Management Analyst. We will help you examine the records and assess their historical value.

Q. *Can I give my old records to the historical society or public library?*

- A.** Before you offer any record to a historical society, public library, or any other entity, you must contact a Records Management Analyst. Permanent records must be kept either in your offices or at the State Archives of North Carolina.

Q. *Whom can I call with questions?*

- A.** If you are located west of Statesville, call our Western Office in Asheville at (828) 296-7230 extension 224. If you are east of Statesville, all the way to the coast, call our Raleigh office at (919) 814-6900.

AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION

Q. Why is there an asterisk in the disposition instructions of so many items on this schedule?

A. No record involved in a pending or ongoing audit, legal, or other official action may be destroyed before that audit or action is resolved.

A legal hold or litigation hold means that records that are the subject of the legal hold or litigation hold must be preserved and thus must not be destroyed until officially released from the hold. A legal hold or litigation hold is placed when either an official discovery order is served on the agency requesting the production of the records in question (for a litigation, regulatory investigation, audit, open records request, etc.) or litigation is pending and the agency is thus on notice to preserve all potentially relevant records. You must also ensure that for a claim or litigation that appears to be reasonably foreseeable or anticipated but not yet initiated, any records (in paper or electronic formats) relevant to such a claim or litigation are preserved and not destroyed until released by your General Counsel. The records in question must not be destroyed until the completion of the action and the resolution of all issues that arise from it regardless of the retention period set forth in this schedule.

We have used an asterisk (*) in the disposition instructions to mark records series that are commonly audited, litigated, or may be subject to other official actions. However, any record has this potential. Records custodians are responsible for being aware of potential actions, and for preventing the destruction of any record that is, or may be reasonably expected to become, involved in an audit, legal, or other official action.

Records used during routine audits may be destroyed when the governing body accepts the audit, if the records have completed the retention period listed in this schedule. If time remains in the retention period, the records must be maintained for the remainder of the period. The auditor's working papers must be kept according to the schedule. (See **AUDITS: PERFORMANCE**, page 2, item 8, and **AUDITS: FINANCIAL**, page 19, item 6.) Should a dispute arise over an audit, the records that were audited should be retained until that dispute is resolved.

The attorney representing the agency should inform records custodians when legal matters are concluded and records will no longer be needed. Following the conclusion of any legal action, the records may be destroyed if they have met the retention period in the schedule. Otherwise, they should be kept for the remaining time period.

TRANSITORY RECORDS

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”¹

According to North Carolina General Statutes § 121 and § 132, every document, paper, letter, map, book, photograph, film, sound recording, magnetic or other tape, electronic data processing record, artifact, or other documentary material, regardless of physical form or characteristics, made or received in connection with the transaction of public business by any state, county, municipal agency, or other political subdivision of government is considered a public record and may not be disposed of, erased, or destroyed without specific approval from the Department of Natural and Cultural Resources.

The Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called “transitory records.” The following questions and answers discuss types of transitory records commonly created in state government. They may be disposed of according to the guidance below. However, all public employees should be familiar with the General Schedule for State Agency Records, their office’s Program Records Retention and Disposition Schedule, and any other applicable guidelines for their office. If any of these documents require a different retention period for these records, follow the longer of the two retention periods. When in doubt about whether a record is transitory, or whether it has special significance or importance, retain the record in question and seek guidance from the analyst assigned to your agency.

Q. What do I do with routing slips, fax cover sheets, “while you were out” slips, memory aids, etc.?

- A.** Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed.

Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails) have minimal value once the official action these records are supporting has been completed and documented. Unless they are listed on the General Schedule for State Agency Records or your office’s Program Records Retention and Disposition Schedule, these records may be destroyed or otherwise disposed of once the action has been resolved.

Q. What about research materials, drafts, and other working papers used to create a final, official record?

- A.** Drafts and working papers are materials, including notes and calculations, gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of General Statute § 132, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents which may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and

¹ *A Glossary of Archival and Records Terminology*, Richard Pearce-Moses (2005)

- Drafts and working papers for presentations, workshops, and other explanations of agency policy that are already formally documented.

Q. What if I have forms designed and used solely to create, update, or modify records in an electronic medium?

- A.** If these records are not required for audit or legal purposes, they may be destroyed in office after completion of data entry and after all verification and quality control procedures. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g. a signature or notary's seal), they should be retained according to the disposition instructions for the records series encompassing the forms' function.

See also the State Archives of North Carolina's guidance on digital signatures found at:

<https://archives.ncdcr.gov/documents/digital-signature-policy-guidelines>

LEGEND FOR RECORDS SCHEDULE

This records retention and disposition schedule applies to records in all media, unless otherwise specified.



– symbol designating that one or more records in this series may be confidential or may include confidential information.

Item # – an identifying number assigned to each records series for ease of reference.

Series – “a group of similar records that are . . . related as the result of being created, received, or used in the same activity.” (From Richard Pearce-Moses, *A Glossary of Archival and Records Terminology*). Series in this schedule are based on common functions in government offices.

Records Series Title – a short identification of the records in a series, based on their common function.

Series Description – a longer description of the records in a series, often including the types of records that can frequently be found in that series. This information is included underneath the Records Series Title.

Disposition Instructions – instructions dictating the length of time a series must be retained and how the office should dispose of those records after that time.

Citation – a listing of references to statutes, laws, and codes related to the records series. Citations can include:

- Authority: governing the creation of records
- Confidentiality: limiting access to public records
- Retention: setting a retention period

Throughout this schedule, items that cross-reference other items within this schedule are indicated with bold, uppercase letters. If you hover your cursor over one of these items, you will see the hand tool that will enable you to click on the item to follow the link to that location.

AUDITS: PERFORMANCE
Records concerning internal and external audits conducted to assess the function of government programs. Includes reports, working papers, corrective measures, and other related records.

See also **AUDITS: FINANCIAL**, page 20, item 6.

Sample records series title and description with cross-reference included

***No destruction of records may take place if litigation or audits are pending or reasonably anticipated.
See also AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS, page vi.***



STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS
 Official records pertaining to the authority, operating philosophy, methods, primary functions, and routine office administration of local agencies.

ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	ABSTRACTS OF MUNICIPAL ELECTIONS Copies of abstracts prepared by the County Board of Elections and forwarded to the municipal clerk.	Destroy in office when reference value ends.† Agency Policy: Destroy in office after _____ <i>Retention Note: Official record maintained permanently by the County Board of Elections.</i>	Authority: G.S. § 163-300
2.	ACCREDITATION RECORDS Records documenting accreditations and certifications received by the agency. Includes applications, final reports, and other related records.	Destroy in office 5 years after superseded or obsolete.	Authority: 10A NCAC 48B
3.	ADMINISTRATIVE DIRECTIVES, REGULATIONS, AND RULES	a) Retain in office official copy permanently. b) Destroy in office remaining records after 3 years.	
4.	AGENDA AND MEETING PACKETS Includes agendas and copies of supporting documentation submitted and discussed during meetings of public bodies. Also includes documentation of outside meetings attended by agency personnel. See also MINUTES OF PUBLIC BODIES , page 11, item 42.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when reference value ends.† Agency Policy: Destroy in office after _____	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
5.	<p>APPLICATIONS FOR APPOINTMENT Applications and related records received from individuals applying for appointments to serve on public boards, commissions, councils, and committees.</p>	<p>a) Destroy in office records concerning appointed individuals 1 year after expiration of term.</p> <p>b) Destroy in office remaining records when reference value ends.† Agency Policy: Destroy in office after _____</p>	
6.	<p>APPOINTMENT REPORTS Includes annual appointment reports filed with the NC Department of the Secretary of State.</p>	Destroy in office after 2 years.	Authority: G.S. § 143-157.1
7.	<p>AUDIO AND VIDEO RECORDINGS OF MEETINGS See also MINUTES OF PUBLIC BODIES, page 11, item 42.</p>	<p>Destroy in office after approval of official written minutes. <i>NOTE: If these serve as the official minutes, as allowed by G.S. § 143-318.10(e), their retention should be permanent. These disposition instructions apply to recordings produced solely for the purpose of generating official written minutes.</i></p>	
8.	<p>AUDITS: PERFORMANCE Records concerning internal and external audits conducted to assess the function of government programs. Includes reports, working papers, corrective measures, and other related records. See also AUDITS: FINANCIAL, page 19, item 6.</p>	<p>a) Retain in office permanently reports related to internal compliance or operational audits, hazardous material, or those that document a significant change in agency practices.</p> <p>b) Destroy in office remaining audit reports after 10 years.</p> <p>c) Destroy in office documentation of corrective measures 2 years after their implementation.</p> <p>d) Destroy in office working papers and remaining records when superseded or obsolete.</p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
9. 	BLUEPRINTS AND SPECIFICATIONS Blueprints and specifications of agency owned buildings and facilities. Includes as-built plans and related records concerning approved changes.	a) Transfer as-built drawings to new owner when agency relinquishes ownership of building or facility. b) Retain in office as-built drawings for life of structure and then destroy. c) Destroy in office blueprints, floorplans, and other preliminary design and construction documents when superseded or obsolete.	Confidentiality: G.S. § 132-1.7
10.	BONDS Records documenting written guarantees from a third party, including bid bonds, payment bonds, performance bonds, and surety bonds. See also BIDS FOR PURCHASE , page 20, item 10, and PROJECTS , page 14, item 53.	Destroy in office 5 years after expiration or cancellation.	
11.	BULLETINS Internal information sharing materials that circulate information within the agency. Also includes memoranda and newsletters.	Destroy in office when superseded or obsolete.	
12.	BUSINESS CERTIFICATION RECORDS Applications and supporting documentation submitted by businesses to be certified as a Small Business Enterprise (SBE) or other classification.	a) Destroy in office all documentation 3 years after most recent recertification. b) If certification was never issued, destroy in office all documentation when reference value ends.† Agency Policy: Destroy in office after _____	
13.	BUSINESS DEVELOPMENT SUBJECT FILE	Destroy in office after 3 years.	
14.	CALENDARS OF EVENTS AND APPOINTMENTS	Destroy in office when superseded or obsolete.	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
15.	CENSUS PROJECT RECORDS Records created to assist the U.S. Census Bureau with the decennial census.	Destroy in office when reference value ends.† Agency Policy: Destroy in office after _____	
16.	CHARTER RECORDS Charter and charter proceedings related to adoption, amendment and/or repeal.	Retain in office permanently.	
17.	CITIZEN COMMENTS, COMPLAINTS, PETITIONS, AND SERVICE REQUESTS Records concerning objections, dissatisfaction, or disagreements with actions or positions taken or not taken by the agency. Includes comments and petitions submitted by citizens requesting action as well as routine requests for service. Also includes requests for reasonable accommodation under Title II of the Americans with Disabilities Act, including survey of agency buildings to determine accessibility to the physically handicapped, federal regulations, proposals for implementing the act, correspondence (including e-mail), resolutions, and solutions to access problems. See also CIVIL RIGHTS RECORDS , page 44, item 4.	a) Transfer records as applicable to LITIGATION CASE RECORDS , page 47, item 16. b) Destroy in office comments, informal complaints, petitions, and requests 1 year after resolution.* c) Destroy in office accommodation requests and complaints 2 years after resolution.*	Authority: 42 USC 12132
18.	CITIZEN REBATE PROGRAM RECORDS Applications, receipts, and related records concerning rebate programs sponsored by the agency. These records document programs and incentivized actions that citizens may opt into.	a) Destroy in office financial records 3 years after approval.* b) Destroy in office applications 1 year after approval. c) Destroy in office denied applications when reference value ends.† Agency Policy: Destroy in office after _____	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
19.	CITIZEN SURVEYS Surveys and related records addressing agency services, policies, and other concerns.	Destroy in office when reference value ends.† Agency Policy: Destroy in office after _____	
20.	COLLECTED DATA Information and statistics compiled and analyzed for research purposes or to support the functions of the agency.	Destroy in office when superseded or obsolete.	If data contains confidential information, abide by relevant restrictions.
21.	COMPREHENSIVE PLAN Long-range plan outlining policies, guidelines, and plans for future development of the agency. Includes official copy of comprehensive plan and all background surveys, studies, reports, and draft versions of plans. Also includes strategic plans and business plans, as well as goals and objectives.	<ul style="list-style-type: none"> a) Retain in office comprehensive plans and strategic plans permanently. b) Destroy in office background surveys, studies, reports, and drafts 5 years after adoption of plan. c) Destroy in office business plans 2 years after execution of plan. d) Destroy in office goals and mission statements when superseded or obsolete. 	
22.	CORRESPONDENCE AND MEMORANDA Administrative and management correspondence/memoranda (including e-mail) written or received by the office concerning agency authority, operating philosophy, purpose, methods, and any other function. For information on handling e-mail and text or instant messages, see ELECTRONIC RECORDS , page 77.	<ul style="list-style-type: none"> a) Transfer correspondence (including e-mail) with historical value to HISTORY RECORDS, page 8, item 32, after 3 years. b) Destroy routine administrative correspondence and memoranda after 1 year. c) Destroy in office remaining records after 3 years. <p><i>Retention Note: The correspondence (including e-mail) of the most senior administrator has historical value and should be retained permanently.</i></p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
23.	<p>CUSTOMER CALL CENTER RECORDINGS Recordings of calls to customer service centers made for quality assurance and training purposes.</p>	Destroy in office after 30 days.	
24.	<p>EQUIPMENT AND VEHICLE MAINTENANCE, REPAIR, AND INSPECTION RECORDS Records concerning the maintenance, repair, routine testing, and inspection of agency owned equipment and vehicles. Also includes warranties. See also GRANTS, page 8, item 31, and SYSTEM MAINTENANCE RECORDS: HARDWARE REPAIR OR SERVICE, page 40, item 15.</p>	<p>a) Destroy in office records documenting routine inspections, janitorial cleaning, and routine maintenance of equipment and vehicles after 1 year.*</p> <p>b) Destroy in office records documenting all other maintenance and repairs after 3 years.*</p> <p>c) Destroy in office warranties 1 year after expiration.</p>	
25.	<p>EQUIPMENT AND VEHICLE REFERENCE RECORDS Includes operation, specification, and technical manuals. Also includes brochures, bulletins, and related documentation.</p>	Destroy in office when superseded or obsolete.	
26.	<p>EQUIPMENT, FACILITY, AND VEHICLE USAGE RECORDS Records documenting the assignment, request, and usage of agency assets. Also includes mileage and checkout logs, fuel consumption reports, reservation requests, authorizations, utility usage logs, and similar records.</p>	<p>a) Destroy in office after 3 years if records are used for allocating costs or determining payment under rental or lease agreements.*</p> <p>b) Destroy in office remaining records after 1 year.</p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
27.	<p>FACILITY MAINTENANCE, REPAIR, AND INSPECTION RECORDS Records documenting maintenance, repair, and inspection of agency-owned facilities.</p> <p>See also CONTRACTS, LEASES, AND AGREEMENTS, page 45, item 7.</p>	<p>a) Destroy in office records documenting routine inspections, janitorial cleaning, environmental monitoring, and routine maintenance of facilities after 1 year.</p> <p>b) Destroy in office records documenting system repair and improvement (including plumbing, electrical, fire, and other systems) after 3 years.</p>	
28.	<p>FORMS AND TEMPLATES Blank forms, templates, and letterhead used to create agency records.</p>	Destroy in office when superseded or obsolete.	
29.	<p>GOVERNING AND ADVISORY BODY MEMBER FILES Records concerning members of public boards, commissions, councils, and committees. Includes codes of conduct, ethics statements, agreements, notices of resignation, and other related records. Also includes biographical information and waivers.</p> <p>See also APPLICATIONS FOR APPOINTMENT, page 2, item 5, and OATHS OF OFFICE, page 47, item 17.</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office 1 year after superseded or obsolete waivers from board members choosing not to receive stipend/per diem payments.</p> <p>c) Destroy in office remaining records 1 year after service ends.</p>	
30.	<p>GRANT PROPOSALS Proposals submitted for grants, including applications, correspondence (including e-mail), and other related records.</p>	<p>a) Transfer records concerning approved grants to GRANTS, page 8, item 31.</p> <p>b) Destroy in office rejected or withdrawn grant proposals when reference value ends.† Agency Policy: Destroy in office after _____</p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
31.	<p>GRANTS Records concerning approved federal, state, and private grants. File includes applications, reports, records of equipment purchased with grant funds, and all relevant programmatic records. Also includes documentation about grants issued by the agency along with research records generated as part of a grant project.</p> <p>See also GRANTS: FINANCIAL, page 24, item 27.</p>	<p>a) Destroy records supporting the expenditure of federal funds passed through NC DHHS on a fiscal year basis when the DHHS Office of the Controller provides written guidance that records are released from all audits and other official actions.</p> <p>b) Destroy in office records of state and private grants 5 years after final financial report is filed.*</p> <p>c) Destroy in office records of other federal grants 3 years after final financial report is filed.</p> <p>d) Destroy in office records not relating to a specific grant after 1 year.</p> <p><i>Retention Note: According to 2 CFR 200.333(c), records for real property and equipment acquired with Federal funds must be retained for 3 years after disposition of the property/equipment.</i></p>	Retention: 09 NCAC 03M .0703 2 CFR 200.333
32.	<p>HISTORY RECORDS (AGENCY AND EMPLOYEES) Records concerning the history of the agency and its employees. Includes published and unpublished histories, biographical data, photographs, newspaper clippings, and other related records.</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office remaining records when reference value ends. † Agency Policy: Destroy in office after _____</p>	
33.	<p>IMPROPER CONDUCT INVESTIGATIONS Records concerning investigations triggered by questions about ethics or conduct within an agency, such as whistleblower reports or allegations of fraud. Includes complaints, reports, investigations, and other related records. Also includes records from an ombuds office.</p>	Destroy in office 3 years after resolution.	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
34.	INDICES Listings of where specific information can be found.	Destroy in office when superseded or obsolete.	
35.	INTERAGENCY PROGRAMS Records of programs involving more than one government agency. Includes resource materials, program information, and other related records.	Destroy in office when reference value ends.† Agency Policy: Destroy in office after _____	
36.	INVENTORIES Inventories describing the type of property (including equipment and facilities other and fixed assets), its location, and related information. Also includes inventory control and usage records, such as requisitions/draw tickets, mileage logs, request forms, and other related records.	a) Destroy in office lists of properties, facilities, fixed assets, supplies, and surplus property when superseded or obsolete. b) Destroy in office inventory control and usage records after 3 years.	
37.	LEGISLATION AND REGULATORY RECORDS Notices and copies of proposed or adopted state or federal legislation or regulations affecting the agency.	Destroy in office when reference value ends.† Agency Policy: Destroy in office after _____	
38.	LOGISTICS MATERIALS Records concerning scheduled plans of agency personnel. Includes routine notices, task lists, and arrangements.	Destroy in office after 1 year.	
39.	MAIL: UNDELIVERABLE/RETURNED Outgoing agency mail returned by the post office for any reason, including insufficient postage, incorrect address, forwarding order expired, etc. Also includes outgoing e-mail returned for any reason.	Destroy in office after 30 days.	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
40. 	MAILING AND DISTRIBUTION RECORDS Includes mailing and meeting notification lists, e-mail distribution lists, Sunshine Lists, and related documentation of transactions with the U.S. Postal Service, state courier, or private carriers.	a) Destroy in office Sunshine Lists when superseded or obsolete. b) Destroy in office remaining records when reference value ends.† Agency Policy: Destroy in office after _____	Confidentiality: G.S. § 132-1.12 G.S. § 132-1.13
41.	MEMBERSHIP RECORDS Records concerning associations, organizations, groups, etc., with which the agency is involved. Includes records concerning memberships or registrations on behalf of the agency or agency personnel.	Destroy in office when superseded or obsolete.	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
42.	<p>MINUTES OF PUBLIC BODIES Includes minutes of the governing board and all subsidiary and advisory boards. Subsidiary boards are defined as boards that exercise or are authorized to exercise legislative, policy-making, quasi-judicial, or administrative functions. Also includes minutes of subcommittees of the governing board and its subsidiary and advisory boards.</p> <p>See the MICROFILM section on page 81 for instructions on microfilming.</p> <p>See also AGENDA AND MEETING PACKETS, page 1, item 4, and AUDIO AND VIDEO RECORDINGS OF MEETINGS, page 2, item 7. If there are other boards in the operational standard(s) or if the Workforce Development standard is included, add references to those boards here.</p>	<p>a) Retain in office permanently official minutes of the governing board and its subsidiary boards as well as all attachments necessary to understand the body’s actions.</p> <p>b) The official minutes of advisory boards may be destroyed only upon approval by the State Archives of North Carolina. The State Archives reserves the right to designate the minutes of any advisory board as permanent.</p> <p>c) Destroy in office minutes of committees or subcommittees when reference value ends, if the minutes or actions and decisions of the committee are entered as part of the minutes of the parent board. If minutes or actions and decisions of the committee or subcommittee in question are not entered as part of the minutes of the parent board, the State Archives reserves the right to designate the minutes as permanent.†</p> <p>Agency Policy: Destroy in office after _____</p>	<p>Authority: G.S. § 143-318.10</p>
43.	<p>MINUTES (STAFF MEETINGS) Minutes of staff meetings, including all referenced and attached documentation.</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office remaining records after 1 year.</p>	
44.	<p>MISCELLANEOUS (NON-BUILDING) APPLICATIONS, LICENSES, AND PERMITS Includes, but not limited to, applications and permits regarding burning, special events, and landscape establishment.</p>	<p>a) Destroy in office 1 year after expiration of license/permit.</p> <p>b) Destroy in office applications for which a license/permit was never issued when reference value ends.†</p> <p>Agency Policy: Destroy in office after _____</p>	<p>Authority: G.S. § 66-77</p>

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
45.	<p>NOTICES OF PUBLIC MEETINGS Includes notices and regular meeting schedules.</p> <p>See also AFFIDAVITS OF PUBLICATION, page 43, item 1, and PUBLICITY RECORDS, page 68, item 12.</p>	Destroy in office after 1 year.	
46.	 <p>OFFICE SECURITY RECORDS Records concerning the security of agency offices, facilities, vehicles, equipment, and personnel. Includes visitors’ register; security, employee, or contractor access to facilities or resources; and surveillance system reports and recordings.</p>	<p>a) If the recording becomes evidence in a personnel investigation or lawsuit, transfer to DISCIPLINARY ACTIONS, page 53, item 12, or LITIGATION CASE RECORDS, page 47, item 16.</p> <p>b) Destroy in office recordings not required to support known investigations or litigation after 30 days.</p> <p>c) Destroy in office remaining records after 1 year.</p>	Confidentiality: G.S. § 132-1.7
47.	<p>ORDINANCES Includes code of ordinances.</p> <p>See the MICROFILM section on page 81 for instructions on microfilming.</p>	<p>a) Retain in office official copy permanently.</p> <p>b) Destroy in office ordinance development records when ordinance is no longer in effect.</p> <p>c) Destroy in office additional copies (including tabled or failed ordinances) when reference value ends. † Agency Policy: Destroy in office after _____</p>	
48.	<p>PEST CONTROL Records concerning pest abatement or eradication programs overseen by the agency.</p>	Destroy in office after 3 years.*	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
49.	<p>POLICIES AND PROCEDURES</p> <p>Records documenting the formulation, planning, and adoption of policies, procedures, and functions of the agency and its departments. File also includes organizational charts, reorganization studies, and similar records describing the arrangement and administrative structure of the agency.</p> <p>See also CIVIL RIGHTS RECORDS, page 44, item 4, POLICIES AND PROCEDURES (PERSONNEL), page 61, item 31, and ELECTRONIC RECORDS POLICIES AND PROCEDURES, page 38, item 7.</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office remaining records when superseded or obsolete.</p>	
50.	<p>POLL LIST/REGISTRATION LIST/ROSTER/ AUTHORIZATION TO VOTE (ATV)</p> <p>Lists documenting registered electors and votes cast prior to County Board of Elections taking over municipal elections. Includes electronic or paper ATV related records such as ATV books, forms, unused stickers, lists, registers, indexes, or similar records used to verify persons are registered voters at each polling location.</p>	<p>Contact State Archives of North Carolina prior to destroying old poll books and voter registration books.</p>	<p>Authority: G.S. § 163 Art. 15A G.S. § 163-166.7 08 NCAC 10B .0103 52 USC Chap. 205</p>
51.	<p>PRICE QUOTATIONS</p>	<p>Destroy in office when reference value ends.† Agency Policy: Destroy in office after _____.</p>	
52.	<p>PROCLAMATIONS AND ORDERS</p> <p>Proclamations and orders issued by the governing board.</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office remaining records when reference value ends.† Agency Policy: Destroy in office after _____.</p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
53.	<p>PROJECTS Includes project correspondence (including e-mail), feasibility studies, final reports, specifications, assessments, notices to proceed, cost estimates, change orders, statements of work, and similar documentation.</p> <p>See also PROJECT DOCUMENTATION, page 39, item 11.</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office remaining records 3 years after completion of project.</p>	
54.	<p>PROPERTY MANAGEMENT RECORDS Includes appraisals of the financial valuation of agency-owned property as well as surveys, plats, and maps.</p>	Destroy in office when superseded or obsolete.	
55.	<p>RATE AND FEE SCHEDULES Records relating to rates, fees, and regulations concerning agency services.</p>	Destroy in office when superseded or obsolete.	
56.	<p>RECORDS MANAGEMENT Includes correspondence (including e-mail) with state and/or federal agencies with regards to records retention. Also includes records disposition documentation, file plans, and copies of records retention and disposition schedules.</p>	<p>a) Retain in office documentation concerning the final disposition of records permanently.</p> <p>b) Destroy in office remaining records when superseded or obsolete.</p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
57.	<p>REFERENCE (READING) FILE</p> <p>Subject files containing informational copies of records organized by areas of interest. Also includes materials that have no regulatory authority for the recipient and are received from outside the agency or from other units within the agency as well as reference copies of documents where another individual or agency is responsible for maintaining the record copy.</p>	<p>Destroy in office when reference value ends.†</p> <p>Agency Policy: Destroy in office after _____</p>	
58.	<p>REPORTS AND STUDIES</p> <p>Records concerning the performance of a department, program, or project, as well as those created for planning purposes. Includes all annual, sub-annual, or irregularly prepared research studies, reports, and studies generated by an agency or prepared by consultants hired by the agency. Also includes reports required to be submitted to the agency.</p> <p>See also CIVIL RIGHTS RECORDS, page 44, item 4, and COMPREHENSIVE PLAN, page 5, item 21.</p>	<p>a) Retain in office permanently 1 copy of all annual and biennial reports written by the agency.</p> <p>b) Retain in office permanently reports and studies prepared by request of an agency’s governing body or a court.</p> <p>c) Destroy in office after 3 years reports prepared monthly, bimonthly, or semi-annually.</p> <p>d) Destroy in office after 1 year activity reports concerning workload measurements, time studies, number of jobs completed, etc., prepared on a daily or other periodic basis.</p> <p>e) Destroy in office when superseded or obsolete reports required to be submitted to the agency.</p> <p>f) Destroy in office remaining reports and studies when reference value ends.†</p> <p>Agency Policy: Destroy in office after _____.</p> <p><i>Retention Note: Reports and studies listed elsewhere in this schedule should be retained the specified period of time.</i></p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
59.	<p>REQUESTS FOR INFORMATION Requests received and responses issued by the agency.</p> <p>See also PUBLIC RECORDS REQUESTS, page 68, item 11.</p>	<p>Destroy in office after 1 year after resolution.</p>	
60.	<p>REQUESTS FOR PROPOSALS (RFP) Proposals submitted by vendors in response to requests from agency.</p> <p>See also BIDS FOR PURCHASE, page 20, item 10, and PRICE QUOTATIONS, page 13, item 51.</p>	<p>Destroy in office when reference value ends.† Agency Policy: Destroy in office after _____</p>	
61.	<p>RESOLUTIONS File consists of resolutions indicating date, issues or policy involved, and appropriate signatures.</p> <p>See the MICROFILM section on page 81 for instructions on microfilming.</p>	<p>a) Retain in office permanently one copy of final resolution. b) Retain in office permanently resolution development records with historical value. c) Destroy in office additional copies of resolutions (including those tabled or failed) along with all remaining development records when reference value ends.† Agency Policy: Destroy in office after _____</p>	
62.	<p>SURPLUS PROPERTY Inventories and reports of agency property to be surplus.</p>	<p>Destroy in office 3 years after disposition of property.*</p>	
63.	<p>TRACKING MATERIALS Records intended to verify the receipt of information, such as certified mail receipts.</p>	<p>Destroy in office when reference value ends.† Agency Policy: Destroy in office after _____</p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
64.	<p>TRAVEL REQUESTS Requests and authorizations for travel. Includes forms and itineraries.</p> <p>See also TRAVEL REIMBURSEMENTS, page 28, item 45, and PRICE QUOTATIONS, page 13, item 51.</p>	Destroy in office after 1 year.*	
65.	<p>VEHICLE REGISTRATION CARDS North Carolina registration cards for vehicles in the agency fleet.</p> <p>See also VEHICLE TITLES, page 48, item 22.</p>	Destroy in office when superseded.	
66.	<p>WORK ORDERS Includes date and location of work, cost of materials used and labor, type of work performed, and other related records regarding the repairs of equipment, facilities, and vehicles.</p>	<p>a) Destroy in office 1 year after work is completed.*</p> <p>b) If this is the only record documenting completed work, follow disposition instructions for FACILITY MAINTENANCE, REPAIR, AND INSPECTION RECORDS, page 7, item 27, or EQUIPMENT AND VEHICLE MAINTENANCE, REPAIR, AND INSPECTION RECORDS, page 6, item 24.</p>	

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STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS
 Records created and accumulated concerning the managerial control, budgeting, disbursement, collection, and accounting of the agency.

Note: Per 26 CFR 1.148-5(d)(6)(iii)(E), all records necessary to support the tax-exempt status of an agency debt issue must be retained for the life of the debt plus 3 years.

ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	ACCOUNTS PAYABLE Records concerning the status of accounts in which the agency owes money to firms or individuals. Includes invoices, reimbursements, receipts or bills of sale, check registers, and subsidiary registers. Also includes stop payment notices.	Destroy in office 3 years after payment.*	
2.	ACCOUNTS RECEIVABLE Records concerning receivables owed and collected. Includes billing statements, records of payment received, remittances, subsidiary registers, overpayment or refund records, deposits, fines and fees assessed, and collection of past due accounts.	Destroy in office 3 years after collection.*	
3.	ACCOUNTS UNCOLLECTABLE Records of accounts deemed uncollectable, including returned checks, write-off authorizations, and other related records.	Destroy in office 3 years after account is determined to be uncollectable.*	

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.	<p>ANNUAL BUDGET Annual budget and budget message submitted to governing board for approval.</p> <p>See also BUDGET REPORTS, page 21, item 16.</p>	<p>a) Retain in office records with historical value permanently. b) Destroy in office remaining records after 3 years.</p> <p><i>Retention Note: Annual budgets should be entered into the minutes of the governing board.</i></p>	Authority: G.S. § 159-11
5.	<p>ARBITRAGE RECORDS Records concerning arbitrage rebate calculations and funds rebated.</p>	Destroy in office 3 years after final redemption date of the bonds and after all related debts and obligations have been satisfied.*	Authority: 26 CFR 1.148-3
6.	<p>AUDITS: FINANCIAL Records concerning internal and external audits. Includes reports, working papers, and related records.</p> <p>See also AUDITS: PERFORMANCE, page 2, item 8.</p>	<p>a) Retain in office reports permanently final reports related to internal compliance or operational audits or those that document a significant change in agency practices or have significant administrative value. b) Destroy in office after 10 years final reports related to internal accounting systems and controls and those with limited administrative value. c) Destroy in office working papers and remaining records when superseded or obsolete.*</p>	Authority: G.S. § 159-34
7.	<p>AUTHORIZATION FORMS Authorization to purchase materials.</p>	Destroy in office after 3 years.*	
8.	<p>BANK STATEMENTS AND RECONCILIATIONS Includes bank statements, canceled checks, deposit slips, and reconciliation reports.</p>	Destroy in office after 3 years.*	

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
9.	<p>BIDS FOR DISPOSAL OF PROPERTY Records concerning the disposal of surplus property. Includes information about various disposition procedures used, such as sealed bids and public auction.</p> <p>See also ACCOUNTS RECEIVABLE, page 18, item 2.</p>	Destroy in office all records after the disposition of property has been recorded in governing board’s minutes.*	Authority: G.S. § 153A-176
10.	<p>BIDS FOR PURCHASE Records documenting quotes to supply products and services. Includes advertisements, tabulations, awards letters, records of bids, good faith effort documentation, and related records concerning accepted and rejected bids.</p>	<p>a) Transfer records to CONTRACTS, LEASES, AND AGREEMENTS, page 45, item 7 when bid is approved.</p> <p>b) Destroy in office bid records not awarded or opened after 1 year.*</p>	Authority: G.S. § 143 Article 8
11.	<p>BOND CLOSING RECORDS Includes applications, agreements, tax records, contracts, official statements, legal opinions, rating letters, public hearing bonds, title insurance, deeds of trust, and other related records concerning bonds issued by the agency. Also includes records concerning expenditure and/or investment of bond proceeds.</p>	Destroy in office 3 years after entire issuance has been satisfied.*	Authority: G.S. § 159 Article 7
12.	<p>BOND REGISTER Records of all bonds, notes, and coupons issued by the agency detailing the purpose of issuance, the date of issue, serial numbers (if any), denomination, maturity date, and total principal amount.</p>	Retain in office permanently.	Authority: G.S. § 159-130
13.	<p>BONDS, NOTES, AND COUPONS</p>	Destroy in office 1 year from date of payment.	Authority: G.S. § 159-139

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
14.	BUDGET ADMINISTRATION RECORDS Records of budget administration. Includes research, correspondence, and other related records.	Destroy in office after 2 years.*	
15.	BUDGET EXECUTION RECORDS Records of authorizations to move funds between budget codes.	Destroy in office when released from audits.	
16.	BUDGET REPORTS Includes daily detail reports and monthly budget reports. Also includes contract budget and expenditure reports and summaries of tax allocations. See also ANNUAL BUDGET , page 19, item 4.	a) Destroy in office daily detail reports after 1 year.* b) Destroy in office remaining reports after 3 years.*	
17.	BUDGET REQUESTS AND WORKING PAPERS Includes budget requests, cost estimates, expenditures, program requests, salary and wage lists, correspondence (including e-mail), and related records.	Destroy in office after 3 years.*	Authority: G.S. § 159-10
18.	BUDGET RESOLUTIONS AND ORDINANCES Includes project ordinances, budget resolutions, and amendments. See also MINUTES OF PUBLIC BODIES , page 11, item 42.	a) Retain official copies in the minutes of the governing board. b) Destroy in office remaining copies when reference value ends.† Agency Policy: Destroy in office after _____	Authority: G.S. § 159-8 G.S. § 159-13 G.S. § 159-13.2 G.S. § 159-15

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
19.	COST ALLOCATION PLANS Accounting report that calculates and spreads agency-wide indirect costs to departments and funds that receive a service from other departments.	Destroy in office after 3 years.*	
20.	 CREDIT/DEBIT/PROCUREMENT CARD RECORDS Records of assignation of agency credit cards and purchasing cards along with authorization logs.	Destroy in office when superseded or obsolete.*	Confidentiality: G.S. § 132-1.2(2)
21.	DONATIONS AND SOLICITATIONS Records concerning requests made to agency by outside organizations. Includes applications and other related records. See also FUND DRIVE AND EVENT RECORDS , page 67, item 6.	a) Destroy in office records supporting approved donations 1 year after payment. b) Destroy in office rejected applications after 30 days.	
22.	 ELECTRONIC FUNDS TRANSFERS (EFT) Includes forms authorizing electronic transfer of monies via wire transfer or automated clearing house (ACH) as well as ACH bank reports.	Destroy in office when superseded or obsolete.	Confidentiality: G.S. § 14-113.20
23.	ESCHEATS AND UNCLAIMED PROPERTY Records containing information required to be included in holder reports submitted to the State Treasurer’s office. For more information, see the State Treasurer’s memo, “Annual Reporting of Unclaimed Property.”	a) Destroy in office after 10 years if report was filed prior to July 16, 2012.* b) Destroy in office after 5 years if report was filed on or after July 16, 2012.*	Authority: G.S. § 116B-60 Retention: G.S. § 116B-73

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
24.	FINANCIAL JOURNALS AND LEDGERS	a) Destroy in office year-end summaries of receipts and disbursements after 3 years.* b) Destroy in office daily, monthly, or quarterly transaction detail journals and ledgers after 1 year.*	
25.	FINANCIAL REPORTS	a) Destroy in office annual financial reports or other reports generated to inform decision-making after 3 years.* b) Destroy monthly or quarterly reports generated for operational purposes after 1 year. c) Destroy logs and distribution reports generated to track transactions when released from audits.	
26.	GOVERNMENT EMPLOYEES RETIREMENT SYSTEM MONTHLY REPORTS Reports produced by the North Carolina Department of State Treasurer regarding the Teachers' and State Employees' Retirement System (TSERS) and the Local Governmental Employees' Retirement System (LGERS).	Destroy in office when reference value ends.† Agency Policy: Destroy in office after _____	

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
27.	<p>GRANTS: FINANCIAL Records concerning approved federal, state, and private grants received or issued by the agency. Includes all relevant accounting, purchasing, payroll, and other financial records.</p> <p>See also GRANTS, page 8, item 31.</p>	<p>a) Destroy records supporting the expenditure of federal funds passed through NC DHHS on a fiscal year basis when the DHHS Office of the Controller provides written guidance that records are released from all audits and other official actions.</p> <p>b) Destroy in office records of state and private grants 5 years after final financial report is filed.*</p> <p>c) Destroy in office records of other federal grants 3 years after final financial report is filed.</p> <p>d) Destroy in office records not relating to a specific grant or to grants not funded after 1 year.</p> <p><i>Retention Note: According to 2 CFR 200.333(c), records for real property and equipment acquired with Federal funds must be retained for 3 years after disposition of the property/equipment.</i></p>	<p>Retention: 09 NCAC 03M .0703 2 CFR 200.333</p>
28.	<p>INVESTMENTS Includes fund information, portfolio listings and reports, balance sheets, exchange or consent instructions, broker confirmations, notices, and other documentation related to agency investments. Also includes transaction schedules for projecting revenue on investments as well as performance investment reports issued by broker or investment firm.</p>	<p>a) Destroy in office transaction schedules after 2 years.*</p> <p>b) Destroy in office performance investment reports when reference value ends.</p> <p>c) Destroy in office all remaining records after 3 years.*</p>	<p>Authority: G.S. § 159-30</p>

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
29.	LOAN RECORDS Records concerning loans received by the agency. Includes documentation of intent to proceed, loan agreements, promissory notes, letters of credit, statements, notices of principal and interest due, and other related records.	Destroy in office 5 years after satisfaction or cancellation of loan.*	
30.	LOCAL GOVERNMENT COMMISSION FINANCIAL STATEMENTS	Destroy in office after 3 years.*	Authority: G.S. § 159-33
31.	LONGEVITY PAY	Destroy in office after 3 years.*	
32.	 PAYMENT CARD DATA Records created in association with payment card transactions entered by third parties for the purchase of goods or services from the agency.	Destroy in office after processed.*	Confidentiality: G.S. § 132-1.2(2) G.S. § 132-1.10(b)(5)
33.	 PAYROLL AND EARNINGS RECORDS Records containing information such as the name, Social Security number, number of hours worked, compensation rate, deductions, and total wages paid each employee per payroll period. Also includes individual and group employee earnings records and payroll registers showing earnings and deductions for each pay period. See also TIME SHEETS, CARDS, AND ATTENDANCE RECORDS , page 28, item 44.	a) Destroy in office 30 years from date of separation records necessary for retirement or similar benefits verification. b) Destroy in office remaining records after 3 years.*	Authority: 29 CFR 516.30(a) Confidentiality: G.S. § 132-1.10 G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1 Retention: 29 CFR 516.5(a) 29 CFR 1627.3(a)

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
34. 	<p>PAYROLL DEDUCTION RECORDS</p> <p>Records used to start, modify, or stop all voluntary or required deductions from payroll. Includes tax withholding (NC-4, W-4), savings plans, insurance, association dues, orders of garnishment, etc. Used as proof the employee approved of the deduction(s).</p>	<p>a) Destroy in office tax withholding forms 4 years after termination of deduction.*</p> <p>b) Destroy in office authorizations for deductions for retirement contributions, bank payments, savings plans, insurance, and dues 2 years after termination of deduction.</p> <p>c) Destroy in office remaining records 3 years after termination of deduction.*</p>	<p>Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1</p> <p>Retention: IRS Publication 15 29 CFR 516.6(c)(1)</p>
35.	<p>POWELL BILL RECORDS</p> <p>Records include certified statements, expenditures reports, information sheets, financial statements submitted to the North Carolina Department of Transportation, and all other related records.</p>	Destroy in office after 3 years.	
36.	<p>PURCHASE ORDERS</p> <p>Records, forms, packing slips, and attached documents concerning purchased supplies, equipment, and services.</p> <p>See also GRANTS: FINANCIAL, page 24, item 27.</p>	<p>Destroy in office after 3 years.*</p> <p><i>Retention Note: Packing slips may be destroyed upon verification of items received if they are not the only record of the purchase of the item.</i></p>	
37.	<p>QUALIFIED PRODUCTS LISTS (QPL)</p> <p>Records identifying products approved for purchase by the agency.</p>	Destroy in office 3 years after superseded or obsolete.*	

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
38.	<p>REQUISITIONS Requests for payment or to acquire goods or services.</p> <p>See also INVENTORIES, page 9, item 36.</p>	Destroy in office after 1 year.*	
39.	<p>SCHOLARSHIP RECORDS Records concerning scholarships awarded by the agency. Includes applications, award letters, conditions and stipulations, agreements and contracts, disbursement statements, progress reports, and other related records.</p>	<p>a) Destroy in office after 3 years records documenting the awarding of scholarships.</p> <p>b) Destroy in office 1 year after notification of applicant records concerning applications that are denied by the agency or awards that are declined by the recipient.</p>	
40.	<p>SHIFT PREMIUM PAY Authorizations and other related records concerning employees receiving shift premium pay.</p>	Destroy in office after 3 years.*	
41.	<p>STATEMENTS OF BACK PAY Forms used to determine the gross pay an employee would have earned during a specified period for back pay in a grievance decision, settlement agreement, or other order.</p>	Destroy in office 3 years after payment.*	

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
42. 	TAX FORMS Tax information returns generated by the agency (e.g., 1098, 1099, W-2, W-3) to be reported to the Internal Revenue Service and furnished to the other party to the transaction.	Destroy in office 4 years after submitted to taxpayer and/or IRS.*	Confidentiality: G.S. § 132-1.10 G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1 Retention: IRS Publication 15
43.	TAX RETURNS Tax returns filed by the agency.	Destroy in office 6 years after filed.*	
44.	TIME SHEETS, CARDS, AND ATTENDANCE RECORDS Records documenting the work hours and attendance of employees. See also PAYROLL AND EARNINGS RECORDS , page 25, item 33.	Destroy in office after 2 years.*	Retention: 29 CFR 516.6(a)(1)
45.	TRAVEL REIMBURSEMENTS Includes requests and authorizations for reimbursement for travel and related expenses. See also GRANTS: FINANCIAL , page 24, item 27, and TRAVEL REQUESTS , page 17, item 64.	Destroy in office after 3 years.*	

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
46. 	VENDORS Files maintained on specific vendors authorized or debarred from doing business with the agency. Includes name and address, correspondence (including e-mail), and other related records.	Destroy in office when superseded or obsolete.	

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STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS
 Official records received and created by agency geographic information system programs. See G.S. § 132-10 for information about providing public access to GIS databases.

STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS			
ITEM #	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	<p>GEOGRAPHIC INFORMATION SYSTEM (GIS) CORE DATA</p> <p>Geo-referenced data and metadata to facilitate the management, manipulation, analysis, modeling, representation, and spatial analysis of complex problems regarding planning and management of resources.</p>	<p>Retain in office parcel, boundary, zoning, and orthoimagery layers (with accompanying data sets) permanently.</p> <p><i>Retention Note: Other datasets should be kept according to standards and procedures set by the North Carolina Geographic Information Coordinating Council (http://www.ncgicc.com/).</i> See also GEOSPATIAL RECORDS, page 79.</p>	
2.	<p>GEOGRAPHIC INFORMATION SYSTEM (GIS) DATA DOCUMENTATION (METADATA)</p> <p>Records created during development or modification of an automated system which are necessary to access, retrieve, manipulate, and interpret data in that system; and records that explain the meaning, purpose, structure, local relationships, and origin of the data elements. Includes data element dictionaries, file layout, codebooks and tables, and definition files.</p>	<p>Destroy in office when the system is discontinued or when system data has been transferred to a new operating environment (platform).</p>	
3.	<p>GEOGRAPHIC INFORMATION SYSTEM (GIS) INTERNAL STANDARDS AND PROCEDURES</p> <p>Includes requirements that are intended to make hardware, software, and data compatible and that cover data capture, accuracy, sources, base categories, output, and data element dictionaries.</p>	<p>Retain in office permanently.</p>	

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.	GEOGRAPHIC INFORMATION SYSTEM (GIS) MONITORING RECORDS Includes system security, quality assurance, transaction tracking, and other related activity monitoring records.	Destroy in office after 1 year.	
5.	GEOGRAPHIC INFORMATION SYSTEM (GIS) OPERATIONAL RECORDS Includes user guides, system flowcharts, job or workflow records, system specifications, and similar documentation.	Destroy in office when the system is discontinued or when system data has been transferred to a new operating environment (platform).	
6.	GEOGRAPHIC INFORMATION SYSTEM (GIS) PROJECT RECORDS	a) Retain in office GIS datasets and accompanying documentation (metadata) with historical and/or legal value permanently. b) Destroy in office remaining items when reference value ends.† Agency Policy: Destroy in office after _____	

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
7.	<p>LAYERS: ADDRESS POINTS</p> <p>See also GEOSPATIAL RECORDS, page 79.</p>	<p>Paper: Retain in office permanently.</p> <p>GIS dataset: Create a snapshot of dataset annually. To maintain permanently,</p> <p><i>Either:</i> Transfer snapshot to NCOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p> <p><i>Or:</i> If retained in office, your agency must comply with standards (for metadata, file naming, data sharing, and long term preservation) and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p>	
8.	<p>LAYERS: CORPORATE LIMITS</p> <p>See also GEOSPATIAL RECORDS, page 79.</p>	<p>Paper: Retain in office permanently.</p> <p>GIS dataset: Create a snapshot of dataset annually. To maintain permanently,</p> <p><i>Either:</i> Transfer snapshot to NCOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p> <p><i>Or:</i> If retained in office, your agency must comply with standards (for metadata, file naming, data sharing, and long term preservation) and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p>	

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
9.	<p>LAYERS: EXTRATERRITORIAL JURISDICTIONS</p> <p>See also GEOSPATIAL RECORDS, page 79.</p>	<p>Paper: Retain in office permanently.</p> <p>GIS dataset: Create a snapshot of dataset annually. To maintain permanently,</p> <p><i>Either:</i> Transfer snapshot to NCOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p> <p><i>Or:</i> If retained in office, your agency must comply with standards (for metadata, file naming, data sharing, and long term preservation) and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p>	
10.	<p>LAYERS: ORTHOIMAGERY</p> <p>See also GEOSPATIAL RECORDS, page 79.</p>	<p>Create a snapshot of dataset when created. To maintain permanently,</p> <p><i>Either:</i> Transfer snapshot to NCOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p> <p><i>Or:</i> If retained in office, your agency must comply with standards (for metadata, file naming, data sharing, and long term preservation) and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p>	

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
11.	<p>LAYERS: STREET CENTERLINE</p> <p>See also GEOSPATIAL RECORDS, page 79.</p>	<p>Paper: Retain in office permanently.</p> <p>GIS dataset: Create a snapshot of dataset annually. To maintain permanently,</p> <p><i>Either:</i> Transfer snapshot to NCOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p> <p><i>Or:</i> If retained in office, your agency must comply with standards (for metadata, file naming, data sharing, and long term preservation) and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p>	
12.	<p>MAPPING PROJECT RECORDS</p> <p>Includes contract maps and all deliverable products for aerial photography, orthophotography, cartographic, cadastral, and digital mapping projects.</p> <p>See also GEOSPATIAL RECORDS, page 79.</p>	<p>Paper: Retain in office permanently.</p> <p>GIS dataset: Create a snapshot of dataset annually. To maintain permanently,</p> <p><i>Either:</i> Transfer snapshot to NCOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p> <p><i>Or:</i> If retained in office, your agency must comply with standards (for metadata, file naming, data sharing, and long term preservation) and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p>	

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
13.	<p>MAPS: PARCEL</p> <p>Maps, including cadastral maps, and surveys of boundaries and measurements of each parcel, and information about encroachments, right-of-ways, and structures.</p> <p>See also GEOSPATIAL RECORDS, page 79, and PROPERTY MANAGEMENT RECORDS, page 14, item 54.</p>	<p>Paper: Destroy in office upon State Archives approval.</p> <p>GIS dataset: Create a snapshot of dataset quarterly. To maintain permanently,</p> <p><i>Either:</i> Transfer snapshot to NCOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p> <p><i>Or:</i> If retained in office, your agency must comply with standards (for metadata, file naming, data sharing, and long term preservation) and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p>	
14.	<p>MAPS: PARKS</p> <p>Includes park boundaries, facilities, landscaping, topography, and other pertinent information. Also includes maps and drawings stored and generated by Geographic Information System (GIS) and computer-aided design (CAD) systems.</p> <p>See also GEOSPATIAL RECORDS, page 79.</p>	<p>Paper: Retain in office permanently.</p> <p>GIS dataset: Create a snapshot of dataset annually. To maintain permanently,</p> <p><i>Either:</i> Transfer snapshot to NCOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p> <p><i>Or:</i> If retained in office permanently, your agency must comply with standards (for metadata, file naming, data sharing, and long term preservation) and procedures adopted by the North Carolina Geographic Information Coordinating Council.</p>	

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
15.	<p>MAPS: ALL OTHER Includes field maps, soil, topographic, sales, subdivision plats, right-of-way, sectional, highway, etc.</p>	<p>a) Retain in office maps, including GIS datasets and accompanying documentation (metadata), with historical and/or legal value permanently.</p> <p>b) Destroy in office remaining items when reference value ends.†</p> <p>Agency Policy: Destroy in office after _____</p>	


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STANDARD 4: INFORMATION TECHNOLOGY (IT) RECORDS

Information technology encompasses all activities undertaken by agency to design, develop, and operate electronic information systems. This section covers records for which Information Technology personnel are responsible, including administrative records and those used to process data and monitor and control operations.


Note: Administration, use, and retention of records concerning computer and information security should comply with applicable provisions of G.S. § 132-6.1 on the confidentiality of records regarding “hardware or software security, passwords, or security standards, procedures, processes, configurations, software, and codes.” (G.S. § 132-6.1 (c))

ITEM #	STANDARD 4: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1. 	<p>AUDITS: IT SYSTEMS Records documenting user actions affecting the contents of monitored systems. Also includes fixity checks and other periodic tests of data validity.</p>	<p>a) Destroy in office after 1 year fixity check documentation. b) Destroy in office remaining records after disposition of record.*</p>	Confidentiality: G.S. § 132-6.1(c)
2.	<p>COMPUTER AND NETWORK USAGE RECORDS Records documenting usage of electronic devices and networks. Includes login files, system usage files, individual program usage files, and records of use of the Internet by employees.</p>	Destroy in office after 1 year.	
3.	<p>DATA DOCUMENTATION RECORDS Records concerning data in automated systems. Includes data element dictionary, file layout, code book or table, entity relationships tables, and other records related to the structure, management, and organization of data.</p>	Destroy in office 3 years after system is discontinued and/or replaced.	

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ITEM #	STANDARD 4: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.	<p>DATA MIGRATION RECORDS Technical records documenting data migrations.</p> <p><i>Note: The data itself is subject to the disposition instructions indicated for its relevant records series; these are merely records about migrating said data.</i></p>	Destroy in office 1 year after completion of data migration.	
5.	<p>DATA WAREHOUSES Federated data gathered by the agency from other sources for the purposes of comparison and distribution.</p>	Destroy in office when superseded or obsolete.	Maintain confidentiality consistent with any restrictions placed on the data provider.
6.	<p>DIGITIZATION AND SCANNING RECORDS Records concerning data entry and imaging operations. Includes quality control records.</p> <p>See Request for Disposal of Original Records Duplicated by Electronic Means, page 87.</p>	<p>Destroy in office 10 days after digitization.</p> <p><i>Note: The digital surrogate becomes the record copy and must be retained according to the disposition instructions for that record type.</i></p>	
7.	 <p>ELECTRONIC RECORDS POLICIES AND PROCEDURES Includes procedural manuals as well as an Electronic Records and Imaging Policy and a Security Backup Policy.</p>	Destroy in office 3 years after superseded or obsolete.	Confidentiality: G.S. § 132-1.7(b) G.S. § 132-6.1(c)
8.	<p>INFORMATION TECHNOLOGY ASSISTANCE RECORDS Records documenting troubleshooting and problem-solving assistance provided by agency information systems personnel to users of the systems. Includes help desk assistance requests, resolution records, and related documentation.</p>	Destroy in office 1 year after work is completed.	

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ITEM #	STANDARD 4: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
9. 	<p>NETWORK AND SYSTEM SECURITY RECORDS Records documenting the security of network and system. Includes records concerning firewalls, anti-virus programs, and intruder scanning logs.</p>	<p>a) Destroy in office finalized cyber incident reports 5 years after resolution.</p> <p>b) Destroy in office after 2 years records documenting incidents involving unauthorized attempted entry or probes on data processing systems, IT systems, telecommunications networks, and electronic security systems.</p> <p>c) Destroy in office after 1 year records concerning firewalls, anti-virus programs, and other related records.</p>	Confidentiality: G.S. § 132-6.1(c)
10. 	<p>NETWORK DIAGRAMS Records documenting the logical and physical relationships of network components for purposes of organization, deployment, troubleshooting, monitoring of access, and management of day-to-day operations.</p>	Destroy in office when superseded or obsolete.	Confidentiality: G.S. § 132-6.1(c)
11.	<p>PROJECT DOCUMENTATION Records created to design, develop, control, or monitor a specific project or group of IT projects. Includes statements of work, assessments, maintenance agreements, and testing records.</p> <p>See also PROJECTS, page 14, item 53.</p>	<p>a) Retain in office permanently records with historical value.</p> <p>b) Destroy in office remaining records 3 years after completion of project.</p>	

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ITEM #	STANDARD 4: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
12.	<p>SOFTWARE LICENSE AND COPYRIGHT PROVISIONS RECORDS</p> <p>Records documenting compliance with agency software license and copyright provisions. Includes software licenses, correspondence (including e-mail), and related documentation.</p>	Destroy in office 1 year after software is superseded or obsolete.	
13.	<p>SYSTEM ACCESS RECORDS</p> <p>Records documenting access requests and authorizations, system access logs, and other related records.</p>	Destroy in office 1 year after superseded or obsolete.	
14.	 <p>SYSTEM DOCUMENTATION RECORDS</p> <p>Records documenting operating systems, application programs, structure and form of datasets, system structure, and system-to-system communication. Includes system overviews, dataset inventories, server name, IP address, purpose of the system, vendor-supplied documentation, installed software, and current source code.</p>	Destroy in office 3 years after superseded or obsolete.	Confidentiality: G.S. § 132-1.1(g) G.S. § 132-6.1(c)
15.	<p>SYSTEM MAINTENANCE RECORDS: HARDWARE REPAIR OR SERVICE</p> <p>Records documenting inspections, maintenance, and repairs of agency computer systems that are owned or leased. Includes computer equipment inventories and service records.</p> <p>See also EQUIPMENT AND VEHICLE MAINTENANCE, REPAIR, AND INSPECTION RECORDS, page 6, item 24.</p>	<p>a) Destroy in office records documenting routine inspections and maintenance of equipment after 1 year.</p> <p>b) Destroy records documenting all other equipment maintenance and repairs upon the final disposition of the equipment.</p>	

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ITEM #	STANDARD 4: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
16.	<p>SYSTEM MAINTENANCE RECORDS: RECORDS BACKUPS</p> <p>Records documenting regular or essential system backups. Includes backup tape inventories, relevant correspondence (including e-mail), and related documentation.</p> <p>See Also: Security Backup Files as Public Records in North Carolina: Guidelines for the Recycling, Destruction, Erasure, and Re-use of Security Backup Files, available on the State Archives of North Carolina website.</p>	<p>Destroy in office in accordance with your office’s established, regular backup plan and procedures.†</p> <p>Agency Policy: Destroy in office after _____</p>	
17.	<p>TECHNICAL PROGRAM DOCUMENTATION</p> <p>Records concerning program code, program flowcharts, program maintenance logs, systems change notices, and other related records that document modifications to computer programs.</p>	<p>Destroy in office 1 year after superseded or obsolete.</p>	
18.	<p>VOICE OVER INTERNET PROTOCOL (VoIP) RECORDS</p> <p>Records concerning line registrations, calls logs, and voicemail records.</p>	<p>a) Destroy in office records concerning line registration when superseded or obsolete.</p> <p>b) Destroy in office call logs after 1 year.</p> <p>c) Destroy in office voicemail records after 30 days.</p>	

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ITEM #	STANDARD 4: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
19.	<p>WEB MANAGEMENT AND OPERATIONS RECORDS: STRUCTURE</p> <p>Site maps that show the directory structure into which content pages are organized, and commercial, off-the-shelf software configuration or content management system files used to operate the site and establish its look and feel. Includes server environment configuration specifications.</p> <p>See also WEBSITE (ELECTRONIC), page 69, item 15.</p>	<p>Destroy in office when superseded or obsolete.</p>	

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STANDARD 5: LEGAL RECORDS

Official documentation created or accumulated to substantiate the rights, obligations, or interests of the agency or their individual employees or clients. Please note the confidentiality that G.S. § 132-1.1(a) confers to communications by legal counsel expires three years after receipt of such communication.

ITEM #	STANDARD 5: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	<p>AFFIDAVITS OF PUBLICATION Proof of publication provided by newspapers regarding publication of ordinances, public hearings, bid solicitations, payment of bills, public sales, etc.</p> <p>See also NOTICES OF PUBLIC MEETINGS, page 12, item 45.</p>	<p>a) Retain in office permanently if record provides sole evidence of publication.</p> <p>b) Destroy in office remaining records after 3 years.*</p>	<p>Authority: G.S. § 1-600</p>
2.	<p>AUTHENTICATIONS Certificates of authentication issued by the agency.</p>	<p>Retain in office permanently.</p>	
3.	<p>CIVIL RIGHTS CASE RECORDS Records concerning discrimination complaints by employees or former employees and requests for reasonable accommodation. Includes equal opportunity (EO) complaints.</p> <p>See also PERSONNEL RECORDS (OFFICIAL COPY), page 60, item 29.</p>	<p>Destroy in office 1 year after final disposition of the charge or the action.*</p> <p><i>Retention Note: 29 CFR 1602.14 defines final disposition of the charge or the action as “the date of expiration of the statutory period within which the aggrieved person may bring an action in a U.S. District Court or, where an action is brought against an employer either by the aggrieved person, the Commission, or by the Attorney General, the date on which such litigation is terminated.”</i></p>	<p>Retention: 29 CFR 1602.14 29 CFR 1602.31</p>

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ITEM #	STANDARD 5: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.	<p>CIVIL RIGHTS RECORDS Records concerning documentation of personnel policies and procedures to comply with the Age Discrimination in Employment Act (ADEA), the Americans with Disabilities Act (ADA), the Equal Pay Act, the Genetic Information Nondiscrimination Act (GINA), Section 504 of the 1973 Rehabilitation Act, and the 1964 Civil Rights Act. Includes reports required by the Equal Employment Opportunity (EEO) Commission and affirmative action plans.</p> <p>See also CITIZEN COMMENTS, COMPLAINTS, PETITIONS, AND SERVICE REQUESTS, page 4, item 17, CIVIL RIGHTS CASE RECORDS, page 43, item 3, and POLICIES AND PROCEDURES (PERSONNEL), page 61, item 31.</p>	Destroy in office 3 years after superseded or obsolete.	<p>Authority: 29 CFR 1602.1 29 CFR 1602.7 29 CFR 1608.4</p> <p>Retention: 29 CFR 1602.30 29 CFR 1602.32</p>
5.	<p>CONDEMNATION RECORDS Settled and pending condemnation cases.</p> <p>See also ACCOUNTS PAYABLE, page 18, item 1 for disposition of financial records.</p>	Retain in office permanently.	
6.	<p>CONFLICT OF INTEREST AND CONFLICT OF COMMITMENT DISCLOSURE STATEMENTS Completed by the elected agency officials as well as designated staff members in order to disclose an official's status or ownership interests.</p>	Destroy in office 1 year after completion of term or separation.	

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ITEM #	STANDARD 5: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
7.	<p>CONTRACTS, LEASES, AND AGREEMENTS Contracts and agreements for construction, equipment, property, supplies, special programs, and projects. Includes franchise agreements, hold harmless agreements, good faith effort documentation, contractor compliance monitoring, leases, and memoranda of understanding.</p> <p>See also SOFTWARE LICENSE AND COPYRIGHT PROVISIONS RECORDS, page 40, item 12.</p>	<p>a) Retain in office contracts and agreements with historical value permanently.</p> <p>b) Destroy in office sealed contract records 10 years after expiration of contract.*</p> <p>c) Destroy in office capital improvement contracts and business associate agreements 6 years after completion, termination, or expiration.*</p> <p>d) Destroy in office records documenting restrictions and compliance with license and copyright provisions for products and services purchased by the agency 1 year after superseded or obsolete.*</p> <p>e) Destroy in office all other contracts and agreements 3 years after completion, termination, or expiration.*</p>	<p>Retention: G.S. § 1-47(2) G.S. § 1-50(a)(5) 45 CFR 164.316 G.S. § 1-52</p>
8.	<p>DECLARATORY RULINGS Records concerning declaratory rulings issued by the agency to interpret statutes or rules as applied to a specified set of facts.</p>	<p>Retain in office permanently.</p>	
9.	<p>DELEGATION OF AUTHORITY RECORDS Records documenting delegations of power to authorize agency business. Includes signature authorities and powers of attorney.</p>	<p>Destroy in office 1 year after superseded or obsolete.</p>	
10.	<p>EASEMENTS AND RIGHT-OF-WAY AGREEMENTS Granted to the agency.</p> <p>See also ACCOUNTS PAYABLE, page 18, item 1 for disposition of financial records.</p>	<p>Destroy in office 10 years after expiration of agreement.</p>	

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ITEM #	STANDARD 5: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
11.	ENCROACHMENTS Records concerning agreements granted by or to the agency. Also includes maps or drawings detailing construction plans attached to agreements.	a) Retain in office permanently records concerning agreements granted by outside entities to the agency. b) Destroy in office when superseded or obsolete records concerning agreements granted to utilities, businesses, and private citizens to encroach upon agency property.	
12.	LAND OWNERSHIP RECORDS Includes deeds and titles.	Destroy in office 1 year after agency relinquishes ownership of land.*	
13.	 LEGAL CORRESPONDENCE Correspondence (including e-mail) and related records concerning legal matters not related to specific legal cases or official opinions.	Destroy in office after 5 years. For information on handling e-mail, see ELECTRONIC RECORDS , page 77.	Confidentiality: G.S. § 132-1.1(a)
14.	LEGAL OPINIONS Formal legal opinions written by counsel in response to requests concerning the governance and administration of the agency.	Retain in office permanently.	
15.	 LEGAL REVIEW RECORDS Includes legal reviews of by-laws and charges to boards and commissions, conflicts of interest, and all other agency matters as requested. See also LEGAL OPINIONS , page 46, item 14.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records after expiration of relevant statute of limitations.	Confidentiality: G.S. § 132-1.1(a)

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ITEM #	STANDARD 5: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
16. 	LITIGATION CASE RECORDS Civil suits to which the agency is a party. Includes affidavits, agreements, appeals, bills, briefs, citations, commitments, complaints, discharges, motions, notices, pleas, releases, statements, testimony, verdicts, waivers, warrants, and writs.	a) Retain in office cases having precedential or historical value permanently. b) Destroy in office adjudicated cases 6 years after final disposition. c) Destroy in office non-adjudicated cases (out-of-court claims) 6 years after final disposition or expiration of relevant statute of limitations.	Confidentiality: G.S. § 132-1.1(a) G.S. § 132-1.9
17.	OATHS OF OFFICE See also GOVERNING AND ADVISORY BODY MEMBER FILES , page 7, item 29.	Transfer official copy of oath of office to the Clerk to the Board. <i>Retention Note: The Clerk to the Board should present a copy of the oaths of elected officials to the Clerk of Superior Court for recording. The Clerk to the Board maintains the original oaths.</i>	Authority: G.S. § 153A-26 Retention: G.S. § 7A-103(2)
18.	PERMISSIONS Records conferring legal permission. Includes copyright permission requests and requests for permission to publish intellectual property or holdings of the agency. Also includes copyrights, patents, and trademarks held by the agency.	a) Retain in office permanently records conferring perpetual legal permission as well as records documenting copyrights, patents, and trademarks held by the agency. b) Destroy in office 3 years after expiration records concerning one-time copyright permissions granted by the agency.	
19.	PRE-TRIAL RELEASE PROGRAM RECORDS Records documenting supervision for defendants who do not pose a risk to the community as they await trial.	Destroy in office 3 years after trial.	

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ITEM #	STANDARD 5: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.	<p>REASONABLE ACCOMMODATIONS</p> <p>Records concerning agency efforts to provide reasonable accommodations to the general public under Title II of the Americans with Disabilities Act, Housing and Urban Development Act, 1973 Rehabilitation Act, and Title VII of the Civil Rights Act of 1964. Includes constituent requests, survey of agency buildings to determine accessibility to the physically handicapped, proposals for implementation, and resolutions.</p> <p>See also CITIZEN COMMENTS, COMPLAINTS, PETITIONS, AND SERVICE REQUESTS, page 4, item 17, and CIVIL RIGHTS CASE RECORDS, page 43, item 3.</p>	Destroy in office after 2 years.*	Authority: 42 USC 12132
21.	<p>RELEASE FORMS</p> <p>Records documenting consent and waiving the individual’s right to hold the agency responsible for injuries or damages occurring while voluntarily participating in events or activities.</p>	Destroy in office 5 years after termination of release/waiver.	
22.	<p>VEHICLE TITLES</p> <p>Titles of agency owned vehicles.</p>	Dispose of in accordance with Division of Motor Vehicles procedures for title transfer upon disposition of vehicle.	Authority: G.S. § 20-72


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STANDARD 6: PERSONNEL RECORDS


Official records and materials created and accumulated incidental to the employment, qualifications, training, and pay status of agency employees. Comply with applicable provisions of G.S. § 115C Article 21A (LEAs), G.S. § 122C-158 (area authorities), G.S. § 130A-45.9 (public health authorities), G.S. § 153A-98 (county), G.S. § 160A-168 (municipal), G.S. § 161E-257.2 (public hospitals), and G.S. § 162A-6.1 (water and sewer authorities) regarding confidentiality of personnel records.

ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	ABOLISHED POSITIONS	Destroy in office after 1 year.	
2.	 <p>ADMINISTRATIVE INVESTIGATIONS Records concerning the investigation of conduct problems among agency personnel.</p> <p>See also DISCIPLINARY ACTIONS, page 53, item 12.</p>	<p>a) Destroy in office after 3 years records concerning complaints against agency personnel that are resolved without an internal investigation.</p> <p>b) Destroy in office after 5 years records concerning complaints lodged against agency personnel that are exonerated. Destroy in office 5 years after final disposition or expiration of relevant statute of limitations complaints lodged against agency personnel that are settled out-of-court.</p> <p>c) Transfer investigation reports, disciplinary actions, and other related internal affairs case records to PERSONNEL RECORDS (OFFICIAL COPY), page 60, item 29.</p>	<p>Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1</p>

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3. 	APPLICATIONS FOR EMPLOYMENT Records submitted by job applicants for vacant positions or by current employees for promotion, transfer, or training opportunities. Includes applications, transcripts, resumes, letters of reference, and other related records.	a) Transfer applications, resumes, transcripts, and similar records as applicable to PERSONNEL RECORDS (OFFICIAL COPY) , page 60, item 29. b) Destroy in office after 2 years unsolicited application materials from individuals hired. c) Destroy in office records concerning individuals not hired 2 years after date of receipt, if no charge of discrimination has been filed. If charge has been filed, destroy in office 1 year after resolution of charge.* d) Destroy in office 2 years after receipt unsolicited applications/resumes and those received after posted closing dates.	Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1 Retention: 29 CFR 1602.31
4.	APPRENTICESHIP PROGRAM RECORDS Records concerning registered apprenticeship programs. Includes applications and selection materials as well as aggregated data. Also includes apprenticeship affirmative action plans.	Destroy in office 5 years after the making of the record or the personnel action involved, whichever occurs later.	Authority: 29 CFR 30.4(a) 29 CFR 1602.20 Retention: 29 CFR 30.12(d) 29 CFR 1602.21

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
5. 	<p>APTITUDE AND SKILLS TESTING RECORDS Records concerning aptitude and skills tests required of job applicants or of current employees to qualify for promotion or transfer. Includes civil service examinations.</p> <p>See also EMPLOYMENT SELECTION RECORDS, page 55, item 17.</p>	Destroy in office after 2 years.	<p>Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1</p> <p>Retention: 29 CFR 1602.31 29 CFR 1627.3(b)(1)(iv)</p>
6.	<p>ASBESTOS TRAINING Records concerning training programs about the proper management of asbestos.</p> <p>See also BLOODBORNE PATHOGEN TRAINING, page 52, item 8, and HAZARDOUS MATERIALS TRAINING RECORDS, page 57, item 21.</p>	<p>a) Destroy in office employee-specific records 1 year after separation.</p> <p>b) Destroy in office remaining records when superseded or obsolete.</p>	<p>Retention: 29 CFR 1910.1001(m)(4)</p>
7.	<p>BENEFITS RECORDS Records concerning life, health, accident, and disability insurance plans as well as seniority and merit systems. Includes records concerning systems in which employees can select fringe benefits from a cafeteria plan, including flexible spending plans. File also includes notifications, election and claim forms, rejection letters, and other records related to COBRA (Consolidated Omnibus Budget Reconciliation Act).</p>	<p>a) Destroy in office approved claims forms after 2 years.*</p> <p>b) Destroy in office rejected requests 6 months after decision.</p> <p>c) Destroy in office notifications to employees or dependents informing them of their rights to continue insurance coverage after termination or during disability or family leave 3 years after employee returns or eligibility expires.</p> <p>d) Destroy in office remaining records 1 year after plan is terminated.</p>	<p>Retention: 29 CFR 1627.3(b)(2)</p>

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
8.	<p>BLOODBORNE PATHOGEN TRAINING Includes records showing date of training, sessions, contents or summaries of sessions, names of employees attending, and names and qualifications of instructors.</p> <p>See also ASBESTOS TRAINING, page 51, item 6, and HAZARDOUS MATERIALS TRAINING RECORDS, page 57, item 21.</p>	Destroy in office after 3 years.	Retention: 29 CFR 1910.1030(h)(2)(ii)
9.	 <p>CERTIFICATION AND QUALIFICATION RECORDS Records concerning certification or qualification as required for employment, continued employment, or promotion.</p> <p>See also APPLICATIONS FOR EMPLOYMENT, page 50, item 3.</p>	<p>a) Destroy in office certificates 5 years after date of separation.</p> <p>b) Destroy in office instructional materials, assessments, and other related records when superseded or obsolete.</p>	<p>Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1</p> <p>Retention: 29 CFR 1602.31</p>
10.	<p>DIRECTORIES, ROSTERS, OR INDICES Includes records listing employees, their job titles, work locations, phone numbers, e-mail addresses, and similar information.</p>	Destroy in office when superseded or obsolete.	

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
11.	<p>DISABILITY SALARY CONTINUATION CLAIMS Forms used by disabled employees to apply for salary continuation benefits. Also include short-term disability claims forms and other related records.</p>	<p>a) Transfer original forms to Local Government Employees' Retirement System (LGERS) or Teachers' and State Employees' Retirement System (TSERS) for action when received.</p> <p>b) Destroy in office remaining records after 3 years.</p>	
12.	<p>DISCIPLINARY ACTIONS Correspondence (including e-mail) and other records concerning disciplinary actions taken against employees by personnel or supervisory staff, including records documenting terminations. Includes records created by civil service boards when considering, or reconsidering on appeal, an adverse action against an employee.</p>	<p>a) Transfer records as applicable to PERSONNEL RECORDS (OFFICIAL COPY), page 60, item 29.</p> <p>b) Destroy in office all remaining records 2 years after resolution of all actions.</p>	<p>Authority: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1</p> <p>Retention: 29 CFR 1602.31</p> <p>Subject to the public information provision delineated in the above authorities.</p>
13.	<p>DUAL EMPLOYMENT Records concerning employees' requests and authorizations to accept employment with another local government agency.</p>	<p>a) Destroy in office approved requests and related records 1 year after employee terminates additional employment.</p> <p>b) Destroy in office denied requests and related records after 6 months.</p>	

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
14. 	<p>EDUCATIONAL LEAVE AND REIMBURSEMENT</p> <p>Includes records requesting educational leave and tuition assistance, reimbursements, and other related records.</p> <p>See also LEAVE RECORDS, page 57, item 24.</p>	<p>a) Transfer records documenting approved leave requests to PERSONNEL RECORDS (OFFICIAL COPY), page 60, item 29.</p> <p>b) Destroy in office records concerning denied requests 6 months after denial.* Destroy in office records concerning approved tuition reimbursements 3 years after reimbursement.*</p>	<p>Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1</p>
15. 	<p>ELIGIBILITY RECORDS</p> <p>Includes the I-9 forms, employment authorization documents filed with the U.S. Department of Labor, petitions filed by the agency, E-Verify documentation, and Selective Service Registration compliance forms.</p>	<p>a) I-9 forms have mandatory retention throughout the duration of an individual’s employment. After separation, destroy records in office 3 years from date of hire or 1 year from separation, whichever occurs later.</p> <p>b) Destroy in office after 5 years employment authorization documents filed with the U.S. Department of Labor.</p> <p>c) Destroy in office immigrant or nonimmigrant petitions filed by the agency 3 years after employee separation.</p> <p>d) Destroy in office remaining records 1 year after employee separation.</p>	<p>Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1</p> <p>Retention: 8 USC 1324a(b)(3)</p>
16. 	<p>EMPLOYEE ASSISTANCE PROGRAMS</p> <p>Records documenting assistance and counseling opportunities. Includes requests for information, referrals, forms, releases, correspondence, and other related records.</p>	<p>Destroy in office after 3 years.</p>	<p>Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1</p>

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
17. 	<p>EMPLOYMENT SELECTION RECORDS Records concerning the selection of applicants for vacant positions or of current employees for promotion, transfer, or training opportunities. Includes interview documentation, rosters, eligibility lists, test ranking sheets, justification statements, background and criminal history checks, and similar records.</p> <p>See also APPLICATIONS FOR EMPLOYMENT, page 50, item 3, and APTITUDE AND SKILLS TESTING RECORDS, page 51, item 5.</p>	<p>a) Destroy in office background and criminal history checks after 5 years.</p> <p>b) Destroy in office remaining records 2 years after hiring decision.*</p>	<p>Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1</p> <p>Retention: 29 CFR 1602.31 29 CFR 1627.3(b)(1)</p>
18. 	<p>EXIT INTERVIEW RECORDS Includes feedback from employees planning to separate from the agency.</p>	<p>Destroy in office after 1 year.</p>	<p>Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1</p>

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
19. 	<p>FAMILY MEDICAL LEAVE ACT (FMLA) RECORDS Records concerning leave taken, premium payments, employer notice, medical examinations considered in connection with personnel action, disputes with employees over FMLA, and other related records.</p> <p>See also LEAVE RECORDS, page 57, item 24.</p>	Destroy in office 3 years after leave ends.*	Authority: 29 CFR 825.110 Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1 Retention: 29 CFR 825.500(b)
20. 	<p>GRIEVANCES Includes initial complaint by employee, investigation, action, summary, and disposition.</p> <p>See also DISCIPLINARY ACTIONS, page 53, item 12, and PERSONNEL RECORDS (OFFICIAL COPY), page 60, item 29.</p>	Destroy in office after 2 years.*	Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
21.	<p>HAZARDOUS MATERIALS TRAINING RECORDS Includes records showing date of training, sessions, contents or summaries of sessions, names of employees attending, and names and qualifications of instructors.</p> <p>See also ASBESTOS TRAINING, page 51, item 6, and BLOODBORNE PATHOGEN TRAINING, page 52, item 8.</p>	Destroy in office after 5 years.	Authority: 29 CFR 1910.120(p)(8)(iii) 10A NCAC 15
22.	<p>INTERNSHIP PROGRAM Records concerning interns and students who work for the agency.</p>	Destroy in office after 2 years.	
23.	<p>LAW ENFORCEMENT TRAINING Records concerning internal training for law enforcement personnel.</p>	Retain in office permanently.	
24.	 <p>LEAVE RECORDS Records concerning employee leave, including requests for and approval of sick, vacation, overtime, buy-back, shared, donated, etc. Also includes records documenting leave without pay.</p> <p>See also EDUCATIONAL LEAVE AND REIMBURSEMENT, page 54, item 14, FAMILY MEDICAL LEAVE ACT (FMLA) RECORDS, page 56, item 19, and MILITARY LEAVE, page 58, item 26.</p>	<p>a) Destroy in office denied requests after 6 months.</p> <p>b) Destroy in office approved requests 3 years after return of employee or termination of employment.*</p>	Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
25. 	MEDICAL RECORDS Records concerning asbestos, toxic substances, and bloodborne pathogen exposure; medical examinations required by state or federal law; and records of injury or illness. (Does not include worker’s compensation or health insurance claim records.)	a) Destroy in office exposure records 30 years after date of exposure.* b) Destroy in office records pertaining to first-aid job-related illness and injury after 5 years. c) Provide medical records to employees who have worked for less than 1 year at time of separation. d) Destroy in office after 1 year records concerning physical examinations or health certificates. e) Destroy in office remaining records 30 years after employee separation. <i>Retention Note: Records must be maintained separately from an employee’s personnel jacket. If part of a worker’s compensation claim, follow disposition for WORKERS’ COMPENSATION PROGRAM CLAIMS, page 65, item 50.</i>	Authority: 29 CFR 1910.1020(e) Confidentiality: 29 CFR 1630.14(c)(1) 29 CFR 1910.1030(h)(1)(iii) Retention: 29 CFR 1627.3(b)(1)(v) 29 CFR 1910.1020(d) 42 USC 12112(d)(3)
26.	MILITARY LEAVE Records concerning military leave, as established by the Uniformed Services Employment and Reemployment Rights Act (USERRA). See also LEAVE RECORDS , page 57, item 24.	Destroy in office 3 years after leave ends or employee separates from agency.*	Authority: 5 CFR 1208

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
27. 	<p>PERFORMANCE REVIEWS Information used to establish employees’ goals and primary tasks. Records used to evaluate each employee’s work performance.</p> <p>See also PERSONNEL RECORDS (OFFICIAL COPY), page 60, item 29.</p>	Destroy in office after 3 years.	Confidentiality (applies only to performance evaluations): G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1
28.	<p>PERSONNEL ACTION NOTICES Records used to create or change information in the personnel records of individual employees concerning such issues as hiring, termination, transfer, pay grade, and position or job title.</p>	Transfer records to PERSONNEL RECORDS (OFFICIAL COPY) , page 60, item 29.	Subject to the public information provision delineated in relevant General Statutes.

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
29. 	<p>PERSONNEL RECORDS (OFFICIAL COPY) Official copy of personnel file maintained on each permanent and temporary agency employee. Includes basic employee information and records and forms relating to the selection or non-selection, promotion, transfer, leave, salary, suspension, and termination of employment.</p> <p>Note: For agencies responsible for maintaining personnel files for criminal justice officers, please consult 12 NCAC 09C .0307 for the mandatory records of certification that must be housed in the personnel file.</p> <p>See also MEDICAL RECORDS, page 58, item 25.</p>	<p>a) Destroy in office after 30 years from date of separation information needed to document: date and amount of each increase or decrease in salary with that agency; date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with that agency; date and general description of the reasons for each promotion with that agency; date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the agency; and, if the disciplinary action was a dismissal, a copy of the written notice of the final decision of the agency setting forth the specific acts or omissions that are the basis of the dismissal.</p> <p>b) Destroy in office information necessary to verify benefits 30 years after date of separation.</p> <p>c) Destroy in office remaining records when individual retention periods are reached as noted in individual items in the Records Retention and Disposition Schedule.</p>	Authority/ Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1
30. 	<p>PERSONNEL RECORDS (SUPERVISOR COPY) Personnel jacket that is often maintained by supervisors.</p>	<p>a) Transfer records as applicable to PERSONNEL RECORDS (OFFICIAL COPY), page 60, item 29.</p> <p>b) Destroy in office remaining records when reference value ends.† Agency Policy: Destroy in office after _____</p>	Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
31.	POLICIES AND PROCEDURES (PERSONNEL)	a) Retain in office internal agency personnel policies and procedures permanently. b) Destroy in office remaining records when superseded or obsolete.	
32.	 POLYGRAPH RECORDS Includes statements informing employee of the time, place, and reasons for the test; copy of notice sent to examiner identifying employee to be tested; and copies of opinions, reports, or similar records generated by the examiner and provided to the agency.	Destroy in office 3 years from the date the test was given, or from the date the test was requested if no examination was given.	Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1 Retention: 29 CFR 801.30
33.	POSITION CLASSIFICATION, CONTROL, AND HISTORY Records concerning personnel actions and position control, status of each established permanent, temporary full-time, or part-time position, and other related topics. Also includes listings providing classification, titles, and position numbers. See also POSITION DESCRIPTIONS , page 61, item 34.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when superseded or obsolete.	
34.	POSITION DESCRIPTIONS Includes information on job title, grade, duties, agency assigned, and responsibilities.	Destroy in office 2 years after superseded.	Retention: 29 CFR 1620.32

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
35.	POSITION EVALUATIONS Forms used to evaluate the primary purpose of a position.	Destroy in office after 1 year.	
36.	RECRUITMENT RECORDS Includes ads and notices of overtime, promotion, and training. Also includes employment listings.	Destroy in office 1 year from date of record.	Retention: 29 CFR 1627.3(b)
37.	RETIREMENT RECORDS Includes plans and related records outlining the terms of employee pension and other deferred compensation plans.	a) Destroy in office records documenting deferred compensation 3 years after payment.* b) Destroy in office descriptive information about retirements plans 1 year after plan is terminated. c) Destroy in office records concerning employer-sponsored retirement plans 7 years after payment.* d) Transfer Local Governmental Employees' Retirement System (LGERs) forms to Department of State Treasurer. e) Transfer applicable records to PERSONNEL RECORDS (OFFICIAL COPY) , page 60, item 29.	Retention: 29 CFR 1627.3(b)(2)
38.	 SEASONAL AND CONTRACT WORKER RECORDS Records concerning seasonal or contractual employees who are not provided with or eligible for benefits.	Destroy in office 5 years after date of separation.	Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
39.	<p>SECONDARY EMPLOYMENT Records concerning employees' requests and authorizations to accept employment with a private entity.</p>	<p>a) Destroy in office approved requests and related records 1 year after employee terminates outside employment. b) Destroy in office denied requests and related records after 6 months.</p>	
40.	<p>SERVICE AWARDS AND COMMENDATIONS Includes award and selection committee reports, nominations, selection criteria, and similar administrative records relating to employee recognition or incentive programs. See also PERSONNEL RECORDS (OFFICIAL COPY), page 60, item 29.</p>	<p>Destroy in office 2 years from date of record creation or the personnel action involved.</p>	
41.	<p>SUGGESTIONS AND SURVEYS Recommendations and feedback submitted by agency employees.</p>	<p>Destroy in office after 1 year.</p>	
42.	<p>TRAINING AND EDUCATIONAL RECORDS Includes employee-specific records (certificates, transcripts, test scores, etc.) relating to the training, testing, or continuing education of employees. See also CONFERENCES AND WORKSHOPS, page 67, item 4, and EDUCATIONAL LEAVE AND REIMBURSEMENT, page 54, item 14. Other required trainings are handled in ASBESTOS TRAINING, page 51, item 6, BLOODBORNE PATHOGEN TRAINING, page 52, item 8, and HAZARDOUS MATERIALS TRAINING RECORDS, page 57, item 21.</p>	<p>a) Transfer records as applicable to PERSONNEL RECORDS (OFFICIAL COPY), page 60, item 29, if such training and testing is required for the position held or could affect career advancement. b) Destroy in office remaining records after 1 year.</p>	<p>Retention: 29 CFR 1627.3(b)(1)(iv)</p>

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
43. 	UNEMPLOYMENT COMPENSATION CLAIMS Claim forms and other related records concerning unemployment compensation cases.	Destroy in office after 3 years.*	Confidentiality: G.S. § 115C Art. 21A G.S. § 122C-158 G.S. § 130A-45.9 G.S. § 153A-98 G.S. § 160-168 G.S. § 161E-257.2 G.S. § 162A-6.1
44.	UNEMPLOYMENT COMPENSATION REPORTS Quarterly reports showing month-to-date wages, month-to-date compensation, year-to-date wages, and year-to-date compensation for each employee. May be filed with NC Division of Employment Security.	Destroy in office after 3 years.*	
45.	UNEMPLOYMENT INSURANCE Forms submitted to the Department of Commerce to report wage records of terminated employees.	Transfer to the N.C. Department of Commerce, Division of Employment Security.	
46.	VERIFICATION OF EMPLOYMENT RECORDS Inquiries and responses concerning verification of an employee’s prior or current employment with the agency.	Destroy in office after 1 year.	
47.	VOLUNTEER RECORDS Records concerning individuals who volunteer to assist with various agency activities.	Destroy in office 2 years after completion of assignment.	
48.	WORK SCHEDULES AND ASSIGNMENTS Records concerning work, duty, shift, crew, or case schedules, rosters, or assignments.	Destroy in office after 1 year.	

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ITEM #	STANDARD 6: PERSONNEL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
49.	<p>WORKERS' COMPENSATION PROGRAM ADMINISTRATION</p> <p>Includes program policies, guidelines, and related administrative documentation.</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office remaining records when superseded or obsolete.</p>	
50.	 <p>WORKERS' COMPENSATION PROGRAM CLAIMS</p> <p>Records concerning workers' compensation claims filed by employees' supervisors concerning accidental injuries or illnesses suffered on the job. Includes Employer's Report of Injury to Employee (Form 19), accident investigation reports, medical reports, claim cost reports, reference copies of medical invoices, and other related records.</p> <p><i>Note: All official copies of claims records should be transferred to the North Carolina Industrial Commission in compliance with G.S. § 97-92(a).</i></p>	<p>Destroy in office agency's working file for workers' compensation claims by its employees 5 years after employee returns to work or separates from agency.</p>	<p>Confidentiality: G.S. § 8-53 G.S. § 97-92(b)</p>

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STANDARD 7: PUBLIC RELATIONS RECORDS
 Official records and materials created and accumulated by internal public relations programs operated by the agency.

STANDARD 7: PUBLIC RELATIONS RECORDS			
ITEM #	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	<p>AGENCY PUBLICATIONS Publications created at agency expense. Also includes correspondence and other related records regarding the design and creation of agency publications.</p>	<p>a) Retain in office records with historical value permanently. b) Destroy publications management records after 5 years. c) Destroy in office remaining records when reference value ends.† Agency Policy: Destroy in office after _____</p>	
2.	<p>AUDIO-VISUAL RECORDINGS Recordings (including digital) and films produced by the agency. This does not include recordings of public meetings or security videos.</p> <p>See also AUDIO AND VIDEO RECORDINGS OF MEETINGS, page 2, item 7, and OFFICE SECURITY RECORDS, page 12, item 46.</p>	<p>a) Retain in office records with historical value permanently. b) Destroy in office remaining records when reference value ends.† Agency Policy: Destroy in office after _____</p>	
3.	<p>COMMUNITY AWARDS Records concerning awards by the agency recognizing community contributions.</p>	<p>a) Retain in office records with historical value permanently. b) Destroy in office remaining records when reference value ends.† Agency Policy: Destroy in office after _____</p>	

7

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ITEM #	STANDARD 7: PUBLIC RELATIONS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.	<p>CONFERENCES AND WORKSHOPS Records concerning conferences and workshops conducted by agency employees. Includes slides, charts, transparencies, handouts, and other related records used in presentations.</p> <p>See also TRAINING AND EDUCATIONAL RECORDS, page 63, item 42.</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office remaining records when superseded or obsolete.</p>	
5.	<p>EDUCATIONAL MATERIALS Materials produced for usage by teachers or tour groups. Includes lesson plans, activities, and other related records.</p>	<p>Destroy in office when superseded or obsolete.</p>	
6.	<p>FUND DRIVE AND EVENT RECORDS Records documenting the promotion and organization of fund drives and other special events in which the agency participated. Includes records concerning solicitations requesting and donations providing money or in-kind donations for agency programs. Also includes invitations, registration materials, agendas, handouts, presentations, and programs.</p> <p>See also DONATIONS AND SOLICITATIONS, page 22, item 21.</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office remaining records when superseded or obsolete.</p>	
7.	<p>INVITATIONS Invitations sent and received concerning agency and external functions.</p>	<p>Destroy in office after event occurs.</p>	

7

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ITEM #	STANDARD 7: PUBLIC RELATIONS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
8.	MEDIA FILE Reference copies of newspaper, magazine, and other media clippings concerning the agency, agency officials, and other topics of interest.	Destroy in office when reference value ends.† Agency Policy: Destroy in office after _____	
9.	POPULAR ANNUAL FINANCE REPORT Comprehensive annual financial report (CAFR)	a) Retain records with historical value permanently. b) Destroy in office remaining records when superseded or obsolete.	
10.	PUBLIC HEARINGS Includes agendas, minutes, notices, speaker sign-up sheets, and similar documentation.	a) Retain in office minutes permanently. b) Destroy in office remaining records after 1 year.	
11.	PUBLIC RECORDS REQUESTS Formal requests submitted by persons seeking access to agency records along with documentation of agency response.	Destroy in office 2 years after resolution.* <i>Note: These disposition instructions apply only to the request, internal agency records related to searching for and preparing responsive records, and communication fo response; the documents that are responsive to public records requests should be handled acording to their respective disposition instructions. However, if the agency also retains separate copies of the documents that are responsive to public records requests, they may also be destroyed 2 years after completion of the request.</i>	
12.	PUBLICITY RECORDS Records concerning overall public relations of agency. Includes advertisements, announcements, correspondence (including e-mail), photographic materials, news and press releases, and other related records.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when superseded or obsolete.*	

7

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ITEM #	STANDARD 7: PUBLIC RELATIONS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
13.	SOCIAL MEDIA	See APPENDIX (page 78) for guidance in handling social media.	
14.	SPEECHES Speeches made by agency officials.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when reference value ends. † Agency Policy: Destroy in office after _____	
15.	WEBSITE (ELECTRONIC) Records created and maintained in paper and electronic formats concerning the creation and maintenance of the agency’s presence on the World Wide Web. Includes correspondence (including e-mail), procedures, instructions, website designs, HTML/XHTML, or other web-based file formats, and other related records. See also WEB MANAGEMENT AND OPERATIONS RECORDS: STRUCTURE , page 42, item 19.	a) Capture website annually or whenever a major revision in design and/or content has taken place, whichever occurs first. Retain captured content in office permanently. Can be maintained as website snapshots or via Web crawler. b) Destroy in office remaining records when superseded or obsolete.	

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STANDARD 8: RISK MANAGEMENT RECORDS
 Official records created and accumulated to manage risks in the agency.

STANDARD 8: RISK MANAGEMENT RECORDS			
ITEM #	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	<p>ACCIDENT/INCIDENT REPORTS (CUSTOMER AND EMPLOYEE)</p> <p>See also WORKERS' COMPENSATION PROGRAM CLAIMS, page 65, item 50.</p>	<p>a) Transfer records resulting in workers' compensation to WORKERS' COMPENSATION PROGRAM CLAIMS, page 65, item 50.</p> <p>b) Destroy in office remaining employee claims 3 years after settlement or denial of claim.*</p> <p>c) Destroy in office adult non-employee reports 3 years after settlement or denial of claim.*</p> <p>d) Destroy in office reports that do not result in claims or official action after 3 years.</p> <p>e) Destroy in office reports of minors after minor has reached age of 21.</p>	
2.	ASBESTOS MANAGEMENT PLAN	<p>a) Destroy in office 1 year after building is demolished.</p> <p>b) If building is sold, transfer records to new owner.</p>	Retention: 29 CFR 1910.1001(j)(3)(ii)
3.	DECLARATIONS AND TERMINATIONS OF STATES OF EMERGENCY	Retain in office permanently.	Authority: G.S. § 166A-19.22

8

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ITEM #	STANDARD 8: RISK MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4. 	DISASTER AND EMERGENCY MANAGEMENT PLANS Records concerning preparedness, evacuations, and operations in the event of a disaster (natural, accidental, or malicious). Includes background surveys, studies, reports, and records concerning the process of notifying personnel in the event of an emergency. Also includes Continuity of Operations Plans (COOP) and Business Continuity Plans (BCP).	Destroy in office when superseded or obsolete.	Confidentiality: G.S. § 132-1.7
5.	DISASTER RECOVERY Administrative records documenting recovery efforts.	a) Retain in office permanently records documenting major agency disaster recovery efforts b) Destroy in office after 3 years records concerning minor or routine agency recovery operations that are managed with minimal disruption to normal operations.	
6.	EMERGENCY DRILLS AND EQUIPMENT RECORDS Includes test records for fire suppression, defibrillator, respirator fit, and other emergency equipment. Also includes records concerning agency emergency and fire drills.	Destroy in office when superseded or obsolete.	
7.	EMPLOYEE SECURITY RECORDS Records concerning the issuance of keys, identification cards, parking assignments, passes, etc., to employees.	Destroy in office when superseded or obsolete.	
8.	FIRE, HEALTH, AND SAFETY RECORDS Records concerning agency safety measures. Includes reports, logs, and other related records documenting inspections of agency facilities.	Destroy in office when superseded or obsolete.	

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ITEM #	STANDARD 8: RISK MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
9.	FUEL OIL STORAGE TANK RECORDS	Destroy in office closure records 3 years after completion of permanent closure.	Authority: 40 CFR 280.34 Retention: 40 CFR 280.74
10.	HAZARDOUS MATERIALS MANAGEMENT Records related to hazardous materials and hazard mitigation plans.	a) Destroy in office after 30 years records related to hazardous materials, including biowaste. b) Destroy in office after 5 years records concerning the receipt, maintenance, and disposal of radioactive materials. c) Destroy in office 3 years after superseded or obsolete records concerning hazard mitigation plans.	
11.	INSURANCE POLICIES Records concerning automobile, theft, fire, and all other insurance policies purchased by agency. Also includes insurance audits, claims reports, surveys, endorsements, certificates of insurance, and waivers.	a) Destroy in office records concerning automobile and other liability insurance policies 10 years after superseded or obsolete.* b) Destroy in office certificates of insurance after 1 year. c) Destroy in office self-insurer certifications 6 years from date of termination of policy or settlement of all claims. d) Destroy in office remaining records after 1 year after superseded or obsolete.	
12.	LOSS CONTROL INSPECTION REPORTS Self-inspections to identify potential liabilities or hazards that may exist in agency owned buildings or property.	Destroy in office when superseded or obsolete.	

8

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ITEM #	STANDARD 8: RISK MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
13.	LOST, STOLEN, OR DAMAGED PROPERTY REPORTS Includes citizen reports of property lost or stolen at agency. Also includes reports and employee narratives of vandalism to agency property.	Destroy in office after 2 years.*	
14.	OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) Records concerning injury or illness, extent and outcomes, summary totals for calendar year, and OSHA forms. Includes ergonomic assessments for employees.	Destroy in office after 5 years.	Retention: 29 CFR 1904.33 29 CFR 1904.44
15.	SAFETY DATA SHEETS Forms supplied to agencies from manufacturers and distributors of hazardous materials for materials held by the agency.	Destroy in office 30 years after materials have been disposed of according to manufacturer's instructions. <i>Retention Note: A data sheet for a mixture may be discarded if the new data sheet includes the same hazardous chemicals as the original formulation. If the formulation is different, both data sheets must be retained for 30 years. Data sheets may also be discarded if some other record identifying the substances used, where they were used, and when they were used is retained the required 30-year period.</i>	Retention: 29 CFR 1910.1020(d)(1)(ii)(B)

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STANDARD 9: WORKFORCE DEVELOPMENT RECORDS

Official records created and accumulated by the agency to manage workforce development programs. Relevant legislation includes the Comprehensive Employment and Training Act, the Job Training and Partnership Act, the Workforce Investment Act, and the Workforce Innovation and Opportunity Act.

ITEM #	STANDARD 9: WORKFORCE DEVELOPMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	<p>AUDIT/AUDIT RESOLUTIONS</p> <p>Records concerning reports from financial and compliance audits conducted on WIA programs in accordance with OMB Circular A-133. Includes audit reports and correspondence concerning audits and audit resolutions for the local area. Also includes federal and state audits.</p>	Destroy in office after 3 years.	Authority: OMB Circular A-133 29 CFR 97.26
2.	<p>LOCAL AREA JOB TRAINING PLAN RECORDS</p> <p>Records concerning the local board’s bid process for contracting workforce development programs.</p>	Destroy in office when superseded or obsolete.	Authority: 20 CFR 652.8
3.	<p>PARTICIPANT RECORDS</p> <p>Records concerning applicants, registrants, eligible applicants/registrants, participants, terminees, and employees who submit requests for services of the Dislocated Workers Program and Workforce Investment Act programs. Includes applications, client history, Employability Development Plans, program referral, monitoring notes, pay authorizations, release forms, and WIA follow-up questionnaires.</p>	Destroy in office 3 years after close of audit/final year expenditure.*	Authority: 20 CFR 652.8

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DESTRUCTION OF PUBLIC RECORDS

Q. When can I destroy records?

- A.** Each records series listed on this schedule has specific disposition instructions that indicate how long the series must be kept in your office. In some cases, the disposition instructions are “Retain in office permanently,” which means that those records must be kept in your offices forever.
-

Q. How do I destroy records?

- A.** After your agency has approved this records retention and disposition schedule, records should be destroyed in one of the following ways:
- 1) burned, unless prohibited by local ordinance;
 - 2) shredded, or torn so as to destroy the record content of the documents or material concerned;
 - 3) placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned;
 - 4) sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

The provision that electronic records are to be destroyed means that the data, metadata, and physical media are to be overwritten, deleted, and unlinked so that the data and metadata may not be practicably reconstructed.

The data, metadata, and physical media containing confidential records of any format are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.

— N.C. Administrative Code, Title 7, Chapter 4, Subchapter M, Section .0510

Without your agency’s approval of this records schedule, no records may legally be destroyed.

Q. How can I destroy records if they are not listed on this schedule?

- A.** Contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do have historical value, we will discuss the possibility of transferring the records to the State Archives of North Carolina to be preserved permanently.

If the records do not have historical value, we will ask you to complete a Request for Disposal of Unscheduled Records (page 86) if the records are no longer being created. If the records are an active records series, an analyst will help you develop an amendment to this schedule so that you can destroy the records appropriately from this point forward.

Q. Am I required to tell anyone about the destructions?

- A.** We recommend that you report on your records retention activities to your governing board on an annual basis. This report does not need to be detailed, but it is important that significant destructions be entered into the minutes of the Board. See a sample destructions log that follows (and is available online at the State Archives of North Carolina website, <https://archives.ncdcr.gov/government/forms-government>).

ELECTRONIC RECORDS: E-MAIL, BORN-DIGITAL RECORDS, AND DIGITAL IMAGING

Q. When can I delete my e-mail?

A. E-mail is a public record as defined by G.S. § 121-5 and G.S. § 132. Electronic mail is as much a record as any paper record and must be treated in the same manner. **It is the content of each message that is important.** If a particular message would have been filed as a paper memo, it should still be filed (either in your e-mail program or in your regular directory structure), and it should be retained the same length of time as its paper counterparts. **It is inappropriate to destroy e-mail simply because storage limits have been reached.** Some examples of e-mail messages that are public records and therefore covered by this policy include:

- Policies or directives;
- Final drafts of reports and recommendations;
- Correspondence and memoranda related to official business;
- Work schedules and assignments;
- Meeting agendas or minutes
- Any document or message that initiates, facilitates, authorizes, or completes a business transaction; and
- Messages that create a precedent, such as issuing instructions and advice.

*From the Department of Cultural Resources E-Mail Policy (Revised July 2009),
available at the State Archives of North Carolina website*

Other publications (available online at the [State Archives of North Carolina website](#)) that will be particularly helpful in managing your e-mail include tutorials on managing e-mail as a public record and on using Microsoft Exchange.

Q. May I print my e-mail to file it?

A. We do not recommend printing e-mail for preservation purposes. Important metadata are lost when e-mail is printed.

Q. I use my personal e-mail account for work. No one can see my personal e-mail, right?

A. The best practice is to avoid using personal resources, including private e-mail accounts, for public business. G.S. § 132-1 states that records “made or received pursuant to law or ordinance *in connection with the transaction of public business* by any agency of North Carolina government or its subdivisions” are public records (emphasis added). The fact that public records reside in a personal e-mail account is irrelevant.

Q. We have an imaging system. Are we required to keep the paper?

A. You may scan any record, but you will need to receive approval from the Government Records Section in order to destroy paper originals that have been digitized. Your agency must develop an electronic records policy and then submit a Request for Disposal of Original Records Duplicated by Electronic Means. You can find these templates in the Digital Imaging section of the State Archives of North Carolina website (<https://archives.ncdcr.gov/government/digital-records/digital-records-policies-and-guidelines#digital-imaging>). Contact a Records Management Analyst for further instructions on how to develop a compliant electronic records policy.

Permanent records must have a security preservation copy as defined by State Archives of North Carolina’s **Human-Readable Preservation Duplicate Policy** (G.S. § 132-8.2):

Preservation duplicates shall be durable, accurate, complete and clear, and such duplicates made by a photographic, photo static, microfilm, micro card, miniature photographic, or other process which accurately reproduces and forms a durable medium for so reproducing the original shall have the same force and effect for all purposes as the original record whether the original record is in existence or not. ... Such preservation duplicates shall be preserved in the place and manner of safekeeping prescribed by the Department of Natural and Cultural Resources.

The preservation duplicate of permanent records must be either on paper or microfilm.

Non-permanent records may be retained in any format. You will need to take precautions with electronic records that you must keep more than about 5 years. Computer systems do not have long life cycles. Each time you change computer systems, you must convert all records to the new system so that you can assure their preservation and provide access.

Q. Computer storage is cheap. Can I just keep my computer records permanently?

- A.** The best practice is to destroy all records that have met their retention requirements, regardless of format.

Q. What are the guidelines regarding the creation and handling of electronic public records?

- A.** There are numerous documents available on the State Archives of North Carolina website (<https://archives.ncdcr.gov/government/digital-records/digital-records-policies-and-guidelines>). Topics covered include shared storage, cloud computing, e-discovery, trustworthy digital public records, digital signatures, e-mail, social media, text messages, websites, digital imaging, metadata, file formats, database indexing, and security backups.

Note that e-mail, text messages, and social media should be handled according to their content. Therefore, this schedule does not include a records series that instructs you on how to handle one of these born-digital records by format; instead of focusing on how the information is disseminated, consider what content is contained in the e-mail, text message, or social media post. For instance, an e-mail requesting leave that is sent to a supervisor should be kept for 1 year (see **LEAVE RECORDS**, page 57, item 24).

GEOSPATIAL RECORDS

Q. Why should geographic information system (GIS) datasets be retained and preserved?

- A.** Geospatial records are public records and need to be retained and preserved based on their legal, fiscal, evidential and/or historical value according to an established retention schedule. Local agencies involved in GIS operations should work with the State Archives of North Carolina in order to appraise, inventory, and preserve their geospatial records according to established best practices and standards to insure both their short- and long-term accessibility.

Due to the complexity and transitory nature of these records, geospatial records retention and long-term preservation is a community-wide challenge. GIS files have become essential to the function of many local agencies and will continue to frequently be utilized in agency decision-making processes in the near and far future. Accessibility of GIS records over time has legal, fiscal, practical, and historical implications. The availability of GIS records can help safeguard the local government's legal and fiscal accountability and aid agencies in conducting retrospective and prospective studies. These studies are only possible when essential data from the past are still available.

Q. What GIS datasets should be preserved by local governments?

- A.** The following types of geospatial records have been designated as having archival value:
- Parcel data
 - Street centerline data
 - Corporate limits data
 - Extraterritorial jurisdiction data
 - Zoning data, address points
 - Orthophotography (imagery)
 - Utilities
 - Emergency/E-911 themes

Q. How often should we capture the datasets retained for their legal, fiscal, evidential or historical value?

- A.** Consult the retention schedule for frequency of capture. The frequency of capture is based on the significance of the record as well as its alterability.

Q. What data formats, compression formats, and media should be used to preserve the data?

- A.** Archiving practices should be consistent with North Carolina Geographic Information Coordinating Council (GICC) approved standards and recommendations. (Examples: Content Standards for Metadata; Data Sharing Recommendations). Consult the GICC website at <http://www.ncgicc.com/>

You should also comply with guidelines and standards issued by the State Archives of North Carolina, which are available on its website.

Q. *Who should be responsible for creation and long-term storage of archived data?*

- A.** The creating agency, NCOneMap, and the State Archives of North Carolina may all have responsibility for archiving data. If you choose to upload your data to NCOneMap, consult with your county's GIS department to determine whether data will be uploaded by your agency or by the whole county. If you choose not to upload your data to NCOneMap, your agency must comply with standards (for metadata, file naming, data sharing, and long term preservation) and procedures adopted by the North Carolina Geographic Information Coordinating Council.

MICROFILM

Q. Why do you still use microfilm?

A. Microfilm is a legally acceptable replacement for original records, as outlined in G.S. § 8-45.1 and § 153A-436. Microfilm can be read with nothing more sophisticated than a magnifying glass, and there is no software to keep current. Usually, deterioration in the film itself can be detected by visual inspection. The State Archives of North Carolina provides a publication, *Micrographics: Technical and Legal Procedures*, on our website. It explains the four groups of national standards for the production of archival quality microfilm:

- manufacture of raw film
- filming methods
- processing (developing) film
- storage methods

That publication also provides sample forms, targets, and procedures that you or your vendor can use in producing film of your records.

Q. What film services do you provide?

A. The Department of Natural and Cultural Resources provides microfilming services for minutes of major decision-making boards and commissions. We will also film records of adoptions for Social Services agencies. Once those records are filmed, we will store the silver negative (original) in our security vault. Contact the Records Management Analyst in charge of microfilm coordination for the most current information.

Q. How do I get my minutes filmed?

A. We have two processes to film minutes. First, you can send photocopies of your approved minutes to us in the mail. Simply include a copy of the **Certification of the Preparation of Minutes for Microfilming** form (available online at the [State Archives of North Carolina website](#)) with each shipment. For more detailed instructions, contact a Records Management Analyst.

Alternately, you can bring us your original books. We will film them and return them to you. This process is most useful when you have more minutes to film than you are willing to photocopy. It is important to remember that a representative of your office or ours must transport the original books in person so that the custody of the records is maintained. You should not mail or ship your original minutes. Call a Records Management Analyst to make arrangements for an appointment for your books to be filmed. We will make every effort to expedite the filming so that your books will be returned to you as quickly as possible.

Q. What if I need my books while they are being filmed?

A. Call the Raleigh Office at (919) 814-6900, and ask for the Records Management Analyst in charge of microfilm coordination.

Q. Can I send you my minutes electronically?

A. We are working on standards and procedures for an electronic transfer system for minutes. Please contact the Records Management Analyst in charge of microfilm coordination for more information.

Q. I have some old minutes that are not signed. Can they still be filmed?

A. If the only copy you have available is unsigned, and you use it as the official copy, we will film it.

Q. *What if my books are destroyed after they have been filmed?*

- A.** Call a Records Management Analyst who will help you make arrangements to purchase copies of the microfilm from our office. You can then send those reels to a vendor who can either make new printed books or scan the film to create a digital copy.

DISASTER ASSISTANCE

Q. What should I do in case of fire or flood?

- A.** Secure the area, and keep everyone out until fire or other safety professionals allow entry. Then, call our Raleigh office at (919) 814-6903 for the Head of the Government Records Section or (919) 814-6849 for the Head of the Collections Management Branch. If you're in the western part of the state, call our Asheville Office at (828) 296-7230 extension 224. On nights and weekends, call your local emergency management office.

DO NOT ATTEMPT TO MOVE OR CLEAN ANY RECORDS.

Damaged records are extremely fragile and require careful handling. Our staff are trained in preliminary recovery techniques, documenting damage to your records, and authorizing destruction of damaged records. Professional vendors can handle larger disasters.

Q. What help do you give in case of an emergency?

- A.** We will do everything we can to visit you at the earliest opportunity in order to provide hands-on assistance. We can assist you in appraising the records that have been damaged so that precious resources (and especially time) are not spent on records with lesser value. We can provide lists of professional recovery vendors that you can contact to preserve your essential and permanent records.
-

Q. What can I do to prepare for an emergency?

- A.** We provide training on disaster preparation that includes a discussion of the roles of proper inventories, staff training, and advance contracts with recovery vendors. If you would like to have this workshop presented, call a Records Management Analyst.
-

Q. What are essential records?

- A.** Essential records are records that are necessary for continuity of operations in the event of a disaster. There are two common categories of records that are considered essential:
- **Emergency operating records** – including emergency plans and directives, orders of succession, delegations of authority, staffing assignments, selected program records needed to continue the most critical agency operations, as well as related policy or procedural records.
 - **Legal and financial rights records** – these protect the legal and financial rights of the Government and of the individuals directly affected by its activities. Examples include accounts receivable records, Social Security records, payroll records, retirement records, and insurance records. These records were formerly defined as “rights-and-interests” records.

Essential records should be stored in safe, secure locations as well as duplicated and stored off-site, if possible.

STAFF TRAINING

Q. What types of workshops or training do you offer?

- A.** We have a group of prepared workshops that we can offer at any time at various locations throughout the state. Contact a Records Management Analyst if you are interested in having one of the workshops presented to your agency. We will work with you directly to develop training suited to your specific needs. Our basic workshops are:
- Managing public records in North Carolina
 - Scanning/digital imaging
 - Disaster preparedness and recovery
 - Confidentiality
 - Organizing paper and digital files
 - E-mail
 - Digital communications
-

Q. Will you design a workshop especially for our office?

- A.** Yes, we will. Let a Records Management Analyst know what type of training you need.
-

Q. Are workshops offered only in Raleigh?

- A.** No, we will come to your offices to present the workshops you need. We have no minimum audience requirement. We will also do presentations for professional associations, regional consortiums, and the public.
-

Q. Is there a fee for workshops?

- A.** Not at this time.
-

Q. Are the workshops available in an online format?

- A.** Not at this time. However, there are several online tutorials available on the State Archives of North Carolina website, including managing public records, electronic records, and scanning.



Request for Disposal of Unscheduled Records

AGENCY INFORMATION

Requestor name

Location and Agency [e.g., County/Municipality + Department of Social Services]

Phone and email

Mailing Address

In accordance with the provisions of G.S. § 121 and § 132, approval is requested for the destruction of records listed below. These records have no further use or value for official administrative, fiscal, historical, or legal purposes.

RECORDS TITLE AND DESCRIPTION	INCLUSIVE DATES	QUANTITY	RELEVANT STATUTORY REGULATIONS	PROPOSED RETENTION PERIOD

Requested by:

Signature _____ Title _____ Date _____

Approved by:

Signature _____ Requestor's Supervisor _____ Date _____

Concurred by:

Signature _____ Assistant Records Administrator _____ Date _____
State Archives of North Carolina

Request for Disposal of Original Records Duplicated by Electronic Means

If you have questions, call (919) 814-6900 and ask for a Records Management Analyst.

This form is used to request approval from the Department of Natural and Cultural Resources to dispose of non-permanent paper records that have been scanned, entered into databases, or otherwise duplicated through digital imaging or other conversion to a digital environment. This form does not apply to records that have been microfilmed or photocopied or to records with a permanent retention.

Agency Contact Name:		Date (MM-DD-YYYY):
Phone (area code):	Email:	
County/Municipality:	Office:	
Mailing address:		

Records Series Title A group of records as listed in records retention schedule	Description of Records Specific records as referred to in-office	Inclusive Dates (1987-1989; 2005-present)	Approx. Volume of Records (e.g. "1 file cabinet," "5 boxes")	Retention Period As listed in records retention schedule

Requested by: _____

Signature

Title

Date

Approved by: _____

Signature

Requestor's Supervisor

Date

Concurred by: _____

Signature

Assistant Records Administrator
State Archives of North Carolina

Date

INDEX

1

1099 FORMS. *SEE* TAX FORMS

A

ABOLISHED POSITIONS, 49
ABSTRACTS OF MUNICIPAL ELECTIONS, 1
ACCIDENT/INCIDENT REPORTS (CUSTOMER AND EMPLOYEE), 70
ACCOUNTS PAYABLE, 18
ACCOUNTS RECEIVABLE, 18
ACCOUNTS UNCOLLECTABLE, 18
ACCREDITATION RECORDS, 1
ADDRESS POINTS, 32
ADMINISTRATION AND MANAGEMENT RECORDS, 1
ADMINISTRATIVE DIRECTIVES, REGULATIONS, AND RULES, 1
ADMINISTRATIVE INVESTIGATIONS, 49
AFFIDAVITS OF PUBLICATION, 43
AGENCY PUBLICATIONS, 66
AGENDA AND MEETING PACKETS, 1
AMBULANCE SERVICE BILLS AND RECORDS FOR EMERGENCY MEDICAL SERVICE. *SEE* ACCOUNTS PAYABLE
ANNUAL BUDGET, 19
APPLICATIONS FOR APPOINTMENT, 2
APPLICATIONS FOR EMPLOYMENT, 50
APPOINTMENT REPORTS, 2
APPRENTICESHIP PROGRAM RECORDS, 50
APTITUDE AND SKILLS TESTING RECORDS, 51
ARBITRAGE RECORDS, 19
ASBESTOS MANAGEMENT PLAN, 70
ASBESTOS TRAINING, 51
AUDIO AND VIDEO RECORDINGS OF MEETINGS, 2
AUDIO-VISUAL RECORDINGS, 66
AUDITS
 FINANCIAL, 19
 IT SYSTEMS, 37
 PERFORMANCE, 2
AUTHENTICATIONS, 43
AUTHORIZATION FORMS, 19

B

BANK STATEMENTS, 19
BANK STATEMENTS AND RECONCILIATIONS, 19
BENEFITS RECORDS, 51
BENEFITS REIMBURSEMENT PLAN. *SEE*
BIDS FOR DISPOSAL OF PROPERTY, 20

BIDS FOR PURCHASE, 20
BIOGRAPHICAL DATA. *SEE* HISTORY RECORDS
BLOODBORNE PATHOGEN TRAINING, 52
BLUEPRINTS AND SPECIFICATIONS, 3
BOND CLOSING RECORDS, 20
BOND REGISTER, 20
BONDS, 3
BONDS, NOTES, AND COUPONS, 20
BUDGET ADMINISTRATION RECORDS, 21
BUDGET EXECUTION RECORDS, 21
BUDGET REPORTS, 21
BUDGET REQUESTS AND WORKING PAPERS, 21
BUDGET RESOLUTIONS AND ORDINANCES, 21
BUDGET, FISCAL, AND PAYROLL RECORDS, 18
BULLETINS, 3
BUSINESS CERTIFICATION RECORDS, 3
BUSINESS DEVELOPMENT SUBJECT FILE, 3

C

CALENDARS OF EVENTS AND APPOINTMENTS, 3
CALL CENTER RECORDINGS. *SEE* CUSTOMER CALL CENTER RECORDINGS
CANCELED CHECKS. *SEE* BANK STATEMENTS AND RECONCILIATIONS
CASH REPORTS. *SEE* ACCOUNTS RECEIVABLE
CENSUS PROJECT RECORDS, 4
CERTIFICATION AND QUALIFICATION RECORDS, EMPLOYEE, 52
CHARTER RECORDS, 4
CHECK REGISTERS. *SEE* BANK STATEMENTS AND RECONCILIATIONS
CHECK STUBS. *SEE* BANK STATEMENTS AND RECONCILIATIONS
CITIZEN COMMENTS, COMPLAINTS, PETITIONS, AND SERVICE REQUESTS, 4
CITIZEN SURVEYS, 5
CIVIL RIGHTS CASE RECORDS, 43
CIVIL RIGHTS RECORDS, 44
COLLECTED DATA, 5
COMMUNITY AWARDS, 66
COMPLAINTS (CITIZEN). *SEE* CITIZEN COMMENTS, COMPLAINTS, PETITIONS, AND SERVICE REQUESTS
COMPREHENSIVE PLAN, 5
COMPUTER AND NETWORK USAGE RECORDS, 37
CONDEMNATION RECORDS, 44
CONFERENCES AND WORKSHOPS, 67
CONFLICTS OF COMMITMENT, 44
CONFLICTS OF INTEREST, 44
CONTRACT BUDGET REPORTS, 21

CONTRACT WORKER RECORDS, 62
CONTRACTS, LEASES, AND AGREEMENTS, 45
CORE DATA (GIS RECORDS). *SEE* GEOGRAPHIC
INFORMATION SYSTEM (GIS) CORE DATA
CORPORATE LIMITS, 32
CORRESPONDENCE (LEGAL), 46
CORRESPONDENCE AND MEMORANDA, 5
COST ALLOCATION PLANS, 22
CREDIT/DEBIT/PROCUREMENT CARD RECORDS, 22
CUSTOMER CALL CENTER RECORDINGS, 6

D

DAILY DETAIL REPORTS. *SEE* BUDGET REPORTS
DATA DOCUMENTATION (METADATA) (GIS
RECORDS). *SEE* GEOGRAPHIC INFORMATION
SYSTEM (GIS) DATA DOCUMENTATION
(METADATA)
DATA DOCUMENTATION RECORDS, 37
DATA MIGRATION RECORDS, 38
DATA WAREHOUSES, 38
DEBIT CARD PAYMENTS. *SEE* PAYMENT CARD DATA
DEBT FINANCING. *SEE* LOAN RECORDS
DECLARATORY RULINGS, 45
DELEGATION OF AUTHORITY RECORDS, 45
DEPOSITS. *SEE* ACCOUNTS RECEIVABLE
DESTRUCTIONS LOG, 76
DETAIL REPORT. *SEE* FINANCIAL REPORTS
DIGITIZATION AND SCANNING RECORDS, 38
DIRECT DEPOSIT FORMS. *SEE* ELECTRONIC FUNDS
TRANSFERS
DIRECTORIES, ROSTERS, OR INDICES, EMPLOYEE, 52
DISABILITY SALARY CONTINUATION CLAIMS, 53
DISASTER AND EMERGENCY MANAGEMENT PLANS,
71
DISASTER RECOVERY, 71
DISCIPLINARY ACTIONS, 53
DONATIONS AND SOLICITATIONS, 22
DRUG AND ALCOHOL PROGRAMS FILE. *SEE*
EMPLOYEE ASSISTANCE PROGRAMS
DUAL EMPLOYMENT, 53

E

EASEMENTS AND RIGHT-OF-WAY AGREEMENTS, 45
EDUCATIONAL ASSISTANCE, EMPLOYEE, 54
EDUCATIONAL LEAVE AND REIMBURSEMENT, 54
EDUCATIONAL MATERIALS, 67
EDUCATIONAL RECORDS, EMPLOYEE, 63
ELECTRONIC FUNDS TRANSFERS, 22
ELECTRONIC RECORDS POLICIES AND PROCEDURES,
38
ELIGIBILITY RECORDS, EMPLOYEE, 54

EMERGENCY DRILLS AND EQUIPMENT RECORDS, 71
EMPLOYEE ASSISTANCE PROGRAMS, 54
EMPLOYMENT SELECTION RECORDS, 55
ENCROACHMENTS, 46
EQUIPMENT AND VEHICLE MAINTENANCE, REPAIR,
AND INSPECTION RECORDS, 6
EQUIPMENT INVENTORIES, 9
EQUIPMENT REFERENCE RECORDS, 6
EQUIPMENT USAGE RECORDS, 6
ESCHEATS AND UNCLAIMED PROPERTY, 22
EXIT INTERVIEW RECORDS, EMPLOYEE, 55
EXPENDITURE REPORTS. *SEE* BUDGET REPORTS
EXTRATERRITORIAL JURISDICTIONS, 33

F

FACILITY ACCESSIBILITY FILE. *SEE*
FACILITY MAINTENANCE, REPAIR AND INSPECTION
RECORDS, 7
FACILITY SERVICE AND MAINTENANCE
AGREEMENTS. *SEE* CONTRACTS, LEASES, AND
AGREEMENTS
FACILITY USAGE RECORDS, 6
FAMILY MEDICAL LEAVE ACT (FMLA) RECORDS, 56
FEE SCHEDULES, 14
FILE PLAN, 88
FINANCIAL JOURNALS AND LEDGERS, 23
FINANCIAL REPORTS, 23
FIRE EXTINGUISHER RECORDS. *SEE* EMERGENCY
DRILLS AND EQUIPMENT RECORDS
FIRE, HEALTH, AND SAFETY RECORDS, 71
FIXED ASSETS. *SEE* INVENTORIES
FORMS AND TEMPLATES, 7
FUEL OIL STORAGE TANK RECORDS, 72
FUND DRIVE AND EVENT RECORDS, 67

G

GEOGRAPHIC INFORMATION SYSTEM (GIS) CORE
DATA, 30
GEOGRAPHIC INFORMATION SYSTEM (GIS) DATA
DOCUMENTATION (METADATA), 30
GEOGRAPHIC INFORMATION SYSTEM (GIS)
INTERNAL STANDARDS AND PROCEDURES, 30
GEOGRAPHIC INFORMATION SYSTEM (GIS)
MONITORING RECORDS, 31
GEOGRAPHIC INFORMATION SYSTEM (GIS)
OPERATIONAL RECORDS, 31
GEOGRAPHIC INFORMATION SYSTEM (GIS) PROJECT
RECORDS, 31
GEOGRAPHIC INFORMATION SYSTEM (GIS)
RECORDS, 30
GOVERNING AND ADVISORY BODY MEMBER FILES, 7

GOVERNMENT EMPLOYEES RETIREMENT SYSTEM
MONTHLY REPORTS, 23
GRANT PROPOSALS, 7
GRANTS, 8
FINANCIAL, 24
GRIEVANCES, 56

H

HAZARDOUS MATERIALS MANAGEMENT, 72
HAZARDOUS MATERIALS TRAINING RECORDS, 57
HEALTH CERTIFICATES, EMPLOYEE. *SEE* MEDICAL
RECORDS
HISTORY RECORDS (AGENCY AND EMPLOYEES, 8

I

I-9 FORMS. *SEE* ELIGIBILITY RECORDS
IMAGING RECORDS, 38
IMPROPER CONDUCT INVESTIGATIONS, 8
INDICES, 9
INFORMATION TECHNOLOGY (IT) RECORDS, 37
INFORMATION TECHNOLOGY ASSISTANCE RECORDS,
38
INSPECTION RECORDS. *SEE* EQUIPMENT AND
VEHICLE MAINTENANCE, REPAIR, AND
INSPECTION RECORDS
INSPECTION RECORDS, FACILITY, 7
INSURANCE POLICIES, 72
INTERAGENCY PROGRAMS, 9
INTERNAL STANDARDS AND PROCEDURES (GIS
RECORDS) \T, 30
INTERNSHIP PROGRAM, 57
INVENTORIES, 9
INVESTMENTS, 24
INVITATIONS, 67
INVOICES. *SEE* ACCOUNTS PAYABLE
IT DISASTER PREPAREDNESS AND RECOVERY PLANS.
SEE DISASTER AND EMERGENCY MANAGEMENT
PLANS

L

LAND OWNERSHIP RECORDS, 46
LEAVE RECORDS, 57
LEGAL OPINIONS, 46
LEGAL RECORDS, 43
LEGAL REVIEW RECORDS, 46
LEGISLATION AND REGULATORY RECORDS, 9
LTERS MONTHLY REPORTS. *SEE* GOVERNMENT
EMPLOYEES RETIREMENT SYSTEM MONTHLY
REPORTS
LITIGATION CASE RECORDS, 47

LOAN RECORDS, 25
LOCAL GOVERNMENT COMMISSION FINANCIAL
STATEMENTS, 25
LOGISTICS MATERIALS, 9
LONGEVITY PAY, 25
LOSS CONTROL INSPECTION REPORTS, 72
LOST, STOLEN, OR DAMAGED PROPERTY REPORTS,
73

M

MAIL, UNDELIVERABLE/RETURNED, 9
MAILING AND DISTRIBUTION RECORDS, 10
MAINTENANCE RECORDS. *SEE* EQUIPMENT AND
VEHICLE MAINTENANCE, REPAIR, AND
INSPECTION RECORDS
MAINTENANCE RECORDS, FACILITY, 7
MANAGEMENT STUDIES. *SEE* REPORTS AND STUDIES
MAPPING PROJECT RECORDS, 34
MAPS
ALL OTHER, 36
PARCEL, 35
PARKS, 35
MEDIA FILE, 68
MEDICAL RECORDS, EMPLOYEE, 58
MEMBERSHIP RECORDS, 10
METADATA (GIS RECORDS). *SEE* GEOGRAPHIC
INFORMATION SYSTEM (GIS) DATA
DOCUMENTATION (METADATA)
MILITARY LEAVE, 58
MINUTES (STAFF MEETINGS), 11
MINUTES OF PUBLIC BODIES, 11
MISCELLANEOUS (NON-BUILDING) APPLICATIONS,
LICENSES, AND PERMITS, 11
MONITORING RECORDS (GIS RECORDS). *SEE*
GEOGRAPHIC INFORMATION SYSTEM (GIS)
MONITORING RECORDS

N

NETWORK AND SYSTEM SECURITY RECORDS, 39
NETWORK DIAGRAMS, 39
NEWSPAPER CLIPPINGS. *SEE* HISTORY RECORDS
NOTICES OF PUBLIC MEETINGS, 12

O

OATHS OF OFFICE, 47
OCCUPATIONAL SAFETY AND HEALTH
ADMINISTRATION (OSHA), 73
OFFICE SECURITY RECORDS, 12

OPERATIONAL RECORDS (GIS RECORDS). *SEE*
GEOGRAPHIC INFORMATION SYSTEM (GIS)
OPERATIONAL RECORDS
ORDINANCE DEVELOPMENT RECORDS, 12
ORDINANCES, 12
ORTHOIMAGERY, 33
OSHA, 73

P

PARKING. *SEE* SECURITY RECORDS, EMPLOYEE
PAYMENT CARD DATA, 25
PAYROLL AND EARNINGS RECORDS, 25
PAYROLL DEDUCTION RECORDS, 26
PENSION PLAN ENROLLMENT FORMS, EMPLOYEE.
SEE RETIREMENT RECORDS
PERFORMANCE REVIEWS, EMPLOYEE, 59
PERMISSIONS, 47
PERSONNEL ACTION NOTICES, 59
PERSONNEL RECORDS, 49
PERSONNEL RECORDS (OFFICIAL COPY), 60
PERSONNEL RECORDS (SUPERVISOR COPY), 60
PEST CONTROL, 12
PETITIONS (CITIZEN). *SEE* CITIZEN COMMENTS,
COMPLAINTS, PETITIONS, AND SERVICE
REQUESTS
PETTY CASH. *SEE* ACCOUNTS RECEIVABLE
POLICIES AND PROCEDURES, 13
POLICIES AND PROCEDURES (PERSONNEL), 61
POLYGRAPH RECORDS, EMPLOYEE, 61
POPULAR ANNUAL FINANCE REPORT, 68
POSITION CLASSIFICATION, 61
POSITION CONTROL, 61
POSITION DESCRIPTIONS, 61
POSITION EVALUATIONS, 62
POSITION HISTORY, 61
POSITION REQUISITION AND ANALYSIS RECORDS.
SEE POSITION CLASIFICATION, CONTROL, AND
HISTORY
POWELL BILL RECORDS, 26
PRE-TRIAL RELEASE PROGRAM RECORDS, 47
PRICE QUOTATIONS, 13
PROCEDURES (GIS RECORDS). *SEE* GEOGRAPHIC
INFORMATION SYSTEM (GIS) INTERNAL
STANDARDS AND PROCEDURES
PROCLAMATIONS AND ORDERS, 13
PROJECT DOCUMENTATION (INFORMATION
TECHNOLOGY), 39
PROJECT RECORDS (GIS RECORDS). *SEE* GEOGRAPHIC
INFORMATION SYSTEM (GIS) PROJECT RECORDS
PROJECTS, 14
PROPERTY INVENTORIES, 9
PROPERTY MANAGEMENT RECORDS, 14

PUBLIC HEARINGS, 68
PUBLIC RECORDS REQUESTS, 68
PUBLIC RELATIONS RECORDS, 66
PUBLICATIONS RECEIVED. *SEE* REFERENCE (READING)
FILE
PUBLICITY RECORDS, 68
PURCHASE ORDERS, 26

Q

QUALIFIED PRODUCTS LISTS, 26

R

RATE SCHEDULES, 14
REASONABLE ACCOMMODATIONS, 48
REBATE (CITIZEN) PROGRAM RECORDS, 4
RECONCILIATIONS (FINANCIAL), 19
RECORDS BACKUPS, SYSTEM MAINTENANCE
RECORDS, 41
RECORDS MANAGEMENT, 14
RECRUITMENT RECORDS, 62
REFERENCE (READING) FILE, 15
REFUND REPORTS. *SEE* FINANCIAL REPORTS
REGULATORY RECORDS (EXTERNAL). *SEE*
LEGISLATION AND REGULATORY RECORDS
RELEASE FORMS, 48
REPAIR RECORDS. *SEE* EQUIPMENT AND VEHICLE
MAINTENANCE, REPAIR, AND INSPECTION
RECORDS
REPAIR RECORDS, FACILITY, 7
REPORTS AND STUDIES, 15
REQUEST FOR CHANGE IN LOCAL GOVERNMENT
RECORDS SCHEDULE, 85
REQUEST FOR DISPOSAL OF ORIGINAL RECORDS
DUPLICATED BY ELECTRONIC MEANS, 87
REQUEST FOR DISPOSAL OF UNSCHEDULED
RECORDS, 86
REQUESTS FOR INFORMATION, 16
REQUESTS FOR PROPOSALS, 16
REQUISITIONS, 27
RESOLUTION DEVELOPMENT RECORDS, 16
RESOLUTIONS, 16
RESPIRATOR PROGRAM RECORDS. *SEE* EMERGENCY
DRILLS AND EQUIPMENT RECORDS
RETIREMENT RECORDS, EMPLOYEE, 62
RETURNED CHECKS. *SEE* ACCOUNTS UNCOLLECTABLE
RISK MANAGMENT RECORDS, 70

S

SAFETY DATA SHEETS, 73
SALES AND USE TAX REPORTS. *SEE* TAX RETURNS

SALES INFORMATION. *SEE* ACCOUNTS RECEIVABLE
 SCANNING RECORDS. *SEE* DIGITIZATION AND
 SCANNING RECORDS
 SCHOLARSHIP RECORDS, 27
 SEASONAL WORKER RECORDS, 62
 SECONDARY EMPLOYMENT, 63
 SECURITY RECORDS, EMPLOYEE, 71
 SECURITY VIDEO RECORDINGS. *SEE* OFFICE SECURITY
 RECORDS
 SELF-INSURER CERTIFICATIONS. *SEE* INSURANCE
 POLICIES
 SERVICE AWARDS AND COMMENDATIONS, 63
 SERVICE REQUESTS (CITIZEN). *SEE* CITIZEN
 COMMENTS, COMPLAINTS, PETITIONS, AND
 SERVICE REQUESTS
 SHIFT PREMIUM PAY, 27
 SOCIAL MEDIA, 69, 78
 SOFTWARE LICENSE AND COPYRIGHT PROVISIONS
 RECORDS, 40
 SPACE NEED STUDIES. *SEE* REPORTS AND STUDIES
 SPECIAL EVENT RECORDS. *SEE* FUND DRIVE AND
 EVENT RECORDS
 SPEECHES, 69
 STANDARDS (GIS RECORDS), 30
 STATE AND OTHER COUNTY PROGRAMS. *SEE*
 REFERENCE (READING) FILE
 STATE OF EMERGENCY, 70
 STATEMENTS OF BACK PAY, 27
 STOLEN PROPERTY REPORTS, 73
 STRATEGIC PLAN. *SEE* COMPREHENSIVE PLAN
 STREET CENTERLINE, 34
 SUGGESTIONS, EMPLOYEE, 63
 SURPLUS PROPERTY, 16
 SURVEYS, EMPLOYEE, 63
 SYSTEM ACCESS RECORDS (INFORMATION
 TECHNOLOGY), 40
 SYSTEM DOCUMENTATION RECORDS, 40
 SYSTEM MAINTENANCE RECORDS: HARDWARE
 REPAIR OR SERVICE, 40
 SYSTEM MAINTENANCE RECORDS: RECORDS
 BACKUPS, 41

T

TAX FORMS, 28
 TAX RETURNS, 28
 TECHNICAL PROGRAM DOCUMENTATION, 41
 TELEPHONE LOGS. *SEE* ACCOUNTS PAYABLE
 TEMPORARY EMPLOYEE RECORDS. *SEE* PERSONNEL
 RECORDS (OFFICIAL COPY)
 TEXT MESSAGES, 78
 TIME SHEETS, CARDS, AND ATTENDANCE RECORDS,
 28

TRACKING MATERIALS, 16
 TRAINING RECORDS, EMPLOYEE, 63
 TRAVEL REIMBURSEMENTS, 28
 TRAVEL REQUESTS, 17
 TSERS MONTHLY REPORTS. *SEE* GOVERNMENT
 EMPLOYEES RETIREMENT SYSTEM MONTHLY
 REPORTS

U

UNEMPLOYMENT COMPENSATION CLAIMS, 64
 UNEMPLOYMENT COMPENSATION REPORTS, 64
 UNEMPLOYMENT INSURANCE, 64
 UTILITY USAGE LOG. *SEE* EQUIPMENT, FACILITY, AND
 VEHICLE USAGE RECORDS
 UTILITY USAGE LOGS AND BILLS. *SEE* ACCOUNTS
 PAYABLE

V

VEHICLE MAINTENANCE, REPAIR, AND INSPECTION
 RECORDS. *SEE* EQUIPMENT AND VEHICLE
 MAINTENANCE, REPAIR, AND INSPECTION
 RECORDS
 VEHICLE MILEAGE LOG. *SEE* EQUIPMENT, FACILITY,
 AND VEHICLE USAGE RECORDS
 VEHICLE REFERENCE RECORDS, 6
 VEHICLE REGISTRATION CARDS, 17
 VEHICLE TITLES, 48
 VEHICLE USAGE RECORDS, 6
 VENDORS, 29
 VERIFICATION OF EMPLOYMENT RECORDS, 64
 VETERANS COMMISSION QUARTERLY REPORTS. *SEE*
 REPORTS AND STUDIES
 VOIP RECORDS, 41
 VOLUNTEER RECORDS, 64
 VOUCHERS. *SEE* ACCOUNTS RECEIVABLE

W

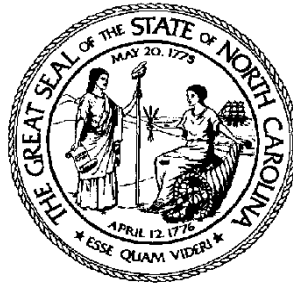
W-2 FORMS. *SEE* TAX FORMS
 W-4 FORMS. *SEE* TAX FORMS
 WARRANTIES. *SEE* EQUIPMENT AND VEHICLE
 MAINTENANCE, REPAIR, AND INSPECTION
 RECORDS
 WEB MANAGEMENT AND OPERATIONS RECORDS:
 STRUCTURE, 42
 WEBSITE (ELECTRONIC), 69
 WORK ORDERS, 17
 WORK SCHEDULES AND ASSIGNMENT RECORDS,
 EMPLOYEE, 64
 WORKERS' COMPENSATION PROGRAM
 ADMINISTRATION, 65

WORKERS' COMPENSATION PROGRAM CLAIMS, 65
WORKFORCE DEVELOPMENT
 LOCAL AREA JOB TRAINING PLAN RECORDS, 74
WORKFORCE DEVELOPMENT
 AUDIT/AUDIT RESOLUTIONS, 74

WORKFORCE DEVELOPMENT
 PARTICIPANT RECORDS, 74
WORKFORCE DEVELOPMENT RECORDS, 74
WORKSHOPS, 67

RECORDS RETENTION AND DISPOSITION SCHEDULE

SOIL AND WATER CONSERVATION DISTRICTS



Issued By:



North Carolina Department of Natural and Cultural Resources
Division of Archives and Records
Government Records Section

March 1, 2019

CONTENTS

Approval	ii
Front Matter	
Executive Summary	iii
Managing Public Records in North Carolina	iv
Audits, Litigation, and Other Official Actions	vii
Transitory Records	viii
Legend for Records Schedule	x
Records Retention and Disposition Schedule	
Standard 10: Program Operational Records – Soil and Water Conservation District	1
Appendix	
Destruction of Public Records	3
Sample Destructions Log	4
Electronic Records: E-mail, Electronic Health Records, and Digital Imaging	5
Geospatial Records	7
Microfilm	9
Disaster Assistance	11
Staff Training	12
Request Forms	
Request for Change in Records Schedule	13
Request for Disposal of Unscheduled Records	14
Request for Disposal of Original Records Duplicated by Electronic Means	15
Sample File Plan	16
Index	17

Soil and Water Conservation District Records Retention and Disposition Schedule

The records retention and disposition schedule and retention periods governing the records series listed herein are hereby approved. This agency-specific records schedule should be used in concert with the current Local Government Agencies General Records Retention and Disposition Schedule to provide full records management guidance. In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement. The local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. ***Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.***

This local government agency and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when *"reference value ends."* The local government agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that the Department of Natural and Cultural Resources has scheduled with the disposition instruction *"destroy when reference value ends."* If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction *"destroy when reference value ends."*

The local government agency and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. The agency agrees to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule is to remain in effect from the date of approval until it is reviewed and updated.

APPROVAL RECOMMENDED

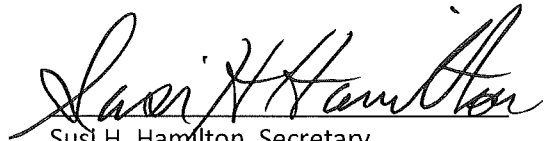
Department Head
Soil and Water Conservation District



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Chair of the Board
Soil and Water Conservation District
Board of Supervisors



Susi H. Hamilton, Secretary
Department of Natural and Cultural
Resources

District

March 1, 2019

EXECUTIVE SUMMARY

- ✓ According to G.S. § 121-5(b) and G.S. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Richard Pearce-Moses, *A Glossary of Archival and Records Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instruction "destroy when reference value ends."
- ✓ This schedule applies to the records of local soil and water conservation districts.
- ✓ E-mail is a record as defined by G.S. § 121-5 and G.S. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management, utilizing the retention schedule, e-mail management, and scanning guidelines.
- ✓ The State Archives of North Carolina provides microfilming services for the minutes of major decision-making boards and commissions. Once those records are filmed, we will store the silver halide negative (original) in our security vault. There is a nominal fee for filming and duplicating film. Contact the Records Management Analyst in charge of microfilm coordination for the most current information.

MANAGING PUBLIC RECORDS IN NORTH CAROLINA

Q. What is this “records retention and disposition schedule”?

- A.** This document is a tool for the employees of local government agencies across North Carolina to use when managing the records in their offices. It lists records commonly found in agency offices and gives an assessment of their value by indicating how long those records should be retained. This schedule is also an agreement between your agency and the State Archives of North Carolina.

This schedule serves as the inventory and schedule that the State Archives of North Carolina is directed by G.S. § 121-5(c) and G.S. § 132-8 to provide. It supersedes all previous editions, including all amendments.

Q. How do I get this schedule approved?

- A.** This schedule must be approved by your governing body for use in your agency. That approval should be made in a regular meeting and recorded as an action in the minutes. It may be done as part of the consent agenda, by resolution, or other action.
-

Q. Am I required to have all the records listed on this schedule?

- A.** No, this is not a list of records you must have in your office.
-

Q. What is “reference value”?

- A.** Items containing “reference value” in the disposition instructions are generally records that hold limited value, which is typically restricted to those documenting routine operations within the office. A minimum retention period should be established by the office for any items containing the phrase “destroy in office when reference value ends” in the disposition instructions.
-

Q. Do the standards correspond to the organizational structure of my agency?

- A.** Records series are grouped into standards to make it easier for users to locate records and their disposition instructions. You may find that the groupings reflect the organizational structure of your agency, or you may find that records are located in various standards depending on the content of the record. The intent of the schedule’s organization is to provide an easy reference guide for the records created in your agency.
-

Q. What if I cannot find some of my records on this schedule?

- A.** Sometimes the records are listed in a different standard than how you organize them in your office. Be sure to check the Index and utilize the search function on the PDF version of the schedule to facilitate the location of records series. If you still cannot locate your records on the schedule, contact a Records Management Analyst. We will work with you to amend this records schedule so that you may destroy records appropriately.
-

Q. What are public records?

- A.** The *General Statutes of North Carolina*, Chapter 132, provides this definition of public records:

“Public record” or “public records” shall mean all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions. Agency of North Carolina government or its subdivisions shall mean and include every public office, public officer or official (State or local, elected or appointed), institution, board, commission, bureau, council, department, authority or other unit of government of the State or of any county, unit, special district or other political subdivision of government.

Q. Is any person allowed to see my records?

A. Yes, except as restricted by specific provisions in state or federal law. G.S. § 132-6 instructs:

“Every custodian of public records shall permit any record in the custodian’s custody to be inspected and examined at reasonable times and under reasonable supervision by any person, and shall, as promptly as possible, furnish copies thereof upon payment of any fees as may be prescribed by law. ... No person requesting to inspect and examine public records, or to obtain copies thereof, shall be required to disclose the purpose or motive for the request.”

Q. What about my confidential records?

A. Not all government records are open to public inspection. Exceptions to the access requirements in G.S. § 132-6 and the definition of public records in G.S. § 132-1 are found throughout the General Statutes. You must be able to cite a specific provision in the General Statutes or federal law when you restrict or deny access to a particular record.

Q. Am I required to make available to the public copies of drafts that have not been approved?

A. Yes, even if a report, permit, or other record has not been finalized, it is still a public record subject to request. Any record that is not confidential by law must be provided when a request is received, whether it is “finished” or not.

Q. What do I do with permanent records?

A. Permanent records should be maintained in the office that created the records, forever.

The Department of Natural and Cultural Resources (DNCR) is charged by the General Assembly with the administration of a records management program (N.C.G.S. §121-4 (2) and §132-8.1) and the maintenance of “a program for the selection and preservation of public records considered **essential** to the operation of government and to the **protection of the rights and interests of persons**” (§132-8.2). Permanent records with these characteristics require preservation duplicates that are human-readable (paper or microfilm). Some examples of these characteristics include:

- Affect multiple people, without regard to relation
- Have significance over a long span of time
- Document governance
- Document citizenship

Examples of records with these characteristics:

- Minutes of governing bodies at the state and local levels are the basic evidence of our system of governance, and are routinely provided for the public to read.
 - Records, such as deeds and tax scrolls, about land document changes in ownership and condition. Counties maintain offices expressly for the purpose of making those records available to the public. Other records in local and state governments document potential public health hazards, such as hazardous materials spills.
 - Adoptions, marriages, and divorces document changes in familial relationships and document citizenship. Though adoptions are confidential (not available for public inspection), they document citizenship and changes in inheritance and familial succession.
 - Court records, such as wills, estates, and capital cases, affect people within and across family groups, are made available for public inspection, and often involve transactions related to the examples above.
- See the Human-Readable Preservation Duplicates policy issued by the North Carolina Department of Natural and Cultural Resources (<https://archives.ncdcr.gov/documents/human-readable-preservation-duplicates>) and check with a records analyst to determine whether your permanent records require a preservation duplicate.

Q. *What is historical value?*

- A.** Historical records document significant events, actions, decisions, conditions, relationships, and similar developments. These records have administrative, legal, fiscal, or evidential importance for the government or its citizens. Call a Records Management Analyst for further assistance in assessing historical value.

Q. *What if I do not have any records?*

- A.** Nearly every position in government generates, receives, or uses records. Computer files of any kind, including drafts and e-mail, are public records. Even if your records are not the official or final version, your records are public records. Not all records have high historical, legal, or fiscal value, but they all must be destroyed in accordance with the provisions of the appropriate records schedule.

Q. *May I store our unused records in the basement, attic, shed, etc.?*

- A.** Public records are public property. Though we encourage agencies to find places to store records that do not take up too much valuable office space, the selected space should be dry, secure, and free from pests and mold. Your office must ensure that records stored away from your main office area are well protected from natural and man-made problems while remaining readily available to your staff and the public.

Q. *Our old records are stored in the attic, basement, or off-site building, etc. Are we required to provide public access to these records?*

- A.** Yes, as long as the records are not confidential by law. You should also be aware that confidentiality can expire.

Q. *Aren't all our old records at the State Archives of North Carolina?*

- A.** Probably not. The State Archives of North Carolina collects only very specific types of records from local government offices. Contact a Records Management Analyst for more information about which records are held or can be transferred to the State Archives of North Carolina for permanent preservation.

Q. *I found some really old records. What should I do with them?*

- A.** Call a Records Management Analyst. We will help you examine the records and assess their historical value.

Q. *Can I give my old records to the historical society or public library?*

- A.** Before you offer any record to a historical society, public library, or any other entity, you must contact a Records Management Analyst. Permanent records must be kept either in your offices or at the State Archives of North Carolina.

Q. *Whom can I call with questions?*

- A.** If you are located west of Statesville, call our Western Office in Asheville at (828) 296-7230 extension 224. If you are east of Statesville, all the way to the coast, call our Raleigh office at (919) 807-7350.

AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION

Q. Why is there an asterisk in the disposition instructions of so many items on this schedule?

A. No record involved in a pending or ongoing audit, legal, or other official action may be destroyed before that audit or action is resolved.

A legal hold or litigation hold means that records that are the subject of the legal hold or litigation hold must be preserved and thus must not be destroyed until officially released from the hold. A legal hold or litigation hold is placed when either an official discovery order is served on the agency requesting the production of the records in question (for a litigation, regulatory investigation, audit, open records request, etc.) or litigation is pending and the agency is thus on notice to preserve all potentially relevant records. You must also ensure that for a claim or litigation that appears to be reasonably foreseeable or anticipated but not yet initiated, any records (in paper or electronic formats) relevant to such a claim or litigation are preserved and not destroyed until released by your General Counsel. The records in question must not be destroyed until the completion of the action and the resolution of all issues that arise from it regardless of the retention period set forth in this schedule.

We have used an asterisk (*) in the disposition instructions to mark records series that are commonly audited, litigated, or may be subject to other official actions. However, any record has this potential. Records custodians are responsible for being aware of potential actions, and for preventing the destruction of any record that is, or may be reasonably expected to become, involved in an audit, legal, or other official action.

Records used during routine audits may be destroyed when the governing body accepts the audit, if the records have completed the retention period listed in this schedule. If time remains in the retention period, the records must be maintained for the remainder of the period. The auditor's working papers must be kept according to the schedule. (See Local Government General Records Schedule, Standard 1, Audits: Performance and Standard 5, Audits: Financial.) Should a dispute arise over an audit, the records that were audited should be retained until that dispute is resolved.

The attorney representing the agency should inform records custodians when legal matters are concluded and records will no longer be needed. Following the conclusion of any legal action, the records may be destroyed if they have met the retention period in the schedule. Otherwise, they should be kept for the remaining time period.

TRANSITORY RECORDS

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”¹

According to North Carolina General Statutes § 121 and § 132, every document, paper, letter, map, book, photograph, film, sound recording, magnetic or other tape, electronic data processing record, artifact, or other documentary material, regardless of physical form or characteristics, made or received in connection with the transaction of public business by any state, county, municipal agency, or other political subdivision of government is considered a public record and may not be disposed of, erased, or destroyed without specific approval from the Department of Natural and Cultural Resources.

The Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called “transitory records.” The following questions and answers discuss types of transitory records commonly created in state government. They may be disposed of according to the guidance below. However, all public employees should be familiar with the General Schedule for State Agency Records, their office’s Program Records Retention and Disposition Schedule, and any other applicable guidelines for their office. If any of these documents require a different retention period for these records, follow the longer of the two retention periods. When in doubt about whether a record is transitory, or whether it has special significance or importance, retain the record in question and seek guidance from the analyst assigned to your agency.

Q. What do I do with routing slips, fax cover sheets, “while you were out” slips, memory aids, etc.?

- A.** Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed.

Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails) have minimal value once the official action these records are supporting has been completed and documented. Unless they are listed on the General Schedule for State Agency Records or your office’s Program Records Retention and Disposition Schedule, these records may be destroyed or otherwise disposed of once the action has been resolved.

Q. What about research materials, drafts, and other working papers used to create a final, official record?

- A.** Drafts and working papers are materials, including notes and calculations, gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of General Statute § 132, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents which may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and

¹ *A Glossary of Archival and Records Terminology*, Richard Pearce-Moses (2005)

- Drafts and working papers for presentations, workshops, and other explanations of agency policy that are already formally documented.

Q. What if I have forms designed and used solely to create, update, or modify records in an electronic medium?

- A.** If these records are not required for audit or legal purposes, they may be destroyed in office after completion of data entry and after all verification and quality control procedures. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g. a signature or notary's seal), they should be retained according to the disposition instructions for the records series encompassing the forms' function.

See also the State Archives of North Carolina's guidance on digital signatures found at:

<https://archives.ncdcr.gov/documents/digital-signature-policy-guidelines>

LEGEND FOR RECORDS SCHEDULE

This records retention and disposition schedule applies to records in all media, unless otherwise specified.



– symbol designating that one or more records in this series may be confidential or may include confidential information.

Item # – an identifying number assigned to each records series for ease of reference.

Series – “a group of similar records that are . . . related as the result of being created, received, or used in the same activity.” (From Richard Pearce-Moses, *A Glossary of Archival and Records Terminology*). Series in this schedule are based on common functions in government offices.

Records Series Title – a short identification of the records in a series, based on their common function.

Series Description – a longer description of the records in a series, often including the types of records that can frequently be found in that series. This information is included underneath the Records Series Title.

Disposition Instructions – instructions dictating the length of time a series must be retained and how the office should dispose of those records after that time.

Citation – a listing of references to statutes, laws, and codes related to the records series. Citations can include:

- Authority: governing the creation of records
- Confidentiality: limiting access to public records
- Retention: setting a retention period

Throughout this schedule, items that cross-reference other items within this schedule are indicated with bold, uppercase letters. If you hover your cursor over one of these items, you will see the hand tool that will enable you to click on the item to follow the link to that location.

<p>AUDITS: PERFORMANCE</p> <p>Records concerning internal and external audits conducted to assess the function of government programs. Includes reports, working papers, corrective measures, and other related records.</p> <p>See also AUDITS: FINANCIAL, page 20, item 6.</p>
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Sample records series title and description with cross-reference included

No destruction of records may take place if litigation or audits are pending or reasonably anticipated. See also AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS, page vii.

STANDARD 10: PROGRAM OPERATIONAL RECORDS – SOIL AND WATER CONSERVATION DISTRICT RECORDS

Records received and created by the Soil and Water Conservation District and necessary to meet all statutory requirements.

ITEM #	STANDARD 10: SOIL AND WATER CONSERVATION DISTRICT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	ACTIVE WETLANDS PROJECT FILES Includes design plans, site assessments, and reports.	Destroy in office 3 years after submission of report.	
2.	CONFINED ANIMAL OPERATION DESIGN AND REVIEWS Includes plans, compliance certificates, and reports, including lagoon closure records.	a) Retain lagoon closure report in office permanently. b) Destroy in office remaining records 5 years after closure of the operation and associated waste storage structures.	
3.	CONSERVATION EASEMENT FILES Includes correspondence, draft documents, easement agreements (draft and record copies), photographs, plats, and other related records.	a) Retain easement agreements and baseline and monitoring records in office permanently. b) Destroy in office draft and working papers 10 years after issuance of easement agreement.	
4.	COST SHARE PROGRAMS CONTRACTS AND DESIGNS Includes plans, contracts, contract revisions, correspondence, lifetime cap accounting information, reports, and working papers.	a) Retain designs and plans of ponds and other structures in office permanently. b) Maintain lifetime caps records in office until superseded or obsolete. c) Destroy in office all other records 10 years after the end of the maintenance agreement.	
5.	EMERGENCY WATERSHED PROTECTION FILES Federal program local copies: Includes designs, site assessments, accounting records, and land owner agreements.	Destroy in office when superseded or obsolete.	
6.	EROSION CONTROL PLAN REVIEWS Review of Erosion Control and Planning project files.	Destroy in office after 5 years.	
7.	FARMLAND PRESERVATION FILES Includes Voluntary Agricultural District applications, Enhanced Voluntary Agricultural District applications and working papers.	a) Destroy in office records concerning enrolled farms 1 year after expiration of agreement. b) Destroy in office all other records 10 years after application.	

<i>ITEM #</i>	<i>STANDARD 10: SOIL AND WATER CONSERVATION DISTRICT RECORDS</i>		
	<i>RECORDS SERIES TITLE</i>	<i>DISPOSITION INSTRUCTIONS</i>	<i>CITATION</i>
8.	NON-DISCHARGE GUIDANCE RECORDS Technical guidance issued by North Carolina Department of Agriculture and Consumer Services.	Destroy in office when superseded or obsolete.	
9.	SOIL SURVEY PROJECT FILES United States Department of Agriculture Natural Resources Conservation Service files, including correspondence, county soil survey maps, and other related records.	a) Retain correspondence in office permanently. b) Destroy in office all remaining records when superseded or obsolete.	
10.	STORM WATER PLAN REVIEWS Reviews of Storm Water Project and Planning files.	Destroy in office after 5 years.	

DESTRUCTION OF PUBLIC RECORDS

Q. When can I destroy records?

- A.** Each records series listed on this schedule has specific disposition instructions that indicate how long the series must be kept in your office. In some cases, the disposition instructions are “Retain in office permanently,” which means that those records must be kept in your offices forever.
-

Q. How do I destroy records?

- A.** After your agency has approved this records retention and disposition schedule, records should be destroyed in one of the following ways:
- 1) burned, unless prohibited by local ordinance;
 - 2) shredded, or torn so as to destroy the record content of the documents or material concerned;
 - 3) placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned;
 - 4) sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

The provision that electronic records are to be destroyed means that the data, metadata, and physical media are to be overwritten, deleted, and unlinked so that the data and metadata may not be practicably reconstructed.

The data, metadata, and physical media containing confidential records of any format are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.

— N.C. Administrative Code, Title 7, Chapter 4, Subchapter M, Section .0510

Without your agency’s approval of this records schedule, no records may legally be destroyed.

Q. How can I destroy records if they are not listed on this schedule?

- A.** Contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do have historical value, we will discuss the possibility of transferring the records to the State Archives of North Carolina to be preserved permanently.

If the records do not have historical value, we will ask you to complete a Request for Disposal of Unscheduled Records (page 14) if the records are no longer being created. If the records are an active records series, an analyst will help you develop an amendment to this schedule so that you can destroy the records appropriately from this point forward.

Q. Am I required to tell anyone about the destructions?

- A.** We recommend that you report on your records retention activities to your governing board on an annual basis. This report does not need to be detailed, but it is important that significant destructions be entered into the minutes of the Board. See a sample destructions log that follows (and is available online at the State Archives of North Carolina website, <https://archives.ncdcr.gov/government/forms-government>).

ELECTRONIC RECORDS: E-MAIL, BORN-DIGITAL RECORDS, AND DIGITAL IMAGING

Q. When can I delete my e-mail?

A. E-mail is a public record as defined by G.S. § 121-5 and G.S. § 132. Electronic mail is as much a record as any paper record and must be treated in the same manner. **It is the content of each message that is important.** If a particular message would have been filed as a paper memo, it should still be filed (either in your e-mail program or in your regular directory structure), and it should be retained the same length of time as its paper counterparts. **It is inappropriate to destroy e-mail simply because storage limits have been reached.** Some examples of e-mail messages that are public records and therefore covered by this policy include:

- Policies or directives;
- Final drafts of reports and recommendations;
- Correspondence and memoranda related to official business;
- Work schedules and assignments;
- Meeting agendas or minutes
- Any document or message that initiates, facilitates, authorizes, or completes a business transaction; and
- Messages that create a precedent, such as issuing instructions and advice.

*From the Department of Cultural Resources E-Mail Policy (Revised July 2009),
available at the State Archives of North Carolina website*

Other publications (available online at the [State Archives of North Carolina website](#)) that will be particularly helpful in managing your e-mail include tutorials on managing e-mail as a public record and on using Microsoft Exchange.

Q. May I print my e-mail to file it?

A. We do not recommend printing e-mail for preservation purposes. Important metadata are lost when e-mail is printed.

Q. I use my personal e-mail account for work. No one can see my personal e-mail, right?

A. The best practice is to avoid using personal resources, including private e-mail accounts, for public business. G.S. § 132-1 states that records “made or received pursuant to law or ordinance *in connection with the transaction of public business* by any agency of North Carolina government or its subdivisions” are public records (emphasis added). The fact that public records reside in a personal e-mail account is irrelevant.

Q. We have an imaging system. Are we required to keep the paper?

A. You may scan any record, but you will need to receive approval from the Government Records Section in order to destroy paper originals that have been digitized. Your agency must develop an electronic records policy and then submit a Request for Disposal of Original Records Duplicated by Electronic Means. You can find these templates in the Digital Imaging section of the State Archives of North Carolina website (<https://archives.ncdcr.gov/government/digital-records/digital-records-policies-and-guidelines#digital-imaging>). Contact a Records Management Analyst for further instructions on how to develop a compliant electronic records policy.

Permanent records must have a security preservation copy as defined by State Archives of North Carolina’s **Human-Readable Preservation Duplicate Policy** (G.S. § 132-8.2):

Preservation duplicates shall be durable, accurate, complete and clear, and such duplicates made by a photographic, photo static, microfilm, micro card, miniature photographic, or other process which accurately reproduces and forms a durable medium for so reproducing the original shall have the same force and effect for all purposes as the original record whether the original record is in existence or not. ... Such preservation duplicates shall be preserved in the place and manner of safekeeping prescribed by the Department of Natural and Cultural Resources.

The preservation duplicate of permanent records must be either on paper or microfilm.

Non-permanent records may be retained in any format. You will need to take precautions with electronic records that you must keep more than about 5 years. Computer systems do not have long life cycles. Each time you change computer systems, you must convert all records to the new system so that you can assure their preservation and provide access.

Q. Computer storage is cheap. Can I just keep my computer records permanently?

- A.** The best practice is to destroy all records that have met their retention requirements, regardless of format.

Q. What are the guidelines regarding the creation and handling of electronic public records?

- A.** There are numerous documents available on the State Archives of North Carolina website (<https://archives.ncdcr.gov/government/digital-records/digital-records-policies-and-guidelines>). Topics covered include shared storage, cloud computing, e-discovery, trustworthy digital public records, digital signatures, e-mail, social media, text messages, websites, digital imaging, metadata, file formats, database indexing, and security backups.

Note that e-mail, text messages, and social media should be handled according to their content. Therefore, this schedule does not include a records series that instructs you on how to handle one of these born-digital records by format; instead of focusing on how the information is disseminated, consider what content is contained in the e-mail, text message, or social media post. For instance, an e-mail requesting leave that is sent to a supervisor should be kept for 1 year (see Local Government General Records Schedule, Standard 6: Leave Records).

GEOSPATIAL RECORDS

Q. Why should geographic information system (GIS) datasets be retained and preserved?

- A.** Geospatial records are public records and need to be retained and preserved based on their legal, fiscal, evidential and/or historical value according to an established retention schedule. Local agencies involved in GIS operations should work with the State Archives of North Carolina in order to appraise, inventory, and preserve their geospatial records according to established best practices and standards to insure both their short- and long-term accessibility.

Due to the complexity and transitory nature of these records, geospatial records retention and long-term preservation is a community-wide challenge. GIS files have become essential to the function of many local agencies and will continue to frequently be utilized in agency decision-making processes in the near and far future. Accessibility of GIS records over time has legal, fiscal, practical, and historical implications. The availability of GIS records can help safeguard the local government's legal and fiscal accountability and aid agencies in conducting retrospective and prospective studies. These studies are only possible when essential data from the past are still available.

Q. What GIS datasets should be preserved by local governments?

- A.** The following types of geospatial records have been designated as having archival value:
- Parcel data
 - Street centerline data
 - Corporate limits data
 - Extraterritorial jurisdiction data
 - Zoning data, address points
 - Orthophotography (imagery)
 - Utilities
 - Emergency/E-911 themes

Q. How often should we capture the datasets retained for their legal, fiscal, evidential or historical value?

- A.** Consult the retention schedule for frequency of capture. The frequency of capture is based on the significance of the record as well as its alterability.

Q. What data formats, compression formats, and media should be used to preserve the data?

- A.** Archiving practices should be consistent with North Carolina Geographic Information Coordinating Council (GICC) approved standards and recommendations. (Examples: Content Standards for Metadata; Data Sharing Recommendations). Consult the GICC website at <http://www.ncgicc.com/>

You should also comply with guidelines and standards issued by the State Archives of North Carolina, which are available on its website.

Q. *Who should be responsible for creation and long-term storage of archived data?*

- A.** The creating agency, NCOneMap, and the State Archives of North Carolina may all have responsibility for archiving data. If you choose to upload your data to NCOneMap, consult with your county's GIS department to determine whether data will be uploaded by your agency or by the whole county. If you choose not to upload your data to NCOneMap, your agency must comply with standards (for metadata, file naming, data sharing, and long term preservation) and procedures adopted by the North Carolina Geographic Information Coordinating Council.

MICROFILM

Q. Why do you still use microfilm?

A. Microfilm is a legally acceptable replacement for original records, as outlined in G.S. § 8-45.1 and § 153A-436. Microfilm can be read with nothing more sophisticated than a magnifying glass, and there is no software to keep current. Usually, deterioration in the film itself can be detected by visual inspection. The State Archives of North Carolina provides a publication, *Micrographics: Technical and Legal Procedures*, on our website. It explains the four groups of national standards for the production of archival quality microfilm:

- manufacture of raw film
- filming methods
- processing (developing) film
- storage methods

That publication also provides sample forms, targets, and procedures that you or your vendor can use in producing film of your records.

Q. What film services do you provide?

A. The Department of Natural and Cultural Resources provides microfilming services for minutes of major decision-making boards and commissions. We will also film records of adoptions for Social Services agencies. Once those records are filmed, we will store the silver negative (original) in our security vault. Contact the Records Management Analyst in charge of microfilm coordination for the most current information.

Q. How do I get my minutes filmed?

A. We have two processes to film minutes. First, you can send photocopies of your approved minutes to us in the mail. Simply include a copy of the **Certification of the Preparation of Minutes for Microfilming** form (available online at the [State Archives of North Carolina website](#)) with each shipment. For more detailed instructions, contact a Records Management Analyst.

Alternately, you can bring us your original books. We will film them and return them to you. This process is most useful when you have more minutes to film than you are willing to photocopy. It is important to remember that a representative of your office or ours must transport the original books in person so that the custody of the records is maintained. You should not mail or ship your original minutes. Call a Records Management Analyst to make arrangements for an appointment for your books to be filmed. We will make every effort to expedite the filming so that your books will be returned to you as quickly as possible.

Q. What if I need my books while they are being filmed?

A. Call the Raleigh Office at (919) 807-7350, and ask for the Records Management Analyst in charge of microfilm coordination.

Q. Can I send you my minutes electronically?

A. We are working on standards and procedures for an electronic transfer system for minutes. Please contact the Records Management Analyst in charge of microfilm coordination for more information.

Q. I have some old minutes that are not signed. Can they still be filmed?

A. If the only copy you have available is unsigned, and you use it as the official copy, we will film it.

Q. *What if my books are destroyed after they have been filmed?*

- A.** Call a Records Management Analyst who will help you make arrangements to purchase copies of the microfilm from our office. You can then send those reels to a vendor who can either make new printed books or scan the film to create a digital copy.

DISASTER ASSISTANCE

Q. What should I do in case of fire or flood?

- A.** Secure the area, and keep everyone out until fire or other safety professionals allow entry. Then, call our Raleigh office at (919) 814-6903 for the Head of the Government Records Section or (919) 814-6849 for the Head of the Collections Management Branch. If you're in the western part of the state, call our Asheville Office at (828) 296-7230 extension 224. On nights and weekends, call your local emergency management office.

DO NOT ATTEMPT TO MOVE OR CLEAN ANY RECORDS.

Damaged records are extremely fragile and require careful handling. Our staff are trained in preliminary recovery techniques, documenting damage to your records, and authorizing destruction of damaged records. Professional vendors can handle larger disasters.

Q. What help do you give in case of an emergency?

- A.** We will do everything we can to visit you at the earliest opportunity in order to provide hands-on assistance. We can assist you in appraising the records that have been damaged so that precious resources (and especially time) are not spent on records with lesser value. We can provide lists of professional recovery vendors that you can contact to preserve your essential and permanent records.
-

Q. What can I do to prepare for an emergency?

- A.** We provide training on disaster preparation that includes a discussion of the roles of proper inventories, staff training, and advance contracts with recovery vendors. If you would like to have this workshop presented, call a Records Management Analyst.
-

Q. What are essential records?

- A.** Essential records are records that are necessary for continuity of operations in the event of a disaster. There are two common categories of records that are considered essential:
- **Emergency operating records** – including emergency plans and directives, orders of succession, delegations of authority, staffing assignments, selected program records needed to continue the most critical agency operations, as well as related policy or procedural records.
 - **Legal and financial rights records** – these protect the legal and financial rights of the Government and of the individuals directly affected by its activities. Examples include accounts receivable records, Social Security records, payroll records, retirement records, and insurance records. These records were formerly defined as “rights-and-interests” records.

Essential records should be stored in safe, secure locations as well as duplicated and stored off-site, if possible.

STAFF TRAINING

Q. What types of workshops or training do you offer?

- A.** We have a group of prepared workshops that we can offer at any time at various locations throughout the state. Contact a Records Management Analyst if you are interested in having one of the workshops presented to your agency. We will work with you directly to develop training suited to your specific needs. Our basic workshops are:
- Managing public records in North Carolina
 - Scanning/digital imaging
 - Disaster preparedness and recovery
 - Confidentiality
 - Organizing paper and digital files
 - E-mail
 - Digital communications
-

Q. Will you design a workshop especially for our office?

- A.** Yes, we will. Let a Records Management Analyst know what type of training you need.
-

Q. Are workshops offered only in Raleigh?

- A.** No, we will come to your offices to present the workshops you need. We have no minimum audience requirement. We will also do presentations for professional associations, regional consortiums, and the public.
-

Q. Is there a fee for workshops?

- A.** Not at this time.
-

Q. Are the workshops available in an online format?

- A.** Not at this time. However, there are several online tutorials available on the State Archives of North Carolina website, including managing public records, electronic records, and scanning.



Request for Change in Local Government Records Schedule

Use this form to request a change in the records retention and disposition schedule governing the records of your agency. Submit the signed original and keep a copy for your file. A proposed amendment will be prepared and submitted to the appropriate state and local officials for their approval and signature. Copies of the signed amendment will be sent to you for insertion in your copy of the schedule.

AGENCY INFORMATION

Requestor name

Location and Agency [e.g., County/Municipality + Department of Social Services]

Phone and email

Mailing Address

CHANGE REQUESTED

Specify title and edition of records retention schedule being used: _____

Add a new item

Delete an existing item Standard Number _____ Page _____ Item Number _

Change a retention period Standard Number _____ Page _____ Item Number _

Title of Records Series in Schedule or Proposed Title:

Inclusive Dates of Records: Proposed Retention Period:

Description of Records:

Justification for Change:

Requested by: _____
Signature Title Date

Approved by: _____
Signature Requestor's Supervisor Date



Request for Disposal of Unscheduled Records

AGENCY INFORMATION

Requestor name

Location and Agency [e.g., County/Municipality + Department of Social Services]

Phone and email

Mailing Address

In accordance with the provisions of G.S. § 121 and § 132, approval is requested for the destruction of records listed below. These records have no further use or value for official administrative, fiscal, historical, or legal purposes.

RECORDS TITLE AND DESCRIPTION	INCLUSIVE DATES	QUANTITY	RELEVANT STATUTORY REGULATIONS	PROPOSED RETENTION PERIOD

Requested by: _____
Signature Title Date

Approved by: _____
Signature Requestor's Supervisor Date

Concurred by: _____
Signature Assistant Records Administrator Date
State Archives of North Carolina



Request for Disposal of Original Records Duplicated by Electronic Means

If you have questions, call (919) 814-6900 and ask for a Records Management Analyst.

This form is used to request approval from the Department of Natural and Cultural Resources to dispose of non-permanent paper records that have been scanned, entered into databases, or otherwise duplicated through digital imaging or other conversion to a digital environment. This form does not apply to records that have been microfilmed or photocopied or to records with a permanent retention.

Agency Contact Name:		Date (MM-DD-YYYY):
Phone (area code):	Email:	
County/Municipality:	Office:	
Mailing address:		

Records Series Title A group of records as listed in records retention schedule	Description of Records Specific records as referred to in-office	Inclusive Dates (1987-1989; 2005-present)	Approx. Volume of Records (e.g. "1 file cabinet," "5 boxes")	Retention Period As listed in records retention schedule

Requested by: _____
Signature Title Date

Approved by: _____
Signature Requestor's Supervisor Date

Concurred by: _____
Signature Assistant Records Administrator Date
State Archives of North Carolina

INDEX

ACTIVE WETLANDS PROJECT FILES, 1
CONFINED ANIMAL OPERATION DESIGN AND REVIEWS, 1
CONSERVATION EASEMENT FILES, 1
COST SHARE PROGRAMS CONTRACTS AND DESIGNS, 1
DESTRUCTIONS LOG, 4
EMERGENCY WATERSHED PROTECTION FILES, 1
EROSION CONTROL PLAN REVIEWS, 1
FARMLAND PRESERVATION FILES, 1
FILE PLAN, 16
NON-DISCHARGE GUIDANCE RECORDS, 2
REQUEST FOR CHANGE IN LOCAL GOVERNMENT RECORDS SCHEDULE, 13
REQUEST FOR DISPOSAL OF ORIGINAL RECORDS DUPLICATED BY ELECTRONIC MEANS, 15
REQUEST FOR DISPOSAL OF UNSCHEDULED RECORDS, 14
SOCIAL MEDIA, 6
SOIL SURVEY PROJECT FILES, 2
STORM WATER PLAN REVIEWS, 2
TEXT MESSAGES, 6

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Agreement with Rocky River Road Associates LLC

BRIEF SUMMARY:

Rocky River Road Associates LLC has requested that Cabarrus County consider entering into an agreement with the LLC and the Town of Harrisburg to help fund public infrastructure. This proposal will require a public hearing.

REQUESTED ACTION:

Motion to schedule a public hearing at the regular meeting on April 15, 2019.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Jonathan B. Marshall, Deputy County Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Allocate Funds from Board Contingency to Replace the Truck Used for Community Development

BRIEF SUMMARY:

The truck used for Community Development is currently having mechanical issues. It was originally purchased with grant funds and the funding agency is permitting the County to replace the truck. The cost is estimated at \$43,000. A request is being made to use Board contingency to fund this request.

REQUESTED ACTION:

Motion to adopt budget amendment.

EXPECTED LENGTH OF PRESENTATION:

SUBMITTED BY:

Kyle Bilafer, Area Manager of Operations
Pamela S Dubois, Senior Deputy County Manager

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- BA for truck purchase

Budget Revision/Amendment Request

Date:

Amount:

Dept. Head:

Department:

Internal Transfer Within Department
 Transfer Between Departments/Funds
 Supplemental Request

Purpose: To allocate funding to purchase a truck to replace the current Community Development truck that has mechanical issues. We will be able to utilize the box from the old vehicle.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	1910/9660	Contingency	192,239.00		43,000.00	149,239.00
001	9	1955/9863	Motor Vehicles	269,450.61	43,000.00		312,450.61
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
							0.00
Total							461,689.61

Budget Officer

Approved
 Denied

Signature

Date

County Manager

Approved
 Denied

Signature

Date

Board of Commissioners

Approved
 Denied

Signature

Date

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - EMS Station Co-Location with Concord Fire Station 10

BRIEF SUMMARY:

Cabarrus County EMS proposed a co-located facility at the new Concord Fire Station being constructed near the intersection of Poplar Tent and Harris Roads. The Board of Commissioners budgeted \$375,000 for that purpose and those funds have been held in a multi-year fund. The City is moving forward with the station 10 project and, based on expenditures and bids, now estimate the percentage share for Cabarrus County to be \$482,761. A copy of the draft lease, basic station plans and cost estimate calculation are attached.

REQUESTED ACTION:

Motion to approve the lease agreement between Cabarrus County and the City of Concord for Fire Station 10 including authorization for the County Manager to sign the agreement subject to review and revision by the County Attorney.

Motion to approve the requested expenditure for the one-time construction share of Concord Fire Station 10 including the required budget amendment and project ordinance.

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Jonathan B. Marshall, Deputy County Manager
Jimmy Lentz, EMS Director

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Draft lease agreement
- ▣ Fire Station 10 layout
- ▣ Fire Station 10 cost calculation
- ▣ Budget Amendment
- ▣ Project Ordinance

STATE OF NORTH CAROLINA

COUNTY OF CABARRUS

**CONCORD FIRE STATION NO. 10
LEASE AGREEMENT**

THIS CONCORD FIRE STATION NO. 10 LEASE AGREEMENT (the "Lease") is made and entered into effective the 1st day of May, 2019, by and between the CITY OF CONCORD, a North Carolina municipal corporation as Lessor ("City") and CABARRUS COUNTY as Lessee ("County") for the lease by the County from the City of a part of the City's Fire Station No. 10 for a County Emergency Medical Services facility.

PREMISES

1. The City is the owner of a building and a tract of land located at 9880 Poplar Tent Rd in Concord (PIN 4681-01-7153) in Cabarrus County, North Carolina, now commonly known as Concord Fire Station No. 10 (the "Facility"). A copy of the site plan showing the Facility is attached as Exhibit A and incorporated by reference.

2. It makes strategic and operational sense to locate County EMS equipment and personnel at different sites in Cabarrus County and to house them in proximity to other emergency responders such as municipal and volunteer fire departments.

3. The City is willing to allow the County to locate EMS equipment and personnel at the Facility, which has been constructed to accommodate that use on a long term basis.

In consideration of the above Premises and the Terms contained below, which the parties agree constitute sufficient legal consideration to make this Lease legally binding and enforceable, the City and the County agree as provided:

TERMS

1. GRANT OF TENANCY. The City hereby leases to the County and the County hereby leases from the City a portion of the Facility consisting of approximately one-thousand, one-hundred and twenty-seven (1,529) square feet of space, consisting of living/office quarters, a climate controlled vehicle parking area and shared use of the parking lots and driveways shown and highlighted on the attached Exhibit B which is incorporated herein by reference (collectively the "Leased Premises").

2. LEASED PREMISES. During the term of this Lease, the County may use the Leased Premises as an EMS location, including uses consistent with that purpose.

3. LEASE TERM. The time length of this Lease is fifty (50) years beginning May 1, 2019 and ending July 1, 2069. Notwithstanding, if at any time after July 31, 2049 the

Facility is obsolete or no longer reasonably efficient for use as a fire station or for EMS, either party may terminate this Lease upon ninety (90) days prior written notice to the other party. Extension of the Lease Term may be upon provisions determined by the parties at that time.

4. BASE RENT. The County shall pay as Base Rent one lump sum payment of \$482,761.00, payable in full upon the execution of this Lease.

5. ADDITIONAL RENT. In addition to the Base Rent, the County shall pay to the City Additional Rent for its usage of the Facility. Additional Rent shall be an amount equal to a fraction of utilities, common area maintenance, and property insurance. Such fraction shall have as its numerator the floor area of the Leased Premises and shall have as its denominator the floor area of the Facility at the time such utilities, maintenance costs or insurance shall become due and payable (the "Prorata Share"). The City shall bill the County at least quarterly and no more often than monthly for such Additional Rent, and the County agrees to pay such bills rendered by the City within thirty (30) days of the invoice mailing date. For the purposes of this Paragraph, "floor area" shall be deemed to mean the actual number of square feet of floor space within the interior walls without deduction or exclusion for any space occupied by or used by columns, stairs or other interior construction or equipment. "Common Area Maintenance" shall mean the charges, costs and expenses which are incurred by the City, including without limitation: cleaning, window washing, landscaping, lighting, HVAC maintenance, painting, repairing and replacing concrete or asphalt parking driveways or parking areas; maintaining, repairing, replacing and cleaning lighting; removing snow and ice; painting and landscaping of all vehicle parking spaces and other outdoor common areas, including any identification and directional signs; security; removing trash and garbage; cleaning supplies, water and sewer charges; gas; electricity, equipment repairs, reasonable depreciation of common areas and equipment used in operating and maintaining the common areas and rent paid for leasing such equipment and other operating expenses attributable to the Facility under general accounting principles and "Property Insurance" shall mean the insurance carried by the City on the Facility.

6. OTHER CHARGES. The County shall pay its prorated charges for all telephone, internet or other communication services used in, upon or from the Facility.

7. LIABILITY INSURANCE. The County agrees to carry at its own expense throughout the term of this Lease insurance covering the Leased Premises and the County's use of it and the Facility. This insurance shall consist of a policy of commercial general liability insurance insuring against liability for bodily injury, property damage (including loss of use of property) and personal injury arising out of the operation, use or occupancy of the Leased Premises. The amount of such insurance shall be One Million Dollars (\$1,000,000) per occurrence, and the City shall be named as an additional insured on certificates of insurance.

8. USE OF PARKING AREAS, WALKWAYS AND COMMON AREAS. During the Lease Term the County and its officers, employees, agents, customers, business visitors, business guests, licensees and invitees shall be entitled to the nonexclusive use of the parking areas, driveways and walkways that are part of the Facility, and such use shall be in common with the City and the officers, employees, agents, customers, business visitors, business guests, licensees and invitees of the City. Such use by the County shall be subject

to such rules and regulations as the City may reasonably from time to time adopt governing the same, provided the County's use of the Facility is not thereby unreasonably impaired.

9. MAINTENANCE AND REPAIR. The City shall keep the exterior supporting walls, foundations, roof and sprinkler system of the Facility, including the Leased Premises, in good repair. The City shall also repair, maintain, alter or perform any other repairs to the Facility including the Leased Premises, including any ventilating, electrical, air conditioning or other mechanical installations, plumbing, sanitary sewer, electrical and water lines within the Facility. The City retains its right to access the Leased Premises for the listed purposes and inspections related thereto.

Except for the City's maintenance responsibilities as provided, the County at its expense shall make such repairs and replacement and take such other steps as may be reasonably necessary to keep and maintain the Leased Premises in good repair and condition, reasonable wear and tear excepted.

10. ALTERATIONS AND IMPROVEMENTS BY THE COUNTY. The County shall have the right at its sole cost during the Lease Term to make such alterations and improvements on the Leased Premises with the written permission of the City as may be proper and necessary for the full beneficial use of the Leased Premises.

11. INDEMNIFICATION. The County agrees to indemnify and defend the City and to save it harmless against and from any and all claims by or on behalf of any person, firm or corporation arising by reason of injury to person or property occurring at the Facility occasioned in whole or in part by any act or omission on the part of the County or any employee or agent or the County, or by reason of any unlawful use of the Leased Premises or Facility or by reason of any breach, violation or non-performance of any provision of this Lease on the part of the County to be observed or performed, and also by reason of any matter or thing growing out of the occupancy or use of the Facility by County or anyone holding under County. The City agrees to indemnify and defend the County and to save it harmless against and from any and all claims by or on behalf of any person, firm or corporation arising by reason of injury to person or property occurring at the Facility occasioned in whole or in part by any act or omission on the part of the City or any employee or agent, member or authorized person of the City, or by reason of any unlawful use of the Facility or by reason of any breach, violation or non-performance of any provision of this Lease on the part of the City to be observed or performed, and also by reason of any matter or thing growing out of the occupancy or use of the Facility by the City or anyone holding under the City.

12. QUIET ENJOYMENT. The City covenants, warrants, and represents that it has full power and right to execute and perform this Lease and that the County shall peaceably and quietly have, hold and enjoy the Leased Premises at the Facility consistent with County's agreed use of them.

13. DEFAULT. In the event of a default or in the event of any breach by County in the performance of any of the Terms of this Lease required to be kept and performed by County, if such default or breach shall continue for thirty (30) days after written notice to County, and if County has not taken reasonable steps to cure any default during such period, then

the City shall have the right to re-enter the Leased Premises and terminate this Lease without prejudice to the City's other rights and remedies against County under the law.

14. TERMINATION. Upon the termination of this Lease, the County agrees to return the Leased Premises to the City in the same condition as the same now is, except for ordinary wear and tear and decay of the Leased Premises and except for damage by fire or other casualty not the fault of County. Any improvements made by the County during this Lease shall be returned in the same condition. The County shall be permitted to remove all personal property and fixtures it has used or installed at the Facility.

15. NOTICES. Notices to the parties with regard to this Lease shall be directed as follows:

City:	City Manager City of Concord 35 Cabarrus Ave W Concord, North Carolina 28025
-------	---

County:	County Manager Cabarrus County Post Office Box 707 Concord, North Carolina 28026
---------	---

16. MISCELLANEOUS. Each party to this Lease further agrees as follows:

a) Without further consideration each party shall at any time, and from time to time, execute and deliver to the other party such further documents and take such other action, as the other party may reasonably require in order to effectuate the purposes of this Lease.

b) The headings in this Lease are for purposes of reference only and shall not limit or otherwise affect any of the Terms.

c) This Lease shall be binding upon and shall inure to the benefit of the parties and their respective legal representatives and permitted successors and assigns.

d) If any provision of this Lease is determined by a court of competent jurisdiction to be illegal or unenforceable, such provision shall be automatically reformed and construed as to be valid, operative and enforceable to the maximum extent permitted by law or equity, while preserving its original intent. The invalidity of any part of this Lease shall not render invalid the remainder of this Lease.

e) The execution and delivery of this Lease and the performance of the indicated obligations have been duly authorized by all requisite action required by law governing each party.

f) This Lease and the exhibits attached set forth all of the covenants, promises, agreements, conditions and understanding between the City and the County concerning the Leased Premises and the Facility and there are no covenants, promises, agreements,

conditions or understandings, either oral or written, between the parties which relate to the Leased Premises or the Facility other than those set forth. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Lease shall be binding upon the City and the County unless reduced to writing and signed by both parties. The County agrees that the City and its agents have made no representations or promises with respect to the Leased Premises or the Facility of which the same are a part except as expressly set forth.

IN WITNESS, the boards of the parties have approved this Lease and caused it to be executed and attested by their duly authorized individuals.

CITY OF CONCORD

CABARRUS COUNTY

By: _____
City Manager

By: _____
County Manager

ATTEST:

ATTEST:

City Clerk

County Clerk

This instrument has been pre-audited in the manner required by the "Local Government Budget and Fiscal Control Act"

This instrument has been pre-audited in the manner required by the "Local Government Budget and Fiscal Control Act".

City Finance Director

County Finance Director

STATE OF NORTH CAROLINA

COUNTY OF CABARRUS

I, _____, a Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged that he is _____ of _____ a _____ and that by authority duly given and as an act of the _____, the foregoing instrument was signed in its name by its _____, sealed with its corporate seal and attested by _____ as its _____ Clerk.

Witness my hand and official stamp or seal, this _____ day of _____, 2014.

Notary Public
My Commission expires: _____

STATE OF NORTH CAROLINA

COUNTY OF CABARRUS

I, _____, a Notary Public of the County and State aforesaid, certify that _____ personally appeared before me this day and acknowledged that ___ he is _____ of _____ a _____ and that by authority duly given and as an act of the _____, the foregoing instrument was signed in its name by its _____, sealed with its corporate seal and attested by _____ as its _____ Secretary.

Witness my hand and official stamp or seal, this _____ day of _____, 2014.

Notary Public
My Commission expires: _____

4828-5015-3244, v. 1



1 FLOOR PLAN
SCALE: 1/8" = 1'-0"

<p>GRIFFIN ARCHITECTURE, P.A. 5 DUNDON ST. & SUITE 200 TEL: 704-764-8181 FAX: 704-764-1178</p>	
CONSULTANTS	
<p>FIRE STATION #10</p> <p>CONCORD, N.C.</p>	
REVISION NO.	REVISION DATE
ISSUE DATE:	11/26/18
PROJECT NOS:	
MODEL FILE:	
DRAWN BY:	NES
CHECK BY:	KAG
COPYRIGHT:	
SHEET TITLE	
FLOOR PLAN	
A-1	

Concord Fire Station No. 10
Schematic Design Phase Estimated Cost for EMS Portion of the Building Construction, Site Construction, and Associated Fees

Site Development Cost		
Land Purchase	X	
Site Construction Work	\$877,314	
Emergency Traffic Signal	<u>\$100,000</u>	
		\$ 977,314
Building Construction Cost		\$3,732,650
Non Construction Project Fees		
Architect & Engineering Fee	\$290,000	
Special Inspections	\$ 24,000	
Geotechnical Report	<u>\$ 4,800</u>	
		<u>\$ 318,800</u>
Estimated Total Building, Site Construction Costs and Associated Fees		\$5,028,764

Total Building Area	16,003 sq. ft.
EMS Suite plus 1/6 of Apparatus Bay	1,529 sq. ft.

1,529 sq. ft./16,003 sq. ft. = 9.6%

Estimated EMS Cost

\$5,028,764 Total Building, Site Construction Costs and Associated Fees x 9.6% = **\$482,761**

Budget Revision/Amendment Request

Date: 4/15/2019

Amount: 107,761.00

Dept. Head: Pamela S Dubois

Department: Nondepartmental/Capital Projects Fund

Internal Transfer Within Department
 Transfer Between Departments/Funds
 Supplemental Request

Purpose: To allocate additional funding for the increased cost associated with the co-location with the City of Concord in the future fire station #10.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	1910/9660	Contingency	300,000.00		107,761.00	192,239.00
001	9	1960/9708	Cont to Capital Projects Fund	608,736.00	107,761.00		716,497.00
							0.00
343	6	2730/6902/CON	Cont from General Fund	-	107,761.00		107,761.00
343	9	2730/9821/CON	Other Improvements	375,000.00	107,761.00		482,761.00
							0.00
							0.00
							0.00
Total							1,283,736.00

Budget Officer

Approved
 Denied

County Manager

Approved
 Denied

Board of Commissioners

Approved
 Denied

Signature

Signature

Signature

Date

Date

Date

CABARRUS COUNTY CONSTRUCTION AND RENOVATION PROJECT BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is the various County construction and renovation related projects. Details of the projects are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.
- C. It is estimated that the following revenues will be available to complete capital projects as listed.

Park & Recreation Trust Fund (PARTF) Grant	\$ 350,000
Rental – Tower Lease	847,694
Sale of Fixed Assets	1,012,442
Contributions and Donations	117,036
General Fund Contribution	5,280,218
Lease Proceeds (Robert Wallace Park)	4,596,394
Capital Projects Fund Contribution	2,141,264
Capital Reserve Fund Contribution	19,818,545

TOTAL REVENUES **\$34,163,593**

- D. The following appropriations are made as listed.

Government Center Chiller Replacement	\$211,000
Governmental Center ADA Bathrooms	151,469
County Building Camera Systems	24,099
ITS Fiber Technology Improvements	120,000
County Website Design	283,750
Furniture Replacements	184,723
County Operation Center	3,100,000
Elevator Modernization Government Center	176,000
Multiple building Fall Protection Measures	300,000
Jail Camera Upgrade	172,607
LEC Law Enforcement Technology	791,324
Training & Firing Range Renovation	50,000
Sheriff's Admin Roof Repair	113,659
Courthouse Expansion	12,519,000
Clerk of Court Improvements	68,786
Public Safety Training Center	90,000
EMS Headquarters – Consultants	50,000
EMS Co-location – Concord Fire #11	482,761
EMS Heart Monitors	566,111
Emergency Communications Equip & Ethernet Backhaul	2,721,086
JM Robinson High School Wetlands Mitigation	100,000
Landfill Retaining Wall	230,301

Veterans Services Improvements	92,674
Cooperative Ext. ADA Bathrooms	118,812
RCCC Land for future expansion	1,244,001
NE Area Park – Other Improvements	589,024
Robert Wallace Park	8,147,965
Frank Liske Park – Barn Restrooms	126,405
Carolina Thread Trail	109,329
Frank Liske park Playground Replacement	100,000
Frank Liske Park – Lower Lot Restrooms	678,506
Midland Library Furniture	75,000
Arena – Lighting Control System Replacement	235,000
Unassigned	140,201

TOTAL EXPENDITURES **\$34,163,593**

GRAND TOTAL – REVENUES **\$34,163,593**

GRAND TOTAL – EXPENDITURES **\$34,163,593**

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
 1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
 2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
 3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
 4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
 5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
 6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
 7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.

8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 15th day of April, 2019.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: _____
Stephen M. Morris, Chairman

ATTEST:

Clerk to the Board

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Offer to Purchase County Property off Bradford Road

BRIEF SUMMARY:

The Board of Commissioners approved a conditional acceptance of an offer to purchase approximately 4.3 acres of County owned land off of Bradford Road. The individuals that made the offer to purchase submitted the required deposit and the upset bid period has been advertised. That upset bid period will end on April 1, 2019. If no additional bids have been submitted, the purchase offer will need to be included with the April 15, 2019 meeting agenda.

REQUESTED ACTION:

Motion to accept the purchase offer from Benjamin and Jennifer Loveland for 4.35 acres of property located on Bradford Road and to authorize the County Manager to sign all required documents subject to review and revision by the County Attorney.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Jonathan B. Marshall, Deputy County Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▢ Upset Bid Advertisement
- ▢ Exhibit A

ADVERTISEMENT FOR UPSET BIDS
SALE OF COUNTY PROPERTY
8235 Bradford Road Concord NC
4.3 acre part of PIN 4692-05-9257
Publish Date: March 20, 2019
Bid Due Date: April 1, 2019 at 4:00 p.m.

The Board of Commissioners of Cabarrus County has authorized the sale by upset bid of the parcel of real estate (the "Property") attached as Exhibit A.

Persons wishing to upset the \$65,250.00 offer that has been received shall submit a sealed bid with their offer to the office of the County Manager within 10 days after the notice of sale is published. A letter containing a qualifying offer must be submitted during the advertised upset period and must include the required 5% deposit. During the 10 day bidding period, the clerk shall open any bids received and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

If a qualifying higher bid is received, the County Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bids having been received. At that time, the amount of the final high bid shall be reported to the County Commission.

A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

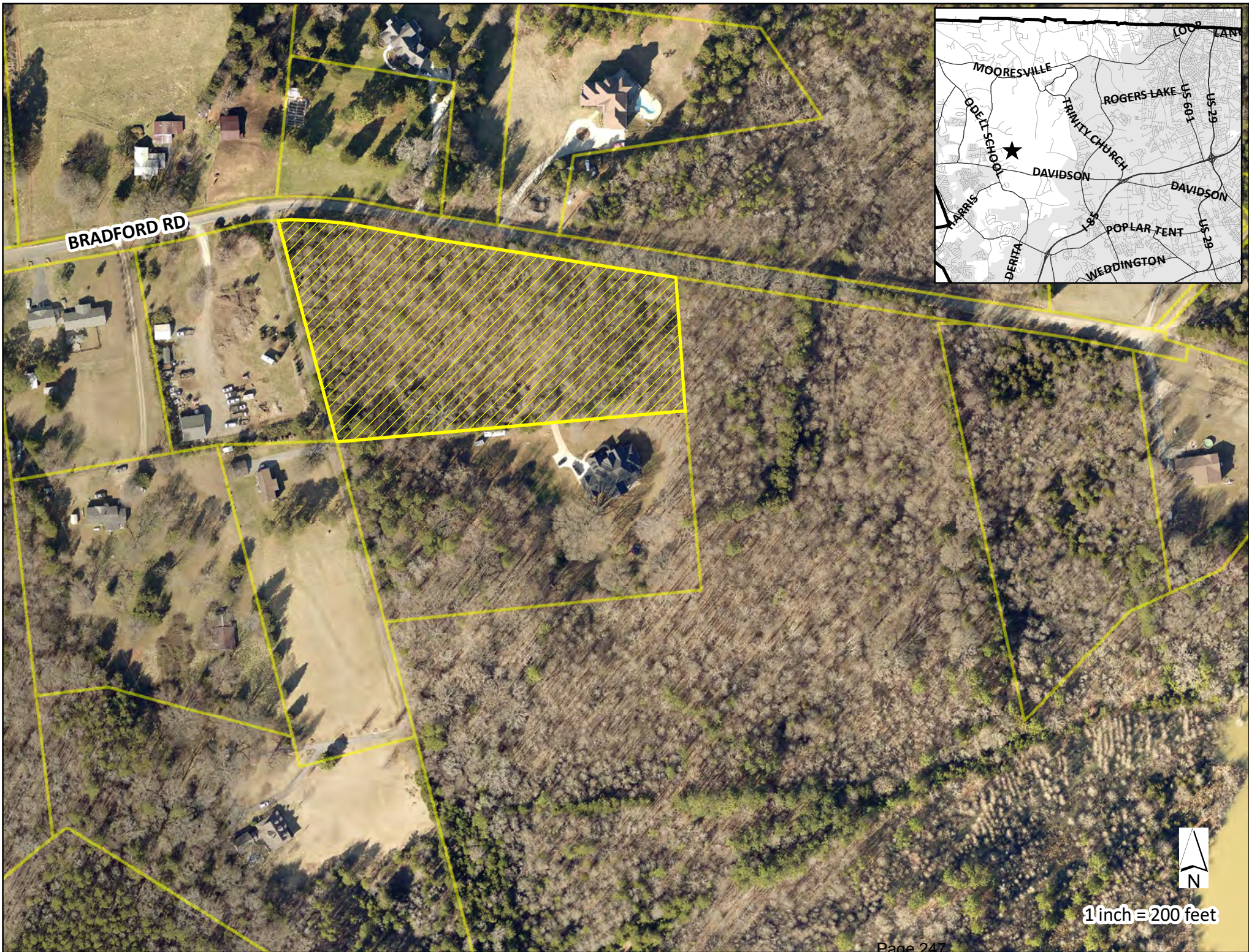
The Board of Commissioners will determine the highest responsible bidder for the Property and may accept the bid at its next regular meeting. The Property is being sold "as is, where is". Bids will remain open and subject to acceptance until the Board of Commissioners awards the bid. For a bid to be considered, it must exceed the current high offer by an amount defined in General Statute 160A-269.

Each bid must be accompanied by a bid deposit of five percent (5%) of the amount of the bid. A bid deposit may take the form of cash, a cashier's check, a certified check, or a surety bond. The deposit of the bidder to whom the award is made will be held until sale of the Property is closed; if that bidder refuses at any time to close the sale, the deposit may be forfeited to the County, according to the terms of the Contract. The deposits of other bidders will be returned at the time the Board of Commissioners awards the Property to the highest responsible bidder.

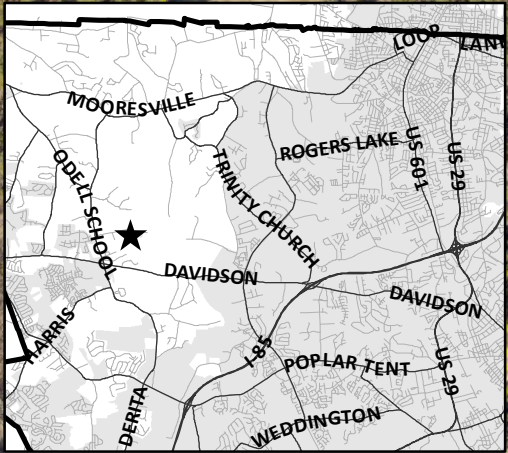
In order for a bid to be considered, the bidder must be current on payment of all property taxes owed to the County.

The County reserves the right to withdraw the Property from sale at any time, the right to reject all bids and the right to treat the high bid as an offer to purchase the Property and advertise the Property for upset bids.

Inquiries about sale of the Property may be made to the County Manager's Office, Second Floor, Cabarrus County Governmental Center, 65 Church Street South, Concord, North Carolina 28025. Inquiries related to the Property should be addressed to Jonathan Marshall, Deputy County Manager, at 704-920-2145 or jbmarshall@cabarruscounty.us.



BRADFORD RD



1 inch = 200 feet

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - On Behalf of A.C.E. Academy Regarding the Issuance of Charter School Revenue Bonds - Public Hearing 6:30 p.m.

BRIEF SUMMARY:

A public hearing is needed on behalf of A.C.E. Academy for them to fulfill the requirements of Section 147(f) of the Internal Revenue Codes of 1986 in regards to the issuance of charter school revenue bonds by the Wisconsin Public Finance Authority.

REQUESTED ACTION:

Hold a public hearing on behalf of A.C.E. Academy.

Motion to approve the resolution authorizing the bonds.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Richard M. Koch, County Attorney

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Resolution

**RESOLUTION APPROVING THE ISSUANCE BY THE PUBLIC FINANCE
AUTHORITY OF ITS CHARTER SCHOOL REVENUE AND REFUNDING BONDS
(A.C.E. ACADEMY PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT NOT
TO EXCEED \$7,000,000**

WHEREAS, A.C.E. Academy Foundation, LLC, a North Carolina limited liability company (the "Borrower"), whose sole member is A.C.E. Academy (the "School"), a North Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), has requested that the Public Finance Authority, a public authority existing under the laws of the State of Wisconsin (the "Authority"), issue its Charter School Revenue and Refunding Bonds (A.C.E. Academy Project), in one or more series (the "Bonds"), in an aggregate principal amount not to exceed \$7,000,000, and loan the proceeds thereof to the Borrower, for the purpose of, among other things, financing and refinancing (a) the acquisition of an educational facility located at 7807 Caldwell Road, Harrisburg, Cabarrus County, North Carolina 28075 (the "Facility") and (b) the acquisition, construction, and equipping of certain capital improvements to the Facility and funding working capital or operating needs of the Borrower or the Facility (collectively, the "Project"), in each case to be owned by the Borrower and leased to and operated by the School;

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the Bonds are required to be approved by the "applicable elected representative" of a governmental unit having jurisdiction over the area in which the Project is or will be located, after a public hearing held following reasonable public notice;

WHEREAS, pursuant to laws under which the Authority was formed, prior to their issuance, bonds issued by the Authority must be approved by the governing body or highest ranking executive or administrator of the political jurisdiction within whose boundaries the Project is or will be located;

WHEREAS, the Board of Commissioners (the "Board") of the County of Cabarrus, North Carolina (the "County") is the "applicable elected representative" of the County under the Code for the Project located within the County;

WHEREAS, the Borrower has requested that the Board approve the Authority's issuance of the Bonds and the financing and refinancing of the Project located within the County in order to satisfy the requirements of Section 147(f) of the Code;

WHEREAS, the Borrower has requested that the Board approve the financing and refinancing of the Project and the issuance of the Bonds in order to satisfy the requirements of the laws under which the Authority was formed for issuing the Bonds;

WHEREAS, the Board has this day held a public hearing regarding the Authority's issuance of the Bonds and the financing and refinancing of the Project, as evidenced by the Certificate and Summary of Public Hearing attached hereto as Exhibit A, and now desires to approve the Authority's issuance of the Bonds and the financing and refinancing of the Project in accordance with the Code;

WHEREAS, the Bonds shall not be deemed to constitute a debt of the County or a pledge of the faith and credit of the County, but shall be special limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority, and shall contain on the face thereof a statement to the effect that the County has no liability whatsoever for the repayment of the Bonds, and that neither the faith and credit nor the taxing power of the County is pledged to the payment of the principal of or interest on the Bonds; and

WHEREAS, the Board has determined that approval of the issuance of the Bonds is to satisfy the requirements of the Code and of the Authority, and shall in no event constitute an endorsement of the Bonds, the Project or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the County for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Authority, or to constitute the Bonds or any of the agreements or obligations of the Authority an indebtedness of the County, within the meaning of any constitutional or statutory provision whatsoever;

BE IT RESOLVED by the Board of Commissioners of the County of Cabarrus, as follows:

Section 1. The Board hereby approves the Authority's issuance of the Bonds in an aggregate principal amount not to exceed \$7,000,000 and the financing or refinancing of the Project.

Section 2. The County has no responsibility for the payment of the principal of or interest on the Bonds or for any costs incurred by the Borrower with respect to the Bonds or the Project, and the Bonds do not constitute a debt or pledge of the faith and credit of the County. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Borrower or the School, the feasibility of the Project or the credit quality of the Bonds.

Section 3. The approval of the issuance of the Bonds contained in this resolution is independent of any other approval or approvals by the Board that may be required in connection with the Project (the "Additional Approvals"), and nothing contained in this resolution shall be construed to imply that any such Additional Approvals will be granted or to bind the County in any way with respect to any Additional Approvals.

Section 4. This resolution is effective immediately on its passage.

Adopted this 15th day of April, 2019.

Stephen M. Morris, Chairman
Board of Commissioners

ATTEST:

Lauren Linker
Clerk to the Board

STATE OF NORTH CAROLINA)
)
COUNTY OF CABARRUS) ss:

I, Lauren Linker, Clerk to the Board of Commissioners of the County of Cabarrus, North Carolina, **DO HEREBY CERTIFY** that the foregoing is a true copy of so much of the proceedings of the Board of Commissioners of the County of Cabarrus, North Carolina at a regular meeting held on April 15, 2019, as it relates to the adoption of a resolution entitled " **RESOLUTION APPROVING THE ISSUANCE BY THE PUBLIC FINANCE AUTHORITY OF ITS CHARTER SCHOOL REVENUE AND REFUNDING BONDS (A.C.E. ACADEMY PROJECT), SERIES 2019 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,000,000**" and the holding of a public hearing related thereto, and that said proceedings will be recorded in the minutes of the Board of Commissioners of the County of Cabarrus, North Carolina.

WITNESS my hand and the seal of the County of Cabarrus, North Carolina, this the ___ day of April, 2019.

Lauren Linker
Clerk to the Board of Commissioners
County of Cabarrus, North Carolina

(SEAL)

EXHIBIT A
Certificate and Summary

The undersigned Clerk of the Board of Commissioners of the County of Cabarrus, North Carolina, hereby certifies:

1. Notice of a public hearing (the "Hearing") to be held on April 15, 2019, with respect to the issuance of Bonds by the Public Finance Authority (the "Authority") for the benefit of A.C.E. Academy Foundation, LLC was published on April __, 2019, in the *Independent Tribune*. A copy of the Affidavit of Publication of such notice is attached hereto.

2. The presiding officer of the Hearing was _____.

3. The following is a list of the names and addresses of all persons who spoke at the Hearing:

4. The following is a summary of the oral comments made at the Hearing:

IN WITNESS WHEREOF, my hand and the seal of the County of Cabarrus, this __ day of _____, 2019.

Clerk to the Board of Commissioners
County of Cabarrus, North Carolina

[SEAL]

FORM OF NOTICE

NOTICE OF PUBLIC HEARING
BY THE BOARD OF COMMISSIONERS
OF THE COUNTY OF CABARRUS, NORTH CAROLINA
WITH RESPECT TO CHARTER SCHOOL REVENUE AND REFUNDING BONDS
(A.C.E. ACADEMY PROJECT)
TO BE ISSUED BY THE PUBLIC FINANCE AUTHORITY
IN AN AMOUNT NOT TO EXCEED \$7,000,000

Notice is hereby given that on April 15, 2019, a public hearing, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), will be held by the Board of Commissioners of the County of Cabarrus, North Carolina (the "Board") with respect to the proposed issuance by the Public Finance Authority (the "Authority"), a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes, as amended (the "Act"), of its Charter School Revenue and Refunding Bonds (A.C.E. Academy Project), in one or more series (the "Bonds"), in an amount not to exceed \$7,000,000. The hearing will commence at 6:30 p.m., or as soon thereafter as the matter can be heard, and will be held in the Commissioners Meeting Room, Cabarrus County Governmental Center, 65 Church Street S., Concord, North Carolina 28025.

The Bonds are expected to be issued pursuant to the Act by the Authority, and the proceeds from the sale of the Bonds will be loaned to A.C.E. Academy Foundation, LLC (the "Borrower"), a North Carolina limited liability company, of which A.C.E. Academy (the "School"), a North Carolina nonprofit corporation and an organization described in Section 501(c)(3) of the Code, is the sole member, and used for the purpose of financing and refinancing (a) the acquisition of an educational facility located at 7807 Caldwell Road, Harrisburg, Cabarrus County, North Carolina 28075 (the "Facility") and (b) the acquisition, construction, and equipping of certain capital improvements to the Facility, including without limitation, a gymnasium (collectively, the "Project"), in each case to be owned by the Borrower and leased to and operated by the School.

The Bonds will be special limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority, and certain funds and accounts established by the bond indenture for the Bonds. Neither the County, the State of North Carolina nor any political subdivision thereof will have any liability whatsoever for the repayment of the Bonds.

The public hearing will provide an opportunity for all interested persons to express their views, both orally and in writing, on the proposed issuance of the Bonds and the financing and refinancing of the Project. Any person interested in the issuance of the Bonds may appear and be heard or submit written comments. Any person wishing to submit written comments regarding the proposed issuance of the Bonds, the financing and refinancing of the Project or any matter related thereto should do so within 10 days after the date of publication of this notice by mailing such written comments to the Board of Commissioners, c/o Clerk to the Board of Commissioners of the County of Cabarrus, North Carolina, Cabarrus County Governmental Center, 65 Church Street S., Concord, North Carolina 28025. This notice is given pursuant to the provisions of Section 147 of the Code. Additional information concerning the Project may be obtained from the School at 7807 Caldwell Road, Harrisburg, Cabarrus County, North Carolina 28075.

Clerk to the Board of Commissioners
County of Cabarrus, North Carolina

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

County Manager - Request the Use of Excess Medicaid Hold Harmless Funds for One-Time Purchases Requested in FY 2020 Budget

BRIEF SUMMARY:

In reviewing the FY 2020 budget process, several capital request could be purchased in the current fiscal year to reduce the request on the FY 2020 budget. Medicaid Hold Harmless exceeded the budget by \$998,650. The County Manager has met with staff and is recommending the listed items attached be approved for purchase now to reduce the burden on the FY 2020 budget. Please see the attached list of items being requested for funding in FY 2019.

REQUESTED ACTION:

Motion to suspend the rules for approval of the budget amendment and to allow staff more time to prepare the proposed budget for the May 20th Board meeting.

Motion to adopt the budget amendment.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Mike Downs, County Manager

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Medicaid Hold Harmless List
- ▣ BA for Medicaid Hold Harmless

Potential Medicaid Hold Harmless Projects	Quantity	Unit Cost	FY 20 Cost
191940 9520-Auto and Truck Maintenance New Utility body for truck 8072 - truck has hauled a salt spreader every winter since 2008 and the bottom of the utility body is rusting out. There are multiple holes in the bed of the truck.	1	12,000	12,000
191940 9860 - Equipment & Furniture New Kubota RTV and Snow Plow - to replace old RTV and plow. Old one has holes in floorboards and is rusting out because of the salt and sand from winter weather.	1	26,000	26,000
New Holland Tractor T 4.75 - This tractor would replace a 19 year old JD 4300 that the clutch went out. Cost to fix would have been more than the worth of the tractor. The NH tractor is a bigger tractor and is needed because we will need an extra tractor at RWP since we are now mowing the entire park and not using a contractor. This is more suited for our needs. Price increase due to the price of steel going up.	1	55,000	55,000
191953 9860 - Equipment & Furniture New walk behind scrubber to replace old broken down Tennant 5280 at HSC.	1	6,300	6,300
191955 9863 - Motor Vehicles IAM - Facility Services - requesting replacement for asset 8069 due to mileage and maintenance costs. Need a truck with a long bed and lift gate.	1	37,925	37,925
192110 9860 - Equipment & Furniture BOMB EOD 10 Bomb Suit Necessary to replace current suit which expires in Fall 2019. (Planning for FY 20, another replacement Bomb Suit).	1	35,000	35,000
192110 9863 - Motor Vehicles Patrol Replacement: Necessary to replace vehicles which have reached their useful lives as Patrol vehicles.	12	35,000	420,000
Patrol vehicle up fits which includes lights, striping, install, sirens, console, partition Replacement. Necessary up fits for vehicles.	12	7,800	93,600
192730 9863 - Motor Vehicles Ambulance Purchases includes tax, tags, title and lettering. Moving to new industry safety standard ambulances. Making transition to gas ambulances. Required to comply with County mileage replacement.	1	168,825	168,825

Potential Medicaid Hold Harmless Projects	Quantity	Unit Cost	FY 20 Cost
191952 9501- Building and Grounds Maintenance			
Frank Liske Park Lake Restroom Lateral install Tie in and Abandonment of Septic tank and Pump Tank. Proper Utility Layout.	1	57,000	57,000
Historic Courthouse Elevator Modernization	1	87,000	87,000
		Proposed Projects	998,650
		Medicaid Hold Harmless	998,650
		Total	-

Budget Revision/Amendment Request

Date: 1-Apr-19

998,650.00

Dept. Head: Mike Downs, County Manager

Department: General Fund - Multiple

Internal Transfer Within Department
 Transfer Between Departments/Funds
 Supplemental Request

Purpose: To allocate additional medicaid hold harmless funds for one time purchases to reduce the request for the FY 2020 budget.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	6	1710/6445	Medicaid Hold Harmless	2,000,000.00	998,650.00		2,998,650.00
001	9	1940/9520	Auto and Truck Maint	20,000.00	12,000.00		32,000.00
001	9	1940/9860	Equipment and Furniture	-	81,000.00		81,000.00
001	9	1953/9860	Equipment and Furniture	-	6,300.00		6,300.00
001	9	1955/9863	Motor Vehicles	269,450.61	37,925.00		307,375.61
001	9	2110/9860	Equipment and Furniture	70,601.00	35,000.00		105,601.00
001	9	2110/9863	Motor Vehicles	598,809.00	513,600.00		1,112,409.00
001	9	2730/9863	Motor Vehicles	482,095.00	168,825.00		650,920.00
001	9	1952/9501	Building and Grounds Maint	852,200.00	144,000.00		996,200.00

Budget Officer

County Manager

Board of Commissioners

Approved
 Denied

Approved
 Denied

Approved
 Denied

Signature

Signature

Signature

Date

Date

Date

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Finance - Write Off Completed Clerk of Court Renovation Project

BRIEF SUMMARY:

The Clerk of Court renovation project has been completed and came in under budget. The \$44,214.02 of remaining funds are being transferred to an available account to be used on future county projects. The Construction and Renovation Fund is a multi-year fund and requires Board approval to update the project ordinance.

REQUESTED ACTION:

Motion to write off of the Clerk of Court renovation project and approve the related budget amendment and project ordinance.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Susan Fearington, Finance Director

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Fd 343 Construction & Renovation BA
- Fd 343 Construction & Renovation Ordinance

Budget Revision/Amendment Request

Date: 4/15/2019

Amount: \$ 44,214.02

Dept. Head: Susan Fearington (prepared by Sarah Chesley)

Department: Finance - 343 Construction & Renovation

Internal Transfer Within Department

Transfer Between Departments/Funds

Supplemental Request

The purpose of this amendment is to move funds from the completed clerk of court renovations project into the AVAIL account, in the Construction & Renovation Fund, in the amount of \$44,214.00.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
343	6	0000-6902-AVAIL	Cont'b from the General Fund - AVAIL	72,820.42	44,214.02		117,034.44
343	9	0000-9830-AVAIL	Other Improvements - AVAIL	95,986.70	44,214.02		140,200.72
							0.00
343	6	2210-6902-COURT	Cont'b from the General Fund - COURT	113,000.00		44,214.02	68,785.98
343	9	2210-9830-COURT	Other Improvements - COURT	113,000.00		44,214.02	68,785.98

Budget Officer

- Approved
- Denied

County Manager

- Approved
- Denied

Board of Commissioners

- Approved
- Denied

Signature

Signature

Signature

Date

Date

Date

CABARRUS COUNTY CONSTRUCTION AND RENOVATION PROJECT BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is the various County construction and renovation related projects. Details of the projects are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.
- C. It is estimated that the following revenues will be available to complete capital projects as listed.

Park & Recreation Trust Fund (PARTF) Grant	\$ 350,000
Rental – Tower Lease	847,694
Sale of Fixed Assets	1,012,442
Contributions and Donations	117,036
General Fund Contribution	5,112,457
Lease Proceeds (Robert Wallace Park)	4,596,394
Capital Projects Fund Contribution	2,141,264
Capital Reserve Fund Contribution	19,818,545

TOTAL REVENUES	\$33,995,832
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- D. The following appropriations are made as listed.

Government Center Chiller Replacement	\$211,000
Governmental Center ADA Bathrooms	151,469
County Building Camera Systems	24,099
ITS Fiber Technology Improvements	120,000
County Website Design	283,750
Furniture Replacements	184,723
County Operation Center	3,100,000
Elevator Modernization Government Center	176,000
Multiple building Fall Protection Measures	300,000
Jail Camera Upgrade	112,607
LEC Law Enforcement Technology	791,324
Training & Firing Range Renovation	50,000
Sheriff's Admin Roof Repair	113,659
Courthouse Expansion	12,519,000
Clerk of Court Improvements	68,786
Public Safety Training Center	90,000
EMS Headquarters – Consultants	50,000
EMS Co-location – Concord Fire #11	375,000
EMS Heart Monitors	566,111
Emergency Communications Equip & Ethernet Backhaul	2,721,086
JM Robinson High School Wetlands Mitigation	100,000
Landfill Retaining Wall	230,301

Veterans Services Improvements	92,674
Cooperative Ext. ADA Bathrooms	118,812
RCCC Land for future expansion	1,244,001
NE Area Park – Other Improvements	589,024
Robert Wallace Park	8,147,965
Frank Liske Park – Barn Restrooms	126,405
Carolina Thread Trail	109,329
Frank Liske park Playground Replacement	100,000
Frank Liske Park – Lower Lot Restrooms	678,506
Midland Library Furniture	75,000
Arena – Lighting Control System Replacement	235,000
Unassigned	140,201

TOTAL EXPENDITURES **\$33,995,832**

GRAND TOTAL – REVENUES **\$33,995,832**

GRAND TOTAL – EXPENDITURES **\$33,995,832**

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
 - 1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
 - 2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
 - 3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
 - 4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
 - 5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
 - 6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
 - 7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.

8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 15th day of April, 2019.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: _____
Stephen M. Morris, Chairman

ATTEST:

Clerk to the Board

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Finance - Lottery Fund History and Write Off of Old Projects

BRIEF SUMMARY:

Cabarrus County has received North Carolina Educational Lottery proceeds since fiscal year 2007. A history of the lottery projects will be discussed. A request to write off completed projects will also be presented.

REQUESTED ACTION:

Motion to approve the write off of all lottery funded projects prior to Fiscal Year 2017 and approve the related budget amendment and project ordinance.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Susan Fearington, Finance Director

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Lottery Fund History
- ▣ Fd 320 Public Sch Bldg Amendment
- ▣ Fd 320 Public Sch Bldg Ordinance

**Cabarrus County
Lottery Fund History
FY 2019**

	Cabarrus County Schools	Kannapolis City Schools (Cabarrus)	Kannapolis City Schools (Rowan)	Total
Lottery Distribution & Interest by Fiscal Year				
2006-07	\$ 2,310,451.50	\$ 345,023.55	\$ 104,347.93	\$ 2,759,822.98
2007-08	3,041,901.94	443,596.82	128,999.97	3,614,498.73
2008-09	2,759,039.13	393,113.40	112,557.20	3,264,709.73
2009-10	4,724,640.39	671,631.77	188,660.47	5,584,932.63
2010-11	2,409,334.72	338,968.86	100,566.47	2,848,870.05
2011-12	1,890,612.47	263,380.33	77,416.95	2,231,409.75
2012-13	2,025,820.36	276,237.85	83,747.07	2,385,805.28
2013-14	2,133,081.69	284,401.07	87,130.88	2,504,613.64
2014-15	2,196,605.60	298,445.09	91,498.60	2,586,549.29
2015-16	2,117,523.00	285,529.13	86,969.64	2,490,021.77
2016-17	2,429,057.17	318,347.21	96,427.76	2,843,832.14
2017-18	2,266,178.18	282,002.13	85,795.40	2,633,975.71
7-1-18 to 2-28-19	1,157,311.49	148,928.32	44,505.61	1,350,745.42
Total Lottery Distrib & Inter by Fiscal Year	\$ 31,461,557.64	\$ 4,349,605.53	\$1,288,623.95	\$ 37,099,787.12
Project Allocations				
Carl A Furr Elementary	\$ 2,616,114.00	\$ -	\$ -	\$ 2,616,114.00
A L Brown Auditorium	-	300,000.00	-	300,000.00
Shady Brook Elem	-	59,118.90	-	59,118.90
Rowan County Debt	-	-	232,500.00	232,500.00
Charles E. Boger Elem	317,307.10	-	-	317,307.10
AL Brown Add & Renov	-	465,000.00	-	465,000.00
Hickory Ridge Middle School Eng & Arch	1,716,850.00	-	-	1,716,850.00
AL Brown Addition & Renovation	-	225,829.62	-	225,829.62
Rowan Cty Debt	-	-	238,500.00	238,500.00
Hickory Ridge Middle School Construction	2,517,071.83	-	-	2,517,071.83
2011-12 Debt Service	1,507,928.00	205,627.00	-	1,713,555.00
2012-13 Debt Service	6,371,266.00	936,252.00	-	7,307,518.00
2013-14 Debt Service	4,273,257.00	638,533.00	-	4,911,790.00
2014-15 Debt Service	1,900,000.00	300,000.00	-	2,200,000.00
2015-16 Debt Service	1,754,000.00	246,000.00	-	2,000,000.00
FY17 Mt. Pleasant Middle School Construction	1,500,000.00	-	-	1,500,000.00
FY17 Kannapolis Middel School Construction	-	100,000.00	-	100,000.00
2016-17 Debt Service	1,754,000.00	246,000.00	-	2,000,000.00
2017-18 Debt Service	1,754,000.00	246,000.00	-	2,000,000.00
FY18 KCS - Carver School Renovation	-	50,000.00	-	50,000.00
FY19 Debt Service	1,754,000.00	246,000.00	-	2,000,000.00
FY19 West Cabarrus HS Construction Costs	500,000.00	-	-	500,000.00
Total of Project Allocations	\$ 30,235,793.93	\$ 4,264,360.52	\$ 471,000.00	\$ 34,971,154.45
Unallocated Balances after March BOC	\$ 1,225,763.71	\$ 85,245.01	\$ 817,623.95	\$ 2,128,632.67
Additional estimates				
Est additional FY19 Lottery revenue thru 6-30-19	1,000,000.00	100,000.00	40,000.00	1,140,000.00
Estimated amount available 6-30-19	\$ 2,225,763.71	\$ 185,245.01	\$ 857,623.95	\$ 3,268,632.67
Estimate Revenue for FY20	\$ 2,305,900.00	\$ 298,000.00	\$ 90,300.00	\$ 2,694,200.00
Budget expenditure FY20 for Debt Service	1,754,000.00	246,000.00	-	2,000,000.00
Estimate of annual excess	551,900.00	52,000.00	90,300.00	694,200.00
Estimated amount available 6-30-20	\$ 2,777,663.71	\$ 237,245.01	\$ 947,923.95	\$ 3,962,832.67

Budget Revision/Amendment Request

Date: 4/15/2019

Amount: \$ 16,419,308.00

Dept. Head: Susan Fearington (prepared by Sarah Chesley)

Department: Finance - Public School Capital Fund

Internal Transfer Within Department
 Transfer Between Departments/Funds
 Supplemental Request

This amendment is to write off the following projects (prior to FY17) in the Public School Building Capital Lottery funds: 2012-13 Debt Service in the amount of \$7,307,518, 2013-14 Debt Service in the amount of \$4,911,790, 2014-15 Debt Service in the amount of \$2,200,000, and 2015-16 Debt Service in the amount of \$2,000,000, for a total of \$16,419,308.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
320	6	7210-6444	Lottery Proceeds	24,569,308.00		16,419,308.00	8,150,000.00
320	9	7210-9704	Cont'b to General Fund	22,419,308.00		16,419,308.00	6,000,000.00
							0.00

Budget Officer

Approved
 Denied

Signature

Date

County Manager

Approved
 Denied

Signature

Date

Board of Commissioners

Approved
 Denied

Signature

Date

PUBLIC SCHOOL BUILDING CAPITAL PROJECTS FUND BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is the various County construction and renovation related projects. Details of the projects are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.
- C. It is estimated that the following revenues will be available to complete capital projects as listed.

Lottery Proceeds	\$8,150,000
Lottery Proceeds – Rowan County	300,000
TOTAL REVENUES	\$8,450,000

- D. The following appropriations are made as listed.

Debt Service	\$6,000,000
Construction	2,150,000
Debt Service – Rowan County	300,000
TOTAL EXPENDITURES	\$8,450,000

GRAND TOTAL – REVENUES	\$8,450,000
GRAND TOTAL – EXPENDITURES	\$8,450,000

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:

1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.
8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.

- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 15th day of April, 2019.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: _____
Stephen M. Morris, Chairman

ATTEST:

Clerk to the Board

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Infrastructure and Asset Management - Offer for Purchase of Tax Foreclosure Property

BRIEF SUMMARY:

Tax foreclosure parcels that are not purchased through the courthouse auction have been sold using an online surplus property web service. One particular parcel (PIN #: 5620937474 0000), located near Fox Street SW in Concord, has recently received an offer to purchase independently of the web service for \$500 from Ms. Jane Morrison. The property just came into County's ownership two months ago and letters were sent out to the adjacent owners. Ms. Morrison is one of the adjacent owners. The property has not yet been listed on the online surplus property web service. The amount the County would ask for the property would be \$6,144.19 which is comprised of taxes owed and legal fees.

In order to accept this offer to purchase it is required to go through the standard upset bid process. The process for upset bids is attached (G.S. 160A-269)

REQUESTED ACTION:

Motion to conditionally accept the initial bid from Ms. Morrison and commence the upset bid process.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Michael Miller, Infrastructure and Asset Management Director

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Offer Letter
- ▣ General Statute

January 24, 2019

Cabarrus County Governmental Center
Mr. Kyle Bilafer
Area Manager of Operations
Cabarrus County Manager's Office
65 Church Street, South
Concord, NC 28025

Re: Fox Street Foreclose Property

PIN#: 56209374740000

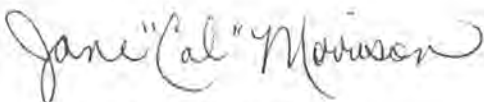
OFFER LETTER

Dear Mr. Bilafer,

This letter is to notify you of my offer for the above property. I will like to offer \$500 for this property.

If you have any questions or concern, please notify me via email at cmmorrison@windstream.net or 704.791.6092 mobile number.

Sincerely,

A handwritten signature in cursive script that reads "Jane 'Cal' Morrison".

Jane "Cal" Morrison

Article 12.

Sale and Disposition of Property.

§ 160A-265. Use and disposal of property.

In the discretion of the council, a city may: (i) hold, use, change the use thereof to other uses, or (ii) sell or dispose of real and personal property, without regard to the method or purpose of its acquisition or to its intended or actual governmental or other prior use. (1981 (Reg. Sess., 1982), c. 1236.)

§ 160A-266. Methods of sale; limitation.

(a) Subject to the limitations prescribed in subsection (b) of this section, and according to the procedures prescribed in this Article, a city may dispose of real or personal property belonging to the city by:

- (1) Private negotiation and sale;
- (2) Advertisement for sealed bids;
- (3) Negotiated offer, advertisement, and upset bid;
- (4) Public auction; or
- (5) Exchange.

(b) Private negotiation and sale may be used only with respect to personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of similar items. Real property, of any value, and personal property valued at thirty thousand dollars (\$30,000) or more for any one item or group of similar items may be exchanged as permitted by G.S. 160A-271, or may be sold by any method permitted in this Article other than private negotiation and sale, except as permitted in G.S. 160A-277 and G.S. 160A-279.

Provided, however, a city may dispose of real property of any value and personal property valued at thirty thousand dollars (\$30,000) or more for any one item or group of similar items by private negotiation and sale where (i) said real or personal property is significant for its architectural, archaeological, artistic, cultural or historical associations, or significant for its relationship to other property significant for architectural, archaeological, artistic, cultural or historical associations, or significant for its natural, scenic or open condition; and (ii) said real or personal property is to be sold to a nonprofit corporation or trust whose purposes include the preservation or conservation of real or personal properties of architectural, archaeological, artistic, cultural, historical, natural or scenic significance; and (iii) where a preservation agreement or conservation agreement as defined in G.S. 121-35 is placed in the deed conveying said property from the city to the nonprofit corporation or trust. Said nonprofit corporation or trust shall only dispose of or use said real or personal property subject to covenants or other legally binding restrictions which will promote the preservation or conservation of the property, and, where appropriate, secure rights of public access.

(c) A city council may adopt regulations prescribing procedures for disposing of personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items in substitution for the requirements of this Article. The regulations shall be designed to secure for the city fair market value for all property disposed of and to accomplish the disposal efficiently and economically. The regulations may, but need not, require published notice, and may provide for either public or private exchanges and sales. The council may authorize one or more city officials to declare surplus any personal property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items, to set its fair market value, and to convey title to the property for the city in accord with the regulations. A city official authorized under this section to dispose of property shall keep a record of all property sold under this section and that record shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

(d) A city may discard any personal property that: (i) is determined to have no value; (ii) remains unsold or unclaimed after the city has exhausted efforts to sell the property using any applicable

procedure under this Article; or (iii) poses a potential threat to the public health or safety. (1971, c. 698, s. 1; 1973, c. 426, s. 42.1; 1983, c. 130, s. 1; c. 456; 1987, c. 692, s. 2; 1987 (Reg. Sess., 1988), c. 1108, s. 9; 1997-174, s. 6; 2001-328, s. 4; 2005-227, s. 3.)

§ 160A-267. Private sale.

When the council proposes to dispose of property by private sale, it shall at a regular council meeting adopt a resolution or order authorizing an appropriate city official to dispose of the property by private sale at a negotiated price. The resolution or order shall identify the property to be sold and may, but need not, specify a minimum price. A notice summarizing the contents of the resolution or order shall be published once after its adoption, and no sale shall be consummated thereunder until 10 days after its publication. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 24.)

§ 160A-268. Advertisement for sealed bids.

The sale of property by advertisement for sealed bids shall be done in the manner prescribed by law for the purchase of property, except that in the case of real property the advertisement for bids shall be begun not less than 30 days before the date fixed for opening bids. (1971, c. 698, s. 1.)

§ 160A-269. Negotiated offer, advertisement, and upset bids.

A city may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids. When an offer is made and the council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk, and shall publish a notice of the offer. The notice shall contain a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder. When a bid is raised, the bidder shall deposit with the city clerk five percent (5%) of the increased bid, and the clerk shall readvertise the offer at the increased bid. This procedure shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The council may at any time reject any and all offers. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 25.)

§ 160A-270. Public auction.

(a) Real Property. – When it is proposed to sell real property at public auction, the council shall first adopt a resolution authorizing the sale, describing the property to be sold, specifying the date, time, place, and terms of sale, and stating that any offer or bid must be accepted and confirmed by the council before the sale will be effective. The resolution may, but need not, require the highest bidder at the sale to make a bid deposit in a specified amount. The council shall then publish a notice of the sale at least once and not less than 30 days before the sale. The notice shall contain a general description of the land sufficient to identify it, the terms of the sale, and a reference to the authorizing resolution. After bids have been received, the highest bid shall be reported to the council, and the council shall accept or reject it within 30 days thereafter. If the bid is rejected, the council may readvertise the property for sale.

(b) Personal Property. – When it is proposed to sell personal property at public auction, the council shall at a regular council meeting adopt a resolution or order authorizing an appropriate city official to dispose of the property at public auction. The resolution or order shall identify the property to be sold and set out the date, time, place, and terms of the sale. The resolution or order (or a notice summarizing its contents) shall be published at least once and not less than 10 days before the date of the auction.

(c) The council may conduct auctions of real or personal property electronically by authorizing the establishment of an electronic auction procedure or by authorizing the use of existing private or public electronic auction services. Notice of an electronic auction of property shall identify, in addition to the information required in subsections (a) and (b) of this section, the electronic address where information about the property to be sold can be found and the electronic address where electronic bids may be posted. Notice may be published in a newspaper having general circulation in the political subdivision or by electronic means, or both. A decision to publish notice solely by electronic means for a particular

auction or for all auctions under this subsection shall be approved by the governing board of the political subdivision. Except as provided in this subsection, all requirements of subsections (a) and (b) of this section apply to electronic auctions. (1971, c. 698, s. 1; 1973, c. 426, s. 43; 2001-328, s. 5; 2005-227, s. 4; 2006-264, s. 74.)

§ 160A-271. Exchange of property.

A city may exchange any real or personal property belonging to the city for other real or personal property by private negotiation if the city receives a full and fair consideration in exchange for its property. A city may also exchange facilities of a city-owned enterprise for like facilities located within or outside the corporate limits. Property shall be exchanged only pursuant to a resolution authorizing the exchange adopted at a regular meeting of the council upon 10 days' public notice. Notice shall be given by publication describing the properties to be exchanged, stating the value of the properties and other consideration changing hands, and announcing the council's intent to authorize the exchange at its next regular meeting. (1971, c. 698, s. 1; 1973, c. 426, s. 42.1.)

§ 160A-272. Lease or rental of property.

(a) Any property owned by a city may be leased or rented for such terms and upon such conditions as the council may determine, but not for longer than 10 years (except as otherwise provided herein) and only if the council determines that the property will not be needed by the city for the term of the lease. In determining the term of a proposed lease, periods that may be added to the original term by options to renew or extend shall be included. Property may be rented or leased only pursuant to a resolution of the council authorizing the execution of the lease or rental agreement adopted at a regular council meeting upon 10 days' public notice. Notice shall be given by publication describing the property to be leased or rented, stating the annual rental or lease payments, and announcing the council's intent to authorize the lease or rental at its next regular meeting.

(b) No public notice need be given for resolutions authorizing leases or rentals for terms of one year or less, and the council may delegate to the city manager or some other city administrative officer authority to lease or rent city property for terms of one year or less. Leases for terms of more than 10 years shall be treated as a sale of property and may be executed by following any of the procedures authorized for sale of real property.

(c) **(Effective until June 30, 2015)** The council may approve a lease for the siting and operation of a renewable energy facility, as that term is defined in G.S. 62-133.8(a)(7), for a term up to 20 years without treating the lease as a sale of property and without giving notice by publication of the intended lease. This subsection applies to Catawba, Mecklenburg, and Wake Counties, the Cities of Asheville, Raleigh, and Winston-Salem, and the Towns of Apex, Carrboro, Cary, Chapel Hill, Fuquay-Varina, Garner, Holly Springs, Knightdale, Morrisville, Rolesville, Wake Forest, Wendell, and Zebulon only.

(c) **(Effective June 30, 2015)** The council may approve a lease for the siting and operation of a renewable energy facility, as that term is defined in G.S. 62-133.8(a)(7), for a term up to 20 years without treating the lease as a sale of property and without giving notice by publication of the intended lease. This subsection applies to Catawba, Mecklenburg, and Wake Counties, the Cities of Raleigh and Winston-Salem, and the Towns of Apex, Cary, Fuquay-Varina, Garner, Holly Springs, Knightdale, Morrisville, Rolesville, Wake Forest, Wendell, and Zebulon only. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 26; 2009-149, ss. 2, 3; 2010-57, s. 2; 2010-63, s. 2(b); 2011-150, s. 1.)

§ 160A-272.1. Lease of utility or enterprise property.

Subject to G.S. 160A-321, a city-owned utility or public service enterprise, or part thereof, may be leased. (1979, 2nd Sess., c. 1247, s. 27.)

§ 160A-273. Grant of easements.

A city shall have authority to grant easements over, through, under, or across any city property or the right-of-way of any public street or alley that is not a part of the State highway system. Easements in a street or alley right-of-way shall not be granted if the easement would substantially impair or hinder

the use of the street or alley as a way of passage. A grant of air rights over a street right-of-way or other property owned by the city for the purpose of erecting a building or other permanent structure (other than utility wires or pipes) shall be treated as a sale of real property, except that a grant of air rights over a street right-of-way for the purpose of constructing a bridge or passageway between existing buildings on opposite sides of the street shall be treated as a grant of an easement. (1971, c. 698, s. 1.)

§ 160A-274. Sale, lease, exchange and joint use of governmental property.

(a) For the purposes of this section, "governmental unit" means a city, county, school administrative unit, sanitary district, fire district, the State, or any other public district, authority, department, agency, board, commission, or institution.

(b) Any governmental unit may, upon such terms and conditions as it deems wise, with or without consideration, exchange with, lease to, lease from, sell to, or purchase from any other governmental unit any interest in real or personal property.

(c) Action under this section shall be taken by the governing body of the governmental unit. Action hereunder by any State agency, except the Department of Transportation, shall be taken only after approval by the Department of Administration. Action with regard to State property under the control of the Department of Transportation shall be taken by the Department of Transportation or its duly authorized delegate. Provided, any county board of education or board of education for any city administrative unit may, upon such terms and conditions as it deems wise, lease to another governmental unit for one dollar (\$1.00) per year any real property owned or held by the board which has been determined by the board to be unnecessary or undesirable for public school purposes. (1969, c. 806; 1971, c. 698, s. 1; 1973, c. 507, s. 5; 1975, c. 455; c. 664, s. 9; c. 879, s. 46; 1977, c. 464, s. 34; 2001-328, s. 6.)

§ 160A-275. Warranty deeds.

Any city, county, or other municipal corporation is authorized to execute and deliver deeds to any real property with full covenants of warranty, without regard to how the property was acquired, when, in the opinion of the governing body, it is in the best interest of the city, county, or other municipal corporation to convey by warranty deed. Members of the governing boards of counties, cities, and other municipal corporations are hereby relieved of any personal or individual liability by reason of the execution of warranty deeds to governmentally owned property unless they act in fraud, malice, or bad faith. (1945, c. 962; 1955, c. 935; 1969, cc. 48, 223, 332; c. 1003, s. 5; 1971, c. 698, s. 1.)

§ 160A-276. Sale of stocks, bonds, and other securities.

A city may sell through a broker without complying with the preceding sections of this Article shares of common and preferred stock, bonds, options, and warrants or other rights with respect to stocks and bonds, and other securities, when the stock, bond, or other right or security has an established market and is traded in the usual course of business on a national stock exchange or over-the-counter by reputable brokers and securities dealers. The city may pay the usual fees and taxes incident to such transactions. Nothing in this section authorizes a city to deal in its own bonds in any manner inconsistent with Chapter 159 of the General Statutes, nor to invest in any securities not authorized by G.S. 159-30. (1973, c. 426, s. 44.)

§ 160A-277. Sale of land to volunteer fire departments and rescue squads; procedure.

(a) A city, upon such terms and conditions as it deems wise, with or without monetary consideration may lease, sell or convey to a volunteer fire department or to a volunteer rescue squad any land or interest in land, for the purpose of constructing or expanding fire department or rescue squad facilities, if the volunteer fire department or volunteer rescue squad provides fire protection or rescue services to the city.

(b) Any lease, sale or conveyance under this section must be approved by the city council by resolution adopted at a regular meeting of the council upon 10 days' public notice. Notice shall be given by publication describing the property to be leased or sold, stating the value of the properties, the

proposed monetary consideration or lack thereof, and the council's intent to authorize the lease, sale or conveyance. (1979, c. 583.)

§ 160A-278. Lease of land for housing.

A city may lease land upon such terms and conditions as it deems wise to any person, firm or corporation who will use the land to construct housing for the benefit of persons of low income, or moderate income, or low and moderate income. Such a housing project may also provide housing to persons of other than low or moderate income, as long as at least twenty percent (20%) of the units in the project are set aside for the exclusive use of persons of low income. Despite the provisions of G.S. 160A-272, a lease authorized pursuant to this section may be made by private negotiation and may extend for longer than 10 years. Property may be leased under this section only pursuant to a resolution of the council authorizing the execution of the lease adopted at a regular council meeting upon 10 days' public notice. Notice shall be given by publication describing the property to be leased, stating the value of the property, stating the proposed consideration for the lease, and stating the council's intention to authorize the lease. (1987, c. 464, s. 9.)

§ 160A-279. Sale of property to entities carrying out a public purpose; procedure.

(a) Whenever a city or county is authorized to appropriate funds to any public or private entity which carries out a public purpose, the city or county may, in lieu of or in addition to the appropriation of funds, convey by private sale to such an entity any real or personal property which it owns; provided no property acquired by the exercise of eminent domain may be conveyed under this section; provided that no such conveyance may be made to a for-profit corporation. The city or county shall attach to any such conveyance covenants or conditions which assure that the property will be put to a public use by the recipient entity. The procedural provisions of G.S. 160A-267 shall apply. Provided, however, that a city or county may convey to any public or private entity, which is authorized to receive appropriations from a city or county, surplus automobiles without compensation or without the requirement that the automobiles be used for a public purpose. Provided, however, this conveyance is conditioned upon conveyance by the public or private entity to Work First participants selected by the county department of social services under the rules adopted by the local department of social services. In the discretion of the public or private entity to which the city or county conveys the surplus automobile, when that entity conveys the vehicle to a Work First participant it may arrange for an appropriate security interest in the vehicle, including a lien or lease, until such time as the Work First participant satisfactorily completes the requirements of the Work First program. This subsequent conveyance by the public or private entity to the Work First participant may be without compensation. The participant may be required to pay for license, tag, and/or title.

(b) Notwithstanding any other provision of law, this section applies only to cities and counties and not to any other entity which this Article otherwise applies to.

(c) Repealed by Session Laws 1993, c. 491, s. 1.

(d) This section does not limit the right of any entity to convey property by private sale when that right is conferred by another law, public, or local. (1987, c. 692, s. 1; 1993, c. 491, s. 1; 1998-195, s. 1.)

§ 160A-280. Donations of personal property to other governmental units.

(a) A city may donate to another governmental unit within the United States, a sister city, or a nonprofit organization incorporated by (i) the United States, (ii) the District of Columbia, or (iii) one of the United States, any personal property, including supplies, materials, and equipment, that the governing board deems to be surplus, obsolete, or unused. The governing board of the city shall post a public notice at least five days prior to the adoption of a resolution approving the donation. The resolution shall be adopted prior to making any donation of surplus, obsolete, or unused personal property. For purposes of this section a sister city is a city in a nation other than the United States that has entered into a formal, written agreement or memorandum of understanding with the donor city for the purposes of establishing a long term partnership to promote communication, understanding, and

goodwill between peoples and to develop mutually beneficial activities, programs, and ideas. The agreement or memorandum of understanding establishing the sister city relationship shall be signed by the mayors or chief elective officer of both the donor and recipient cities.

(b) For the purposes of this section, the term "governmental unit" shall have the same meaning as defined by G.S. 160A-274(a) and shall include North Carolina charter schools.

(c) The authority granted to a city under this section is in addition to any authority granted under any other provision of law. (2007-430, s. 1; 2009-141, ss. 1, 2, 3.)

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

ITS - Funding of CIP Project Detention Center Security

BRIEF SUMMARY:

The approved FY19 Capital Improvement Plan included funding for Detention Center Camera replacements and security upgrades. It is requested to allocate State Criminal Alien Assistance Program (SCAAP) funds to cover this expenditure.

REQUESTED ACTION:

Motion to adopt budget amendment and project ordinance.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Todd Shanley, CIO

BUDGET AMENDMENT REQUIRED:

Yes

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- Budget Amendment

▣ Project Ordinance

Budget Revision/Amendment Request

Date: 4/15/2019

Amount: 60,000.00

Dept. Head: Susan Fearrington, (prepared by Sarah Chesley)

Department: Finance, Construction & Reno Fund 343

Internal Transfer Within Department
 Transfer Between Departments/Funds
 Supplemental Request

Purpose: This Budget Amendment moves funds from SCAAP (General Fund) into the Jail Camera update project in the Construction and Renovation Fund.

Fund	Indicator	Department/ Object/ Project	Account Name	Approved Budget	Increase Amount	Decrease Amount	Revised Budget
001	9	1960-9708	Cont'b to Capital Projects Fund	608,736.00	60,000.00		668,736.00
001	9	2130-9853	SCAAP Grant	84,197.00		60,000.00	24,197.00
343	6	2110-6902-CAM	Cont'b from General Fund	42,607.00	60,000.00		102,607.00
343	9	2110-9342-CAM	Furniture and Equipment - Jail Cameras	112,607.00	60,000.00		172,607.00
							0.00

Budget Officer

- Approved
- Denied

County Manager

- Approved
- Denied

Board of Commissioners

- Approved
- Denied

Signature

Signature

Signature

Date

Date

Date

CABARRUS COUNTY CONSTRUCTION AND RENOVATION PROJECT BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Cabarrus County, North Carolina that, Pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I.

- A. The project authorized is the various County construction and renovation related projects. Details of the projects are listed in section C. of this Project Ordinance.
- B. The officers of this unit are hereby directed to proceed with this capital project within the terms of the Generally Accepted Accounting Principles (GAAP) and the budget contained herein.
- C. It is estimated that the following revenues will be available to complete capital projects as listed.

Park & Recreation Trust Fund (PARTF) Grant	\$ 350,000
Rental – Tower Lease	847,694
Sale of Fixed Assets	1,012,442
Contributions and Donations	117,036
General Fund Contribution	5,172,457
Lease Proceeds (Robert Wallace Park)	4,596,394
Capital Projects Fund Contribution	2,141,264
Capital Reserve Fund Contribution	19,818,545

TOTAL REVENUES	\$34,055,832
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- D. The following appropriations are made as listed.

Government Center Chiller Replacement	\$211,000
Governmental Center ADA Bathrooms	151,469
County Building Camera Systems	24,099
ITS Fiber Technology Improvements	120,000
County Website Design	283,750
Furniture Replacements	184,723
County Operation Center	3,100,000
Elevator Modernization Government Center	176,000
Multiple building Fall Protection Measures	300,000
Jail Camera Upgrade	172,607
LEC Law Enforcement Technology	791,324
Training & Firing Range Renovation	50,000
Sheriff's Admin Roof Repair	113,659
Courthouse Expansion	12,519,000
Clerk of Court Improvements	68,786
Public Safety Training Center	90,000
EMS Headquarters – Consultants	50,000
EMS Co-location – Concord Fire #11	375,000
EMS Heart Monitors	566,111
Emergency Communications Equip & Ethernet Backhaul	2,721,086
JM Robinson High School Wetlands Mitigation	100,000
Landfill Retaining Wall	230,301

Veterans Services Improvements	92,674
Cooperative Ext. ADA Bathrooms	118,812
RCCC Land for future expansion	1,244,001
NE Area Park – Other Improvements	589,024
Robert Wallace Park	8,147,965
Frank Liske Park – Barn Restrooms	126,405
Carolina Thread Trail	109,329
Frank Liske park Playground Replacement	100,000
Frank Liske Park – Lower Lot Restrooms	678,506
Midland Library Furniture	75,000
Arena – Lighting Control System Replacement	235,000
Unassigned	140,201

TOTAL EXPENDITURES **\$34,055,832**

GRAND TOTAL – REVENUES **\$34,055,832**

GRAND TOTAL – EXPENDITURES **\$34,055,832**

Section II.

- A. Special appropriations to non-profit organizations shall be distributed after the execution of an agreement which ensures that all County funds are used for statutorily permissible public purposes.
- B. The County Manager or designee is hereby authorized to transfer appropriations within or between funds, or modify revenue and expenditure projections as contained herein under the following conditions:
 1. The Manager may transfer amounts between objects of expenditure and revenues within a function without limitation.
 2. The County Manager may transfer amounts up to \$500,000 between functions of the same fund.
 3. The County Manager may transfer amounts between contingency funds which are set aside for a specific project for budgetary shortfalls or upon the appropriate approval of a change order.
 4. The County Manager is authorized to transfer funds from the General Fund or Capital Reserve Fund to the appropriate fund for projects approved within the Capital Improvement Plan for the current fiscal year.
 5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the Manager or designee may adjust budgets to match, including grants that require a County match for which funds are available.
 6. The Manager or designee may adjust debt financing from estimated projections to actual funds received.
 7. The County Manager may enter into and execute change orders or amendments to construction contracts in amounts less than \$90,000 when the appropriate annual budget or capital project ordinance contains sufficient appropriated but unencumbered funds.

8. The County Manager may award and execute contracts which are not required to be bid or which G.S. 143-131 allows to be let on informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds for such purposes.
9. The County Manager may execute contracts with outside agencies to properly document budgeted appropriations to such agencies where G.S. 153 A-248(b), 259, 449 and any similar statutes require such contracts.
10. The County Manager may reject formal bids when deemed appropriate and in the best interest of Cabarrus County pursuant to G.S. 143-129(a).
11. The County Manager may reduce revenue projections consistent with prevailing economic conditions, and also reduce expenditures correspondingly.

Section III.

This ordinance and the budget documents shall be the basis of the financial plan for the County of Cabarrus.

- a. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy the requirements of the law.
- b. The Finance Director is directed to report, at the request of the Board, on the financial status of each project element in Section I and on the total revenues received or claimed.
- c. Copies of this capital project ordinance shall be furnished to the Clerk to the governing Board, and to the Finance Director for direction in carrying out this project.
- d. At the completion of a construction project, all unrestricted excess funds are transferred to the General Fund and the portion of the Capital Project associated with the project is closed.

Adopted this 15th day of April, 2019.

CABARRUS COUNTY BOARD OF COMMISSIONERS

BY: _____
Stephen M. Morris, Chairman

ATTEST:

Clerk to the Board

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Discussion Items for Action

SUBJECT:

Library - MOU with Kannapolis City Schools

BRIEF SUMMARY:

Cabarrus County Public Library system is working towards implementing Digital Student Access for students in our school systems, which will provide access to online resources and databases with a student ID number. Kannapolis City Schools will be the first to test this service, with Cabarrus County Schools added in the fall upon successful implementation.

Review and approval of the Memorandum of Understanding with Kannapolis City Schools is needed to move the project forward.

REQUESTED ACTION:

Motion to suspend the Rules of Procedure.

Motion to approve the Memorandum of Understanding with Kannapolis City Schools to allow for the Kannapolis City School Board approval at their meeting on April 8, 2019 and authorize the County Manager to execute the agreement, subject to review or revisions by the County Attorney.

EXPECTED LENGTH OF PRESENTATION:

5 Minutes

SUBMITTED BY:

Emery Ortiz, Library Director

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Memorandum of Understanding for Digital Student Access

MEMORANDUM OF AGREEMENT REGARDING THE KANNAPOLIS CITY SCHOOLS COLLABORATION WITH THE CABARRUS COUNTY PUBLIC LIBRARY SYSTEM: DIGITAL STUDENT ACCESS

This Memorandum of Agreement (this "Agreement") is made and entered into this 1st day of April, 2019 between The Kannapolis City Schools (known as "KCS") and the Cabarrus County Public Library system, a department of Cabarrus County Government (known as the library system or "CCPL").

Background.

In order to develop a more comprehensive, strategic and sustainable collaboration between KCS and CCPL that will strengthen both organizations and benefit the community by expanding literacy and access to educational materials, the library system seeks to build a digital bridge between library resources and KCS students through the Digital Student Access program.

By developing an infrastructure that will allow all KCS students to use the library system's digital materials freely with their individual student ID numbers, the CCPL and KCS will leverage our collaboration for innovative and cost-effective ways to better utilize the County's resources for the benefit of KCS students, their families, and school staff.

Both KCS and CCPL understand that such services shall be provided at no cost to KCS. The term of this Agreement is from the date first written above through the beginning of the 2019-2020 school year, and shall be renewed automatically each year thereafter unless either party notifies the other in writing within thirty (30) days of a proposed cancellation date.

Agreement.

For and in consideration of the mutual promises set forth in this Agreement, the parties do mutually agree as follows:

Obligations of Library System.

In connection with this Agreement, CCPL agrees to the following:

1. Streamline student access to digital databases and materials by integrating KCS Student ID numbers and a partial library system account through the library's integrative library software (ILS) system, allowing every student in Kannapolis City Schools instant access to online databases and materials subscribed to by CCPL.
2. Work collaboratively with KCS to further deepen the partnership between the agencies, including providing training on digital resources, library materials, research methods, and/or other topics to students and staff as scheduling and funding allows.
3. Provide informational brochures and supplemental materials to assist in the training and promotion of these resources for students, staff and parents.

Obligations of Kannapolis City Schools.

In connection with this Agreement, the KCS agrees to the following:

1. Support implementation of the Digital Student Access initiative by providing to the library system: Student ID Number, first and last name, school, and grade of each student enrolled. This database will be updated the 15th day of each quarter, beginning in August 2019 as new students enroll in the district. Additional database updates may be

- conducted as needed upon agreement by both CCPL and KCS.
2. Provide Cabarrus County Public Library with up to date information related to the project, including any relevant student data as enrollment changes throughout the school year, and any specific curricular topics or themes that CCPL may be able to support through the program.
 3. Inform CCPL of opportunities to provide training on these resources for students, parents and staff to ensure successful implementation.

Confidentiality.

All student data or information provided by Kannapolis City Schools is considered confidential under this Agreement as well as under the Family Educational Rights and Privacy Act (FERPA), and any other federal or state regulations pertaining to students' education records. KCS has the legal right to provide the students' information to Cabarrus County and all staff agrees to comply with all applicable state and federal regulations governing student records, including FERPA. To the extent that the library system has access to any personally identifiable information from students' education records, CCPL agrees that it shall not use such information except for the legitimate educational purpose of providing services pursuant to this Agreement and that it shall not re-disclose this information to any other party for any reason. All Cabarrus County staff agrees to comply with all applicable federal and state regulations governing the student records, including FERPA.

General Provisions.

1. Project Coordinator. Ashley Forrest is designated as the Project Coordinator for Kannapolis City Schools. The Project Coordinator shall be the KCS representative and primary point of contact in connection with the activities and obligations outlined under this Agreement.
2. Library Supervisor. Emery Ortiz, Library Director, is designated as the authorized supervisor for the library system and CCPL's obligations under this Agreement.
3. Expenses. Any expenses related to the provision of services incurred by CCPL shall be the sole responsibility of the library system.
4. Termination for Convenience. In addition to all of the other rights which KCS or the library system may have to cancel this Agreement, both parties shall have the right, without assigning any reason therefore, to terminate any work under this Agreement, in whole or in part, at any time at its complete discretion by providing thirty (30) days' notice in writing.
5. Content Disclosure. The primary objective of this program is to enrich, support and assist in the implementation of the educational resources available to the public by the public library system. Content contained in these digital resources is created and maintained by third party vendors, of which neither KCS nor CCPL has access to edit, censor, or otherwise control. In support of this objective, the Kannapolis City Board of Education and Cabarrus County Public Library endorses the "Library Bill of Rights" of the American Library Association and the American Association of School Libraries.
6. Governing Law and Venue. This Agreement shall be interpreted and construed in accordance with and governed by the laws of the State of North Carolina.

[Signatures appear on following page]

IN WITNESS HEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

KANNAPOLIS CITY SCHOOLS

By: _____

Name: _____

Title: _____

CABARRUS COUNTY PUBLIC LIBRARY

By: _____

Name: _____

Title: _____

CABARRUS COUNTY



BOARD OF COMMISSIONERS WORK SESSION

**April 1, 2019
4:00 PM**

AGENDA CATEGORY:

Approval of Regular Meeting Agenda

SUBJECT:

BOC - Approval of Regular Meeting Agenda

BRIEF SUMMARY:

The proposed agenda for the April 15, 2019 regular Board of Commissioners' meeting is attached.

REQUESTED ACTION:

Motion to approve the agenda for the April 15, 2019 regular meeting, including the public hearings.

EXPECTED LENGTH OF PRESENTATION:

1 Minute

SUBMITTED BY:

Lauren Linker, Clerk to the Board

BUDGET AMENDMENT REQUIRED:

No

COUNTY MANAGER'S RECOMMENDATIONS/COMMENTS:

ATTACHMENTS:

- ▣ Proposed April 15, 2019 Agenda

CABARRUS COUNTY



BOARD OF COMMISSIONERS REGULAR MEETING

**April 15, 2019
6:30 PM**

MISSION STATEMENT

THROUGH VISIONARY LEADERSHIP AND GOOD STEWARDSHIP, WE WILL ADMINISTER STATE REQUIREMENTS, ENSURE PUBLIC SAFETY, DETERMINE COUNTY NEEDS, AND PROVIDE SERVICES THAT CONTINUALLY ENHANCE QUALITY OF LIFE

CALL TO ORDER BY THE CHAIRMAN

PRESENTATION OF COLORS

INVOCATION

Reverend Delton W. Cooper, Sr., Cabarrus County Sheriff's Office Chaplain

A. APPROVAL OR CORRECTIONS OF MINUTES

1. Approval or Correction of Meeting Minutes

B. APPROVAL OF THE AGENDA

C. RECOGNITIONS AND PRESENTATIONS

1. Hauler Parade Presentation - 600 Festival May Events in Cabarrus County
2. Human Resources - Recognition of Jane Cauthen on Her Retirement from the Cabarrus County Department of Human Services
3. Active Living and Parks - Older Americans Month 2019 Proclamation
4. EMS - Cabarrus County Emergency Services Week Proclamation
5. Planning and Development - Fair Housing Month
6. Planning and Development - Soil and Water Stewardship Week Proclamation

D. INFORMAL PUBLIC COMMENTS

E. OLD BUSINESS

F. CONSENT AGENDA

(Items listed under consent are generally of a routine nature. The Board may take action to approve/disapprove all items in a single vote. Any item may be withheld from a general action, to be discussed and voted upon separately at the discretion of the

Board.)

1. Appointments - Adult Care Home Community Advisory Committee
2. Appointments and Removals - Human Services Advisory Board
3. BOC - Resolution Amending the Board of Commissioners' 2019 Meeting Schedule
4. County Manager - Adoption of the New Retention Model for North Carolina and the Program Records for Soil and Water Conservation District
5. Finance - Cabarrus County Schools Mobile Unit Request - \$2,400,000
6. Finance - Write Off Completed Clerk of Court Renovation Project
7. ITS - Funding of CIP Project Detention Center Security
8. County Manager - EMS Station Co-Location with Concord Fire Station 10
9. County Manager - Allocate Funds from Board Contingency to Replace the Truck Used for Community Development
10. Finance - Lottery Fund History and Write Off of Old Projects
11. Infrastructure and Asset Management - Offer for Purchase of Tax Foreclosure Property
12. Tax Administration - Refund and Release Reports - March 2019

G. NEW BUSINESS

1. County Manager - On Behalf of A.C.E. Academy Regarding the Issuance of Charter School Revenue Bonds - Public Hearing 6:30 p.m.
2. County Manager - Agreement with Rocky River Road Associates LLC - Public Hearing 6:30 p.m.
3. County Manager - Offer to Purchase County Property off Bradford Road

H. REPORTS

1. BOC - Receive Updates From Commission Members who Serve as Liaisons to Municipalities or on Various Boards/Committees
2. BOC - Request for Applications for County Boards/Committees
3. County Manager - Monthly Building Activity Reports
4. County Manager - Monthly New Development Report
5. EDC - March 2019 Monthly Summary Report
6. Finance - Monthly Financial Update

I. GENERAL COMMENTS BY BOARD MEMBERS

J. WATER AND SEWER DISTRICT OF CABARRUS COUNTY

K. CLOSED SESSION

L. ADJOURN

Scheduled Meetings

May 6	Work Session	4:00 p.m.	Multipurpose Room
May 8	Cabarrus Summit	6:00 p.m.	Kannapolis City Hall
May 20	Regular Meeting	6:30 p.m.	BOC Meeting Room
May 21	Budget Meeting	4:00 p.m.	Multipurpose Room
May 23	Budget Meeting	4:00 p.m.	Multipurpose Room
June 3	Work Session	4:00 p.m.	Multipurpose Room
June 17	Regular Meeting	6:30 p.m.	BOC Meeting Room

Mission: Through visionary leadership and good stewardship, we will administer state requirements, ensure public safety, determine county needs, and provide services that continually enhance quality of life.

Vision: Our vision for Cabarrus is a county where our children learn, our citizens participate, our dreams matter, our families and neighbors thrive, and our community prospers.

**Cabarrus County Television Broadcast Schedule
Cabarrus County Board of Commissioners' Meetings**

The most recent Commissioners' meeting is broadcast at the following days and times. Agenda work sessions begin airing after the 1st Monday of the month and are broadcast for two weeks up until the regular meeting. Then the regular meeting begins airing live the 3rd Monday of each month and is broadcast up until the next agenda work session.

Sunday - Saturday	1:00 P.M.
Sunday - Tuesday	6:30 P.M.
Thursday & Friday	6:30 P.M.

In accordance with ADA regulations, anyone who needs an accommodation to participate in the meeting should notify the ADA Coordinator at 704-920-2100 at least forty-eight (48) hours prior to the meeting.