



Agenda

Greenville City Council

August 15, 2022

6:00 PM

City Hall Council Chambers, 200 West 5th Street

Assistive listening devices are available upon request for meetings held in the Council Chambers. If an interpreter is needed for deaf or hearing impaired citizens, please call 252-329-4422 (voice) or 252-329-4060 (TDD) no later than two business days prior to the meeting.

- I. Call Meeting To Order**
- II. Invocation - Council Member Blackburn**
- III. Pledge of Allegiance**
- IV. Roll Call**
- V. Approval of Agenda**
- VI. Public Comment Period**

The Public Comment Period is a period reserved for comments by the public. Items that were or are scheduled to be the subject of public hearings conducted at the same meeting or another meeting during the same week shall not be discussed. A total of 30 minutes is allocated with each individual being allowed no more than 3 minutes. Individuals who registered with the City Clerk to speak will speak in the order registered until the allocated 30 minutes expires. If time remains after all persons who registered have spoken, individuals who did not register will have an opportunity to speak until the allocated 30 minutes expires.

VII. Consent Agenda

1. Approval of the General Records Schedule and Program Records Schedule for Local

Government Agencies

2. Resolution providing approval of a multifamily housing facility to be known as Arlington Trace in the City of Greenville, North Carolina and the financing thereof with multifamily housing revenue bonds in an aggregate amount not to exceed \$17,000,000
3. Execution of Certificate Re Ground Lease and Consent to Encumbrance of Leasehold Estate
4. Animal Shelter Services Agreement with Pitt County Animal Services
5. Consideration of Acceptance of Offer to Sell Former Greenville Utilities Commission Operations Center on Mumford Road, Consisting of Twelve Parcels
6. Resolution Accepting Dedication of Rights-of-Way and Easements for Barrington Fields, Section 2
7. Resolution Accepting Dedication of Rights-of-Way and Easements for West 8th Street, as well as the widening of Atlantic Avenue, Bonners Lane and Clark Street
8. Resolution Accepting Dedication of Rights-of-Way and Easements for Arbor Hills South, Cluster Division, Phase 8
9. Contract award for the Atlantic Avenue Parking Lot B Project
10. Ordinance to Amend the Manual of Fees to Update Fees as Related to Cemetery Operations, Administrative Notary Services and Police Department Off-Duty Rates
11. Various tax refunds greater than \$100

VIII. New Business

12. Annual Board & Commission Presentations - Pitt-Greenville Airport Authority
13. Resolutions Authorizing Condemnation to Acquire Certain Property for the BUILD Grant Project
14. Execution of BUILD Grant Agreement with U.S. Department of Transportation and Designation of Authorized Agent for Grant Implementation
15. Award the Construction Contract for the Wildwood Park Welcome Center to Hudson Brothers Construction Company
16. Award the Purchase and Installation of Playground Equipment for the Wildwood Park Playground from Cunningham Recreation
17. First Reading of an Ordinance to Revise Part II, Title 12, Chapter 1, Section 3 of the City

Code of Ordinances to Create the Uptown Social District and the Dickinson Avenue Social District

18. Budget Ordinance Amendment #1 to the 2022-2023 City of Greenville Budget (Ordinance #22-045), Special Revenue Grant Fund (Ordinance #11-003), Capital Projects Funds (Ordinance #17-024), Engineering Capital Projects Fund (Ordinance #20-019), and Red Light Camera Program Fund (Ordinance #18-058).

IX. Review of August 18, 2022 City Council Agenda

X. City Manager's Report

XI. Comments from Mayor and City Council

XII. Adjournment



City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: Approval of the General Records Schedule and Program Records Schedule for Local Government Agencies

Explanation: The General Records Schedule and Program Records Schedule are issued by the North Carolina Department of Natural and Cultural Resources and has an issue date of October 1, 2021. Local retention and disposition schedules are a tool for the employees of local government agencies across the state to use when managing records in their offices. It lists records commonly found in local government offices and gives an assessment of their value by indicating if, and when, those records should be destroyed.

These schedules are an agreement between the local government offices and the North Carolina Department of Natural and Cultural Resources.

Fiscal Note: No direct fiscal impact.

Recommendation: Approve the General Records Schedule and Program Records Schedule for Local Government Agencies.

ATTACHMENTS

-  [General Records Schedule.pdf](#)
-  [Program Records Schedule.pdf](#)

RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



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

October 1, 2021

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2021 General Records Schedule: Local Government Agencies

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021 General Records Schedule: Local Government Agencies**:

1. Administration and Management Records
2. Budget, Fiscal, and Payroll Records
3. Geographic Information System Records
4. Human Resources Records
5. Information Technology Records
6. Legal Records
7. Public Relations Records
8. Risk Management Records
9. Workforce Development Records

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.

Destructions

G.S. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

“(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up 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; or
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.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.”

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

Audits and Litigation Actions

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.

Electronic Records

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.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronically-stored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, G.S. § 132-6.1(a) specifies:

“Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software.”

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

Reference Copies

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.*”

Record Copy

A record copy is defined as “The single copy of a document, often the original, that is designated as the official copy for reference and preservation.”¹ The record copy is the one whose retention and disposition is mandated by this schedule; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to

¹ Society of American Archivists, *Dictionary of Archives Terminology*.

designate clearly what position or office is required to maintain an official record for the duration of its designated retention 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.”²

North Carolina has a broad definition of public records. However, 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. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. 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 a DNCR records analyst.

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 and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, 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 that 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
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. 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 must be retained according to the disposition instructions for the records series encompassing the forms’ function.

² Ibid.

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 previous versions of this schedule and any localized amendments; it 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: _____



D. Reid Wilson, Secretary
Department of Natural and Cultural
Resources

Municipality/County: _____

Effective: October 1, 2021

EXECUTIVE SUMMARY

- ✓ Some records are covered by the Local Agency Program Retention and Disposition Schedules. See the appendix for Related Records Series Found in Local Agency Program Schedules.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 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 Society of American Archivists, *Dictionary of Archives 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 N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 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 listed with the identified record series.
- ✓ 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 creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.

- ✓ If you have records that are not listed in this schedule, 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 not have historical value, we will ask you to complete a Request for Disposal of Unscheduled Records (page A-20) for records that are no longer being created.

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 Society of American Archivists, *Dictionary of Archives 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 a SEE ALSO reference. 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 (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).

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 ACTION, page A-5.



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
1.01	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 <u>end of next election</u> <i>Retention Note: Official record maintained permanently by the County Board of Elections.</i>	Authority: G.S. 163-300
1.02	ACCREDITATION RECORDS Records documenting accreditations and certifications received by the agency. Includes applications, final reports, and other related records. Also includes evaluations of the agency by outside entities.	Destroy in office 5 years after superseded or obsolete.	Authority: 10A NCAC 48B
1.03	ADMINISTRATIVE DIRECTIVES, REGULATIONS, AND RULES @ Records documenting requirements or directives promulgated by the agency for the conduct of a business or activity on agency premises or under agency authority.	Destroy in office when superseded or obsolete.	

1 : Administration and Management

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION**, page A-5.
 ± The agency hereby agrees that it 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.” Please use the space provided.
 @ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.

ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.04	<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 (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).</p>	<ul style="list-style-type: none"> 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. b) Destroy in office PCI attestation reports after 3 years. c) Destroy in office remaining audit reports after 10 years. d) Destroy in office documentation of corrective measures 2 years after their implementation. e) Destroy in office working papers and remaining records when superseded or obsolete. 	
<p>1.05</p> 	<p>BLUEPRINTS AND SPECIFICATIONS @</p> <p>Blueprints and specifications of agency owned buildings and facilities. Includes as-built plans and related records concerning approved changes.</p>	<ul style="list-style-type: none"> 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

1 : Administration and Management

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@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.



ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.06	<p>BONDS Records documenting written guarantees from a third party, including bid bonds, payment bonds, performance bonds, and surety bonds.</p> <p>SEE ALSO: Bids for Purchase (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS), and Projects (below).</p>	Destroy in office 5 years after expiration or cancellation.	
1.07	<p>BULLETINS Internal information sharing materials that circulate information within the agency. Also includes memoranda and newsletters.</p>	Destroy in office when superseded or obsolete.	
1.08	<p>BUSINESS CERTIFICATION RECORDS Applications and supporting documentation submitted by businesses to be certified as a Small Business Enterprise (SBE) or other classification.</p>	<p>a) Destroy in office all documentation 3 years after most recent recertification.</p> <p>b) If certification was never issued, destroy in office all documentation when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u> n/a </u></p>	
1.09	BUSINESS DEVELOPMENT SUBJECT FILE	Destroy in office after 3 years.	
1.10	CALENDARS OF EVENTS AND APPOINTMENTS	Destroy in office when superseded or obsolete.	
1.11	<p>CENSUS PROJECT RECORDS Records created to assist the U.S. Census Bureau with the decennial census.</p>	<p>Destroy in office when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u> next census </u></p>	

1 : Administration and Management

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± The agency hereby agrees that it 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.” Please use the space provided.

@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.



ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.12	CHARTER RECORDS Charter and charter proceedings related to adoption, amendment and/or repeal.	Retain in office permanently.	
1.13	COLLECTED DATA Information and statistics compiled and analyzed for research purposes or to support the functions of the agency. SEE ALSO: Data Warehouses (STANDARD 5: INFORMATION TECHNOLOGY RECORDS).	Destroy in office when superseded or obsolete.	If data contains confidential information, abide by relevant restrictions.

1 : Administration and Management

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± The agency hereby agrees that it 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.” Please use the space provided.

@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.



ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.14	<p>CONSTITUENT COMMENTS, COMPLAINTS, PETITIONS, AND SERVICE REQUESTS @</p> <p>Records concerning objections, dissatisfaction, or disagreements with actions or positions taken or not taken by the agency. Includes comments and petitions submitted by constituents requesting action as well as routine requests for service. Also includes requests for reasonable accommodation 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; including constituent requests, survey of agency buildings to determine accessibility to the physically handicapped, proposals for implementation, correspondence (including e-mail), and resolutions.</p> <p>SEE ALSO: Civil Rights Records (STANDARD 6: LEGAL RECORDS).</p>	<p>a) Transfer records as applicable to Litigation Case Records (STANDARD 6: LEGAL RECORDS).</p> <p>b) Destroy in office comments, complaints, petitions, and requests 1 year after resolution.*</p> <p>c) Destroy in office accommodation requests 2 years after resolution.*</p>	<p>Authority: 42 USC 12132</p>
1.15	<p>CONSTITUENT SURVEYS</p> <p>Surveys and related records addressing agency services, policies, and other concerns.</p>	<p>Destroy in office when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u>1 year</u></p>	

1 : Administration and Management

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± The agency hereby agrees that it 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.” Please use the space provided.

@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.



ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.16	<p>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.</p> <p>For information on handling e-mail and text or instant messages, see ELECTRONIC RECORDS, page A-11. SEE ALSO: Public Bodies: Correspondence (below) and Legal Correspondence (STANDARD 6: LEGAL RECORDS).</p>	<p>a) Transfer correspondence (including e-mail) with historical value to History Records (below), after 3 years.</p> <p>b) Destroy routine administrative correspondence and memoranda after 1 year.</p> <p>c) Destroy in office remaining records after 3 years.</p> <p><i>Retention Note: The correspondence (including e-mail) of the most senior administrator has historical value and should be retained permanently.</i></p>	
1.17	<p>CUSTOMER CALL CENTER RECORDINGS @ Recordings of calls to customer service centers made for quality assurance and training purposes.</p>	<p>Destroy in office after 30 days.</p>	
1.18	<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.</p> <p>SEE ALSO: Grants (below), and System Maintenance Records: Hardware Repair or Service (STANDARD 5: INFORMATION TECHNOLOGY RECORDS).</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>	

1 : Administration and Management

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION**, page A-5.

± The agency hereby agrees that it 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.” Please use the space provided.

@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.



ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.19	<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.	
1.20	<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>	
1.21	<p>FACILITY MAINTENANCE, REPAIR, AND INSPECTION RECORDS Records documenting maintenance, repair, and inspection of agency-owned facilities, including warranties on said repairs. Also includes any real property owned by the agency.</p> <p>SEE ALSO: Contracts, Leases, and Agreements (STANDARD 6: LEGAL RECORDS), Property Management Records (below).</p>	<p>a) Destroy in office records documenting system repair and improvement (including plumbing, electrical, fire, and other systems) after 3 years.</p> <p>b) Destroy in office records documenting routine inspections, janitorial cleaning, environmental monitoring, and routine maintenance of facilities after 1 year.</p> <p>c) Destroy in office warranties 1 year after expiration.</p>	
1.22	<p>FORMS AND TEMPLATES Blank forms, templates, and letterhead used to create agency records.</p>	Destroy in office when superseded or obsolete.	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.23	<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 (below). b) Destroy in office rejected or withdrawn grant proposals when reference value ends.± Agency Policy: Destroy in office after <u>1 year</u></p>	
1.24	<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 any required certifications and disclosures, documentation about grants issued by the agency, and research records generated as part of a grant project. SEE ALSO: Grants: Financial (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).</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. b) Destroy in office records of state and private grants 5 years after final financial report is filed.* c) Destroy in office records of grants funded by local appropriations and other federal grants 3 years after final financial report is filed. d) Destroy in office records not relating to a specific grant after 1 year. <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>

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.25	HISTORICAL DESIGNATIONS RECORDS Records concerning the awarding of historical markers by the agency. Includes applications, review materials, and list of markers.	a) Retain in office permanently the list of historical markers along with the accepted applications. b) Destroy in office after 1 year rejected applications. c) Destroy in office remaining materials after 3 years.	
1.26	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.	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 <u>1 year</u>	
1.27	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.	Destroy in office 3 years after resolution.*	
1.28	INDICES @ Listings of where specific information can be found.	Destroy in office when superseded or obsolete.	
1.29	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 <u>1 year</u>	

1 : Administration and Management

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.30	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.	
1.31	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 <u>3 years</u>	
1.32	LOGISTICS MATERIALS Records concerning scheduled plans of agency personnel and activities. Includes routine notices, task lists, and arrangements.	Destroy in office when superseded or obsolete.	
1.33	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. <i>Retention Note: If notification is necessary for a particular process, reference the relevant case file for disposition instructions (e.g., tax notifications).</i>	
1.34	 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 <u>1 year</u>	Confidentiality: G.S. 132-1.12 G.S. 132-1.13

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.35	<p>MEMBERSHIP RECORDS</p> <p>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.</p>	Destroy in office when superseded or obsolete.	
1.36	<p>MISCELLANEOUS (NON-BUILDING) APPLICATIONS, LICENSES, AND PERMITS</p> <p>Includes, but not limited to, applications and permits regarding free government-issued business permits, 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 <u>1 year</u></p>	
1.37	 <p>OFFICE AND PROPERTY SECURITY RECORDS</p> <p>Records concerning the security of agency offices, facilities, vehicles, equipment, property, and personnel. Includes visitors' register; security, employee, or contractor access to facilities or resources; and surveillance system reports and recordings.</p> <p>SEE ALSO: Employee Security Records (STANDARD 8: RISK MANAGEMENT).</p>	<p>a) If the recording necessitates law enforcement action, transfer to the appropriate agency.</p> <p>b) If the recording becomes evidence in a personnel investigation or lawsuit, transfer to Disciplinary Actions (STANDARD 4: HUMAN RESOURCES RECORDS), or Litigation Case Records (STANDARD 6: LEGAL RECORDS).</p> <p>c) Destroy in office recordings not required to support known investigations or litigation after 30 days.</p> <p>d) Destroy in office remaining records after 1 year.</p>	Confidentiality: G.S. 132-1.7

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.38	<p>ORDINANCES Includes code of ordinances.</p> <p>See the SECURITY PRESERVATION COPIES OF RECORDS section on page A-15 for instructions on imaging.</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 <u>1 year</u></p>	
1.39	<p>PEST CONTROL Records concerning pest abatement or eradication programs overseen by the agency.</p> <p>SEE ALSO: Facility Maintenance, Repair, and Inspection Records (above).</p>	<p>Destroy in office after 3 years.*</p>	
1.40	<p>PHONE LOGS Records documenting calls placed and received in the course of conducting agency business.</p> <p>SEE ALSO: Accounts Payable (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS), Voice over Internet Protocol (VoIP) Records (STANDARD 5: INFORMATION TECHNOLOGY RECORDS).</p>	<p>Destroy in office after 1 year.</p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.41	<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 (STANDARD 6: LEGAL RECORDS), Policies and Procedures (Personnel) (STANDARD 4: HUMAN RESOURCES RECORDS), Electronic Records Policies and Procedures (STANDARD 5: INFORMATION TECHNOLOGY RECORDS).</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office remaining records when superseded or obsolete.</p>	
1.42	<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>
1.43	<p>PRICE QUOTATIONS</p>	<p>Destroy in office when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u>1 year</u>.</p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.44	<p>PROCLAMATIONS AND ORDERS Proclamations and orders issued by the governing board.</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 <u>1 year</u></p>	
1.45	<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. SEE ALSO: Project Documentation (STANDARD 5: INFORMATION TECHNOLOGY RECORDS).</p>	<p>a) Retain in office records with historical value permanently. b) Destroy in office remaining records 3 years after completion of project.</p>	
1.46	<p>PROPERTY MANAGEMENT RECORDS Includes appraisals of the financial valuation of agency-owned property as well as surveys, plats, and maps. SEE ALSO: Facility Maintenance, Repair, and Inspection Records (above).</p>	<p>Destroy in office when superseded or obsolete.</p>	

1 : Administration and Management

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.47	<p>PUBLIC BODIES: AGENDA AND MEETING PACKETS Includes agendas and copies of supporting documentation and exhibits submitted and discussed during meetings of public bodies. Also includes documentation of outside meetings attended by agency personnel.</p> <p>SEE ALSO: Public Bodies: Minutes (below).</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 <u>1 year</u></p>	
1.48	<p>PUBLIC BODIES: 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 <u>2 years</u></p>	
1.49	<p>PUBLIC BODIES: 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
1.50	<p>PUBLIC BODIES: AUDIO AND VIDEO RECORDINGS OF MEETINGS</p> <p>SEE ALSO: Public Bodies: Minutes (below).</p>	<p>Destroy in office after approval of official written minutes.</p> <p><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>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.51	<p>PUBLIC BODIES: CORRESPONDENCE Records documenting internal and external communications of governing and advisory board members. Includes correspondence (including e-mail) related to decision-making, policy development, and other high-level planning as well as logistical communications.</p>	<p>a) Transfer correspondence (including e-mail) with historical value to History Records (above), after 3 years. b) Destroy in office remaining records after 3 years.</p>	
1.52	<p>PUBLIC BODIES: MEETING NOTICES Includes notices and regular meeting schedules.</p> <p>SEE ALSO: Affidavits of Publication (STANDARD 6: LEGAL RECORDS), Publicity Records (STANDARD 7: PUBLIC RELATIONS RECORDS).</p>	<p>Destroy in office after 1 year.</p>	
1.53	<p>PUBLIC BODIES: 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: Oaths of Office (STANDARD 6: LEGAL RECORDS), Public Bodies: Applications for Appointment (above).</p>	<p>a) Retain in office records with historical value permanently. b) Destroy in office 1 year after superseded or obsolete waivers from board members choosing not to receive stipend/per diem payments. c) Destroy in office remaining records 1 year after service ends.</p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.54	<p>PUBLIC BODIES: MINUTES 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 SECURITY PRESERVATION COPIES OF RECORDS section on page A-15 for instructions on imaging.</p> <p>SEE ALSO: Ordinances (above), Public Bodies: Agenda and Meeting Packets (above), Public Bodies: Audio and Video Recordings of Meetings (above), Resolutions (below).</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.± after incorporated into minutes of parent board</p> <p>Agency Policy: Destroy in office after <u>parent board</u></p>	<p>Authority: G.S. 143-318.10</p>
1.55	<p>RATE AND FEE SCHEDULES @ Records relating to rates, fees, and regulations concerning agency services.</p>	<p>Destroy in office when superseded or obsolete.</p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.56	<p>REBATE PROGRAM RECORDS</p> <p>Applications, receipts, and related records concerning rebate programs sponsored by the agency. These records document programs and incentivized actions that residents may opt into.</p>	<p>a) Destroy in office financial records 3 years after approval.*</p> <p>b) Destroy in office applications 1 year after approval.</p> <p>c) Destroy in office denied applications when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u> n/a </u></p>	
1.57	<p>RECORDS MANAGEMENT</p> <p>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>	
1.58	<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 <u> file is reviewed/read by recipient </u></p>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.59	<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: Accident/Incident Reports (STANDARD 8: RISK MANAGEMENT RECORDS), Audits: Financial (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS), Audits: Performance (above), Budget Reports (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS), Civil Rights Records (STANDARD 6: LEGAL RECORDS), Financial Reports (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS), Grants (above), Lost, Stolen, or Damaged Property Reports (STANDARD 8: RISK MANAGEMENT RECORDS), Projects (above), Public Bodies: Appointment Reports (above), Strategic Plan (below), and Unemployment Compensation Reports (STANDARD 4: HUMAN RESOURCES RECORDS).</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 <u>1 year</u>.</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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	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.60	<p>REQUESTS FOR INFORMATION Requests received and responses issued by the agency.</p> <p>SEE ALSO: Public Records Requests (STANDARD 7: PUBLIC RELATIONS RECORDS).</p>	<p>Destroy in office after 1 year after resolution.</p>	
1.61	<p>REQUESTS FOR PROPOSALS (RFP) Proposals submitted by vendors in response to requests from agency. Also includes notices and evaluations produced by the agency.</p> <p>SEE ALSO: Bids for Purchase (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS), Price Quotations (above).</p>	<p>Destroy in office when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u>contract awarded</u></p>	
1.62	<p>RESOLUTIONS File consists of resolutions indicating date, issues or policy involved, and appropriate signatures.</p> <p>See the SECURITY PRESERVATION COPIES OF RECORDS section on page A-15 for instructions on imaging.</p>	<p>a) Retain in office permanently one copy of final resolution.</p> <p>b) Retain in office permanently resolution development records with historical value.</p> <p>c) Destroy in office additional copies of resolutions (including those tabled or failed) along with all remaining development records when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u>1 year</u></p>	

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	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.63	<p>STAFF MEETINGS FILE</p> <p>Records concerning meetings of internal committees, groups, or task forces along with external meetings attended by agency personnel. Includes minutes, agendas, meeting packets, visual aids, presentations, notes, recordings, and other related records.</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office remaining records after 1 year.</p>	
1.64	<p>STRATEGIC PLAN @</p> <p>Long-range plan outlining policies, guidelines, and plans for future development of the agency. Includes official copy of strategic plan and all background surveys, studies, and reports. Also includes business plans as well as mission statements, goals, and objectives.</p>	<p>a) Retain in office strategic plans permanently.</p> <p>b) Destroy in office background surveys, studies, and reports 5 years after adoption of plan.</p> <p>c) Destroy in office business plans 2 years after execution of plan.</p> <p>d) Destroy in office remaining records when superseded or obsolete.</p>	
1.65	<p>SURPLUS PROPERTY</p> <p>Inventories and reports of agency property to be surplus.</p>	<p>Destroy in office 3 years after disposition of property.*</p>	
1.66	<p>TRACKING MATERIALS</p> <p>Records intended to verify the receipt of information, such as certified mail receipts.</p>	<p>Destroy in office when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u>1 year</u></p>	

1 : Administration and Management

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.67	<p>TRAVEL REQUESTS Requests and authorizations for travel. Includes forms and itineraries.</p> <p>SEE ALSO: Price Quotations (above), Travel Reimbursements (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).</p>	Destroy in office after 1 year.*	
1.68	<p>VEHICLE REGISTRATION CARDS North Carolina registration cards for vehicles in the agency fleet.</p> <p>SEE ALSO: Vehicle Titles (STANDARD 6: LEGAL RECORDS).</p>	Destroy in office when superseded.	
1.69	<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) If this is the only record documenting completed work, follow disposition instructions for Facility Maintenance, Repair, and Inspection Records (above), or Equipment and Vehicle Maintenance, Repair, and Inspection Records (above).</p> <p>b) Destroy in office remaining records 1 year after work is completed.*</p>	

1 : Administration and Management

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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
2.01	<p>ACCOUNTS PAYABLE</p> <p>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.</p>	<p>a) Destroy in office 5 years after payment documentation of reimbursement for business expenses to employees.</p> <p>b) Destroy in office all remaining records 3 years after payment.*</p>	<p>Retention: 04 NCAC 24D .0501(a)(3)(I)</p>
2.02	<p>ACCOUNTS RECEIVABLE @</p> <p>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. Also includes records concerning accounts sent to NC Debt Setoff Program for collection.</p>	<p>Destroy in office 3 years after collection.*</p>	<p>G.S. 105A</p>

2: Budget, Fiscal, and Payroll

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.03	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.*	
2.04	ANNUAL BUDGET Annual budget and budget message submitted to governing board for approval. SEE ALSO: Budget Reports (below).	a) Retain in office records with historical value permanently. b) Destroy in office remaining records after 3 years. <i>Retention Note: Annual budgets should be entered into the minutes of the governing board.</i>	Authority: G.S. 159-11
2.05	ARBITRAGE RECORDS Records concerning arbitrage rebate calculations and funds rebated.	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
2.06	AUDITS: FINANCIAL @ Records concerning internal and external audits. Includes reports, working papers, and related records. SEE ALSO: Audits: Performance (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	a) Retain in office 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.*	Authority: G.S. 159-34
2.07	AUTHORIZATION FORMS Authorization to purchase materials.	Destroy in office after 3 years.*	

2: Budget, Fiscal, and Payroll

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.08	BANK STATEMENTS AND RECONCILIATIONS Includes bank statements, canceled checks, deposit slips, and reconciliation reports.	Destroy in office after 3 years.*	
2.09	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. SEE ALSO: Accounts Receivable (above).	Destroy in office all records after the disposition of property has been recorded in governing board's minutes.*	Authority: G.S. 153A-176
2.10	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.	a) Transfer records to Contracts, Leases, and Agreements (STANDARD 6: LEGAL RECORDS) when bid is approved. b) Destroy in office bid records not awarded or opened after 1 year.*	Authority: G.S. 143 Article 8
2.11	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.	Destroy in office 6 years after final maturity.*	Authority: G.S. 159 Article 7

2: Budget, Fiscal, and Payroll

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.12	<p>BOND REGISTER</p> <p>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
2.13	<p>BONDS, NOTES, AND COUPONS</p>	Destroy in office 1 year from date of payment.	Authority: G.S. 159-139
2.14	<p>BUDGET ADMINISTRATION RECORDS</p> <p>Records of budget administration. Includes research, correspondence (including e-mail), and other related records.</p>	Destroy in office after 2 years.*	
2.15	<p>BUDGET EXECUTION RECORDS</p> <p>Records of authorizations to move funds between budget codes.</p>	Destroy in office when released from audits.	
2.16	<p>BUDGET REPORTS</p> <p>Includes daily detail reports and monthly budget reports. Also includes contract budget and expenditure reports and summaries of tax allocations.</p> <p>SEE ALSO: Annual Budget (above).</p>	<p>a) Destroy in office daily detail reports after 1 year.*</p> <p>b) Destroy in office remaining reports after 3 years.*</p>	
2.17	<p>BUDGET REQUESTS AND WORKING PAPERS</p> <p>Includes budget requests, cost estimates, expenditures, program requests, salary and wage lists, correspondence (including e-mail), and related records.</p>	Destroy in office after 3 years.*	Authority: G.S. 159-10

2: Budget, Fiscal, and Payroll

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.18	<p>BUDGET RESOLUTIONS AND ORDINANCES Includes project ordinances, budget resolutions, and amendments.</p> <p>SEE ALSO: Public Bodies: Minutes (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	<p>a) Retain official copies in the minutes of the governing board.</p> <p>b) Destroy in office remaining copies when reference value ends.± Agency Policy: Destroy in office after <u>4 years</u></p>	<p>Authority: G.S. 159-8 G.S. 159-13 G.S. 159-13.2 G.S. 159-15</p>
2.19	<p>COST ALLOCATION PLANS Accounting report that calculates and spreads agency-wide indirect costs to departments and funds that receive a service from other departments.</p>	<p>Destroy in office after 3 years.*</p>	
2.20	<p> CREDIT/DEBIT/PROCUREMENT CARD RECORDS Records of assignation of agency credit cards and purchasing cards along with authorization logs.</p>	<p>Destroy in office when superseded or obsolete.*</p>	<p>Confidentiality: G.S. 132-1.2(2)</p>
2.21	<p>DONATIONS AND SOLICITATIONS Records concerning requests made to agency by outside organizations. Includes applications and other related records.</p> <p>SEE ALSO: Fund Drive and Event Records (STANDARD 7: PUBLIC RELATIONS RECORDS).</p>	<p>a) Destroy in office records supporting approved donations 1 year after payment.</p> <p>b) Destroy in office rejected applications after 30 days.</p>	
2.22	<p> 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.</p>	<p>Destroy in office when superseded or obsolete.</p>	<p>Confidentiality: G.S. 14-113.20</p>

2: Budget, Fiscal, and Payroll

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.23	ESCHEATS AND UNCLAIMED PROPERTY Records containing information required to be included in holder reports submitted to the State Treasurer’s office.	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
2.24	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.*	
2.25	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.	
2.26	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 <u>next report received</u>	

2: Budget, Fiscal, and Payroll

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.27	<p>GRANTS: FINANCIAL @</p> <p>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 (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	<p>a) Destroy records supporting the expenditure of federal funds passed through NC Dept. of Health and Human Services 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 grants funded by local appropriations and 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>
2.28	<p>INVESTMENTS</p> <p>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.± Agency Policy: Destroy in office after <u>3 years</u></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
2.29	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.*	
2.30	LOCAL GOVERNMENT COMMISSION FINANCIAL STATEMENTS	Destroy in office after 3 years.*	Authority: G.S. 159-33
2.31	LONGEVITY PAY	Destroy in office after 5 years.*	Retention: 04 NCAC 24D .0501(a)
2.32	 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)

2: Budget, Fiscal, and Payroll

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
<p>2.33</p> 	<p>PAYROLL AND EARNINGS RECORDS</p> <p>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 employer contributions (e.g., retirement, healthcare) along with individual and group employee earnings records and payroll registers showing earnings and deductions for each pay period.</p> <p>SEE ALSO: Payroll Deduction Records (below), Time Sheets, Cards, and Attendance Records (below); for 401(k) and other retirement plan payouts, see Retirement Records (STANDARD 4: HUMAN RESOURCES RECORDS).</p>	<p>a) Destroy in office 30 years from date of separation records necessary for retirement or similar benefits verification.</p> <p>b) Destroy in office remaining records after 5 years.*</p>	<p>Authority: 29 CFR 516.30(a)</p> <p>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. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1</p> <p>Retention: 04 NCAC 24D .0501(a) 29 CFR 516.5(a) 29 CFR 1627.3(a)</p>

2: Budget, Fiscal, and Payroll

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.34 	PAYROLL DEDUCTION RECORDS Records used to start, modify, or stop all voluntary or required deductions from payroll. Includes tax withholding (NC-4, W-4), retirement and deferred compensation, savings plans, insurance, association dues, orders of garnishment, etc. Used as proof the employee approved of the deduction(s). SEE ALSO: Payroll and Earnings Records (above), Retirement Records (STANDARD 4: HUMAN RESOURCES RECORDS).	a) Destroy in office tax withholding forms 4 years after termination of deduction.* b) Destroy in office authorizations for deductions for retirement contributions, bank payments, savings plans, insurance, and dues 2 years after termination of deduction. c) Destroy in office remaining records 3 years after termination of deduction.*	Confidentiality: G.S. 115C Art. 21A G.S. 122C-158 G.S. 130A-45.9 G.S. 153A-98 G.S. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1 Retention: IRS Publication 15 29 CFR 516.6(c)(1)
2.35	POWELL BILL RECORDS Records include certified statements, expenditures reports, information sheets, financial statements submitted to the North Carolina Department of Transportation, and all other related records.	Destroy in office after 3 years.	
2.36	PURCHASE ORDERS Records, forms, packing slips, and attached documents concerning purchased supplies, equipment, and services. SEE ALSO: Grants: Financial (above).	Destroy in office after 3 years.* <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>	
2.37	QUALIFIED PRODUCTS LISTS (QPL) Records identifying products approved for purchase by the agency.	Destroy in office 3 years after superseded or obsolete.*	

2: Budget, Fiscal, and Payroll

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.38	<p>REQUISITIONS Requests for payment or to acquire goods or services.</p> <p>SEE ALSO: Inventories (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	Destroy in office after 1 year.*	
2.39	<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>	
2.40	<p>SHIFT PREMIUM PAY Authorizations and other related records concerning employees receiving shift premium pay.</p>	Destroy in office after 5 years.*	Retention: 04 NCAC 24D .0501(a)
2.41	<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.*	

2: Budget, Fiscal, and Payroll

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.42 	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 5 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. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1 Retention: 04 NCAC 24D .0501(a) IRS Publication 15
2.43	TAX RETURNS Tax returns filed by the agency.	Destroy in office 6 years after filed.*	
2.44	TIME SHEETS, CARDS, AND ATTENDANCE RECORDS Records documenting the work hours and attendance of employees. SEE ALSO: Payroll and Earnings Records (above).	Destroy in office after 5 years.*	Retention: 04 NCAC 24D .0501(a) 29 CFR 516.6(a)(1)

2: Budget, Fiscal, and Payroll

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.45	<p>TRAVEL REIMBURSEMENTS Includes requests and authorizations for reimbursement for travel and related expenses.</p> <p>SEE ALSO: Grants: Financial (above), Travel Requests (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	Destroy in office after 5 years.*	Retention: 04 NCAC 24D .0501(a)
 <p>2.46</p>	<p>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.</p>	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.

ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.01	<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. See also GEOSPATIAL RECORDS, page A-13.</i></p>	
3.02	<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: GIS

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.03	<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>	Retain in office permanently.	
3.04	<p>GEOGRAPHIC INFORMATION SYSTEM (GIS) MONITORING RECORDS</p> <p>Includes system security, quality assurance, transaction tracking, and other related activity monitoring records.</p>	Destroy in office after 1 year.	
3.05	<p>GEOGRAPHIC INFORMATION SYSTEM (GIS) OPERATIONAL RECORDS</p> <p>Includes user guides, system flowcharts, job or workflow records, system specifications, and similar documentation.</p>	Destroy in office when the system is discontinued or when system data has been transferred to a new operating environment (platform).	
3.06	<p>GEOGRAPHIC INFORMATION SYSTEM (GIS) PROJECT RECORDS</p>	<p>a) Retain in office 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 <u>1 year</u></p>	

3: GIS

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.07	<p>LAYERS: ADDRESS POINTS</p> <p>See also GEOSPATIAL RECORDS, page A-13.</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>	
3.08	<p>LAYERS: CORPORATE LIMITS</p> <p>See also GEOSPATIAL RECORDS, page A-13.</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>	

3: GIS

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.09	<p>LAYERS: EXTRATERRITORIAL JURISDICTIONS</p> <p>See also GEOSPATIAL RECORDS, page A-13.</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>	
3.10	<p>LAYERS: ORTHOIMAGERY</p> <p>See also GEOSPATIAL RECORDS, page A-13.</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>	

3: GIS

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.11	<p>LAYERS: STREET CENTERLINE</p> <p>See also GEOSPATIAL RECORDS, page A-13.</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>	
3.12	<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 A-13.</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>	

3: GIS

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.13	<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 A-13, and Property Management Records (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</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>	
3.14	<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 A-13.</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>	

3: GIS

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.15	<p>MAPS: ALL OTHER @</p> <p>Includes field maps, soil, topographic, sales, subdivision plats, right-of-way, sectional, highway, etc. Also includes paper maps.</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><i>Retention note: Contact the State Archives of North Carolina before destroying any tax maps, watershed maps, or zoning maps.</i></p> <p>Agency Policy: Destroy in office after <u>permanently</u></p>	

3: GIS

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STANDARD 4: HUMAN RESOURCES 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 (LPSUs), 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 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.01	ABOLISHED POSITIONS Records concerning positions that have been abolished.	Destroy in office after 1 year.	
4.02	 ADMINISTRATIVE INVESTIGATIONS Records concerning the investigation of conduct problems among agency personnel. SEE ALSO: Disciplinary Actions (below).	a) Destroy in office after 3 years records concerning complaints against agency personnel that are resolved without an internal investigation. b) Destroy in office after 5 years records concerning complaints lodged against agency personnel that are exonerated. c) 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. d) Transfer investigation reports, disciplinary actions, and other related internal affairs case records to Personnel Records (Official Copy) (below).	Confidentiality: G.S. 115C Art. 21A G.S. 122C-158 G.S. 130A-45.9 G.S. 153A-98 G.S. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1

4: HR

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 ± The agency hereby agrees that it 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.” Please use the space provided.
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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.03 	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) (below) or Seasonal and Contract Worker Records (below). 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. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1 Retention: 29 CFR 1602.31
4.04	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

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.05 	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. SEE ALSO: Employment Selection Records (below).	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. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1 Retention: 29 CFR 1602.31 29 CFR 1627.3(b)(1)(iv)
4.06	ASBESTOS TRAINING Records concerning training programs about the proper management of asbestos. SEE ALSO: Bloodborne Pathogen Training (below), Hazardous Materials Training Records (below).	a) Destroy in office employee-specific records 1 year after separation. b) Destroy in office remaining records when superseded or obsolete.	Retention: 29 CFR 1910.1001(m)(4)

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.07	<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.* b) Destroy in office rejected requests 6 months after decision. c) Destroy in office 3 years after employee returns or eligibility expires notifications to employees or dependents informing them of their rights to continue insurance coverage after termination or during disability or family leave. d) Destroy in office remaining records 1 year after plan is terminated.</p>	Retention: 29 CFR 1627.3(b)(2)
4.08	<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 (above), Hazardous Materials Training Records (below).</p>	Destroy in office after 3 years.	Retention: 29 CFR 1910.1030(h)(2)(ii)
4.09	<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.	

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.10	<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>	
4.11	<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) (below).</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. 160A-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>

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.12	<p>DUAL EMPLOYMENT Records concerning employees' requests and authorizations to accept employment with another local government agency.</p> <p>SEE ALSO: Secondary Employment (below).</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>	
4.13	<p> EDUCATIONAL LEAVE AND REIMBURSEMENT Includes records requesting educational leave and tuition assistance, reimbursements, and other related records.</p> <p>SEE ALSO: Leave Records (below).</p>	<p>a) Transfer records documenting approved leave requests to Personnel Records (Official Copy) (below).</p> <p>b) Destroy in office records concerning denied requests 6 months after denial.*</p> <p>c) 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. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1</p>
4.14	<p> EMPLOYEE ASSISTANCE PROGRAMS 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. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1</p>

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.15 	EMPLOYMENT ELIGIBILITY RECORDS 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.	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. b) Destroy in office after 5 years employment authorization documents filed with the U.S. Department of Labor. c) Destroy in office immigrant or nonimmigrant petitions filed by the agency 3 years after employee separation. d) Destroy in office remaining records 1 year after employee separation.	Confidentiality: G.S. 115C Art. 21A G.S. 122C-158 G.S. 130A-45.9 G.S. 153A-98 G.S. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1 Retention: 8 USC 1324a(b)(3)
4.16 	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. SEE ALSO: Applications for Employment (above), Aptitude and Skills Testing Records (above).	a) Destroy in office background and criminal history checks after 5 years. b) Destroy in office remaining records 2 years after hiring decision.*	Confidentiality: G.S. 115C Art. 21A G.S. 122C-158 G.S. 130A-45.9 G.S. 153A-98 G.S. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1 Retention: 29 CFR 1602.31 29 CFR 1627.3(b)(1)

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.17 	<p>EXIT INTERVIEW RECORDS</p> <p>Includes feedback from employees planning to separate from the agency.</p>	Destroy in office after 1 year.	Confidentiality: G.S. 115C Art. 21A G.S. 122C-158 G.S. 130A-45.9 G.S. 153A-98 G.S. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1
4.18 	<p>FAMILY MEDICAL LEAVE ACT (FMLA) RECORDS</p> <p>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 (below).</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. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1 Retention: 29 CFR 825.500(b)

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.19 	<p>GRIEVANCES Includes initial complaint by employee, investigation, action, summary, and disposition.</p> <p>SEE ALSO: Disciplinary Actions (above), Personnel Records (Official Copy) (below).</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. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1
4.20	<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. May also include documentation of loans of radioactive materials for the purpose of training exercises.</p> <p>SEE ALSO: Asbestos Training (above), Bloodborne Pathogen Training (above).</p>	Destroy in office after 5 years.	Authority: 29 CFR 1910.120(p)(8)(iii) 10A NCAC 15
4.21	<p>INTERNSHIP PROGRAM Records concerning interns and students who work for the agency.</p>	Destroy in office after 2 years.	
4.22	<p>LAW ENFORCEMENT TRAINING Records concerning internal training for law enforcement personnel.</p>	Retain in office permanently.	

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.23 	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. SEE ALSO: Educational Leave and Reimbursement (above), Family Medical Leave Act (FMLA) Records (above), Military Leave (below).	a) Destroy in office approved requests 3 years after return or separation of employee.* b) Destroy in office denied requests after 6 months.	Confidentiality: G.S. 115C Art. 21A G.S. 122C-158 G.S. 130A-45.9 G.S. 153A-98 G.S. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1
4.24 	MEDICAL RECORDS Records for employees, contractors, and volunteers concerning asbestos, toxic substances, and bloodborne pathogen exposure; physical examinations required by the employer in connection with any personnel action, including health or physical examination reports, or certificates created in accordance with the Americans with Disabilities Act (ADA); and records of injury or illness. (Does not include worker's compensation or health insurance claim records.) SEE ALSO: Benefits Records (above), Workers' Compensation Program Claims (below).	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 (below).</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)

4: HR

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@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.

ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.25	<p>MILITARY LEAVE Records concerning military leave, as established by the Uniformed Services Employment and Reemployment Rights Act (USERRA).</p> <p>SEE ALSO: Leave Records (above).</p>	Destroy in office 3 years after leave ends or employee separates from agency.*	Authority: 5 CFR 1208
4.26	 <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) (below).</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. 60A-168 G.S. 161E-257.2 G.S. 162A-6.1
4.27	<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) (below).	Subject to the public information provision delineated in relevant General Statutes.

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.28 	<p>PERSONNEL RECORDS (OFFICIAL COPY) Official copy of personnel file maintained on each permanent and temporary agency employee that is eligible for benefits. 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 (above), Seasonal and Contract Worker Records (below).</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 this 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. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1
4.29 	<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) (above).</p> <p>b) Destroy in office remaining records when reference value ends.± Agency Policy: Destroy in office after <u>1 year</u></p>	Confidentiality: G.S. 115C Art. 21A G.S. 122C-158 G.S. 130A-45.9 G.S. 153A-98 G.S. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.30	<p>POLICIES AND PROCEDURES (PERSONNEL) Official internal agency personnel policies and procedures. Also includes agreements and authorizations required of employees, orientation materials, and informational data.</p> <p>SEE ALSO: Civil Rights Records (STANDARD 6: LEGAL RECORDS), and Workers' Compensation Program Administration (below).</p>	<p>a) Retain in office internal agency personnel policies and procedures permanently.</p> <p>b) Destroy in office remaining records when superseded or obsolete.</p>	
4.31	 <p>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.</p>	<p>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.</p>	<p>Confidentiality: G.S. 115C Art. 21A G.S. 122C-158 G.S. 130A-45.9 G.S. 153A-98 G.S. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1</p> <p>Retention: 29 CFR 801.30</p>

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.32	<p>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.</p> <p>SEE ALSO: Position Descriptions (below).</p>	<p>a) Retain in office records with historical value permanently. b) Destroy in office remaining records when superseded or obsolete.</p>	
4.33	<p>POSITION DESCRIPTIONS Includes information on job title, grade, duties, agency assigned, and responsibilities.</p>	Destroy in office 2 years after superseded.	Retention: 29 CFR 1620.32
4.34	<p>POSITION EVALUATIONS Forms used to evaluate the primary purpose of a position.</p>	Destroy in office after 1 year.	
4.35	<p>RECRUITMENT RECORDS Includes ads and notices of overtime, promotion, and training. Also includes employment listings.</p>	Destroy in office 1 year from date of record.	Retention: 29 CFR 1627.3(b)

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.36	<p>RETIREMENT RECORDS Includes descriptive information about retirement systems along with plans and related records outlining the terms of employee pension and other deferred compensation plans, including 401(k).</p> <p>SEE ALSO: Payroll and Earnings Records; Payroll Deduction Records (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).</p>	<p>a) Destroy in office descriptive information about retirement plans 1 year after plan is terminated.</p> <p>b) Destroy in office records concerning employer-sponsored retirement plans 7 years after payment.*</p> <p>c) Transfer Local Governmental Employees’ Retirement System (LGRS) forms to Department of State Treasurer.</p> <p>d) Transfer applicable records to Personnel Records (Official Copy) (above).</p>	Retention: 29 CFR 1627.3(b)(2)
4.37	 <p>SEASONAL AND CONTRACT WORKER RECORDS Records concerning seasonal or contractual employees who are not provided with or eligible for benefits.</p> <p>SEE ALSO: Personnel Records (Official Copy) (above).</p>	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. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1
4.38	<p>SECONDARY EMPLOYMENT Records concerning employees’ requests and authorizations to accept employment with a private entity.</p> <p>SEE ALSO: Dual Employment (above.)</p>	<p>a) Destroy in office approved requests and related records 1 year after employee terminates outside employment.</p> <p>b) Destroy in office denied requests and related records after 6 months.</p>	

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.39	<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.</p> <p>SEE ALSO: Personnel Records (Official Copy) (above).</p>	Destroy in office 2 years from date of record creation or the personnel action involved.	
4.40	<p>SUGGESTIONS AND SURVEYS Recommendations and feedback submitted by agency employees.</p>	Destroy in office after 1 year.	
4.41	<p>TRAINING AND EDUCATIONAL RECORDS Records concerning the delivery of training to agency personnel. Includes training manuals, syllabi and course outlines, and other related records. Also includes employee-specific records (certificates, transcripts, test scores, etc.) relating to the training, testing, or continuing education of employees.</p> <p>SEE ALSO: Conferences and Workshops (STANDARD 7: PUBLIC RELATIONS RECORDS), Educational Leave and Reimbursement (above). Other required trainings are handled in Asbestos Training (above), Bloodborne Pathogen Training (above), Hazardous Materials Training Records (above), Law Enforcement Training (above).</p>	<p>a) Transfer records as applicable to Personnel Records (Official Copy) (above), if such training and testing is required for the position held or could affect career advancement.</p> <p>b) Destroy in office certifications and other qualifications 5 years after expiration or employee separation.</p> <p>c) Destroy in office general training materials when superseded or obsolete.</p> <p>d) Destroy in office remaining employee-specific records after 1 year.</p>	Retention: 29 CFR 1627.3(b)(1)(iv)

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.42 	UNEMPLOYMENT COMPENSATION CLAIMS Claim forms and other related records concerning unemployment compensation cases.	Destroy in office after 5 years.*	Confidentiality: G.S. 115C Art. 21A G.S. 122C-158 G.S. 130A-45.9 G.S. 153A-98 G.S. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1 Retention: 04 NCAC 24D .0501(a)
4.43	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 5 years.*	Retention: 04 NCAC 24D .0501(a)
4.44	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.	
4.45	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.	
4.46	VOLUNTEER RECORDS Records concerning individuals who volunteer to assist with various agency activities.	Destroy in office 2 years after completion of assignment.	

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.47	<p>WORK SCHEDULES AND ASSIGNMENTS</p> <p>Records concerning work, duty, shift, crew, or case schedules, rosters, or assignments.</p>	Destroy in office after 1 year.	
4.48	<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>	
4.49	<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>	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.*	Confidentiality: G.S. 8-53 G.S. 97-92(b)

4: HR

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STANDARD 5: 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 5: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
5.01 	AUDITS: IT SYSTEMS Records documenting user actions affecting the contents of monitored systems. Also includes fixity checks and other periodic tests of data validity.	a) Destroy in office 1 year after superseded or obsolete fixity check documentation. b) Destroy in office remaining records after disposition of record.*	Confidentiality: G.S. 132-6.1(c)
5.02	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.	Destroy in office after 1 year.	
5.03	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.	Destroy in office 3 years after system is discontinued and/or replaced.	

5: IT

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ITEM #	STANDARD 5: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
5.04	<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.	
5.05	<p>DATA WAREHOUSES Federated data gathered by the agency from other sources for the purposes of comparison and distribution.</p> <p>SEE ALSO: Collected Data (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	Destroy in office when superseded or obsolete.	Maintain confidentiality consistent with any restrictions placed on the data provider.
5.06	<p>DIGITIZATION AND SCANNING RECORDS Records concerning data entry and imaging operations. Includes quality control records.</p> <p>See also REQUEST FOR DISPOSAL OF ORIGINAL RECORDS DUPLICATED BY ELECTRONIC MEANS, page A-21.</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>	
5.07	 <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)

5:11

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ITEM #	STANDARD 5: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
5.08	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.	Destroy in office 1 year after work is completed.	
5.09	 NETWORK AND SYSTEM SECURITY RECORDS Records documenting cybersecurity efforts. Includes records concerning firewalls, anti-virus programs, intruder scanning logs, and other related records.	a) Destroy in office finalized cyber incident reports 5 years after resolution. 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. c) Destroy in office after 1 year records concerning firewalls, anti-virus programs, and other related records.	Confidentiality: G.S. 132-6.1(c)
5.10	 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.	Destroy in office when superseded or obsolete.	Confidentiality: G.S. 132-6.1(c)

5: IT

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ITEM #	STANDARD 5: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
5.11	<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 (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</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>	
5.12	<p>SOFTWARE LICENSE AND COPYRIGHT PROVISIONS RECORDS 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.	
5.13	<p>SYSTEM ACCESS RECORDS Records documenting access requests and authorizations, system access logs, and other related records.</p>	Destroy in office 1 year after superseded or obsolete.	
5.14	 <p>SYSTEM DOCUMENTATION RECORDS 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)

5: IT

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ITEM #	STANDARD 5: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
5.15	<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 (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</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>	
5.16	<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 <u>5 years</u></p>	
5.17	<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>	

5: IT

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ITEM #	STANDARD 5: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
5.18	<p>VOICE OVER INTERNET PROTOCOL (VoIP) RECORDS Records concerning line registrations, calls logs, and voicemail records.</p>	<p>a) Destroy in office records concerning line registration when superseded or obsolete. b) Destroy in office call logs after 1 year. c) Destroy in office voicemail records after 30 days.</p>	
5.19	<p>WEB MANAGEMENT AND OPERATIONS RECORDS: STRUCTURE 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) (STANDARD 7: PUBLIC RELATIONS RECORDS).</p>	<p>Destroy in office when superseded or obsolete.</p>	

5: IT

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STANDARD 6: 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 6: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
6.01	<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: Public Bodies: Meeting Notices (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	<p>a) Retain in office permanently if record provides sole evidence of publication. b) Destroy in office remaining records after 3 years.*</p>	<p>Authority: G.S. 1-600</p>
6.02	<p>ANNEXATION RECORDS Records concerning annexation of property into the city. Includes petitions, reports, correspondence (including e-mail), maps, ordinances, and public hearings.</p>	<p>a) Destroy in office withdrawn petitions after 1 year. b) Retain remaining records in office permanently.</p> <p><i>Retention Note: Annexation maps and ordinances must be filed with the County Register of Deeds office and the office of the Secretary of State (G.S. 160A-29, G.S. 160A-58.61 and G.S. 160A-58.90). A map must also be filed with the county board of elections (G.S. 163-288.1).</i></p>	
6.03	<p>AUTHENTICATIONS Certificates of authentication issued by the agency.</p>	<p>Retain in office permanently.</p>	

6: Legal

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ITEM #	STANDARD 6: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
6.04	<p>CIVIL RIGHTS CASE RECORDS Records concerning discrimination complaints by employees or former employees and employee requests for reasonable accommodation. Includes equal opportunity (EO) complaints.</p> <p>SEE ALSO: Constituent Comments, Complaints, Petitions, and Service Requests (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS), Personnel Records (Official Copy) (STANDARD 4: HUMAN RESOURCES RECORDS).</p>	<p>a) Destroy in office requests for reasonable accommodation 2 years after they become obsolete.</p> <p>b) Destroy in office discrimination complaints 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>

6: Legal

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION**, page A-5.

± The agency hereby agrees that it 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." Please use the space provided.

@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.

ITEM #	STANDARD 6: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
6.05	<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: Civil Rights Case Records (above), Constituent Comments, Complaints, Petitions, and Service Requests (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS), Policies and Procedures (Personnel) (STANDARD 4: HUMAN RESOURCES RECORDS).</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 34 CFR 104.6(c)(2)</p>
6.06	<p>CONDEMNATION RECORDS Settled and pending condemnation cases.</p> <p>SEE ALSO: Accounts Payable (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS) for disposition of financial records.</p>	Retain in office permanently.	

6: Legal

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@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.

ITEM #	STANDARD 6: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
6.07	<p>CONFLICT OF INTEREST AND CONFLICT OF COMMITMENT DISCLOSURE STATEMENTS</p> <p>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.	
6.08	<p>CONTRACTS, LEASES, AND AGREEMENTS @</p> <p>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 (STANDARD 5: INFORMATION TECHNOLOGY RECORDS).</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 all records related to 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>
6.09	<p>DECLARATORY RULINGS</p> <p>Records concerning declaratory rulings issued by the agency to interpret statutes or rules as applied to a specified set of facts.</p>	Retain in office permanently.	

6: Legal

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@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.

ITEM #	STANDARD 6: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
6.10	<p>DELEGATION OF AUTHORITY RECORDS Records documenting delegations of power to authorize agency business. Includes signature authorities and powers of attorney.</p>	Destroy in office 1 year after superseded or obsolete.	
6.11	<p>EASEMENTS AND RIGHT-OF-WAY AGREEMENTS Granted to the agency.</p> <p>SEE ALSO: Accounts Payable (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS) for disposition of financial records; LOCAL PROGRAM SCHEDULE, Excavation Permits and Right-of-Way Acquisition Working Records (STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS).</p>	Destroy in office 10 years after expiration of agreement.	
6.12	<p>ENCROACHMENTS Records concerning agreements granted by or to the agency. Also includes maps or drawings detailing construction plans attached to agreements.</p>	<p>a) Retain in office permanently records concerning agreements granted by outside entities to the agency.</p> <p>b) Destroy in office when superseded or obsolete records concerning agreements granted to utilities, businesses, and private residents to encroach upon agency property.</p>	
6.13	<p>EXPUNCTIONS Expunction orders received by local agencies.</p>	Destroy in office when record is expunged.	

6: Legal

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ITEM #	STANDARD 6: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
6.14	INVESTIGATION AND HEARING RECORDS Records concerning complaints, fraud allegations, contestments, grievances, and inquiries against individuals and other entities. Includes summaries, charges, reports, assessments and findings, hearing transcripts and evidence, decisions and sanctions, referrals, correspondence, and other related records.	Destroy in office 3 years after completion.*	
6.15	LAND OWNERSHIP RECORDS Includes deeds and titles.	Destroy in office 1 year after agency relinquishes ownership of land.*	
6.16	 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 A-11.	Confidentiality: G.S. 132-1.1(a)
6.17	LEGAL OPINIONS Formal legal opinions written by counsel in response to requests concerning the governance and administration of the agency.	Retain in office permanently.	
6.18	 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 (above).	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)

6: Legal

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ITEM #	STANDARD 6: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
6.19 	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
6.20	OATHS OF OFFICE SEE ALSO: Public Bodies: Member Files (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	Transfer official copy of oath of office to the municipal clerk or the county clerk to the board of commissioners or the clerk of the governing board for permanent retention. <i>Retention Note: The Clerk should present a copy of the oaths of elected officials to the Clerk of Superior Court for recording.</i>	Authority: G.S. 105-349 G.S. 153A-26 G.S. 160A-61 G.S. 160A-68 G.S. 160A-284 Retention: G.S. 7A-103(2)
6.21	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.	

6: Legal

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ITEM #	STANDARD 6: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
6.22	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.	
6.23	RELEASE FORMS 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.	Destroy in office 5 years after termination of release/waiver.	
6.24	SETTLEMENTS Records concerning pre-litigation or informal settlements.	Destroy in office 10 years after expiration.	Authority: G.S. 132-1.3
6.25	VEHICLE TITLES Titles of agency owned vehicles.	Dispose of in accordance with Division of Motor Vehicles procedures for title transfer upon disposition of vehicle.	Authority: G.S. 20-72

6: Legal

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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.

ITEM #	STANDARD 7: PUBLIC RELATIONS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
7.01	<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 <u>1 year</u></p>	
7.02	<p>AUDIO-VISUAL RECORDINGS @ Recordings (including digital) and films produced by or for the agency. This does not include recordings of public meetings or security videos. SEE ALSO: Public Bodies: Audio and Video Recordings of Meetings (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS), Office and Property Security Records (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</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 <u>1 year</u></p>	
7.03	<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 <u>1 year</u></p>	

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7: PR

ITEM #	STANDARD 7: PUBLIC RELATIONS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
7.04	<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 (STANDARD 4: HUMAN RESOURCES RECORDS).</p>	<p>a) Retain in office records with historical value permanently. b) Destroy in office remaining records when superseded or obsolete.</p>	
7.05	<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>	
7.06	<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 (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).</p>	<p>a) Retain in office records with historical value permanently. b) Destroy in office remaining records when superseded or obsolete.</p>	

7: PR

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ITEM #	STANDARD 7: PUBLIC RELATIONS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
7.07	INVITATIONS Invitations sent and received concerning agency and external functions.	Destroy in office after event occurs.	
7.08	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 <u>1 year</u>	
7.09	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.	
7.10	PUBLIC HEARINGS Includes agendas, minutes, notices, speaker sign-up sheets, and similar documentation. SEE ALSO: Public Bodies: Minutes (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	a) Retain in office minutes permanently. b) Destroy in office remaining records after 1 year.	

7: PR

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ITEM #	STANDARD 7: PUBLIC RELATIONS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
7.11	<p>PUBLIC RECORDS REQUESTS</p> <p>Formal requests submitted by persons seeking access to agency records along with documentation of agency response.</p>	<p>Destroy in office 2 years after resolution.*</p> <p><i>Note: These disposition instructions apply only to the request, internal agency records related to searching for and preparing responsive records, and communication of response; the documents that are responsive to public records requests should be handled according 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></p>	
7.12	<p>PUBLICITY RECORDS @</p> <p>Records concerning overall public relations of agency. Includes advertisements, announcements, correspondence (including e-mail), photographic materials, news and press releases, and other related records.</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office remaining records when superseded or obsolete.*</p>	
7.13	<p>SOCIAL MEDIA</p> <p>SEE ALSO: Website (Electronic) (below).</p>	<p>See APPENDIX (page A-12) for guidance in handling social media.</p>	
7.14	<p>SPEECHES</p> <p>Speeches made by agency officials.</p>	<p>a) Retain in office records with historical value permanently.</p> <p>b) Destroy in office remaining records when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u>1 year</u></p>	

7: PR

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ITEM #	STANDARD 7: PUBLIC RELATIONS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
7.15	<p>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.</p> <p>SEE ALSO: Web Management and Operations Records: Structure (STANDARD 5: INFORMATION TECHNOLOGY RECORDS).</p>	<p>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.</p> <p>b) Destroy in office remaining records when superseded or obsolete.</p>	

7: PR

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

ITEM #	STANDARD 8: RISK MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
8.01	<p>ACCIDENT/INCIDENT REPORTS (CUSTOMER AND EMPLOYEE)</p> <p>SEE ALSO: Workers' Compensation Program Claims (STANDARD 4: HUMAN RESOURCES RECORDS).</p>	<p>a) Transfer records resulting in workers' compensation to Workers' Compensation Program Claims (STANDARD 4: HUMAN RESOURCES RECORDS).</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>	
8.02	DECLARATIONS AND TERMINATIONS OF STATES OF EMERGENCY	Retain in office permanently.	Authority: G.S. 166A-19.22

8: Risk Management

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ITEM #	STANDARD 8: RISK MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
8.03 	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
8.04	DISASTER RECOVERY Administrative records documenting and recovery efforts for emergencies of a short duration as well as disasters inflicting widespread destruction and having long-term consequences for the agency. Includes documents coordinating activities with federal, state, and local emergency management, incident reports, inventories, and disaster relief allocations.	a) Retain in office permanently records documenting major agency disaster recovery efforts and records evaluating emergency response and efficacy. b) Destroy in office after 3 years records concerning minor or routine agency recovery operations that are managed with minimal disruption to normal operations.	
8.05	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.	
8.06	EMERGENCY NOTIFICATIONS Notifications and alerts sent to residents by Emergency Management or other agency staff regarding a current emergency.	Destroy in office after 1 year.	

8: Risk Management

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ITEM #	STANDARD 8: RISK MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
8.07	<p>EMPLOYEE SECURITY RECORDS Records concerning the issuance of keys, identification cards, parking assignments, passes, etc., to employees.</p> <p>SEE ALSO: Office and Property Security Records (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	Destroy in office when superseded or obsolete.	
8.08	<p>FIRE, HEALTH, AND ENVIRONMENTAL SAFETY RECORDS Records concerning agency safety measures. Includes reports, logs, and other related records documenting inspections of agency facilities.</p>	<p>a) Destroy in office inspection reports after 7 years.</p> <p>b) Destroy in office safety audits after 3 years.</p> <p>c) Destroy in office remaining records when superseded or obsolete.</p>	
8.09	<p>FIXED NUCLEAR FACILITIES PLANS FILE Records concerning emergency plans for county fixed nuclear facilities.</p>	Destroy in office when superseded or obsolete.	
8.10	<p>FUEL OIL STORAGE TANK RECORDS</p>	Destroy in office closure records 3 years after completion of permanent closure.	<p>Authority: 40 CFR 280.34</p> <p>Retention: 40 CFR 280.74</p>

8: Risk Management

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ITEM #	STANDARD 8: RISK MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
8.11	<p>HAZARDOUS MATERIALS MANAGEMENT</p> <p>Records documenting agency efforts to prevent and mitigate exposure to hazardous materials. Includes risk assessments, management plans, and abatement/removal records.</p> <p>SEE ALSO: Safety Data Sheets (below).</p> <p><i>Note: Title 10A of the NC Administrative Code provides guidelines about the records requirements for persons who receive, possess, use, transfer, own or acquire any sources of radiation within the State of North Carolina.</i></p>	<ul style="list-style-type: none"> a) Retain in office permanently records documenting hazardous waste disposal sites on agency property and documenting the use of pathogens and biological toxins (select agents) at the agency. b) Destroy in office asbestos records 1 year after building is demolished. <i>(Note: If building is sold, transfer records to new owner.)</i> c) Destroy in office after 5 years records concerning the receipt, maintenance, and disposal of radioactive materials. d) Destroy in office 3 years after superseded or obsolete records concerning hazard mitigation plans. e) Destroy in office records documenting environmental and hazardous waste remediation projects 5 years after project completion. f) Destroy in office remaining records after 30 years. 	<p>Retention: 29 CFR 1910.1001(j)(3)(ii)</p>

8: Risk Management

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ITEM #	STANDARD 8: RISK MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
8.12	<p>INSURANCE POLICIES</p> <p>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.</p>	<p>a) Destroy in office records concerning automobile and other liability insurance policies 10 years after superseded or obsolete.*</p> <p>b) Destroy in office certificates of insurance after 1 year.</p> <p>c) Destroy in office self-insurer certifications 6 years from date of termination of policy or settlement of all claims.</p> <p>d) Destroy in office remaining records after 1 year after superseded or obsolete.</p>	
8.13	<p>LOSS CONTROL INSPECTION REPORTS</p> <p>Self-inspections to identify potential liabilities or hazards that may exist in agency owned buildings or property.</p>	<p>Destroy in office when superseded or obsolete.</p>	
8.14	<p>LOST, STOLEN, OR DAMAGED PROPERTY REPORTS</p> <p>Includes reports of property lost or stolen at agency. Also includes reports and employee narratives of vandalism to agency property.</p>	<p>Destroy in office after 2 years.*</p>	
8.15	<p>NATIONAL FLOOD INSURANCE PROGRAM RECORDS</p> <p>Records concerning the participation of a local government agency in FEMA’s National Flood Insurance Program (NFIP). Includes floodplain management ordinances, maps, and other related records.</p>	<p>a) Retain in office permanently floodplain management ordinances.</p> <p>b) Destroy in office copies of flood insurance rate maps, elevation certificates, and elevation information when superseded or obsolete.</p>	

8: Risk Management

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION**, page A-5.

± The agency hereby agrees that it 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.” Please use the space provided.

@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.

ITEM #	STANDARD 8: RISK MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
8.16	<p>OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)</p> <p>Records concerning injury or illness, extent and outcomes, summary totals for calendar year, and OSHA forms. Includes ergonomic assessments for employees.</p>	<p>Destroy in office after 5 years.</p>	<p>Retention: 29 CFR 1904.33 29 CFR 1904.44</p>
8.17	<p>SAFETY DATA SHEETS</p> <p>Forms supplied to agencies from manufacturers and distributors of hazardous materials for materials held by the agency.</p>	<p>Destroy in office 30 years after materials have been disposed of according to manufacturer’s instructions.</p> <p><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></p>	<p>Retention: 29 CFR 1910.1020(d)(1)(ii)(B)</p>

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION**, page A-5.

± The agency hereby agrees that it 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.” Please use the space provided.

@ In some cases, more specific record retention and disposition requirements can be found in the relevant program schedule. See the appendix for pointers to such records series.



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
9.01	AUDIT/AUDIT RESOLUTIONS Records concerning reports from financial and compliance audits conducted on Workforce Investment Act 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.	Destroy in office after 3 years.	Authority: OMB Circular A-133 29 CFR 97.26
9.02	LOCAL AREA JOB TRAINING PLAN RECORDS Records concerning the local board’s bid process for contracting workforce development programs.	Destroy in office when superseded or obsolete.	Authority: 20 CFR 652.8
9.03	PARTICIPANT RECORDS 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 Workforce Investment Act follow-up questionnaires.	Destroy in office 3 years after close of audit/final year expenditure.*	Authority: 20 CFR 652.8

9: Workforce Development

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION**, page A-5.

± The agency hereby agrees that it 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.” Please use the space provided.

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 N.C. Gen. Stat. § 121-5(c) and N.C. Gen. Stat. § 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. The Request for Change in Records Schedule form (see page A-19) can be used for such requests.
-

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. N.C. Gen. Stat. § 132-6 instructs:

“Every custodian of public records shall permit any record in the custodian’s custody to be inspected and examined at ± 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 N.C. Gen. Stat. § 132-6 and the definition of public records in N.C. Gen. Stat. § 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. Gen. Stat. § 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. Though adoptions are confidential (not available for public inspection), they document 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/government/digital-records/digital-records-policies-and-guidelines/human-readable-preservation>) 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 constituents. Two criteria for determining historical value are inherent interest and extraordinary documentation:
- Inherent interest is created by non-routine events, by the involvement of famous parties, and by compelling contexts. For instance, foreclosure proceedings from the 1930s have high historical value because they date from the era of the Great Depression.
 - Extraordinary documentation is found in records that shed light on political, public, or social history. For instance, the records from the replevin case that returned the Bill of Rights to North Carolina hold more historical value than most property case files because of the political history intertwined with this case.

SANC has further elaborated selection criteria that help distinguish records with historical value:

- Do they protect the rights and property of residents and organizations?
- Do they have a long-term impact on residents and organizations?
- Do they document the core functions of an agency?
- Do they document high-level decision-making that shapes an agency's policies or initiatives?
- Do they summarize an agency's activities?

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. I have a lot of unsorted records. What's a good first step for getting a handle on these records?

- A.** We encourage you to create a file plan of what records you have. When you create this plan, you can match each record to its placement on this schedule or on the appropriate retention schedule. A sample file plan is available on page A-22. Having a file plan can help you strategize how to best organize your physical or digital records. A file plan is also useful in disaster planning and scheduling destructions.

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) 250-3103. 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 (STANDARD 1: ADMINISTRATIVE AND MANAGEMENT RECORDS) and Audits: Financial (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).) 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.”³

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 Records Schedule: Local Government Agencies*, 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 Records Schedule: Local Government Agencies* 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

³ Society of American Archivists, *Dictionary of Archives Terminology*.

- 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
- 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/government/digital-records/digital-records-policies-and-guidelines#digital-signatures>

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 A-20) 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/rm-tools>).

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 N.C. Gen. Stat. § 121-5 and § 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 is 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. N.C. Gen. Stat. § 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](#) (N.C. Gen. Stat. § 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, including text messages and social media?*

- 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 3 years (see Leave Records, STANDARD 4: HUMAN RESOURCES 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

For more information, see **STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS**.

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 <https://it.nc.gov/about/boards-commissions/gicc>.

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.

SECURITY PRESERVATION COPIES OF RECORDS

Q. What is the advantage to having security preservation copies of records stored with the State Archives?

- A.** Having duplicate copies of essential records in a separate location mitigates the risk that you may lose the only physical copy of a given record in a disaster or other records loss event. Maintaining offsite duplicates of records, regardless of format, is a good practice to adopt.

The State Archives creates duplicate copies on microfilm because of the durability of the medium. Silver negative microfilm does not decay for hundreds of years, ensuring that your records maintain their integrity over time.

Q. What records will the State Archives back up for us?

- A.** The State Archives provides security imaging services for minutes of major decision-making boards and commissions. We will also image records of adoptions for Social Services agencies as well as maps and plats from Registers of Deeds offices. Once those records are imaged, they are converted to security microfilm. We will store the silver negative (original) microfilm in our security vault. Contact the Records Management Analyst in charge of imaging coordination for the most current information.
-

Q. How do I start the process of backing up the above listed records?

- A.** We have three processes for creating backup film copies of these records. 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 Records for Security Preservation Copy** form (available online at the [State Archives of North Carolina website](#)) with each shipment. For more detailed instructions, contact a Records Management Analyst.

Secondly, 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. Contact the Records Management Analyst in charge of imaging coordination to schedule an appointment for your books to be imaged. We will make every effort to expedite the filming so that your books will be returned to you as quickly as possible.

Finally, you can submit these records to the State Archives electronically. Please see our procedures in "[Transfer of Minutes in Digital Formats for Microfilming](#)" or contact the Records Management Analyst in charge of imaging coordination for more information.

Q. In the event of a records loss, how do I obtain copies of the security preservation copies stored at the State Archives?

- A.** Contact the Records Management Analyst in charge of imaging coordination who will help you 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.

Q. *Can I obtain digital copies of the security preservation records?*

- A.** Yes, you can request digital copies of records when you submit them to the State Archives for initial reproduction. Contact the Records Management Analyst in charge of imaging coordination to initiate a request for digital duplicates.

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) 250-3103. 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
- Disaster preparedness and recovery
- Confidentiality
- Organizing paper and digital files
- 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. To arrange a workshop, please call the State Records Center at 919-814-6900 or contact a Records Management Analyst (<https://archives.ncdcr.gov/government/local/analysts>).

Q. Is there a fee for workshops?

A. Not at this time.

Q. Are the workshops available in an online format?

A. We can offer a virtual workshop for your agency upon request. For descriptions of available webinars, see <https://archives.ncdcr.gov/government/training/webinars>. You can also find several online tutorials available on the State Archives of North Carolina website (<https://archives.ncdcr.gov/government/training/online-tutorials-and-resources>).



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
 - Change a retention period
- Standard Number _____ Page _____ Item Number _____
- 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 N.C. Gen. Stat. § 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



Related Records Series Found in Local Agency Program Schedules

In some limited cases, records series with similar names and/or functions that are created and maintained by local government entities have not been superseded by the *General Records Schedule: Local Government Agencies*. These records series are described as unique records series in one of the local program retention schedules issued separately by DNCR for use by specific local agencies. This duplication occurs when records with similar names and/or functions have different retention guidance due to statutory, legal, evidentiary, or fiscal requirements. An example of this is the accounts receivable records series. In the *General Records Schedule*, the Accounts Receivable records series has a disposition instruction of “Destroy in office 3 years after collection.” In the *Local Health Departments Schedule*, the Accounts Receivable: Clinical Services records series also includes the disposition instruction, “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.” In both cases, the records series documents the money received by the local agency, however, the retention requirements for the Accounts Receivable: Clinical Services differ due to specific retention requirements concerning the management and dispersal of grant funds.

The purpose of this table is to provide a source for determining if the general records series item listed in the *General Records Schedule: Local Government Agencies* covers the function and/or retention requirements associated with the records created by your agency or if a specific program schedule applies. This table provides pointers to the relevant records series that can be found in one or more of the local agency program schedules.

Here’s how to use the table:

- The records series found in the left-most column are listed and described in the *General Records Schedule: Local Government Agencies* and appear in this schedule with a @ beside them.

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. Also includes records concerning accounts sent to NC Debt Setoff Program for collection.

- The middle column lists similar records series from one or more of the schedules that have been issued separately for use by specific local agencies.
- The right-hand column lists the local agency program schedule that includes the records series listed in the middle column. The agencies represented in the right column include, but are not limited to, local health departments, Registers of Deeds, Sheriff’s offices, local social services agencies, and tax offices.

If you need further information, please contact a Records Management Analyst.

Local General Schedule Records Series	Related Records Series	Local Program Schedule
Accounts Receivable	Accounts Receivable: Clinical Services	Local Health Departments Schedule



Local General Schedule Records Series	Related Records Series	Local Program Schedule
Accounts Receivable (cont.)	Accounts Receivable – Client Services	LME Schedule LME-MCO Schedule
Administrative Directives, Regulations, and Rules	State Board of Elections Numbered Memos	County Board of Elections Schedule
Audits: Financial	Clinical Record Audits	Local Health Departments Schedule
	Clinical Record Audits	LME Schedule
	Clinical Record Audits	LME-MCO Schedule
Audits: Performance	Pharmacy Audit Records	Local Health Departments Schedule
Blueprints and Specifications	Blueprints and Specifications	Local Government Agencies Program Schedule
	Project Records – Core	
Community Awards	Student Awards and Honors Records	Local Public School Unit Schedule
Conferences and Workshops	Health Promotion Training Records	Local Health Departments Schedule
Constituent Comments, Complaints, Petitions, and Service Requests	Animal Complaint Records	Local Government Agencies Program Schedule
	Illegal Dumping File	
	Violations: Building and Housing	
	Violations: Solid Waste Management	
	Complaints (Law Enforcement)	County Sheriff's Office
	Complaints	
	Complaints: All Service Areas	
	Animal Complaints	
Complaints File	LME Schedule	
Complaints File	LME-MCO Schedule	
Contracts, Leases, and Agreements	School Health Provider Contracts	Local Health Departments Schedule
	Petroleum Leases Register	Register of Deeds Schedule
Disaster and Emergency Management Plans	Public Health Emergency Preparedness and Response Records	Local Health Departments Schedule
Equipment and Vehicle Maintenance, Repair, and Inspection Records	Equipment and Instrument Maintenance and Repair File	Local Health Departments Schedule
	Autopsy and Surgical Pathology: Instrument Maintenance Records	Public Hospitals Schedule
	Clinical Laboratory Records: Instrument Maintenance Records	
	Cytology Records: Instrument Maintenance Records File	
	Instrument Maintenance File	



Local General Schedule Records Series	Related Records Series	Local Program Schedule
Grants Grants: Financial	CDBG Records CDBG Outstanding Loan Balances CDBG Subject to Reversion of Assets Provisions or Change of Use of Real Property Continuum of Care Records Emergency Solutions Grants Records Home Investment Partnerships Program Records Housing Assistance for Persons with Disabilities Housing Opportunities for Persons with AIDS Records	Local Government Agencies Program Schedule
Indices	Board of Adjustment Case Files and Indexes Conditional Use Permit Records and Index Rezoning Records and Indexes	Local Government Agencies Program Schedule
	Master Client Identification File (Master Client Index)	LME Schedule LME-MCO Schedule
	Master Patient Index	Public Hospital Schedule
	Armed Forces Discharges and Index Chattel Mortgages and Index Corporations (Incorporations) Records and Index Deeds, Record of and Index Deeds of Trust (Mortgages), Record of and Index Highway Right-of-Way Maps and Index Land Sold for Taxes and Index Merchant Returns and Index Mineral Rights Records and Index Notaries Public Records and Index Official Record Book and Index Partnerships and Assumed Names Records and Index Plats, Maps, and Index Registration of Titles (Torrens Act) and Index Surveys, Record of and Index Timber Marks and Index Vital Records: Births and Index Vital Records: Deaths and Index Vital Records: Delayed Births and Index	Register of Deeds Schedule
	Inventories	Drug Inventories



Local General Schedule Records Series	Related Records Series	Local Program Schedule
Inventories (cont.)	Drugs Inventories	Public Hospitals Schedule
Maps: All Other	Utilities: Maps (Utility Installations & Distributions)	Local Government Agencies Program Schedule
	Plats, Maps, and Index	Register of Deeds Schedule
	Maps (Utility Installations and Distributions)	Water and Sewer Authorities and Sanitary Districts Schedule
Policies and Procedures	Clinical Policies and Procedures Laboratory Procedures Manual Behavioral Health Program Policy and Procedure Records	Local Health Departments Schedule
	Laboratory Procedures/Protocol File	Public Hospitals Schedule
Poll List/Registration List/Roster/Authorization to Vote (ATV)	Poll List/Registration List/Roster/Authorization to Vote (ATV)	County Board of Elections Schedule
Projects	Appraisal Project File Project Records – Cancelled Project Records – Core Project Records – Engineering & Compliance	Local Government Agencies Program Schedule
	State Board of Elections Correspondence and Reports	County Board of Elections Schedule
	Water and Wastewater System Project Records	Waste and Sewer Authorities and Sanitary Districts Schedule
Publicity Records	Student Publicity Records	Local Public School Unit Schedule
Rate and Fee Schedules	Fee Schedules	Local Health Departments Schedule
	Fee Schedules	LME Schedule
	Fee Schedules	LME-MCO Schedule
Recordings: Customer Call Center Recordings Audio-Visual Recordings	Traffic Video Recordings and Data Law Enforcement Audio and Video Recordings Communication Records Electronic Recordings of Interrogations	Local Government Agencies Program Schedule
	Audio and Video Recordings Communication Records Electronic Recordings of Interrogations (Juvenile and Homicide)	County Sheriff's Office



Local General Schedule Records Series	Related Records Series	Local Program Schedule
Reports and Studies (cont.)	Certified Facility Operators Logs and Reports Discharge Monitoring Reports Periodic Inspection Reports of Industrial Facilities Wastewater Maintenance Operation Reports	Waste and Sewer Authorities and Sanitary Districts Schedule
Strategic Plan	Land Development and Planning Studies and Reports Parks Planning File Comprehensive Plan and Amendments Environmental: Comprehensive Solid Waste Management Plan and Amendments Planning File (Street Maintenance)	Local Government Agencies Program Schedule

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RECORDS RETENTION AND DISPOSITION SCHEDULE

PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



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

October 1, 2021

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Program Records Schedule: Local Government Agencies

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021 Program Records Schedule: Local Government Agencies**:

10. Airport Authority Records
11. Animal Services Records
12. Code Enforcement and Inspection Records
13. Emergency Medical Services and Fire Department Records
14. Parks and Recreation Records
15. Planning and Regulation of Development Records
16. Public Housing Authorities, Redevelopment Commissions, and Entitlement Communities Records
17. Public Transportation Systems Records
18. Public Utilities and Environmental/Waste Management Records
19. Street Maintenance, Public Works, and Engineering Records
20. Law Enforcement Records (excluding Sheriff's Offices)
21. Tax Records (for municipalities)

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.

Destructions

N.C. Gen. Stat. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

“(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up 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; or
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.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.”

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

Audits and Litigation Actions

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.

Electronic Records

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.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronically-stored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, N.C. Gen. Stat. § 132-6.1(a) specifies:

“Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software.”

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

Reference Copies

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.*”

Record Copy

A record copy is defined as “The single copy of a document, often the original, that is designated as the official copy for reference and preservation.”¹ The record copy is the one whose retention and disposition is mandated by these schedules; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social

¹ Society of American Archivists, *Dictionary of Archives Terminology*.

media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to designate clearly what position or office is required to maintain an official record for the duration of its designated retention 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.”²

North Carolina has a broad definition of public records. However, 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. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. 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 a DNCR records analyst.

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 and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, 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 that 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
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. 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 must be retained according to the disposition instructions for the records series encompassing the forms’ function.

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. These schedules supersede previous versions of these schedules and any localized amendments; they are to remain in effect from the date of approval until they are reviewed and updated.

² Ibid.

APPROVAL RECOMMENDED

Municipal/County Clerk or Manager
Title: _____



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Head of Governing Body
Title: _____



D. Reid Wilson, Secretary
Department of Natural and Cultural
Resources

County/Municipality: _____

Effective: October 1, 2021

EXECUTIVE SUMMARY

- ✓ Some records are covered by the *General Records Schedule: Local Government Agencies* and, therefore, are not listed separately here.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 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 Society of American Archivists, *Dictionary of Archives 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 N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 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 listed with the identified record series.
- ✓ 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 creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.
- ✓ If you have records that are not listed in this schedule, 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 not have historical value, we will ask you to complete a [Request for Disposal of Unscheduled Records](#) (page A-19) for records that are no longer being created.

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 Includes 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 Society of American Archivists, *Dictionary of Archives 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 a SEE ALSO reference. 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 (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).

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 A-5.

STANDARD 10: PROGRAM OPERATIONAL RECORDS – AIRPORT AUTHORITY RECORDS
 Official records and materials created and accumulated incidental to the operation of a county or municipal airport.

ITEM #	STANDARD 10: AIRPORT AUTHORITY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
10.01	ACCESS CONTROL RECORDS Records concerning employee or contractor access to facilities or resources.	Destroy in office 1 year after expiration.	
10.02	AIR SPACE CONSTRUCTION Applications to construct structures which may obstruct flight space. Includes correspondence and related records.	Destroy in office after 5 years.	
10.03	AIRFIELD INSPECTION Records concerning airfield inspections on runway conditions, fueling agents, fire and rescue facilities, ground vehicle control and other airport condition information.	Destroy in office after 1 year.	Authority/Retention: 14 CFR 139.301
10.04	AIRPORT MASTER RECORD Federal Aviation Administration (FAA) form 5010 documenting basic information concerning airports.	Destroy in office when superseded or obsolete.	

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page A-5.

± The agency hereby agrees that it 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.” Please use the space provided.



ITEM #	STANDARD 10: AIRPORT AUTHORITY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
10.05	LAND DEVELOPMENT AND PLANNING STUDIES AND REPORTS Records documenting local government and airport authority land use and development planning.	Retain in office permanently.	
10.06	RADIO LOGS Records of radio calls received and placed.	Destroy in office after 1 year.	

10: Airport Authority

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page A-5.

± The agency hereby agrees that it 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.” Please use the space provided.

STANDARD 11: PROGRAM OPERATIONAL RECORDS – ANIMAL SERVICES RECORDS

Records created and received during the conduct of animal services programs.

NOTE: Some records are covered by General Records Schedule: Local Government Agencies and, therefore, are not listed separately here. See Reference (Reading) File and Reports and Studies (Administration and Management Records).

ITEM #	STANDARD 11: ANIMAL SERVICES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
11.01	ANIMAL ABUSE AND CRUELTY RECORDS Includes complaints, citations and/or compliance orders, and other related records.	Destroy in office after 5 years.*	See G.S. 14-360 for definition of animal cruelty.
11.02	ANIMAL COMPLAINT RECORDS Includes complaints of animal nuisances.	Destroy in office after 3 years.*	
11.03	ANIMAL CONTROL RECORDS Records of animal control calls. Includes information regarding animal bites, animals received from residents, strays caught, animals taken to shelter or returned to owner, use of tranquilizer guns, and other related records. Also includes citations and/or compliance orders issued to animal owners for violations of government ordinances.	a) Destroy in office records concerning dangerous animals when known dead or after 10 years. b) Destroy in office animal control citations and compliance orders after 3 years.* c) Destroy in office remaining records after 1 year.	

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page A-5.

± The agency hereby agrees that it 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.” Please use the space provided.

ITEM #	STANDARD 11: ANIMAL SERVICES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
11.04 	ANIMAL LICENSING RECORDS Records concerning the licensing of dogs, cats, and other animals. Includes owner and animal information and record of fees paid.	Destroy in office after 3 years.*	Confidentiality: G.S. 132-1.2 (2)
11.05 	ANIMAL SHELTER RECORDS Records of animals impounded at the shelter, including date of impoundment, length of impoundment, disposition of animal, and any other information required by rules adopted by the State Board of Agriculture. Also includes certificates of animal release (e.g., adoption, reclaim, transfer, return to field) and owner contact records.	Destroy in office 3 years after date of impoundment.	Authority/Retention: G.S. 19A-32.1(j) Confidentiality (for specific counties): G.S. 132-1.15
11.06	CONTROLLED SUBSTANCE EUTHANASIA LOG Includes amount of controlled substances used.	Destroy in office after 2 years.	Retention: 21 CFR 1304.04
11.07	HISTORIES OF PET OWNERS Records concerning information for each animal owner who violates government ordinances. Includes complaint forms and other related records.	Destroy in office after 3 years.*	
11.08	RABIES VACCINATION RECORDS Includes rabies vaccination certificates submitted to agency by area veterinarians.	Destroy in office after 3 years.	Authority: G.S. 130A-189

11: Animal Services

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page A-5.

± The agency hereby agrees that it 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.” Please use the space provided.

STANDARD 12: PROGRAM OPERATIONAL RECORDS – CODE ENFORCEMENT AND INSPECTION RECORDS

Official records and materials created and accumulated during the conduct of local government code enforcement and inspection programs.

NOTE: Some records are covered by the General Records Schedule: Local Government Agencies and, therefore, are not listed separately here.

ITEM #	STANDARD 12: CODE ENFORCEMENT AND INSPECTION RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
12.01	AIR POLLUTION SOURCE INFORMATION Includes records for facilities which are no longer operational.	Destroy in office after 2 years.*	
12.02	 BLUEPRINTS AND SPECIFICATIONS Records concerning blueprints and specifications of local government owned buildings and facilities, or drawings submitted when applying for a building permit for new construction. Includes as-built plans and related records concerning approved changes or used in determining code compliance and enforcement of building code. SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Blueprints and Specifications (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	a) Retain agency blueprints and specifications for life of structure. b) Destroy in office commercial blueprints and specifications 1 year after completion of project. c) Destroy in office residential blueprints and specifications when reference value ends.± Agency Policy: Destroy in office after <u>1 year after project is completed</u>	Confidentiality: G.S. 132-1.7

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page A-5.

± The agency hereby agrees that it 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.” Please use the space provided.

ITEM #	STANDARD 12: CODE ENFORCEMENT AND INSPECTION RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
12.03	<p>BUILDING AND ROAD PERMITTING AND INSPECTION RECORDS Records documenting applications for permits from property owners to erect new structures or manufactured homes, or to make structural modifications, demolition, fire permits, or the installation of plumbing, electrical, or mechanical systems. Includes permits, inspection reports, inspector’s worksheets, inspection requests, denial reports, sketches, correspondence (including e-mail), and contractor change forms.</p>	<p>a) Destroy in office permits, applications, and inspection reports (or worksheets) 6 years after Certificate of Occupancy is issued or project is complete (inactive).</p> <p>b) Destroy in office Certificate of Occupancy 6 years after permit is expired.</p> <p>c) Destroy in office remaining records, including applications for which a permit was never issued, when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u>2 years</u></p>	
12.04	<p>CONTROLLED SUBSTANCE LABS DECONTAMINATION RECORDS Records concerning decontamination compliance.</p>	Destroy in office 3 years after documented decontamination is complete.	
12.05	<p>DROUGHT CONTINGENCY PLANS Includes water conservation plans in the event of a drought.</p>	Destroy in office when superseded or obsolete.	
12.06	<p>EROSION AND SEDIMENT CONTROL ENFORCEMENT CASES Includes settled legal matters and penalties.</p> <p>SEE ALSO: Violations: Building and Housing, below.</p>	Destroy in office 6 years after settlement.*	

12: Codes & Inspections

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page A-5.

± The agency hereby agrees that it 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.” Please use the space provided.

ITEM #	STANDARD 12: CODE ENFORCEMENT AND INSPECTION RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
12.07	EROSION AND SEDIMENT CONTROL PLANS Includes approved and disapproved plans as well as revisions and addenda.	a) Destroy in office approved plans 6 years after approval or last revision and/or addendum. b) Destroy in office non-approved plans after 3 years.	
12.08	EXEMPTION (VARIANCE) RECORDS Records concerning exemptions and variances concerned with the installation of water, sewer, gas, or electric lines.	a) Destroy in office 5 years after expiration.* b) Destroy in office records for which an exemption or variance was not issued after 3 years.	Retention: 40 CFR 141.33 15A NCAC 18C .1526
12.09	GOING-OUT-OF-BUSINESS LICENSES Records concerning licenses granted to business to hold going out of business, water and smoke damage, and distress sales.	Destroy in office 1 year expiration.	
12.10	GROUNDWATER MONITORING RECORDS Includes all groundwater monitoring wells and associated groundwater surface elevations.	Destroy in office after 5 years.*	Authority: 15 NCAC 2C .0100
12.11	ILLEGAL DUMPING FILE Records concerning illegal dumping complaints received. SEE ALSO: Violations: Solid Waste Management, below.	Destroy in office after 5 years.*	
12.12	INSPECTIONS Inspections conducted by local government agencies concerning enforcement of state and local laws, codes, and ordinances.	Destroy in office after 6 years.*	

12: Codes & Inspections

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page A-5.

± The agency hereby agrees that it 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.” Please use the space provided.

ITEM #	STANDARD 12: CODE ENFORCEMENT AND INSPECTION RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
12.13	LEAD AND COPPER COMPLIANCE RECORDS Includes all monitoring records required by federal, state, and local regulations.	Destroy in office after 12 years.*	Retention: 40 CFR 141.91
12.14	LANDFILL TONNAGE AND COST FILE	Destroy in office after the 5 year reporting period is complete.	
12.15	PERMITS: CONSTRUCTION Records documenting applications and permits regarding sign installation, fencing, swimming pools, driveways, or similar activity required by local ordinance. SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Miscellaneous (Non-Building) Applications, Licenses, and Permits (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	a) Destroy in office 3 years after completion of project. b) Destroy in office applications for which a permit was never issued when reference value ends.± Agency Policy: Destroy in office after <u>1 year</u>	
12.16	 PERMITS: PUBLIC UTILITIES PROJECTS Records documenting permits, approval letters, and other related documentation required by local, state, or federal ordinance, regulation, or statute. Includes records regarding National Pollutant Discharge Elimination System (NPDES) permits.	a) Retain in office approval letters and supporting documentation permanently. b) Destroy in office permits 6 years after expiration, cancellation, revocation, or denial.*	Authority: 40 CFR 122.28 15A NCAC 18C .0300 Confidentiality: 15A NCAC 02H .0115

12: Codes & Inspections

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page A-5.

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ITEM #	STANDARD 12: CODE ENFORCEMENT AND INSPECTION RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
12.17	<p>RECREATIONAL VEHICLE REGISTRATION RECORDS Records concerning issuance of registrations/decals for recreational vehicles. Includes, but is not limited to, golf carts, canoes, and mopeds as well as proof of insurance and renewals.</p>	Destroy in office 1 year after expiration.*	
12.18	<p>UNSAFE BUILDINGS FILE Records documenting inspections and notifications to owners of unsafe conditions relative to a particular structure.</p> <p>SEE ALSO: Violations: Building and Housing, below.</p>	Destroy in office after 6 years provided all issues have been resolved.*	
12.19	<p>VALVE OPERATION FILE</p>	<p>Destroy in office when reference value ends. ±</p> <p>Agency Policy: Destroy in office after <u>1 year</u></p>	
12.20	<p>VIOLATIONS: BUILDING AND HOUSING Records documenting violations of building and fire code, minimum housing, and erosion and sediment control. Includes complaints, summons, notices, appeals, and other information created or compiled during the course of investigation and resolution of each alleged violation.</p> <p>SEE ALSO: Water Analysis, below.</p>	<p>a) Destroy building code violations in office 6 years after verification of correction.</p> <p>b) Destroy remaining records in office 3 years after verification of correction.*</p>	

12: Codes & Inspections

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ITEM #	STANDARD 12: CODE ENFORCEMENT AND INSPECTION RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
12.21	VIOLATIONS: SOLID WASTE MANAGEMENT Includes complaints, notices of violations, citations, investigation records, court documents, and other related records issued by solid waste environmental enforcement programs.	Destroy in office 7 years after resolution of case.*	
12.22	VIOLATIONS: WATER CONSERVATION Records concerning notices of water conservation violations.	Destroy in office when reference value ends. ± Agency Policy: Destroy in office after <u>1 year</u>	
12.23	WASTEWATER POLLUTION CONTROL AND ABATEMENT RECORDS	Destroy in office after 5 years.*	Authority: 15A NCAC 2B .0505
12.24	WASTEWATER QUALITY ANALYSIS RECORDS	a) Destroy in office analysis reports after 3 years.* b) Destroy in office monitoring and calculation sheets after 1 year.*	Authority: 15A NCAC 2B .0505

12: Codes & Inspections

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ITEM #	STANDARD 12: CODE ENFORCEMENT AND INSPECTION RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
12.25	<p>WATER ANALYSIS Records concerning bacteriological, chemical, radiological, and physical analyses and climatological observations as well as records of actions taken to correct violations.</p> <p>SEE ALSO: Violations: Building and Housing and Violations: Water Conservations, above.</p>	<p>a) Destroy in office records of chemical and radiological analysis after 10 years.</p> <p>b) Destroy in office records of bacteriological and turbidity analysis after 5 years.</p> <p>c) Destroy in office records of actions taken to correct violations 3 years after last corrective action taken.</p> <p>d) Destroy in office remaining records after 5 years.</p>	<p>Retention: 40 CFR 141.33 15A NCAC 18C .1526</p>
12.26	<p>WATER SYSTEM OPERATIONS RECORDS Records concerning the operations of water supply, treatment, distribution, and collection. Includes backflow prevention reports, flow reports, capacity studies, pump station reports, and similar records that summarize</p>	<p>Destroy in office after 10 years.</p>	<p>Retention: 40 CFR 141.33 15A NCAC 18C .1526</p>
12.27	<p>WATER TANKS, SPECIFICATIONS, AND BOOSTER STATIONS FILE</p>	<p>Destroy in office after 5 years.*</p>	

12: Codes & Inspections

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STANDARD 13: PROGRAM OPERATIONAL RECORDS – EMERGENCY MEDICAL SERVICES AND FIRE DEPARTMENT RECORDS

Official records documenting the primary functions of emergency services programs and fire departments.

Footage from body-worn cameras is scheduled by the content captured or the purpose of the footage rather than by its format. Recordings may fit under FIRE INVESTIGATION CASE FILES, DISPATCH RECORDS AND RECORDINGS, PUBLICITY RECORDS (General Schedule), TRAINING AND EDUCATIONAL RECORDS (General Schedule), and other items as appropriate. Footage is only confidential if it fits within an item where confidentiality is conferred by state or federal statute.

ITEM #	STANDARD 13: EMERGENCY MEDICAL SERVICES AND FIRE DEPARTMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
13.01 	<p>911 COMMUNICATION RECORDS AND RECORDINGS Records documenting any communications made by the public with 911. Includes transcripts and recordings of 911 calls received, transcripts of text messages received by 911, and computer-aided dispatch (CAD) reports.</p> <p>SEE ALSO: Dispatch Records and Recordings, below AND PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Communication Records (STANDARD 20: LAW ENFORCEMENT RECORDS)</p>	Destroy in office after 30 days, if not made part of a case file.*	Confidentiality: G.S. 132-1.5 G.S. 132-1.4(c)(4) Retention: G.S. 132-1.4(i)
13.02 	<p>AMBULANCE CALL REPORTS (ACR)/PATIENT CARE REPORTS (PCR) Records concerning equipment used, patient location, nature of call, vital signs and other physical signs, care rendered, medicine ordered, etc.</p>	a) Transfer copy of report to the admitting hospital for inclusion into patient's medical record. b) Destroy original in office after 3 years.*	Confidentiality: G.S. 130A-12

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ITEM #	STANDARD 13: EMERGENCY MEDICAL SERVICES AND FIRE DEPARTMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
13.03	<p>BUILDING AND FIRE SAFETY SYSTEM PLANS Records concerning plans and fire safety systems of commercial, industrial, and government-owned properties.</p>	Destroy in office when superseded or obsolete.	
13.04	<p> DISPATCH RECORDS AND RECORDINGS Records and recordings concerning activities during an emergency services dispatch. Includes company run reports and fire journals as well as ambulance dispatch and service run records. Also includes footage from body-worn cameras of EMS and Fire Department personnel when responding to an emergency if not otherwise included in a separate item.</p> <p>SEE ALSO: 911 Communication Records and Recordings, above AND PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Communication Records (STANDARD 20: LAW ENFORCEMENT RECORDS).</p>	Destroy in office after 30 days, if not made part of a case file.*	Confidentiality: G.S. 132-1.4 G.S. 143-518 45 CFR 164.501 42 U.S.C. 1395x
13.05	<p>FIRE ALARM AND AUTOMATIC EXTINGUISHER FILE Records documenting licenses and insurance certificates of companies that perform installations of fire alarm and automatic extinguishing systems.</p>	Destroy in office when superseded or obsolete.	
13.06	<p>FIRE DISPATCH FILE Records concerning fire dispatch zones. Includes maps of fire dispatch zones, census tract information, annexation research, street closings, and other related material.</p>	Destroy in office when superseded or obsolete.	

13: EMS & Fire Department

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ITEM #	STANDARD 13: EMERGENCY MEDICAL SERVICES AND FIRE DEPARTMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
13.07	<p>FIRE INVESTIGATION CASE FILES Records concerning investigations of fire. Includes reports, photographs, evidence, and other related records.</p> <p> SEE ALSO: PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Case File: Felonies AND Case File: Misdemeanors (STANDARD 20: LAW ENFORCEMENT RECORDS).</p>	<p>a) Retain in office permanently when loss of life occurs or if a publicly-owned building is involved.*</p> <p>b) Destroy in office after 10 years when arson is involved.*</p> <p>c) Destroy in office after 5 years when cause of fire is determined to be accidental and no loss of life occurs.*</p>	Confidentiality: G.S. 132-1.4
13.08	<p>FIRE SAFETY INSPECTIONS AND PERMITS Records documenting inspections of and permits issued for fire protection measures and procedures for systems and buildings.</p>	<p>a) Destroy in office inspections with no defects after 3 years.</p> <p>b) Destroy in office inspections with noted defects 3 years after defects are corrected.*</p> <p>c) Destroy in office permits 3 years after expiration.</p>	
13.09	<p>NORTH CAROLINA FIRE INCIDENT REPORT Includes report required by state statute to document certain fire incidents.</p> <p><i>For retention of copies of fire incident reports filed with other agencies, see: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Reports (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</i></p>	Retain original report permanently.	Authority/Retention: G.S. 58-79-45

13: EMS & Fire Department

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ITEM #	STANDARD 13: EMERGENCY MEDICAL SERVICES AND FIRE DEPARTMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
13.10 	PHARMACEUTICAL AND NARCOTICS RECORDS Records documenting the administration of pharmaceuticals and narcotics to patients as required by the Drug Enforcement Agency.	Destroy in office after 3 years.*	Authority: 21 CFR 1310.03 Confidentiality: G.S. 130A-12 Retention: 21 CFR 1310.04

13: EMS & Fire Department

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STANDARD 14: PROGRAM OPERATIONAL RECORDS – PARKS AND RECREATION RECORDS
Records created and received by Parks and Recreation departments.

ITEM #	STANDARD 14: PARKS AND RECREATION RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
14.01	ADMISSION RECORDS Records of admissions to parks or recreation facilities.	Destroy in office after 3 years.*	
14.02	CITATIONS RECORDS Citations issued by park personnel to persons who violate park rules and regulations.	Destroy in office after 2 years.	
14.03	OFFICIALS FILE Records concerning individuals who officiate games. Includes schedule and correspondence (including e-mail). SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Payroll and Earnings Records (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS) or Seasonal and Contract Worker Records (STANDARD 4: HUMAN RESOURCES RECORDS) for disposition of payment records.	Destroy in office after 3 years.	

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ITEM #	STANDARD 14: PARKS AND RECREATION RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
14.04	<p>PARKS PLANNING FILE Records concerning master plans and working plans for each park property and recreational facility which show layout, topography, and proposed developments and improvements. Includes drainage and resource maps, aerial maps, site analysis drawings, construction plans, and as-built drawings.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Strategic Plan (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS) AND GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Maps: Parks (STANDARD 3: GEOGRAPHIC INFORMATION SYSTEMS (GIS) RECORDS).</p>	<p>a) If an element of the Strategic Plan, destroy in office when reference value ends.± Agency Policy: Destroy in office after <u>retain permanently</u></p> <p>b) If not an element of the Strategic Plan, destroy in office when superseded or obsolete.</p>	
14.05	<p>POOL RECORDS Records concerning monthly reports indicating operational data, chemicals used, chlorination levels and other information relating to pool construction, maintenance, and health and safety.</p>	Destroy in office after 1 year.	
14.06	<p>RECREATION PROGRAMS Records concerning athletic and recreation programs. Includes staff notes, lesson plans, course descriptions, instruction manuals, schedules, team rosters, reservation records, copies of receipts for fees paid, age verification records, and concession operators list.</p> 	<p>a) Destroy in office program records after 3 years.</p> <p>b) Destroy age verification records when reference value ends.± Agency Policy: Destroy in office after <u>3 years</u></p>	Confidentiality: G.S. 132-1.12

14: Parks and Recreation

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ITEM #	STANDARD 14: PARKS AND RECREATION RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
14.07	TICKET STUBS	Destroy in office when reference value ends. ± Agency Policy: Destroy in office after <u>conclusion of event</u>	

14: Parks and Recreation

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STANDARD 15: PROGRAM OPERATIONAL RECORDS – PLANNING AND REGULATION OF DEVELOPMENT RECORDS

Official records and materials created and accumulated during the conduct of local government planning, regulation of development, and zoning programs.

Community Development Block Grants (CDBG) records are found in Standard 16: Public Housing Authorities, Redevelopment Commissions, and Entitlement Communities Records.

NOTE: Some records are covered by the Local Government Agencies General Records Retention and Disposition Schedule and, therefore, are not listed separately here.

ITEM #	STANDARD 15: PLANNING AND REGULATION OF DEVELOPMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
15.01	BOARD OF ADJUSTMENT CASE FILES AND INDEXES Cases submitted to the board requesting variances from current zoning ordinances. Includes indexes to cases reviewed by the board.	a) Retain indices in office permanently. b) Destroy in office case files after 6 years.*	Retention: G.S. 1-50(5)

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ITEM #	STANDARD 15: PLANNING AND REGULATION OF DEVELOPMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
15.02	<p>CERTIFICATES OF APPROPRIATENESS Certificates submitted by the Historic Preservation Commission allowing alterations to exterior portions of building and structures on or within historic landmarks and districts. Includes applications and other related records.</p>	<p>a) Retain in office certificates for life of structure and then destroy.</p> <p>b) Destroy in office denied applications when reference value ends. ± Agency Policy: Destroy in office after <u>1 year</u></p> <p>c) Destroy in office remaining records when reference value ends. ± Agency Policy: Destroy in office after <u>1 year</u></p>	<p>Authority: G.S. 160A-400.9</p>
15.03	<p>COMPREHENSIVE PLAN AND AMENDMENTS Official copies of comprehensive plan and all background surveys, studies, reports, draft versions of plans, and supporting documentation.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Strategic Plan (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	<p>a) Retain in office permanently adopted plan and amendments.</p> <p>b) Destroy in office remaining records 3 years after adoption of plan.</p>	

15: Planning and Regulation of Development

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ITEM #	STANDARD 15: PLANNING AND REGULATION OF DEVELOPMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
15.04	CONDITIONAL USE PERMIT RECORDS AND INDEX Records concerning applications for conditional use permits. Permits allow for the construction of buildings, on the condition that impacts on neighborhoods are mitigated. Includes original application, blueprint drawings, investigative reports, planning commission recommendations, cash receipts, and related correspondence (including e-mail). Also includes reference copies of variances or exceptions from zoning regulations granted by the Board of Adjustment.	a) Destroy in office 3 years after discontinuance of use. b) Destroy in office applications for which a permit was never issued when reference value ends. ± Agency Policy: Destroy in office after <u>1 year</u>	
15.05	DECLARATIONS AND BY-LAWS FROM TOWNHOUSES, CONDOMINIUMS, PLANNED RESIDENTIAL DEVELOPMENTS, COMMON AREAS, ETC.	a) If not filed in Register of Deeds or similar agency, retain in office permanently. b) If filed in Register of Deeds or similar agency, destroy in office when reference value ends. ± Agency Policy: Destroy in office after <u>1 year</u>	Authority: G.S. 47C-2-103
15.06	ENVIRONMENTAL IMPACT STUDIES Records and reports concerning the environmental impact of major projects proposed by localities and reviewed by local officials.	Retain in office permanently.	
15.07	OPEN SPACE CLASSIFICATION CASE FILE	Retain in office permanently.	

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ITEM #	STANDARD 15: PLANNING AND REGULATION OF DEVELOPMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
15.08	PERMITS: TEMPORARY MANUFACTURED HOME Records created to temporarily authorize the location of a manufactured home on the same lot as a single family residence.	Destroy in office 6 years after permit expires.	Retention: G.S. 1-50(5)
15.09	PERMITS: ZONING COMPLIANCE For residential uses, non-residential uses, and accessory structures.	a) Retain in office permits concerning subdivision, historical structure, major commercial or industrial development, or capital construction, where county or municipality is lead agency, permanently. b) Destroy in office permits concerning subdivision, historic structures, major commercial or industrial development, or capital construction, where county or municipality is not lead agency, 6 years after last entry. c) Destroy in office any other permits and related records 6 years after last entry.	Retention: G.S. 1-50(5)
15.10	PETITION & REGULATION RECORDS	Destroy in office after 5 years.*	

15: Planning and Regulation of Development

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ITEM #	STANDARD 15: PLANNING AND REGULATION OF DEVELOPMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
15.11	<p>PLANNING REVIEW CASE FILE For required review of site plan, zoning variance, special permit, change of zoning, subdivision creation or enlargement, municipal or county planning action, or other required review; including, but not limited to, maps, plans, sketches, photographs, engineering reports, environmental impact statement and studies, copies of zoning records, project narrative, correspondence (including e-mail), and record of final determination.</p>	<p>a) Retain plan reviews and related records containing subdivision, historical structure, major commercial or industrial development, or capital construction, where county or municipality is lead agency, permanently.</p> <p>b) Destroy in office plan reviews and related records containing subdivision, historic structures, major commercial or industrial development, or capital construction, where county or municipality is not lead agency, 6 years after last entry.</p> <p>c) Destroy in office any other mandatory reviews and related records 6 years after last entry.</p>	Retention: G.S. 1-50(c)
15.12	<p>REZONING RECORDS AND INDEXES Records concerning applications to rezone property within the county or municipality. Includes original applications, review forms, maps of areas involved, copies of investigative reports, copies of relevant planning board minutes, notices of hearings, and development agreements.</p>	Retain in office permanently.	

15: Planning and Regulation of Development

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ITEM #	STANDARD 15: PLANNING AND REGULATION OF DEVELOPMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
15.13	<p>SUBDIVISION RECORDS Includes maps, plats, topographical data, names of streets, records of public utilities, action by council, etc. Also includes preliminary subdivision and group development site plans.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Maps: Plats (STANDARD 3: GEOGRAPHIC INFORMATION SYSTEMS RECORDS).</p>	<p>a) If not filed in Register of Deeds or similar agency, retain in office permanently.</p> <p>b) If filed in Register of Deeds or similar agency, destroy in office when reference value ends. ±</p> <p>Agency Policy: Destroy in office after <u>permanently</u></p>	
15.14	<p>VARIANCES Includes zoning variances, watershed variances, and subdivision variances.</p>	Retain official copies permanently in the minutes of the Board of Adjustment or other governing body.	
15.15	<p>VIOLATIONS: ZONING Records concerning notices of zoning violations.</p>	Destroy in office after 6 years.*	Retention: G.S. 1-50(5)

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STANDARD 16: PROGRAM OPERATIONAL RECORDS – PUBLIC HOUSING AUTHORITIES, REDEVELOPMENT COMMISSIONS, AND ENTITLEMENT COMMUNITIES RECORDS

Official records and materials created and received by public housing authorities, redevelopment commissions, and entitlement communities operated by local government agencies. Where there is a local funding match required to qualify for grant programs, all records should be retained according to the grant requirements listed below.

NOTES: Some records, such as those for Section 8 assistance, are covered by the Local Government Agencies General Records Retention and Disposition Schedule and, therefore, are not listed separately here. See Bond Closing Records (Budget, Fiscal, and Payroll Records), Grants (Administration and Management Records), and Grants: Financial (Budget, Fiscal, and Payroll Records). 24 CFR Parts 50-58 lay out the environmental review responsibilities of entities but do not establish specific retention requirements, so these records should be handled in accordance with the requirements of the funding source.

ITEM #	STANDARD 16: PUBLIC HOUSING AUTHORITIES, REDEVELOPMENT COMMISSIONS, AND ENTITLEMENT COMMUNITIES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
16.01	<p>APPRAISAL PROJECT FILE Evaluations of properties and structures within proposed projects. File includes financial assessments of the worth of real estate and building within proposed project areas. File may also include assessments of architectural and historical significance and condition of the involved structures and real estate.</p>	<p>a) Retain records with historical value permanently.</p> <p>b) Destroy in office remaining records 5 years after completion of abandonment of project.*</p>	

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ITEM #	STANDARD 16: PUBLIC HOUSING AUTHORITIES, REDEVELOPMENT COMMISSIONS, AND ENTITLEMENT COMMUNITIES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
16.02	<p>COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECORDS Records concerning the administration of projects funded under the Community Development Block Grant (CDBG) program, including both direct grants and regrants. Includes applications, reports, audits, certificates, maps, and other related records.</p>	<p>a) Retain records with historical value permanently. b) Destroy in office rejected applications after 1 year. c) Destroy in office remaining records 4 years after execution of the closeout agreement for the grant.</p>	Retention: 24 CFR 570
16.03	<p>COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECORDS: OUTSTANDING LOAN BALANCES Records concerning individual activities under the Community Development Block Grant (CDBG) program for which there are outstanding loan balances, other receivables, or contingent liabilities. Includes reports, audits, and other related records.</p>	<p>a) For recipients, destroy in office 3 years after the receivables or liabilities have been satisfied. b) For subrecipients, destroy in office after such receivables or liabilities have been satisfied.</p>	Retention: 24 CFR 570.502(a)(7)(i)(B)
16.04	<p>COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECORDS: SUBJECT TO REVERSION OF ASSETS PROVISIONS OR CHANGE OF USE OF REAL PROPERTY Records concerning real property which was acquired or improved in whole or in part using Community Development Block Grant (CDBG) funds. Includes reports, audits, and other related records.</p>	<p>a) For recipients, destroy in office 3 years after these provisions no longer apply to the activity. b) For subrecipients, destroy in office when these provisions no longer apply to the activity.</p>	Authority: 24 CFR 570.503(b)(7) 24 CFR 570.505 Retention: 24 CFR 570.502(a)(7)(i)(B)

16: Public Housing

* No destruction of records may take place if audits or litigation are pending or reasonably anticipated. See AUDITS, LITIGATION, AND OTHER OFFICIAL ACTION, page A-5.

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ITEM #	STANDARD 16: PUBLIC HOUSING AUTHORITIES, REDEVELOPMENT COMMISSIONS, AND ENTITLEMENT COMMUNITIES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
16.05	CONTINUUM OF CARE RECORDS Records documenting the participation of the agency in funding by the Department of Housing and Urban Development. Includes required Federal compliance records, program records, financial records, and other related records.	a) Destroy in office records documenting the acquisition, new construction, or rehabilitation of a project site 15 years after the date site is first occupied/used. b) Destroy in office program participant records 5 years after the expenditure of all funds from the grant under which the program participant was served. c) Destroy in office all remaining records after 5 years.	Retention: 24 CFR 578.103(c)
16.06 	CRIMINAL RECORDS CHECKS Records received by the local agency to screen applicants for admission to covered housing programs and for lease enforcement or eviction.	Destroy in office once the purpose for which the record was requested has been accomplished, including expiration of the period for filing a challenge to the PHA action without institution of a challenge or final disposition of any such litigation.	Confidentiality/ Retention: 24 CFR 5.903(g) 24 CFR 5.905(c)

16: Public Housing

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ITEM #	STANDARD 16: PUBLIC HOUSING AUTHORITIES, REDEVELOPMENT COMMISSIONS, AND ENTITLEMENT COMMUNITIES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
16.07 	<p>EMERGENCY SOLUTIONS GRANTS (ESG) RECORDS Records documenting the participation of the agency in funding by the Department of Housing and Urban Development. Includes case management records for program participants, required federal compliance records, program records, financial records, and other related records.</p>	<p>a) Destroy records supporting the expenditure of federal funds passed through NC Department of Health and Human Services (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 documenting renovation of an emergency shelter 10 years after the date that ESG funds are first obligated for the renovation.</p> <p>c) Destroy in office participant records 5 years after the expenditure of all funds from the grant under which the program participant was served.</p> <p>d) Destroy in office all remaining records after 5 years.</p>	<p>Confidentiality: 24 CFR 576.500(x)</p> <p>Retention: 24 CFR 576.500(y)</p>
16.08	<p>FAÇADE PROJECT FILES Records documenting the re-granting of funds received by the agency to restore exteriors of architecturally important structures in project areas. Includes contracts, photographs, and correspondence.</p>	Retain in office permanently.	

16: Public Housing

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ITEM #	STANDARD 16: PUBLIC HOUSING AUTHORITIES, REDEVELOPMENT COMMISSIONS, AND ENTITLEMENT COMMUNITIES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
16.09	<p>HOME INVESTMENT PARTNERSHIPS PROGRAM RECORDS Records documenting the participation of the agency in funding by the Department of Housing and Urban Development. Includes records concerning designation as a participating jurisdiction, program records, project records, Community Housing Development Organizations records, financial records, program administration records, records concerning other federal requirements, and other related records.</p>	<p>a) Destroy in office rental assistance records 5 years after termination of assistance.* b) Destroy in office written agreements 5 years after termination.* c) Destroy in office 5 years after the affordability period terminates records of individual tenant income verifications, projects rents and inspections, and documents imposing recapture/resale restrictions. d) Destroy in office records covering displacements and acquisition 5 years after final payment.* e) Destroy in office remaining records after 5 years.*</p>	<p>Authority/Retention: 24 CFR 92.508</p>
16.10	<p>HOUSING ASSISTANCE FOR PERSONS WITH DISABILITIES Records documenting the participation of the agency in funding by the Department of Housing and Urban Development. Includes verifications of disability, grant agreements, performance reports, and other related records.</p>	<p>Destroy in office 5 years after the end of the grant term.</p>	<p>Retention: 24 CFR 582.301(c) 24 CFR 583.305(c)</p>

16: Public Housing

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ITEM #	STANDARD 16: PUBLIC HOUSING AUTHORITIES, REDEVELOPMENT COMMISSIONS, AND ENTITLEMENT COMMUNITIES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
16.11	<p>HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) RECORDS Records documenting the participation of the agency in funding by the Department of Housing and Urban Development. Includes grant agreements, performance reports, and other related records.</p>	Destroy in office after 5 years.	Authority/Retention: 24 CFR 574 24 CFR 5.106(d)
16.12	<p>LANDLORD MONITORING RECORDS Records documenting monitoring of landlords of properties used in affordable or subsidized housing programs. Includes certifications and forms and other compliance-related records.</p>	Destroy in office after 5 years.	
16.13	<p>REDEVELOPMENT PLANS Records concerning redevelopment projects. Includes documentation of the review and certification process.</p>	a) Retain in office permanently records concerning approved redevelopment projects. b) Destroy in office remaining records 2 years after rejection.	

16: Public Housing

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STANDARD 17: PROGRAM OPERATIONAL RECORDS – PUBLIC TRANSPORTATION SYSTEMS RECORDS

Records received and created by area transit systems and authorities necessary to meet all statutory requirements.

NOTE: Some records are covered by the Local Government Agencies General Records Retention and Disposition Schedule and, therefore, are not listed separately here.

Comply with requirements of the Federal Transit Administration’s **Best Practice Procurement Manual**, Master Agreement MA(11) Section 8 manual.

ITEM #	STANDARD 17: PUBLIC TRANSPORTATION SYSTEMS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
17.01	AMERICANS WITH DISABILITIES ACT (ADA) PARATRANSIT RECORDS Includes driver’s daily assignments, dispatch records, logs of passenger pick-ups and drop-offs, manifests, trip requests, and appeal forms.	Destroy in office after 5 years.*	Authority: 2 CFR 200.333
17.02	AMERICANS WITH DISABILITIES ACT (ADA) PARATRANSIT VOUCHERS Vouchers submitted by private transportation companies for reimbursement for alternative transportation of public transit clients.	Destroy in office after 5 years.*	Authority: 2 CFR 200.333
17.03	AMERICANS WITH DISABILITIES ACT (ADA) PRE-TRIP INSPECTION FORMS	Destroy in office after 1 year.	Authority: 2 CFR 200.333

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ITEM #	STANDARD 17: PUBLIC TRANSPORTATION SYSTEMS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
17.04	APPLICATIONS FOR ART-IN-TRANSIT Applications and supporting documentation submitted by regional and national artists for exhibit on agency property.	Destroy in office when reference value ends.± Agency Policy: Destroy in office after <u>1 year</u>	
17.05	APPLICATIONS FOR DISCOUNT PASSES Applications, certificates of disability, and supporting documentation used to apply for discount passes.	Destroy in office 3 years after service is terminated or denied.	
17.06	APPLICATIONS FOR TRANSIT SERVICE Includes customer applications, eligibility assessment records, correspondence (including e-mail), health information, riders' guides, and related records.	Destroy in office 3 years after service is terminated or denied.	
17.07	CUSTOMER (RIDER) IDENTIFICATION RECORDS Records concerning customer identification, approvals, denials, and related information.	Destroy in office when reference value ends.± Agency Policy: Destroy in office after <u>5 years</u>	
17.08	DISADVANTAGED BUSINESS ENTERPRISE (DBE) RECORDS Includes company's articles of incorporation, financial statements, signed affidavits, letters of reference, declarations, Federal Schedule A or B, and related correspondence (including e-mail).	a) Destroy in office company-specific records 5 years after company is removed from certified list. b) Destroy in office related DBE program records, including Federal Transit Administration reports, 5 years from date record was created.	Authority: 2 CFR 200.333
17.09	OPERATOR SHIFT INSPECTION RECORDS Reports and similar records of operator's inspections of vehicle at the beginning and end of shift.	Destroy in office after 5 years.	Authority: 2 CFR 200.333

17: Public Transportation

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ITEM #	STANDARD 17: PUBLIC TRANSPORTATION SYSTEMS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
17.10	ROUTE HISTORY RECORDS Includes descriptions of routes, bus stops, passenger lists, and other related records.	Destroy in office when reference value ends.± Agency Policy: Destroy in office after <u>per FTA guidelines</u>	
17.11	SEAT BELT AND RESTRAINT SYSTEM RECORDS Records concerning the use and installation of seat belts and other restraint systems in vehicles.	Destroy in office when reference value ends.± Agency Policy: Destroy in office after <u>per FTA guidelines</u>	
17.12	TRANSIT SCHEDULES Printed route schedules and related information used to generate schedules.	Destroy in office when reference value ends.± Agency Policy: Destroy in office after <u>1 year after information is obsolete</u>	
17.13	VANPOOL DRIVER APPLICATIONS Applications and supporting records submitted by persons operating vanpool vehicles.	a) Destroy in office accepted applications 3 years after person leaves program. b) Destroy in office applications for persons not accepted for program after 1 year.	

17: Public Transportation

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STANDARD 18: PROGRAM OPERATIONAL RECORDS – PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS

Official records and materials created and accumulated for use by municipal and county sanitation, water, sewage, electrical, and gas operations. Also contains environmental management records accumulated for use by erosion and sediment control, flood control, and monitoring of pollution. Comply with applicable provisions of G.S. §132-1.7 regarding confidentiality of public infrastructure detailed plans and drawings.

ITEM #	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.01	<p>ENVIRONMENTAL: COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN AND AMENDMENTS</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Strategic Plan (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	<p>a) If an element of the Strategic Plan, destroy in office when reference value ends. ± 5 years after transit plan has become obsolete</p> <p>Agency Policy: Destroy in office after <u>obsolete</u></p> <p>b) If not an element of the Strategic Plan, destroy in office when superseded or obsolete.</p>	<p>Authority: G.S. 130A-309.09A</p>
18.02	<p>ENVIRONMENTAL: CUSTOMER USAGE RECORDS</p> <p>Includes reports, plans or similar records submitted by industrial users or publicly-owned treatment works concerning intended or actual use of the wastewater treatment system.</p>	<p>Destroy in office after 3 years.*</p>	<p>Retention: 40 CFR 403.12(o)(3)</p>
18.03	<p>ENVIRONMENTAL: DAILY DISPOSAL TICKETS</p> <p>Record and/or receipts concerning the disposal of materials at the landfill.</p>	<p>Destroy in office after 3 years.*</p>	

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ITEM #	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.04	<p>ENVIRONMENTAL: DISCHARGE MONITORING REPORTS Includes discharge and non-discharge monitoring reports submitted to state and/or federal regulatory agencies. Also includes copies of monthly reports required by National Pollution Discharge Elimination System (NPDES) permits.</p>	<p>a) Destroy in office NPDES reports 5 years from date of submission.* b) Destroy in office annual reports 5 years from date of submission.* c) Destroy in office daily reports after 3 years.</p>	<p>Retention: 40 CFR 122.41(3)(j)(2) 15A NCAC 2B .0506</p>
18.05	<p>ENVIRONMENTAL: LANDFILL MONITORING REPORTS Gas and groundwater monitoring records and reports.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Audits: Performance (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	<p>a) Retain official reports permanently. b) Destroy in office remaining records after 3 years.</p>	<p>Retention: 15A NCAC 13B .1626(10)</p>
18.06	<p>ENVIRONMENTAL: LANDFILL OPERATIONAL PLAN Describes the intended schedule of construction, description of on-site waste handling procedures during active life of the facility, contingency plans, description of maintenance of installed equipment, and any other information pertaining to the operation, maintenance, monitoring, or inspections as may be required by federal and state law.</p>	<p>Destroy when superseded or obsolete.*</p>	<p>Authority: G.S. 130A-309.09D</p>

18: Public Utilities and Environmental/Waste

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ITEM #	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.07	ENVIRONMENTAL: LANDFILL PERMITS Permits and related records of landfills owned or operated by agency. Includes amendments and hazardous waste management permits.	a) Retain construction and operation permit for life of system and then destroy. b) Destroy in office all other permits and related records after the 5-year reporting period is complete.	Retention: G.S. 130A-294 (b1) (4)
18.08	ENVIRONMENTAL: NOTICE OF VIOLATIONS FOR IMPROPER DISCHARGE OR DISPOSAL FILE Notices issued by agency concerning improper non-stormwater discharge or disposal. Includes improper disposal of waste or products, chlorinated pool discharge, vehicle maintenance facility runoff, food service waste, and other unregulated commercial and industrial discharges.	Destroy in office one year after resolution.	
18.09	ENVIRONMENTAL: OUTSIDE WASTE CLEARANCE RECORDS Records allowing parties outside the operator's jurisdiction to dispose of waste at landfill.	Destroy in office 3 years after expiration of agreement.	
18.10	ENVIRONMENTAL: REPORTS SUBMITTED TO U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)	Destroy in office after 2 years.*	
18.11	EROSION CONTROL: EROSION AND SEDIMENT AFFIDAVITS Forestry and agricultural affidavits clarifying land use exempt from land-disturbing activity standards.	Destroy in office after 6 years.	

18: Public Utilities and Environmental/Waste

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ITEM #	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.12	EROSION CONTROL: EROSION AND SEDIMENT CONTROL EXHIBIT RECORDS	Destroy in office when reference value ends. ± Agency Policy: Destroy in office after <u>1 year</u>	
18.13	EROSION CONTROL: EROSION AND SEDIMENT CONTROL INSPECTIONS Inspections conducted by agency. Includes inspection requests, notices of violations, denial reports, sketches, plans, correspondence (including e-mail), and similar records concerning the construction, modification or demolition of existing and new roads and construction sites.	Destroy in office 6 years after final site inspection.*	
18.14	EROSION CONTROL: EROSION AND SEDIMENT CONTROL PERMITS Records concerning permits, including permit logs, issued for site construction.	a) Destroy in office records concerning approved permits 3 years after expiration of permit. b) Destroy in office non-approved permits after 3 years.	
18.15	EROSION CONTROL: EROSION AND SEDIMENT CONTROL PLANS Includes approved and disapproved plans submitted to agency. Includes revisions, addendums, and records delineating who is financially responsible for the project.	a) Destroy approved plans in office 3 years after expiration. b) Destroy non-approved plans after 3 years.	Authority: 15A NCAC 04B .0118

18: Public Utilities and Environmental/Waste

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ITEM #	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.16	<p>EROSION CONTROL: TROUT BUFFER VARIANCES Includes denials and waivers.</p> <p>SEE ALSO: PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Variances (STANDARD 15: PLANNING AND REGULATION OF DEVELOPMENT RECORDS).</p>	<p>a) Destroy in office 6 years after approval of permit.</p> <p>b) Destroy in office after 3 years plans for which a permit was not issued.</p>	<p>Authority: 15A NCAC 04B .0125</p>
18.17	<p>FLOOD CONTROL: FLOOD CERTIFICATIONS Records concerning lot reviews for construction projects submitted to agency.</p> <p>SEE ALSO: PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Permits: Zoning Compliance (STANDARD 15: PLANNING AND REGULATION OF DEVELOPMENT RECORDS).</p>	<p>Destroy in office when superseded or obsolete.</p>	
18.18	<p>FLOOD CONTROL: FLOOD STUDIES Reviews of stream crossings for construction projects submitted to agency.</p>	<p>Retain in office for life of structure and then destroy.*</p>	
18.19	<p>UTILITIES: DAILY WATER AND WASTEWATER FACILITY OPERATORS LOGS Records concerning water distribution and treatment.</p>	<p>a) Destroy in office records concerning the operation of wastewater treatment facilities after 5 years.*</p> <p>b) Destroy in office records concerning the operation of water treatment facilities after 3 years.*</p>	<p>Authority: 15A NCAC 18C .1301</p>

18: Public Utilities and Environmental/Waste

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ITEM #	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.20 	<p>UTILITIES: ELECTRIC POWER AND NATURAL GAS FACILITY ENGINEERING AND SYSTEM PLANS Includes authorizations to construct, building plans, and specifications of privately owned utilities.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Strategic Plan (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	<p>a) If an element of the Strategic Plan, destroy in office when reference value ends. ± Agency Policy: Destroy in office after <u>1 year</u></p> <p>b) If not an element of the Strategic Plan, destroy in office when superseded or obsolete.</p>	Confidentiality: G.S. 132-1.7
18.21	<p>UTILITIES: ELECTRIC POWER AND NATURAL GAS PERMITS AND APPROVAL RECORDS Permits, approval letters, and other related documentation required by local, state, or federal ordinance, regulation, or statute and issued by agency.</p>	<p>a) Destroy in office permits 5 years after expiration, cancellation, revocation or denial.*</p> <p>b) Retain approval letters and supporting documentation permanently.</p>	
18.22	<p>UTILITIES: ELECTRIC POWER AND NATURAL GAS SYSTEM MAINTENANCE AND REPAIR RECORDS Records documenting installation, location, specifications, and maintenance history of meters, lines, pipes, pumps, and similar system equipment.</p>	Destroy in office 3 years after equipment is no longer owned and/or operational.	
18.23 	<p>UTILITIES: ELECTRIC POWER AND NATURAL GAS SYSTEM MANAGEMENT PLANS</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Strategic Plan (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	Retain in office for life of system and then destroy.	Confidentiality: G.S. 132-1.7

18: Public Utilities and Environmental/Waste

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ITEM #	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.24	UTILITIES: ELECTRIC POWER AND NATURAL GAS SYSTEM PROJECT RECORDS	a) Retain project pre-approval and final approval letters for life of system and then destroy. b) Destroy in office remaining records 5 years after project is completed.	
18.25	UTILITIES: LANDLORD AGREEMENTS Agreements to automatically transfer utility accounts to landlords when their tenant vacates a property.	Destroy in office 3 years after expiration of agreement.	
18.26	 UTILITIES: MAPS (UTILITY INSTALLATIONS & DISTRIBUTIONS) Includes maps, plats, charts, and similar records showing the location of water mains, valves, hydrants, meters, etc., throughout the system. SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Maps, All Other (STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS).	Retain for life of system and then destroy.	Authority: 15A NCAC 18C .0300 Confidentiality: G.S. 132-1.7

18: Public Utilities and Environmental/Waste

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ITEM #	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.27	<p>UTILITIES: METER INSTALLATION, TESTING AND CALIBRATION RECORDS (ELECTRIC, WATER, GAS) Includes records concerning the installation or planned installation of meters and connecting any facility to utility system owned or operated by the agency.</p>	<p>a) Destroy in office records verifying installation of meter 3 years after equipment is no longer owned and/or operational.</p> <p>b) Destroy in office notice to property owners of approval of utility installation after 2 years.</p> <p>c) Destroy in office remaining records after reference value ends.±</p> <p>Agency Policy: Destroy in office after <u>1 year</u></p>	
18.28	<p>UTILITIES: PUBLIC UTILITIES INSPECTION FORMS Records relating to the inspection of sanitation, electric, water, gas and sewer utilities submitted to or conducted by agency.</p>	<p>Destroy in office when superseded or obsolete.</p>	

18: Public Utilities and Environmental/Waste

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ITEM #	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.29 	UTILITIES: PUBLIC UTILITIES SYSTEM ENGINEERING, MAINTENANCE, AND REPAIR RECORDS Includes records documenting installation, authorizations to construct, building plans, location, specifications, and maintenance history, for hydrants, pipes, pumps, valves, and similar system equipment. Includes drainage system maintenance and repair records.	a) Retain in office as built plans and specifications for life of system and then destroy. b) Destroy in office 5 years after equipment is no longer owned and/or operational if unlike replacement occurred. c) Destroy in office 3 years after equipment is no longer owned and/or operational if like replacement occurred. d) Destroy in office background surveys, studies, reports, drafts, and other records when superseded or obsolete.	Authority: 15A NCAC 18C .0300 15A NCAC 2H .0115 Confidentiality: G.S. 132-1.7
18.30	UTILITIES: RECYCLING WATER RECORDS Backwash recycling groundwater records.	Destroy in office when superseded or obsolete.	Authority: 40 CFR 141.76(d)
18.31	UTILITIES: SERVICE INTERRUPTION RECORDS Includes reports, logs, or similar records documenting service interruptions.	Destroy in office after 3 years.*	

18: Public Utilities and Environmental/Waste

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ITEM #	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.32	UTILITIES: TAP AND HOOK UP RECORDS Applications, permits, contracts, logs, or similar records documenting location and installation of water and wastewater hookup and taps.	a) Destroy in office permits and contracts 3 years after termination or cancellation.* b) Destroy in office denied applications and remaining records when reference value ends. ± Agency Policy: Destroy in office after <u>1 year</u>	Confidentiality: G.S. 132-1.1(c)
18.33	UTILITIES: WATER AND WASTEWATER PERMITS AND APPROVAL RECORDS Permits, approval letters, and other related documentation required by local, state, or federal ordinance, regulation, or statute for systems owned or operated by agency. Includes records regarding National Pollutant Discharge Elimination System (NPDES) permits.	a) Retain approval letters and supporting documentation permanently. b) Destroy in office permits and other records 5 years after expiration, cancellation, revocation or denial.*	Retention: 15A NCAC 18C .0300 15A NCAC 2H .0115 40 CFR 122.28
18.34	UTILITIES: WASTEWATER MAINTENANCE OPERATION REPORTS	Destroy in office after 3 years.	

18: Public Utilities and Environmental/Waste

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ITEM #	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.35	<p>WATER QUALITY: LABORATORY OPERATIONS RECORDS Includes documentation of all analytical quality control practices, reporting units, forms, test methods, and related procedures pertaining to certification obtained by agency.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Audits: Performance (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	<p>a) Destroy in office samples, raw data, analysis reports and related documentation after 5 years.*</p> <p>b) Destroy in office records concerning certification 2 years after expiration, cancellation, revocation, or denial.*</p>	<p>Authority: 15A NCAC 02H .0805(7)(G) 15A NCAC 02H .1100</p>
18.36	<p>WATER QUALITY: PRETREATMENT PROGRAM RECORDS Includes annual pretreatment reports, records of monitoring activities and results, water quality records and other related documentation.</p>	<p>a) Destroy in office permits and supporting documentation 5 years after expiration, cancellation, revocation, or denial.*</p> <p>b) Destroy in office remaining records after 3 years.*</p>	<p>Retention: 15A NCAC 02H .0908(f)(1) 40 CFR 503.17</p>
18.37	<p>WATER QUALITY: PUBLIC WATER SANITARY SURVEY RECORDS Includes reports, summaries, studies, correspondence (including e-mail), and other related records documenting the sanitary condition of system.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Audits: Performance (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	<p>a) Destroy in office 10 years after completion of survey.*</p> <p>b) Destroy in office documentation of corrective measures 2 years after their implementation.</p>	<p>Retention: 40 CFR 141.33 15A NCAC 18C .1526</p>

18: Public Utilities and Environmental/Waste

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ITEM #	STANDARD 18: PUBLIC UTILITIES AND ENVIRONMENTAL/WASTE MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.38	WATER QUALITY: SEWER JETTING AND VECTORING RECORDS Records documenting the routine cleaning of wastewater lines.	Destroy in office after 3 years.	
18.39	WATER QUALITY: SLUDGE TREATMENT RECORDS Includes analyses, certification statements, site restrictions, monitoring records, vector attraction reduction requirements, trip tickets, residual records, control plans and other related documentation conducted by or for agency.	Destroy in office after 5 years.*	Retention: 40 CFR 503.17
18.40	WATER QUALITY: STORMWATER DEVIATION PERMITS Permits issued to single lots. Includes applications, certifications of installations, and related records.	a) Destroy in office permits and contracts 3 years after termination or cancellation.* b) Destroy in office inspections submitted by owner when superseded or obsolete.	
18.41	WATER QUALITY: VIOLATION RECORDS Includes all documentation of actions taken to correct federal, state or local violations of water and wastewater management standards by agency.	Destroy in office after 5 years.*	Retention: 40 CFR 141.33 15A NCAC 18C .1526
18.42	WATER QUALITY: WATER AND WASTEWATER SYSTEM INSPECTIONS AND TESTS Includes non-compliance inspections and test records conducted by a facility.	Destroy in office after 5 years.	

18: Public Utilities and Environmental/Waste

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STANDARD 19: PROGRAM OPERATIONAL RECORDS – STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS

Official records and materials created and accumulated for constructing and maintaining municipal and county-maintained streets and other public works projects, and engineering records.

ITEM #	STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
19.01	<p>APPRAISAL REPORTS Records appraising privately owned land for compensation in eminent domain projects.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Easements and Right-of-Way Agreements (STANDARD 6: LEGAL RECORDS).</p>	Destroy in office after 10 years.	
19.02	<p>CEMETERY DEEDS Copies of deeds for the purchase of agency-owned cemetery plots. Includes applications or deed slips.</p>	<p>a) Retain 1 copy of deed in office permanently.</p> <p>b) Destroy in office remaining records when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u>1 year</u></p>	
19.03	<p>CEMETERY INTERMENT RECORDS Includes name of deceased, date of interment, and location of plot.</p>	<p>Retain in office permanently.</p> <p><i>Retention Note: If these records are maintained as an electronic database, a copy should be maintained on paper or microfilm and updated regularly.</i></p>	

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ITEM #	STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
19.04	EXCAVATION PERMITS Applications, permits, and billing information for individuals and contractors requesting to work in the county or municipal right-of-way for demolitions or excavations.	a) Destroy in office billing records after 3 years.* b) Destroy in office applications and permits 1 year after expiration. c) Destroy in office applications for which a permit was never issued when reference value ends.± Agency Policy: Destroy in office after <u>1 year</u>	
19.05	GRAVE OPENING ORDERS Authorizations to dig graves in agency-owned cemeteries.	Destroy in office after 1 year.	
19.06	INFRASTRUCTURE MAINTENANCE RECORDS Records documenting the general maintenance and upkeep of infrastructure, including roads, traffic lights, and other public works.	Destroy in office after 3 years.	
19.07	PLANNING FILE Includes long-range and immediate plans for paving streets and other projects.	Destroy in office 5 years after superseded or obsolete.	
19.08	 PROJECT RECORDS - CANCELLED Background information for public works and engineering projects explored but not undertaken. Records are used as a reference file and include maps, project information, and the reason that the project failed.	a) Retain records with historical value permanently. b) Destroy in office remaining records when reference value ends.± Agency Policy: Destroy in office after <u>3 years</u>	Confidentiality: G.S. 132-1.7

19: Streets, Public Works, and Engineering

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ITEM #	STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
19.09 	<p>PROJECT RECORDS – CORE Records used to document the design and construction of public works and engineering projects. Includes final as-built plans and specifications; certificate of completion/closure; policy correspondence (including e-mail), covenants; final estimates and budgetary summaries; geo-technical reports; environmental mitigation agreements; permits for right-of-way use, photographs documenting key aspects of construction as-built; final specifications; and as-built structural calculations.</p>	Destroy originals after life of structure ends.	Confidentiality: G.S. 132-1.7

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ITEM #	STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
19.10	<p> PROJECT RECORDS – ENGINEERING & COMPLIANCE Records used to document the engineering and technical areas of a public works and engineering project, as well as compliance with regulatory requirements. Includes superseded plans and specifications, agreements for construction and finance, billing information, change orders, force orders, work orders, construction claims, contract documentation, contracts, reports, diaries and narratives, EEO information, material certifications, material testing reports, notice to proceed, permit of entry, postings, pre-construction conference records, final progress payments, punch lists, regulations, shop drawings, and subcontractor information. File also includes environmental review records and proof of compliance with any mitigation measures required as a condition of project authorization.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Grants (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS); GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Grants: Financial (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS); GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Payroll and Earnings Records (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS.)</p>	Destroy in office 6 years after completion or termination of project.*	Confidentiality: G.S. 132-1.7

19: Streets, Public Works, and Engineering

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ITEM #	STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
19.11	<p>PROJECT SHEETS FILE Local forms listing property owners, lot or tract size, right-of-way data, tax value, and compensation.</p>	Destroy in office after 5 years.	
19.12	<p>RIGHT-OF-WAY ACQUISITION WORKING RECORDS Includes records of negotiations on acquisition of rights-of-way related to public works and engineering projects, such as 10-day letter of notification, notification of intent to acquire, notice of condemnation action, and other correspondence (including e-mail) relating to right-of-way acquisitions.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Easements and Right-of-Way Agreements (STANDARD 6: LEGAL RECORDS).</p>	Destroy in office after 3 years.*	
19.13	<p>STREET NAME AND HOUSE NUMBER FILES Records relating to the assignment of street names and house numbers. May also include records documenting street name changes, and non-temporary street openings and closings.</p>	Retain in office permanently.	

19: Streets, Public Works, and Engineering

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ITEM #	STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
19.14 	<p>STRUCTURAL MAINTENANCE AND ANALYSIS RECORDS Records used for maintenance, review, and analysis of permanent and temporary structures owned by third parties that extend, cross or abut the public right-of-way.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Blueprints and Specifications (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).</p>	Destroy records pertaining to structure 3 years after the end of life of the structure.	Confidentiality: G.S. 132-1.7
19.15	<p>SURVEY FIELD RECORDS Records used to document and establish easements and rights-of-way, and to locate reference points used during street and utility projects. Records include traverse information, tie sheets, sketches, field notes, plats, interpretation of field notes, alignments, profiles of projects, plans, grade sheets, estimates, databank ties, and other miscellaneous documents used to establish grades, rights-of-way and easements.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Easements and Right-of-Way Agreements (STANDARD 6: LEGAL RECORDS).</p>	<p>a) Retain records with historical value permanently.</p> <p>b) Destroy in office remaining records when superseded or obsolete.</p>	
19.16	<p>TRAFFIC ANALYSIS Analysis of vehicle traffic within agency jurisdiction.</p>	Destroy in office after 5 years.	

19: Streets, Public Works, and Engineering

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ITEM #	STANDARD 19: STREET MAINTENANCE, PUBLIC WORKS, AND ENGINEERING RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
19.17	TRAFFIC VIDEO RECORDINGS AND DATA Recordings and other data used to monitor traffic levels.	Destroy in office after 30 days.*	

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STANDARD 20: PROGRAM OPERATIONAL RECORDS - LAW ENFORCEMENT RECORDS (EXCLUDING SHERIFF'S OFFICES)

Records received and created by any local government law enforcement agency (excluding sheriff's offices) necessary to meet all statutory requirements. Comply with applicable provisions of G.S. §132-1.4 regarding confidentiality of law enforcement records and G.S. §153A-98 and G.S. §160A-168 regarding confidentiality of personal information of law enforcement officers.

Please note: Records created by county sheriff's offices fall under the purview of the Records Retention Schedule of County Sheriff's Offices.

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.01	<p>ALARM CALL REPORTS Reports completed by officers responding to alarm calls. Includes listings of alarm type, time received, time arrived, reason for activation, and other related information. Includes forms completed by businesses and residences naming emergency contacts, location of safe, or other related information.</p>	<p>a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors</p> <p>b) Destroy in office after 30 days if not made part of a case file.</p>	
20.02	<p>ALTERNATIVE SENTENCING PROGRAMS Records documenting alternative sentencing programs. Includes work release and weekender service.</p>	Destroy in office 3 years after individual leaves program.	
20.03	<p>ARREST PROCESSING RECORDS Records used to track a defendant's time and activities while in arrest processing. Includes time of arrival and time to and from each workstation.</p> 	Destroy in office 1 year after date of arrest.*	Confidentiality: G.S. 132-1.4

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.04 	ARREST REPORTS Reports concerning arrests made by officers.	a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors b) Destroy in office 5 years from date of arrest if report is not made part of a case file.	Confidentiality: G.S. 132-1.4
20.05	AUCTION RECORDS Records concerning abandoned and unclaimed articles or found property in possession of law enforcement sold at public auction. May include auction receipts of monies received for items sold.	Destroy in office after 3 years.*	
20.06 	CASE FILE: FELONIES Includes investigative reports, complaint reports, fingerprint cards, original arrest reports, copies of warrants, special expenditure report, statements of seized and returned property, interview sheets; case status reports, photographs, court orders, correspondence; officer's notes, court dispositions, audio or video recordings, and other related records. SEE ALSO: Electronic Recordings of Interrogations, below.	a) Destroy in office records concerning solved cases 20 years after disposition of case and exhaustion of any appeals.* b) Retain in office records concerning unsolved cases until solved, and then follow disposition instructions in part (a).	Confidentiality: G.S. 132-1.4

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.07 	<p>CASE FILE: MISDEMEANORS Includes investigative reports, complaint reports, fingerprint cards, original arrest reports, copies of warrants, special expenditure reports, statements of seized and returned property, interview sheets, case status reports, photographs, court orders, correspondence, officer’s notes, court dispositions, audio or video recordings, and other related records.</p>	<p>a) Destroy in office records concerning solved malicious misdemeanor cases 3 years after disposition of case and exhaustion of any appeals.*</p> <p>b) Retain in office records concerning unsolved malicious misdemeanor cases until solved, and then follow disposition instructions in part (a).</p> <p>c) Destroy in office records concerning all misdemeanor cases not covered in (a) or (b) after 3 years.*</p>	Confidentiality: G.S. 132-1.4
20.08 	<p>COMMUNICATION RECORDS Recordings, printouts, and logs of telephone, radio, dispatch, 911 emergency calls or texts, and computer aided dispatch (CAD) systems incoming and/or outgoing communications. Includes time and date of call, contents of call, location of call, name of unit sent to scene, and other related information.</p> <p>SEE ALSO: PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, 911 Communication Records and Recordings AND Dispatch Records and Recordings.</p>	<p>a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors</p> <p>b) Destroy in office after 30 days if not made part of a case file.</p>	Confidentiality: G.S. 132-1.4

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.09 	COMPLAINTS Records concerning complaints to which a unit responded. Includes logs listing name and address of victim, time, date, nature of complaint, responding officer's name, action taken, and other related information.	a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors b) Destroy in office 3 years after resolution if not made part of a case file.	Confidentiality: G.S. 132-1.1(a)
20.10	COMPOSITE INTERVIEWS Summaries of interviews used to determine the physical description of suspects.	a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors b) Destroy in office when reference value ends if not made part of case file.± Agency Policy: Destroy in office after <u>5 years</u>	
20.11 	CRIME ANALYSIS RECORDS Records used to anticipate, prevent, or monitor possible criminal activity. Includes crime reports, photographs, complaints, copies of citations, criminal profile information, and interoffice memoranda generated or accumulated in connection with investigations or directed patrols.	a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors b) Destroy in office when reference value ends if not made part of case file.± Agency Policy: Destroy in office after <u>1 year</u>	Confidentiality: G.S. 132-1.4 G.S. 132-1.7(a2) Authority/ Confidentiality/ Retention 28 CFR 23.20

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.12 	<p>DETENTION FACILITY INCIDENT REPORTS Detention facility incident reports. Include narratives of incidents, lists of those involved, statements and interview reports, inmates’ refusal of medical treatment, inmates’ refusal to press charges, and other related records.</p> <p>SEE ALSO: GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Litigation Case Records (STANDARD 6: LEGAL RECORDS).</p>	<p>c) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors</p> <p>d) Destroy in office after 3 years if not made part of a case file.*</p>	Confidentiality: G.S. 132-1.1(a)
20.13	<p>DETENTION FACILITY OPERATIONAL RECORDS Records concerning all activities occurring during shifts at detention facilities. Includes end of duty (shift change reports, key and radio control lists, equipment and inmate/non-inmate housing check lists, cell inspection reports, laundry exchange and controlled property lists, tour reports, etc.) and inmate accountability (rosters, commitment and release reports, cell locations, etc.) records.</p>	<p>a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors</p> <p>b) Destroy in office when reference value ends if not made part of case file.± Agency Policy: Destroy in office after <u>n/a</u></p>	
20.14	<p>DETENTION FACILITY PHYSICAL FORCE RECORDS Reports made by any officer or employee of a detention facility who applies physical force to an inmate or arrestee.</p>	Destroy in office after 3 years.*	

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.15	<p>DIVISION OF CRIMINAL INFORMATION AND NATIONAL CRIME INFORMATION CENTER (DCI-NCIC) ENTRIES Records and logs listing entries and inquiries made against DCI-NCIC networks and concerning missing persons, wanted persons, stolen vehicles or other property, and other related topics.</p>	Destroy in office 1 year after period covered by audit.*	Authority: 28 USC 534
20.16	<p>DIVISION OF CRIMINAL INFORMATION AND NATIONAL CRIME INFORMATION CENTER (DCI-NCIC) VALIDATION RECORDS Requests and proofs of verification for DCI-NCIC or other law enforcement information networks.</p>	Destroy in office after 1 year.*	Authority: 28 USC 534
20.17	<p>DNA SAMPLING RECORDS Records documenting the collection of DNA samples from persons for qualifying offenses. Includes copies of judgments. Original samples are forwarded to the State Crime Lab.</p>	<p>a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors</p> <p>b) Destroy in office 1 year from date sample was obtained if not made part of a case file.</p>	Authority: G.S. 15A-266.8

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.18 	DOMESTIC VIOLENCE RECORDS Restraining orders and related records.	a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors b) Destroy in office after expiration of restraining order if not made part of a case file.	Confidentiality: G.S. 132-1.4
20.19	DRUG AND ALCOHOL TESTING RECORDS Records and reports generated when individuals suspected of being under the influence of or impaired by illegal drugs or alcohol are chemically tested. Includes reports used for persons arrested for driving while impaired by alcohol and/or drugs and breathalyzer analysis reports. SEE ALSO: Laboratory Case Records, below.	a) Transfer original Driving While Impaired (DWI) reports to county Clerk of Superior Court’s office. b) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors c) Destroy in office when reference value ends if not made part of case file.± Agency Policy: Destroy in office after <u>n/a</u>	

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.20 	ELECTRONIC RECORDINGS OF INTERROGATIONS Electronic recordings generated by audio and/or video recording devices of custodial interrogations in an investigation of a juvenile or any person in a criminal investigation.	a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors b) Destroy in office when reference value ends if not made part of case file.± Agency Policy: Destroy in office after <u>1 year</u>	Authority: G.S. 15A-211 Confidentiality: G.S. 7B-3001(b) G.S. 132-1.4A
20.21 	FIELD OBSERVATIONS Records concerning field observations of suspicious persons or vehicles. Includes subject’s name, address, and physical description; date, time, and location of occurrence; reason for stop; name of officer conducting interview; and other related information.	a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors b) Destroy in office when reference value ends if not made part of case file.± Agency Policy: Destroy in office after <u>1 year</u>	Confidentiality: G.S. 132-1.4

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.22 	<p>FINGERPRINT CARDS Records used to verify a subject’s identity. Includes fingerprints and all necessary information required to identify an individual. Also includes records of latent finger and palm prints that were found at the scene of a crime without identification of suspects</p> <p><i>Original fingerprint records are forwarded to the State Bureau of Investigation.</i></p> <p>SEE ALSO: Juvenile Case History Identification Records, below.</p>	<p>a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors</p> <p>b) Destroy in office after 3 years if not made part of case file.</p>	<p>Confidentiality: G.S. 132-1.4</p> <p>Authority: G.S. 15A-502</p>
20.23	<p>FORCIBLE ENTRY RECORDS Records concerning forcible entries made by law enforcement personnel.</p>	Destroy in office after 1 year.	
20.24	<p>FUGITIVE WARRANTS CASE RECORDS Records concerning fugitive warrants sent to a department from another jurisdiction requesting assistance in finding an individual. Includes fugitive profile and warrant.</p>	<p>Destroy in office when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u>1 year</u></p>	

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.25 	<p>IDENTIFICATION PHOTOGRAPHS Photographs (mugshots) of persons arrested in association with formal investigations. Also includes driver’s license photos or negatives.</p> <p>SEE ALSO: Juvenile Case History Identification Records, below.</p>	<p>a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors</p> <p>b) Destroy in office after 3 years if not made part of a case file.</p>	Confidentiality: G.S. 132-1.4
20.26	<p>INCIDENT RESPONSE REPORTS Reports completed by officers responding to incidents. Includes victim, suspect, and witness information; damaged and stolen property reports; statement sheets; Miranda waiver forms; and other related records.</p>	<p>a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors</p> <p>b) Destroy in office when reference value ends if not made part of case file.±</p> <p>Agency Policy: Destroy in office after <u>5 years</u></p>	Confidentiality: G.S. 132-1.4
20.27	<p>INMATE CLASSIFICATION RECORDS Records concerning classification information gathered by the detention facility while inmates are incarcerated. Also includes incident reports, behavioral or disciplinary reports, interviews, classification level assigned, requested housing moves, and other related records.</p>	Destroy in office 3 years after inmate is released or transferred from the facility.*	

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.28	INMATE COMMITMENT RECORDS Copies of judgment and commitment papers received from the Clerk of Superior Court’s office used to validate time spent incarcerated.	Destroy in office when reference value ends.± Agency Policy: Destroy in office after <u>n/a</u>	
20.29	INMATE DEATH REPORTS Reports filed by office upon the death of an inmate. A report must be sent to the county health director and N.C. Department of Health and Human Services, within five days of the death.	Destroy in office after 3 years.*	Authority: G.S. 153A-224(b)
20.30	INMATE FINANCIAL RECORDS Records concerning individual inmate funds maintained by a detention facility for use by the inmate while incarcerated. Includes balance sheets listing inmate’s name and number, amount of funds, dates of deposits and withdrawals, and other related information.	Destroy in office 3 years after inmate is released or transferred from the facility.*	

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.31 	INMATE GRIEVANCE RECORDS Records concerning grievances filed by inmates and actions taken.	a) If legal action is taken and case adjudicated, destroy in office 5 years after final disposition. b) If legal action is taken and case non-adjudicated (out-of-court claims), destroy in office 5 years after final disposition or expiration of relevant statute of limitations. c) Destroy remaining records in office 3 years after inmate is released or transferred from the facility.*	Confidentiality: G.S. 132-1.1(a)
20.32	INMATE MAIL, TELEPHONE, OR VISITOR RECORDS Records concerning telephone calls and mail sent and received by inmates and individuals visiting inmates confined in county or municipal detention facilities. Includes logs listing inmate’s name, date and time of call or mail, visitor’s signature and address, and other related information.	Destroy in office after 1 year.*	
20.33	INMATE MEAL RECORDS Records concerning the planning and scheduling of inmate meals. Includes food service daily shift reports, daily meal sheets, food order forms, kitchen checklists, lists of inmates receiving meals and other related records. File also includes records concerning requests for special diets made by inmates.	Destroy in office after 3 years.*	Retention: 10A NCAC 14J .1723

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.34	 <p>INMATE MEDICAL RECORDS Records concerning medical examinations, diagnoses, and treatments of inmates. Includes medical information sheets and screening forms, medical histories as provided by inmate, receipt and/or release forms for medications and medical articles, laboratory and x-ray reports, blood pressure records, sick bay transfer forms, special diet authorizations, psychological evaluation forms, suicide watch sheets, progress notes, health assessment forms, dental forms, doctors' orders, transportation records to outside clinics or hospitals, and other related records. May also include authorization records for release of medical information to detention facility staff, informed consent forms, refusal of treatment forms, and release of financial responsibility forms.</p> <p>SEE ALSO: Juvenile Detention Records, below.</p>	Destroy in office 10 years after inmate's release or parole.	Confidentiality: G.S. 8-53 45 CFR 164.502
20.35	<p>INMATE PERSONAL IDENTIFICATION RECORDS Records concerning changes to be made to an inmate's incarceration file. Includes personal identification changes, superior court calendar, long form dismissals and other related records.</p>	Destroy in office 30 days after receipt.*	

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.36	INMATE RESEARCH REQUESTS Requests filed by inmates seeking use of a facility’s law library or similar collection containing research materials.	Destroy in office 1 year from date of request.	
20.37 	JUVENILE CASE FILES Includes incident and arrest reports, detention orders, disposition instructions, name and address of person having legal and/or physical custody of child, correspondence with county, municipal, or state juvenile services, and other related records.	a) Destroy in office records when juvenile reaches 21 years of age if adjudicated for an offense that would have been a Class A, B1, B2, C, D, or E felony if committed by an adult. b) Destroy in office records related to all other cases when juvenile reaches 18 years of age.	Confidentiality: G.S. 7B-3001(b) Retention:
20.38 	JUVENILE CASE HISTORY IDENTIFICATION RECORDS Includes fingerprints and photographs.	a) Transfer to the State Bureau of Investigation and Federal Bureau of Investigation. b) Destroy in office agency copies when reference value ends.*± Agency Policy: Destroy in office after <u>1 year</u>	Confidentiality/ Retention: G.S. 7B-2102
20.39 	JUVENILE DETENTION RECORDS Records concerning medical and non-medical information gathered on juvenile inmates held in county or municipal detention facilities.	a) Destroy in office medical records when juvenile reaches 30 years of age. b) Destroy in office non-medical records when juvenile reaches 18 years of age.	Confidentiality: G.S. 7B-3001(b)

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.40 	LABORATORY CASE RECORDS Records concerning cases examined in a crime laboratory; includes reports, notes, charts, and other related records	Retain in office permanently.	Confidentiality: G.S. 132-1.4
20.41 	LAW ENFORCEMENT AUDIO AND VIDEO RECORDINGS Tapes and digital recordings generated by mobile and fixed audio and video recording devices. Does not include Electronic Recordings of Interrogations, above.	a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors b) Destroy in office after 30 days if not made part of a case file.	Confidentiality: G.S. 132-1.4A G.S. 153A-98
20.42	MULTIPLE FIREARMS SALES REPORTS Reports received from dealers reporting the sale of multiple firearms.	Destroy in office when reference value ends, but within 20 days after receipt.± Agency Policy: Destroy in office after <u>n/a</u>	Retention: 18 USC 923(g)(3)(b)
20.43	MULTIPLE FIREARMS SALES REPORTS DESTRUCTION RECORDS Records submitted after 6 months to the U.S. Attorney General's Office certifying that all multiple firearm sales reports received from dealers have been destroyed.	Destroy in office after 1 year.	Authority: 18 USC 923(g)(3)(b)

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.44	ORDINANCE VIOLATIONS CITATIONS Citations issued for violations of municipal and county ordinances.	Destroy in office after 3 years.*	
20.45	PAWNSHOP RECORDS Pawnshop cards and property records submitted to municipal and county law enforcement offices.	a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors b) Destroy in office after 1 year if not made part of a case file.	Authority: G.S. 66-391
20.46	PERMISSION TO SEARCH RECORDS Authorizations for officers to search property, and if necessary, confiscate property deemed pertinent to an investigation.	a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors b) Destroy in office when reference value ends if not made part of a case file.± Agency Policy: Destroy in office after <u>5 years</u>	

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.47 	PERMITS: CONCEALED WEAPONS AND HANDGUNS Applications and supporting documentation filed to carry concealed weapons or purchase handguns. Includes background checks and other related records.	a) Destroy in office all approved applications after 5 years. b) Destroy in office denied applications and related records 5 years from date of denial or resolution of petition filed with district court, whichever is longer. c) Destroy in office background checks and related records concerning approved applications when permit is issued.	Authority/ Confidentiality: G.S. 14-415.17 G.S. 132-1.4 G.S. 132-1.7
20.48	PRISON RAPE ELIMINATION ACT (PREA) FILE Allegation, investigation, and incident review records documenting investigations into allegations of sexual abuse or sexual harassment.	Destroy in office 6 years after inmate's release.* <i>Retention Note: If a minor is involved in the incident, records should be retained until the minor reaches age 30.</i>	Authority: 28 CFR Part 115
20.49	PRISON RAPE ELIMINATION ACT (PREA) DATA FILE Aggregated data for every allegation of sexual abuse at county or municipal lockups.	Destroy in office after 10 years.	Authority/Retention: 28 CFR Part 115.187 28 CFR 115.189(d)
20.50	PRISONER TRANSPORT RECORD Verification forms completed by receiving party of prisoner patient.	Destroy in office after 1 year.	

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.51	<p>PROPERTY RECORDS Records concerning confiscated property, evidence, stolen or recovered property, and unclaimed property. Includes descriptions of property and its value, serial numbers, and other related records. Records may also be filed with original incident report.</p>	Destroy in office 3 years after final disposition of property.	
20.52	<p>PURSUIT LOGS Logs concerning pursuits by law enforcement personnel.</p>	<p>a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors</p> <p>b) Destroy in office after 3 years if not made part of a case file.</p>	
20.53	<p>RIDE-ALONG PROGRAM RECORDS Records concerning a law enforcement ride-along program.</p>	Destroy in office after 3 years.*	
20.54	<p>SEXUAL OFFENDER RECORDS Records concerning sexual offenders living within jurisdiction.</p>	<p>a) Destroy in office records of persons registered in the “Sexually Violent Predator Program” when individual is known dead or after 90 years.</p> <p>b) Destroy in office records of persons registered in the “Sex Offender and Public Protection Program” after court petition and review by the state; or after 30 years or length of court order, whichever is greater; or when individual is known dead.</p>	<p>Authority: G.S. 14-208</p> <p>Retention: G.S. 14-208.6A</p>

20. Law Enforcement Records

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.55	<p>TRAFFIC ACCIDENT REPORTS Records concerning traffic accidents. Includes general correspondence, property receipts, collision reports, waivers signed by involved parties agreeing to settle damages among themselves, and other related records.</p>	<p>a) Transfer original collision report to the N.C. Division of Motor Vehicles within 10 days of accident.</p> <p>b) Destroy in office after 3 years records concerning accidents not meeting N.C. Division of Motor Vehicles reporting requirements, but for which a report was made.</p> <p>c) Destroy in office duplicate reports when reference value ends.±</p> <p>Agency Policy: Destroy in office after <u>1 year</u></p>	Confidentiality: 18 USC 2721
<p>20.56</p> 	<p>TRAFFIC CITATIONS AND WARNINGS Citations issued to drivers violating motor vehicle and traffic laws. Includes voided citations and warnings that do not require a fine or court appearance.</p>	<p>a) Transfer original citations to county Clerk of Superior Court's office.</p> <p>b) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors</p> <p>c) Destroy remaining records in office after 1 year.</p>	

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 20: LAW ENFORCEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
20.57	<p>TRESPASS RECORDS Authorizations by property owners, lessees, or managers for law enforcement officers to take action deemed appropriate to remove unauthorized persons and issue trespass warnings.</p>	<p>a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors</p> <p>b) Destroy in office 1 year after expiration if not made part of a case file.</p>	<p>Authority: G.S. 14-159.12-13</p>
20.58	<p>VEHICLE TOWING RECORDS Includes recovery authorizations and consent forms completed by owners to have vehicle towed, removed, stored, or left at the scene.</p>	<p>a) If records are made part of a case file, follow disposition instructions for: Case File: Felonies Case File: Misdemeanors</p> <p>b) Destroy in office after 1 year if not made part of a case file.</p>	

20. Law Enforcement Records

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STANDARD 21: PROGRAM OPERATIONAL RECORDS - TAX RECORDS (FOR MUNICIPALITIES)

Records received and created by a municipality for the purposes of collecting taxes. For County Tax Administration records, please refer to the separate County Tax Administration Program Schedule.

ITEM #	STANDARD 21: TAX RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
21.01 	ANIMAL LICENSING RECORDS Records concerning the licensing of dogs, cats, and other animals by the municipality. Includes owner and animal information and record of fees paid.	Destroy in office after 3 years.*	Authority: G.S. 160A-212 Confidentiality: G.S. 105-259 G.S. 132-1.1(b) G.S. 132-1.2 G.S. 160A-208.1
21.02	BEER AND WINE TAXES AND RECORDS Records concerning the levy of privilege taxes on beer and wine.	Destroy in office after 3 years.*	Authority: G.S. 105-133.77-79
21.03 	BICYCLE LICENSE PLATE RECORDS Records concerning issuance of license plates for bicycles.	Destroy in office after 1 year.*	Confidentiality: G.S. 105-259 G.S. 132-1.1(b) G.S. 132-1.2 G.S. 160A-208.1

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 21: TAX RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
21.04	<p>DELINQUENT TAXPAYER RECORDS Records concerning taxpayers who have not paid real and personal property taxes due, including unpaid notices.</p> <p>SEE ALSO: Delinquent Taxpayer Records: Advertisement of Tax Liens Against Real Property, below.</p>	Destroy in office after 10 years or 3 years after final settlement or 1 year after released by governing board, whichever comes first.*	
21.05	<p>DELINQUENT TAXPAYER RECORDS: ADVERTISEMENT OF TAX LIENS AGAINST REAL PROPERTY Records concerning the municipal taxation officer's publication in the newspaper of delinquent taxpayer and tax sales notices.</p> <p>SEE ALSO: Delinquent Taxpayer Records, above.</p>	Destroy in office after 10 years.*	Authority: G.S. 105-369
21.06	<p>MOTOR VEHICLE RENTAL TAX RECORDS Records concerning motor vehicle rental tax assessments.</p>	Destroy in office after 3 years.*	
21.07	<p>MUNICIPAL VEHICLE TAX RECORDS Records concerning municipal vehicle taxes levied annually.</p>	Destroy in office after 3 years.*	Authority: G.S. 20-97(b)
21.08	<p>PREPARED FOOD AND BEVERAGE TAX RECORDS Records concerning prepared food and beverage tax assessments.</p>	Destroy in office after 3 years.*	

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 21: TAX RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
21.09	<p>PRIVILEGE LICENSES, TAXES, AND FEE RECORDS Records concerning the licensing of occupations, businesses, trades, professions, and forms of amusement or entertainment and associated fees and taxes.</p> <p>SEE ALSO: Animal Licensing Records (above), Beer and Wine Taxes and Records (above), Municipal Vehicle Tax Records (above), Taxicab and Limousine Tax Records (below).</p>	Destroy in office after 3 years.*	Authority: G.S. 160A-194
21.10	<p>ROOM OCCUPANCY TAX RECORDS Records concerning the administration of room occupancy tax records for those municipalities who have adopted room occupancy taxes.</p> 	Destroy in office after 3 years.*	Authority: G.S. 160A-215 Confidentiality: G.S. 105-259 G.S. 132-1.1(b) G.S. 132-1.2 G.S. 160A-208.1

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 21: TAX RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
21.11 	SCHEDULE "B" LICENSES Receipts of licenses issued by municipality in accordance with Article 2, Schedule B of the Revenue Laws of North Carolina. Applies to privilege licenses issued to attorneys-at-law and other professionals, installment paper dealers, and pawnbrokers.	a) Destroy in office 3 years after close of license tax year stubs or detailed settlement records. b) Destroy in office stubs 1 years after audit if settlement records are kept.	Authority: G.S. 105-41 G.S. 105-83 G.S. 105-88 G.S. 153A-152 G.S. 160A-211 Confidentiality: G.S. 105-259 G.S. 132-1.1(b) G.S. 132-1.2 G.S. 160A-208.1
21.12	TAX ABSTRACTS AND LISTS Records concerning real and personal property in the municipality, based on assessment lists. Includes name and address of taxpayer along with descriptions of property owned and estimated value.	Destroy in office after 10 years or two revaluation cycles.	Authority: G.S. 105-309 G.S. 105-296
21.13	TAX EXEMPT PROPERTY FILE Records concerning property that is exempt from taxation.	Destroy in office 5 years after property exemption has expired or at end of life of structure, whichever comes first.	
21.14	TAX LEDGER CARDS OR SHEETS	Destroy in office 5 years after superseded or obsolete.	

21. Tax Records (Municipal)

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2021 PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES

ITEM #	STANDARD 21: TAX RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
21.15	TAX LEVY/SEIZURE RECORDS Inventory of property taken from property owner by the municipal tax collector to pay back taxes.	a) Destroy in office after 3 years execution forms if levy and sale of personal property is made. If levy and sale are conducted by municipal law enforcement agency, execution forms are to be retained by that agency. b) If levy, seizure, and sale are not made, destroy in office forms when reference value ends.± Agency Policy: Destroy in office after <u>1 year</u>	Authority: G.S. 105-366 G.S. 105-367
21.16	TAX LIEN SALES Records concerning sales held to satisfy tax liens.	Destroy in office 10 years after sale.	
21.17	TAX REBATES Records concerning tax rebates given or received.	Destroy in office after 10 years.	
21.18	TAX SCROLLS Records indicating property (real estate and personal) valuation and taxes due.	Destroy in office after 10 years.	
21.19	TAXICAB AND LIMOUSINE TAX RECORDS Records concerning the levy of privilege taxes on taxicabs and limousines.	Destroy in office after 3 years.*	Authority: G.S. 20-97(d)

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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 N.C. Gen. Stat. § 121-5(c) and N.C. Gen. Stat. § 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. The Request for Change in Records Schedule form (see page A-17) can be used for such requests.
-

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. N.C. Gen. Stat. § 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 N.C. Gen. Stat. § 132-6 and the definition of public records in N.C. Gen. Stat. § 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. Gen. Stat. § 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/government/digital-records/digital-records-policies-and-guidelines/human-readable-preservation>) 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. Two criteria for determining historical value are inherent interest and extraordinary documentation:

- Inherent interest is created by non-routine events, by the involvement of famous parties, and by compelling contexts. For instance, foreclosure proceedings from the 1930s have high historical value because they date from the era of the Great Depression.
- Extraordinary documentation is found in records that shed light on political, public, or social history. For instance, the records from the replevin case that returned the Bill of Rights to North Carolina hold more historical value than most property case files because of the political history intertwined with this case.

SANC has further elaborated selection criteria that help distinguish records with historical value:

- Do they protect the rights and property of citizens?
- Do they have a long-term impact on citizens?
- Do they document the core functions of an agency?
- Do they document high-level decision-making that shapes an agency’s policies or initiatives?
- Do they summarize an agency’s activities?

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. I have a lot of unsorted records. What's a good first step for getting a handle on these records?

- A.** We encourage you to create a file plan of what records you have. When you create this plan, you can match each record to its placement on this schedule or on the appropriate retention schedule. A sample file plan is available on Page A-21. Having a file plan can help you strategize how to best organize your physical or digital records. A file plan is also useful in disaster planning and scheduling destructions.

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) 250-3103. 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 also GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, Audits: Performance, STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS, Audits: Financial, STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS.) 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.”³

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 Records Schedule for Local Government Agencies, 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 Records Schedule for Local Government Agencies 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

³ Society of American Archivists, *Dictionary of Archives Terminology*.

- 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
- 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/government/digital-records/digital-records-policies-and-guidelines/digital-signature-policy>

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 for Unscheduled Records](#) form 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/rm-tools>).

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 N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 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. N.C. Gen. Stat. § 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](#) (N.C. Gen. Stat. § 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, including text messages and social media?

- 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 3 years. On the General Records Schedule: Local Government Agencies, see Leave Records (Standard 4: HUMAN RESOURCES 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

For more information, see **GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES, STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS.**

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 <https://it.nc.gov/about/boards-commissions/gicc>.

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.

SECURITY PRESERVATION COPIES OF RECORDS

Q. What is the advantage to having security preservation copies of records stored with the State Archives?

- A.** Having duplicate copies of essential records in a separate location mitigates the risk that you may lose the only physical copy of a given record in a disaster or other records loss event. Maintaining offsite duplicates of records, regardless of format, is a good practice to adopt.

The State Archives creates duplicate copies on microfilm because of the durability of the medium. Silver negative microfilm does not decay for hundreds of years, ensuring that your records maintain their integrity over time.

Q. What records will the State Archives back up for us?

- A.** The State Archives provides security imaging services for minutes of major decision-making boards and commissions. We will also image records of adoptions for Social Services agencies as well as maps and plats from Registers of Deeds offices. Once those records are imaged, they are converted to security microfilm. We will store the silver negative (original) microfilm in our security vault. Contact the Records Management Analyst in charge of imaging coordination for the most current information.
-

Q. How do I start the process of backing up the above listed records?

- A.** We have three processes for creating backup film copies of these records. 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 Records for Security Preservation Copy** form (available online at the [State Archives of North Carolina website](#)) with each shipment. For more detailed instructions, contact a Records Management Analyst.

Secondly, 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. Contact the Records Management Analyst in charge of imaging coordination to schedule an appointment for your books to be imaged. We will make every effort to expedite the filming so that your books will be returned to you as quickly as possible.

Finally, you can submit these records to the State Archives electronically. Please see our procedures in "[Transfer of Minutes in Digital Formats for Microfilming](#)" or contact the Records Management Analyst in charge of imaging coordination for more information.

Q. In the event of a records loss, how do I obtain copies of the security preservation copies stored at the State Archives?

- A.** Contact the Records Management Analyst in charge of imaging coordination who will help you 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.

Q. Can I obtain digital copies of the security preservation records?

- A.** Yes, you can request digital copies of records when you submit them to the State Archives for initial reproduction. Contact the Records Management Analyst in charge of imaging coordination to initiate a request for digital duplicates.

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) 250-3103. 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
 - Disaster preparedness and recovery
 - 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.

To arrange a workshop, please call the State Records Center at 919-814-6900 or contact a Records Management Analyst (<https://archives.ncdcr.gov/government/local/analysts>).

Q. Is there a fee for workshops?

- A.** Not at this time.

Q. Are the workshops available in an online format?

- A.** We can offer a virtual workshop for your agency upon request. For descriptions of available webinars, see <https://archives.ncdcr.gov/government/training/webinars>. You can also find several online tutorials available on the State Archives of North Carolina website (<https://archives.ncdcr.gov/government/training/online-tutorials-and-resources>).



Request for Disposal of Unscheduled Records

AGENCY INFORMATION

Requestor name _____

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

Phone and e-mail _____

Mailing Address _____

In accordance with the provisions of N.C. GEN. STAT. § 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 State Archives of North Carolina Date

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City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: Resolution providing approval of a multifamily housing facility to be known as Arlington Trace in the City of Greenville, North Carolina and the financing thereof with multifamily housing revenue bonds in an aggregate amount not to exceed \$17,000,000

Explanation: Federal tax law requires that tax-exempt bonds issued to finance multifamily residential rental facilities be approved by the elected legislative body of the governmental unit that has jurisdiction over the area in which the facilities are located, after a public hearing is held (Internal Revenue Code Section 147(f)).

Arlington Trace is a proposed low to moderate income multifamily residential rental facility that will consist of approximately 180 units, to be located at 2721 U.S. Highway 13 in the City of Greenville (the "Project"). The developer of the Project is the Taft Mills Group, who will execute the development through Arlington Trace, LLC, a related entity of the developer (the "Borrower"). The Taft Mills Group is a private affordable housing developer based in the City of Greenville.

The Project will be primarily financed with tax-exempt multifamily housing revenue bonds to be issued by the Housing Authority of the City of Greenville (the "Authority") in an amount not to exceed \$17,000,000 (the "Bonds"). Other financing sources include low-income tax credit equity, a \$1,000,000 subordinate HOME loan from the City and deferred development fees. The Bonds are expected to be issued in September 2022 and will be sold to private investors. The Borrower will be responsible for the repayment of the Bonds. The City Council's approval will not constitute an endorsement of the Bonds or the Project or the creditworthiness of the Borrower. The Bonds will not constitute a debt of the City or a pledge of the faith and credit of the City. They will be limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower. As such, approval will not be construed to obligate the City 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.

Since the Project is located within the City of Greenville, the City Council is the elected legislative body of the governmental unit that qualifies to give the required approval. A public hearing was held remotely (via a conference call available to and accessible by the public) by the Authority on June 15, 2022 at 3pm. The public hearing was advertised by the Daily Reflector on June 7, 2022.

The notice of public hearing is attached. No public comments were made at the public hearing. The form of the resolution to be adopted by the City Council is attached as well.

Fiscal Note:

The City will have no legal responsibility or liability whatsoever for the payment of principal or interest on the Bonds, and the Bonds will not affect the City's debt or legal debt limits.

Recommendation:

That the City Council approve the Resolution Providing Approval of a Multifamily Housing Facility to be known as Arlington Trace in the City of Greenville, North Carolina and the Financing thereof with multifamily housing revenue bonds in an aggregate amount not to exceed \$17,000,000. Approval of this resolution will result in the production of 180 new units of multifamily rental housing affordable to low-to moderate income persons within the City of Greenville.

ATTACHMENTS

-  [Resolution Greenville Housing Authorit Arlington Trace City Council TEFRA Approval.pdf](#)
-  [GHA - Affidavit of Publication \(Arlington Trace\)\(060722\).pdf](#)

RESOLUTION PROVIDING APPROVAL OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS ARLINGTON TRACE IN THE CITY OF GREENVILLE, NORTH CAROLINA AND THE FINANCING THEREOF WITH MULTIFAMILY HOUSING REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$17,000,000

WHEREAS, the City Council (the “City Council”) of the City of Greenville (the “City”) met in Greenville, North Carolina at 6:00 p.m. on the 15th day of August, 2022; and

WHEREAS, the Housing Authority of the City of Greenville, North Carolina (the “Issuer”) has tentatively agreed to issue its multifamily housing revenue bonds in an amount not to exceed \$17,000,000 (the “Bonds”), for the purpose of financing the acquisition, construction and equipping by Arlington Trace, LLC, a North Carolina limited liability company, or an affiliated or related entity (the “Borrower”), of a multifamily residential rental facility to be known as Arlington Trace (the “Development”); and

WHEREAS, the Development will consist of approximately 180 units and related facilities, located at approximately 2721 U.S. Highway 13 in the City of Greenville, North Carolina; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), requires that any bonds issued by the Issuer for the Development may only be issued after approval of the plan of financing by the City Council of the City following a public hearing with respect to such plan; and

WHEREAS, on June 15, 2022, the Issuer held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development, as evidenced by the Certificate and Summary of Public Hearing attached hereto, and has requested the City Council to approve the issuance of the Bonds as required by the Code; and

WHEREAS, the City has determined that approval of the issuance of the Bonds is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the City 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 Issuer, or to constitute the Bonds or any of the agreements or obligations of the Issuer an indebtedness of the City within the meaning of any constitutional or statutory provision whatsoever.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE:

1. The proposed housing development consisting of the acquisition, construction and equipping of the Development described above in the City of Greenville, North Carolina by the Borrower and the issuance of the Authority's multifamily housing revenue bonds therefor in an amount not to exceed \$17,000,000 are hereby approved for purposes of Section 147(f) of the Code.

2. This resolution shall take effect immediately upon its passage.

Adopted this the 15th day of August, 2022.

P.J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

CERTIFICATION

I, Valerie Shiuwegar, City Clerk of the City of Greenville, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council for the City of Greenville, North Carolina, in regular session convened on August 15, 2022, the reference having been in Minute Book _____, and recorded in full in Resolution Book _____, Pages _____.

WITNESS my hand and the corporate seal of the City of Greenville, North Carolina, this the _____ day of August, 2022.

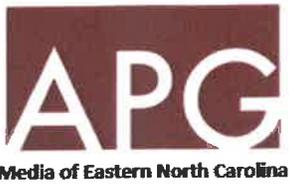
City Clerk

(SEAL)

Exhibit A

Certificate and Summary of Public Hearing

(Attached)



The Daily Reflector - The Daily Advance - The Rocky Mount Telegram
 Bertie Ledger - Chowan Herald - Duplin Times - Farmville Enterprise - Perquimans Weekly
 Standard Laconic - Tarboro Weekly - Times Leader - Williamston Enterprise
 PO Box 1967, Greenville NC 27835
 (252) 329-9500

PAID VIA

Cash Credit Card

Check # _____

Date Paid _____

MCGUIRE WOODS LLP
 500 FAYETTEVILLE ST SUITE 500
 RALEIGH NC 27601

Copy Line: Multifamily Housing Rev
 Lines: 65
 Total Price: \$168.33

Account: 131143

Ticket: 421193

PUBLISHER'S AFFIDAVIT

NORTH CAROLINA
Pitt County

Gwen Davis affirms that he/she is clerk of Daily Reflector, a newspaper published daily at Greenville, North Carolina, and that the advertisement, a true copy of which is hereto attached, entitled Multifamily Housing Rev was published in said Daily Reflector on the following dates:

Tuesday, June 7, 2022

and that the said newspaper in which such notice, paper, document or legal advertisement was published, was at the time of each and every publication, a newspaper meeting all of the requirements and qualifications of Chapter 1, Section 597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Chapter 1, Section 597 of the General Statutes of North Carolina.

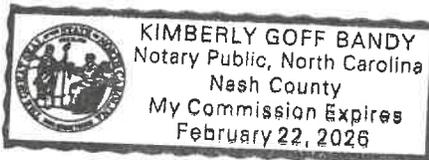
Gwen Davis

Affirmed and subscribed before me this 8th day of June 2022

Kimberly Goff Bandy
 (Notary Public Signature)

Kimberly Goff Bandy
 (Notary Public Printed Name)

My commission expires 2-22-2024



NOTICE OF PUBLIC HEARING ON PROPOSED MULTIFAMILY HOUSING REVENUE BONDS FINANCING BY THE HOUSING AUTHORITY OF THE CITY OF GREENVILLE, NORTH CAROLINA

Notice is hereby given that a Hearing Officer of the Board of Commissioners of the Housing Authority of the City of Greenville, North Carolina (the "Authority") will hold a public hearing on its proposed plan to issue multifamily housing revenue bonds in an amount up to \$17,000,000 (the "Bonds") for the financing of the acquisition, construction and equipping by Arlington Trace, LLC, a North Carolina limited liability company, or an affiliated or related entity (the "Borrower"), of a low income multifamily residential rental facility to be known as Arlington Trace (the "Development"). The Development will consist of 180 units in eight residential buildings to be located at approximately 2721 U.S. Highway 13 in the City of Greenville, Pitt County, North Carolina. The Development will be owned or operated by the Borrower.

The housing bonds, when and if issued by the Authority, will be issued pursuant to Chapter 157 of the General Statutes of North Carolina and shall not be a debt of the State of North Carolina (the "State"), the Authority, the City of Greenville, North Carolina (the "City") or any political subdivision thereof and none of the State, the Authority, the City or any political subdivision thereof shall be liable thereon, nor in any event shall such bonds be payable out of any funds or properties other than those of the Authority derived solely from payments made by the Borrower.

The public hearing, which may be continued or adjourned, will be held on June 15, 2022, at 3:00 p.m. (or as soon thereafter as the hearing is held) at 1103 Broad Street, Greenville, North Carolina. Any person interested in the issuance of the Bonds or the Development may appear and be heard at the public hearing. Any person wishing to comment in writing on the Development or the issuance of the Bonds should do so no later than June 15, 2022, by mailing such comments to Wayman A. Williams, Chief Executive Officer, Housing Authority of the City of Greenville, North Carolina, P.O. Box 1426, Greenville, North Carolina 27835.

Housing Authority of the City of Greenville, North Carolina
 Wayman A. Williams,
 Chief Executive Officer

421193: 06/07/22



City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: Execution of Certificate Re Ground Lease and Consent to Encumbrance of Leasehold Estate

Explanation: In 2015, the City, as seller, entered into an Agreement of Sale with Sidewalk Greenville, LLC, ("Sidewalk") as buyer, which included the purchase of property adjacent to Reade Circle, Dickinson Avenue and South Pitt Street for development ("Property"). Additionally, in 2017 the parties entered into a Lease Agreement for the lease of two hundred (200) parking spaces located in a City lot adjacent to Bonners Lane, Clark Street, West 8th Street and Atlantic Avenue (the "Lease"). Sidewalk has since completed the Project and is in good standing under the Lease.

Sidewalk is anticipating the sale of the Property and the Sunbelt Portfolio, II, LLC, prospective buyer (tenant) of the Property, is anticipating using mortgage funds provided by its lender, PCRED II LENDING IV LLC, or affiliates ("PCRED"), to purchase the Property as well as at least two (2) other projects. The prospective buyer, on behalf of its lender, has requested the execution of a Certificate RE GROUND Lease which both the seller and the City would execute to confirm to PCRED that it has a full and complete copy of the Lease including all outstanding amendments.

Additionally, the prospective buyer on behalf of its lender is requesting the execution of a consent to encumbrance of leasehold estate (the "Consent"). The Consent permits the prospective buyer to include its leasehold interest in the parking spaces in the deed of trust ("mortgage") that it is providing to PCRED. Similar to an assignment, PCRED II LENDING IV LLC would thereby be able to continue to use the parking spaces under the terms in the Lease in the event that PCRED foreclosed on the Property. Additionally, PCRED would have the right to cure any default of the buyer under the Lease, in the event buyer (tenant) fails to pay the rents due under the Lease. The lender would be a further potential source of payment to the City.

The City's consent to the encumbrance does not affect the rent or term provided for in the Lease nor materially adversely affect any other rights of City under the Lease -- including City's ownership of the parking lot.

Fiscal Note: These agreements do not change the terms of the Lease nor do they create any risk to the underlying fee interest of the City in the leased property.

Recommendation: City Council approve the Mayor and/or City Manager to sign the Certificate Re Ground Lease and Consent to Encumbrance of Leasehold Estate. The City Attorney or City Manager is authorized to make other non-substantive revisions to the above documents so long as such revisions do not have a fiscal impact on the City.

ATTACHMENTS

 [Consent To Encumbrance of Leasehold Estate \(PIMCO - Nitya Capital - Greenville\) Final \(002\).pdf](#)

 [Certificate re Ground Lease \(PIMCO - Nitya Capital - Greenville\) 4865-0617-7830 v 1 \(002\)-final.pdf](#)

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Sheppard, Mullin, Richter & Hampton LLP
650 Town Center Drive, 10th Floor
Costa Mesa, CA 92626-1993
Attn: David J. D'Amour, Esq.

THIS SPACE ABOVE FOR RECORDER'S USE

CONSENT TO ENCUMBRANCE OF LEASEHOLD ESTATE

THIS CONSENT TO ENCUMBRANCE OF LEASEHOLD ESTATE (this "Consent"), dated as of August __, 2022, is made by Sunbelt Portfolio II, LLC, a Delaware limited liability company ("Tenant"), as successor-in-interest to Sidewalk Greenville LLC, a Delaware limited liability company, and the City of Greenville, a North Carolina municipal corporation ("Landlord"), in favor of PCRED II LENDING IV LLC, a Delaware limited liability company ("Beneficiary").

This Consent is made with reference to the following facts:

A. Landlord is the current holder of the lessor's interest and Tenant is the current holder of the lessee's interest under that certain ground lease described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Lease"). A copy of the Lease has concurrently herewith been delivered to the Beneficiary together with a certificate certifying such copy to be true and correct. The Lease covers the real property (the "Property") described in Exhibit "B" attached hereto and made a part hereof.

B. Tenant has applied to Beneficiary for a loan in the principal amount of up to \$156,000,000.00 (the "Loan"), for the purpose of acquiring certain real property (and for other purposes, as set forth in the loan documents for the Loan). The Loan will be secured by, among other things, a Deed of Trust, Assignment or Rents and Leases, Security Agreement and Fixture Filing (the "Deed of Trust") dated as of even date herewith executed by Tenant for the benefit of Beneficiary, and will be evidenced and otherwise governed by the Note ("Note") described in the Deed of Trust, the Deed of Trust, and the Loan Documents ("Loan Documents") described in the Deed of Trust. The Deed of Trust shall be recorded concurrently herewith and shall encumber the leasehold estate and all other present and future rights of Tenant under the Lease and in the Property.

C. A condition to Beneficiary's making of the Loan is Landlord's agreement to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant agree in favor of Beneficiary as follows:

1. Consent to Encumbrance of Leasehold Estate. Landlord hereby consents to the encumbrance of the Tenant's leasehold interest under the Lease by the Deed of Trust and the hypothecation thereunder of the leasehold estate and all other present and future rights of Tenant in, to and under the Lease and the Property. Neither this Consent nor the Deed of Trust shall impair Landlord's rights under the Lease, including without limitation, the right to collect rent or the term of the Lease, nor impair Landlord's fee interest in the Property.

2. Transfer of Leasehold Interest by Beneficiary. In the event that Beneficiary (whether as purchaser at a foreclosure sale held pursuant to the Deed of Trust or by deed in lieu of foreclosure) acquires any leasehold estate in the Property, and Beneficiary thereafter desires to transfer its title to such leasehold estate, Landlord shall approve the transfer to the transferee if the transferee expressly assumes all obligations of the lessee under the Lease. Beneficiary shall automatically be released from any liability for the obligations of the lessee under the Lease upon the transfer of title to the leasehold estate.

3. No Subordination of Leasehold Interest. Unless Beneficiary otherwise consents in writing, Tenant's leasehold interest shall not be subordinate to any mortgage or deed of trust hereafter imposed on the fee interest in the Property; and all potential future mortgagees encumbering the fee interest or other lienholders are hereby put on notice that any such fee mortgage or other lien shall be subordinate to the Lease, as modified by this Consent, and to the rights of Beneficiary hereunder and under the documents referenced herein.

4. Representations and Warranties. Landlord and Tenant (each for itself only) represent, warrant and certify to Beneficiary that: (a) a true and correct copy of the Lease, and any and all supplements and amendments thereto and modifications thereof, has been delivered to Beneficiary pursuant to a separate certificate (the "Certificate"); (b) the Lease is genuine, valid and enforceable in accordance with its terms, is in full force and effect as of the date hereof, and has not been supplemented, modified, amended or terminated (except only as may be described in the Certificate); (c) neither Landlord nor Tenant has given or received notice of the occurrence of a default under the Lease, and to the best knowledge of each, there are no defaults, breaches, defenses, claims or offsets thereunder or to the enforcement thereof; (d) rent owing under the Lease which is due as of the date of the execution hereof has been paid in full, and to the best knowledge of each, Tenant is in compliance with all other obligations of the lessee under the Lease; (e) the term of the Lease expires on November 7, 2058, subject to one (1) extension option for a period of an additional ten (10) years; (f) there are no agreements between Landlord and Tenant affecting the Property other than the Lease; (g) neither Landlord's fee interest nor Tenant's leasehold interest in the Property are subject to any deed of trust, mortgage, or other lien (other than any deed(s) of trust which are to be refinanced and reconveyed substantially concurrently with the recordation hereof); and (h) all buildings and other improvements required to have been constructed under the Lease have been fully completed in accordance with the terms thereof. Tenant (and Landlord, to the best of its knowledge) further represent, warrant and certify to Beneficiary that: (a) Tenant has not assigned, transferred or hypothecated its interest under the Lease (except by the Deed of Trust) and (b) there are no

subleases, licenses, or other agreements (except the Lease) which create rights of occupancy with respect to the Property, which have not been disclosed to Beneficiary in writing.

5. Modification or Termination of Lease. As between Landlord and Beneficiary, the Lease shall not be supplemented, modified or amended without the prior written consent of Beneficiary, which consent may not be unreasonably withheld, delayed or conditioned and shall be deemed approved if not withheld in writing with ten (10) business days of receipt by Beneficiary of such proposed supplement, modification or amendment (without limiting any consent rights as between Beneficiary and Tenant pursuant to the Loan Documents). Further, the Lease may not be surrendered or terminated without Beneficiary's consent unless (i) a default in the payment of rent, taxes or other charges owing to Landlord under the Lease occurs, and (ii) Tenant fails to cure such default within the applicable cure period provided in the Lease and Beneficiary fails to cure such default in accordance with Section 14 below.

6. Reserved.

7. Assignment of Subleases. Landlord consents to the assignment to Beneficiary of all of Tenant's rights and interests in all present and future subleases of the Property and any improvements thereon and all rentals to become due thereunder as security for the Loan.

8. Performance of Obligations Under the Lease. Tenant agrees to perform all obligations of the lessee under the Lease without notice or demand from Beneficiary. Any default by Tenant under the Lease shall automatically be a default under the Deed of Trust and shall entitle Beneficiary to institute foreclosure proceedings thereunder, and Beneficiary may enter into possession of the Property and take whatever steps it deems necessary to correct the default under the Lease. Any expenses incurred by Beneficiary in connection with the enforcement of its rights hereunder or in curing any default under the Lease, including without limitation reasonable attorneys' fees and attendant expenses, shall be due and payable by Tenant to Beneficiary immediately and without demand, shall bear interest at the "Default Rate" (as defined in the Loan Documents) and shall be secured by the Deed of Trust. Beneficiary shall not have any liability for the performance of any of the obligations of the lessee under the Lease until Beneficiary has acquired the leasehold interest in the Property, and then only in accordance with the terms of the Lease.

9. Beneficiary's Expenses. If Beneficiary acquires any leasehold estate in the Property (whether as purchaser upon the foreclosure of the Deed of Trust, by deed in lieu of foreclosure, or under any provision of the Lease), all expenses incurred by Beneficiary in connection therewith, including without limitation all rental payments and other sums then due under the Lease, reasonable attorneys' fees, and attendant expenses, shall be due and payable by Tenant to Beneficiary immediately and without demand, and shall bear interest at the Default Rate.

10. Consent to Prior Assignments. Landlord consents to any and all prior assignments of the lessee's interest under the Lease by or through which such interest has been transferred to Tenant.

11. Acquisition of Fee Title and Other Interests by Tenant. The parties hereto intend and agree that in the event Tenant acquires fee title to the Property, or any other interest in the Property not currently held by Tenant, the Deed of Trust shall automatically encumber such interests in the Property in a first lien position (except to the extent such interest is already encumbered by a lien in favor of Beneficiary, in which case the Deed of Trust shall be in a second lien position), if and when acquired by Tenant, without the necessity of any further documents or action. Notwithstanding the foregoing, Tenant, as a condition to acquiring any such interest, shall execute such documents and take such actions as may be requested by Beneficiary to evidence that the lien of the Deed of Trust encumbers such interest in the Property.

12. Waiver re Bankruptcy. Unless Beneficiary otherwise consents in writing, Landlord and Tenant each hereby waives, and agrees not to assert or otherwise take the benefit of, Section 365(d)4, or any other applicable provisions, of the United States Bankruptcy Code (11 U.S.C. § 101 et seq.), which may cause the termination of the Lease, or otherwise render it unenforceable in accordance with its terms, whether automatically by operation of law, or otherwise.

13. New Lease.

(a) In the event the Lease is terminated by reasons of bankruptcy, assignment for benefit of creditors, insolvency or other event beyond the ability of Tenant or Beneficiary to cure or remedy, or if the Lease otherwise terminates for any reason, Landlord shall upon written request of Beneficiary or its designee enter into a new lease (the "New Lease") with Beneficiary or its designee. Such written request of Beneficiary for a New Lease shall be made within thirty (30) days of any such termination (provided, that such thirty (30) day period shall be extended for so long as Beneficiary is not able to request such New Lease under applicable law including, without limitation, as a result of a pending bankruptcy proceeding of Borrower). The New Lease shall be effective as of the effective date of such termination for the remainder of the term of the Lease, at the same rents and upon the same terms, covenants and conditions as are contained in the Lease (except as specified herein), including any options to extend the terms thereof, provided Beneficiary or its designee shall have paid or caused to be paid to Landlord all rents and other sums owing by Tenant under the Lease as of the date of execution of the New Lease.

(b) New Lease Priority. The New Lease made pursuant to this Section and any renewal lease entered into with Beneficiary or its designee pursuant thereto shall be prior to any mortgage or other lien, charge or encumbrance on Landlord's fee interest in the Property (other than the lien of any deed of trust executed by Landlord in favor of Beneficiary to secure the Loan), and the lessee under such New Lease shall have the same right, title and interest in and to the leasehold estate as Tenant had under the Lease.

(c) Liability of New Lessee. The lessee under the New Lease shall be liable to perform the obligations imposed on the lessee by the New Lease, provided however, if said lessee is Beneficiary or its designee, it shall have no further liability under the New Lease from and after the date it transfers and assigns its interest in the

New Lease. Beneficiary or its designee or assignee (and any of their successors or assigns) shall not be obligated to perform or observe non-monetary covenants under the New Lease (if any) which pertain to the financial condition, ownership or management of Tenant or which otherwise are capable of being performed or observed only by Tenant (collectively, the "Tenant Specific Non-Monetary Covenants").

14. Notices to Beneficiary; Cure Rights. Landlord acknowledges that Beneficiary shall be entitled to all rights to receive notices and cure defaults of Tenant as more particularly described in Sections 18 and 21 of the Lease (or in any other similar section of the Lease). Without in any way limiting the foregoing, Landlord and Tenant shall deliver to Beneficiary copies of all notices or demands given by Landlord or Tenant under the Lease, including without limitation any notices of default. Such copies shall be given to Beneficiary at the same time that such notices or demands are given to the other party, and may be personally delivered or mailed in the manner provided herein for giving notices. No notice by Landlord or Tenant under the Lease shall be deemed to have been given unless and until a copy thereof shall have been given to Beneficiary as set forth in this Consent. In addition to the cure periods provided Tenant under Section 18 of the Lease, in the event of any default under the Lease ("default"), Beneficiary shall have the right to cure the same during the period (hereinafter referred to as the "Cure Period") ending thirty (30) days after the later of (a) receipt by Beneficiary of written notice of such default from Landlord, or (b) expiration of any grace period given to Tenant in which to cure such default; provided that if such default is of a nature that it cannot be remedied by Beneficiary within such period, then such period shall be extended for such additional time as may be reasonably necessary to cure such default so long as Beneficiary promptly commences action to cure the same and proceeds therewith in a diligent manner. To the extent necessary to permit Beneficiary to cure such default, the cure period therefore shall include such additional time as may be reasonably necessary for Beneficiary to accelerate the indebtedness secured by the Deed of Trust, complete any foreclosure sale thereunder, and obtain possession of the Property. In the event that any such foreclosure sale or other action or proceeding shall be subject to any stay or injunction, including without limitation any bankruptcy stay or injunction, Beneficiary shall be deemed to be proceeding in a timely and diligent manner to cure the default if Beneficiary has made or is making reasonable efforts to obtain relief from such stay or injunction. Notwithstanding the foregoing, Beneficiary shall not be obligated cure any default with respect to a Tenant Specific Non-Monetary Covenant and Landlord shall not terminate the Lease or exercise any of its remedies that may adversely impact the interests of Beneficiary as a result of such Tenant Specific Non-Monetary Covenant. Landlord further agrees and acknowledges that if Beneficiary, any of its affiliates, any subsequent holder of the Loan, or any purchaser at foreclosure or any of their respective successors or assigns (collectively, the "Subsequent Owner") becomes the owner of the Tenant's interest in the improvements and the Lease by reason of the foreclosure of the Loan, the acceptance of a deed or assignment in lieu of foreclosure, by reason or any other enforcement of the Loan Documents, or by reason of any other transfer following any of the foregoing, then such Subsequent Owner shall not be obligated cure any default with respect to any Tenant Specific Non-Monetary Covenants and any such Tenant Specific Non-Monetary Covenant shall no longer constitute a default under the Lease or have any further force or effect.

15. Notice Procedure. Any notices required herein shall be personally delivered or mailed, postage prepaid, certified mail, return receipt requested, with a copy via regular mail, addressed as follows:

If to Beneficiary: PCRED II LENDING IV LLC
c/o PIMCO
650 Newport Center Dr.
Newport Beach, California 92660
Attention: Joe Friedman
Reference: Nitya Sunbelt Portfolio
Facsimile No.: 949-467-7675
Email: joe.friedman@pimco.com

And

c/o PIMCO
1633 Broadway, 44th Floor
New York, New York 10019
Attention: Asset Manager
Reference: Nitya Sunbelt Portfolio
Email: NityaSunbeltPortfolio-Notices@pimco.com

If to Landlord: City of Greenville
Attn: City Manager
P.O. Box 7207
Greensville, NC 27835

If to Tenant: Sunbelt Portfolio II, LLC
8901 Gaylord Drive, Suite 100
Houston, Texas 77024
Attention: Swapnil Agarwal and Vekeno Kennedy
Email: sagarwal@nityacapital.com and
vkennedy@nityacapital.com

or to such other address as may be designated by the parties in the manner provided above for giving notice. Notices shall be deemed given upon personal delivery or upon receipt or refusal to accept receipt, as evidenced by the return receipt.

16. Execution of New Consent With Subsequent Lender. Landlord and Tenant agree that they shall execute an agreement containing the same substantive terms, provisions and agreements (including without limitation this provision) as are set forth in this Consent with and in favor of any lender (including without limitation Beneficiary) which (a) provides Tenant with a loan to repay the Loan, or (b) finances all or part of the purchase of Tenant's interest in the Lease (whether such leasehold interest is being sold by Tenant or is sold by Beneficiary or its nominee following a foreclosure under the Deed of Trust). Such agreement

shall be provided upon the written request of any such lender and within thirty calendar days of Landlord's and Tenant's receipt of such written request.

17. Acknowledgement. Beneficiary acknowledges the rights of Landlord under the Lease, including without limitation, the right to collect rent, and this Consent shall not impair Landlord's rights under the Lease nor Landlord's fee interest in the Property.

18. Estoppel Statements. Landlord agrees to deliver to Beneficiary within fifteen (15) days after written request by Beneficiary, an estoppel certificate from Landlord setting forth (a) the name of the tenant under the Lease, (b) that the Lease has not been modified or, if it has been modified, the date of each modification (together with copies of each such modification), (c) the basic rent payable under the Lease, (d) the date to which all rental charges have been paid by Tenant under the Lease, and (e) whether there are any alleged defaults of Tenant under the Lease and, if there are, a description of the nature of such defaults in reasonable detail.

19. Miscellaneous. The parties hereto acknowledge that this Consent is a material inducement to Beneficiary to make the Loan to Tenant, and that Beneficiary would not be willing to extend credit upon the security of Tenant's leasehold estate in the absence hereof. Beneficiary is an intended beneficiary of this Consent and the leasehold mortgagee protection provisions of the Lease, and may enforce in its favor all provisions hereof and thereof. This Consent shall inure to the benefit of and be binding upon the successors and assigns of Landlord, Tenant, and Beneficiary. All rights of Beneficiary hereunder may be assigned by Beneficiary without notice to the parties hereto and shall inure to the benefit of Beneficiary's successors and assigns. This Consent may not be supplemented, modified, amended or terminated without Beneficiary's prior written consent. In the event of a conflict between the Lease and this Consent, the provisions of this Consent shall control. Notice of acceptance hereof by Beneficiary is hereby waived. This Consent may be executed and recorded in counterparts.

[Signatures on following page]

IN WITNESS WHEREOF, Landlord and Tenant have executed this Consent as of the date first written above.

"Landlord":

City of Greenville,
a North Carolina municipal corporation

By: _____
Name: _____
Its: _____

"Tenant":

Sunbelt Portfolio II, LLC,
a Delaware limited liability company

By: Nitya AM, LLC,
a Texas limited liability company,
its Sole-Manager

By: Nitya Capital, LLC,
a Texas limited liability company,
its Sole-Manager

By: _____
Swapnil Agarwal, President

ACKNOWLEDGED AND ACCEPTED:

"Beneficiary":

PCRED II LENDING IV LLC,
a Delaware limited liability company

By: _____
Name:
Title:

EXHIBIT "A"

DESCRIPTION OF LEASE

- Lease Agreement dated as of February 15, 2017 by and between Landlord and Tenant

EXHIBIT "B"

LEGAL DESCRIPTION OF PROPERTY

Situate in Greenville Township, Pitt County, North Carolina, being located on the south side of Bonners Lane and between Clark Street and Atlantic Avenue, being more completely described as follows:

BEGINNING at a point located at the intersection of the eastern right of way of Atlantic Avenue with the southern right of way line of Bonners Lane; thence running along the northern right of way of Bonners Lane being the back of curb, S 78°30'17" E – 133.90 feet to a point, thence continuing along the right of way, S 75°19'27" E – 47.60 feet to an iron pipe set; thence leaving the existing right of way line of Bonners Lane and running along a new right of way the following courses: S64°49'22"E – 104.28 feet to an iron pipe set, S 74°49'11"E – 44.64 feet to an iron pipe set at the point of curvature of a curve; thence running along the curved right of way being a curve to the right with a radius of 20.00 feet as measured along a chord of S 29°37'05" E – 28.38 feet to an iron pipe set in the western right of way of Clark Street; thence running along the western right of way line of Clark Street, S 15°35'02" W – 302.08 feet to a point at the intersection of the western right of way line of Clark Street with the northern line of a 10 foot alleyway recorded in Map Book 3, Page 106; thence running along the northern line of the alleyway and continuing along the projection of the northern line of the alleyway, N 76°50'25" E – 294.77 feet to an iron pipe set in the eastern right of way line of Atlantic Avenue; thence running along the eastern right of way line of Atlantic Avenue, N 10°00'00" E – 40.58 feet to an existing iron pipe; thence continuing along the eastern right of way line of Atlantic Avenue, N 09°27'16" E – 282.53 feet to the POINT OF BEGINNING, containing about 2.2749 acres.

CERTIFICATE RE GROUND LEASE

This Certificate Re Ground Lease ("Certificate") is executed by the City of Greenville, a North Carolina municipal corporation ("Landlord"), and Sidewalk Greenville LLC, a Delaware limited liability company ("Tenant"), in favor of _____ ("Beneficiary"). Reference is hereby made to the certain Consent to Encumbrance of Leasehold Estate (the "Consent") of even date herewith executed by Landlord and Tenant in favor of Beneficiary. Terms used but not otherwise defined herein shall have the meanings used and defined in the Consent. This is the Certificate referred to in the Consent.

Landlord and Tenant hereby represent and warrant to Beneficiary that a true, correct and complete copy of the Lease and all amendments and modifications thereto (if any) are attached hereto as Exhibit A.

[Signatures on next page]

Landlord:

City of Greenville,
a North Carolina municipal corporation

By: _____
Name: _____
Title: _____

[Signatures continue on following page]

Tenant:

Sidewalk Greenville LLC,
a Delaware limited liability company

By: _____

Name: _____

Its: _____

Exhibit A
See attached.



City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: Animal Shelter Services Agreement with Pitt County Animal Services

Explanation: The Greenville Police Department (GPD) desires to enter into an interlocal agreement with Pitt County Animal Services for animal shelter services and to lease a certain portion of the animal shelter property to better facilitate animal service operations, care, and adoptions. A copy of the proposed Animal Shelter Services and Lease Agreement is attached and outlines the responsibilities and expectations of each party.

Currently, GPD uses a third party vendor for temporary sheltering of animals. The current facility restricts and prohibits public access for viewing of animals. Additionally, the expense associated with this vendor has increased annually.

Entering into this interlocal agreement with Pitt County Animal Services will consolidate all animals for Greenville/Pitt County into one facility and allow for easier public access for viewing and adoptions. The Pitt County Animal Shelter is a newly renovated modern facility, focused on animal health. Additionally, data collection will be shared, streamlined, and be accessible.

The purpose of the Agreement is for the County to provide and operate, on behalf of the City, complete animal shelter services for all animals seized, taken up for impound, or that are running at large or stray, or have been lost, surrendered, abandoned, uncared-for, or otherwise obtained or recovered within the City by the City pursuant to North Carolina General Statutes and/or City Code. The Agreement provides for the City's use of 10 large dog pens, 10 small cat pens, and an additional \$100 payment for pens over that amount if space is available and needed.

GPD Animal Protective Services staff have met and discussed the proposed agreement with staff from the Pitt County Animal Shelter. The proposed agreement was presented to the Pitt County Board of Commissioners at their August 8, 2022 meeting and was unanimously approved by the board.

Fiscal Note: The current agreement with the third party vendor costs GPD \$3,500 per month for temporary sheltering services (\$42,000 per year). This cost continues to rise year after year.

The monthly costs in the proposed agreement with Pitt County Animal Services is \$4,000 per month (\$48,000 per year). The initial term of this agreement is 34

months, with the possibility to renew for subsequent one-year terms. This agreement will stabilize the expense for sheltering animals and centralize county-wide animal shelter services, while at the same time provide an approachable environment for citizens to view, locate, and/or adopt animals.

In addition, potential overtime costs for GPD Animal Protective Services staff will be reduced as staff at the Pitt County Animal Shelter will assist with care of the animals on the weekends.

Recommendation: Approve the Animal Shelter Services and Lease Agreement with Pitt County Animal Services.

ATTACHMENTS

 [COG-#1168124-v1-Animal_Shelter_Pitt_County_City_Contract.pdf](#)

**NORTH CAROLINA
PITT COUNTY**

**ANIMAL SHELTER SERVICES
AGREEMENT**

This Animal Shelter Services Agreement, which is an interlocal agreement in accordance with Chapter 160A, Article 20, Part 1 of the North Carolina General Statutes (“Agreement”), is, pursuant to N.C.G.S. § 160A-461, made and entered into on _____, 2022, but with a starting date of September 1, 2022 (“Effective Date”), by and between the City of Greenville, a municipal corporation organized and existing under the laws of the State of North Carolina, which includes its police department, the Greenville Police Department (“GPD”) and GPD’s Division of Animal Protective Services, commonly known as the Animal Protective Services Unit (“APSU”) (collectively the “City”) and the County of Pitt, a body politic and corporate, which includes Pitt County Animal Services (“PCAS”) and the Pitt County Animal Shelter (collectively the “County”)(individually “Party” and collectively the “Parties”) for services hereinafter described.

WITNESSETH

WHEREAS, GPD APSU provides a full range of high-quality animal protective services as authorized by statute, case law, and the common law of the State of North Carolina within the corporate limits of the City;

WHEREAS, PCAS provides a full range of high-quality animal protective services as authorized by statute, case law, and the common law of the State of North Carolina within Pitt County and outside the corporate limits of the City;

WHEREAS, the Parties have a close working relationship and commitment to providing quality animal services, which both desire to maintain;

WHEREAS, the County owns and controls real property and an existing animal shelter;

WHEREAS, this Agreement is designed to allow the City to contract with the County for animal shelter services for the purposes of and to better facilitate the providing of a proper, controlled, managed, and maintained centralized animal shelter, which will facilitate better county-wide animal service operations, care, and adoptions;

WHEREAS, the performance of the Agreement will enable each Party to enhance its capabilities, response effectiveness, and efficiency, and provide streamlined and shared animal services to the citizens of the City and Pitt County;

WHEREAS, the Parties have agreed that a joint undertaking shall be subject to the provisions, terms, and conditions as herein stated and desire to coordinate and cooperate in the performance of the services and obligations identified in the Agreement;

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements set forth below and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties acknowledge their understanding of their responsibilities under the Agreement and furthermore agree as follows:

1. **Purpose.** The purpose of this Agreement is for the County to provide and operate, on behalf of the City, complete animal shelter services for all animals seized, taken up for

impound, or that are running at large or stray, or have been lost, surrendered, abandoned, uncared-for, or otherwise obtained or recovered within the City by the City pursuant to North Carolina General Statutes and/or City Code. This agreement is based on 10 large dog pens, 10 small cat pens, and an additional \$100 payment for pens over that amount if space is available.

2. **Duties of the Parties.** The Parties agree to perform those duties as set forth herein, including **Exhibit A** which is attached hereto and incorporated herein by reference.
3. **Fee Schedule and Maximum Sum.** Payment by the City shall be made to the County as stated herein and according to **Exhibit A**. There is no minimum quantity of services between the Parties during the term of this Agreement.
4. **Fiscal Matters/Monthly Payment for Scope of Services.** Any and all payments and fiscal responsibilities performed under this Agreement shall be made in accordance with the terms and conditions set forth in **Exhibit A**. During the term of the Agreement and for services performed entered into herein pursuant to this Agreement, the base cost for payment by the City to the County for use of 10 large dog pens and 10 small cat pens is \$4000.00 monthly. Unless there is a termination of this Agreement by the City for default by the County or unavailability of public funds pursuant to paragraph 13, payment by the City shall be made to the County as required by this Agreement.
5. **Indemnification and Hold Harmless.** The Parties further agree that:

A. To the fullest extent permitted by law, the County shall indemnify and hold harmless the City, its officials and officers (elected and non-elected), employees, agents, representatives, and consultants against any liability arising out of or in connection with any of the operations or obligations of the County, including but not limited to any said operations or obligations subcontracted or assigned to a different person or entity from any and all claims, demands, damages, losses, lawsuits, and other proceedings, judgments, causes of action, liabilities, civil penalties, charges, costs, and expenses, including without limitation attorneys' fees, which are attributable to bodily or personal injury, sickness, disease, or death, or to injury to or destruction of tangible property, caused by acts or omissions of the County or anyone directly or indirectly employed by the County or anyone for whose acts the County may be liable, regardless of whether or not such claim, damage, loss, or expense is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity which would otherwise exist as to a party or person described in this section.

B. Likewise, to the fullest extent permitted by law, the City shall indemnify and hold harmless the County, its employees, agents, representatives, and consultants against any liability arising out of or in connection with any of the operations or obligations of the City, including but not limited to any said operations or obligations subcontracted or assigned to a different person or entity from any and all claims, demands, damages, losses, lawsuits, and other proceedings, judgments, causes of action, liabilities, civil penalties, charges, costs, and expenses, including without limitation attorneys' fees, which are attributable to bodily or personal injury, sickness, disease, or death, or to injury to or destruction of tangible property, caused by acts or omissions of the City or anyone directly or indirectly employed by the City or anyone for whose acts the City may be

liable, regardless of whether or not such claim, damage, loss, or expense is caused in part by a party indemnified hereunder. Such obligation shall not be construed to negate, abridge, or reduce other rights or obligation of indemnity which would otherwise exist as to a party or person described in this section.

6. **Insurance Provisions.** The Parties certify by the execution of this Agreement that they possess commercial general liability insurance with a \$1,000,000 limit per occurrence and \$2,000,000 general aggregate. The City further agrees to procure and maintain during the life of this agreement workers' compensation insurance as required by North Carolina law for all City employees working on County property.
7. **Non-Discrimination.** The County shall administer all functions and services without discrimination because of race, creed, sex, national origin, age, economic status, sexual orientation, gender identity, or gender expression.
8. **Federal, State, and Local Legal Compliance.** The County must be in full compliance with all federal, state, and local laws and regulations relating to the performance of this Agreement including, but not limited to all state laws, administrative code provisions, and City ordinances regarding animal welfare, as applicable. The County shall at all times possess and maintain approval rating with the North Carolina Department of Agriculture and Consumer Services, Animal Health Division (Veterinary Division), Animal Welfare Section ("AWS"). In accordance with N.C.G.S. § 19A-26, the County shall at all times maintain a current and valid certificate of registration granted and issued by the Director of AWS. If otherwise engaged in any business regarding animals regulated by federal and/or state law, the County shall at all times possess and maintain current and valid licenses and permits as applicable to said business.
9. **Amendment.** This Agreement, or any portion thereof, may be amended in writing by mutual agreement of the Parties by and through the City Manager, on behalf of the City, and the County Manager, on behalf of the County.
10. **Severability.** The Parties intend and agree that if any provision of this Agreement or any portion thereof shall be held to be void or otherwise unenforceable, all other portions of this Agreement shall remain in full force and effect.
11. **Assignment.** This Agreement shall not be assigned without the prior written consent of the Parties.
12. **Entire Agreement.** This Agreement shall constitute the entire Agreement of the Parties and no other warranties, inducements, considerations, promises, or interpretations shall be implied or impressed upon this Agreement that are not expressly addressed herein. All prior agreements, understandings, and discussions are hereby superseded by this Agreement.
13. **Non-appropriation Clause.** The County acknowledges that the City is a governmental entity, and the validity of the Agreement is based upon the availability of public funding under the authority of its statutory mandate. In the event that public funds are unavailable and not appropriated for the performance of City's obligations under this Agreement, then this Agreement shall automatically expire without penalty to the City 30

days after written notice to the County of the unavailability and non-appropriation of public funds.

14. **Waiver of Contractual Right.** The failure of either Party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that Party's right to subsequently enforce and compel strict compliance with every provision of this Agreement.
15. **Termination.** Either party may terminate this Agreement by providing 120 days' written notice to the other Party of such desire to terminate this Agreement. The City will reimburse the County proportionally for the services performed to the date of termination. In the event such termination is for default, the Parties shall enjoy the remedies in this Agreement or by law to address the default.
16. **Initial Term and Renewal Terms.** This Agreement will be for an initial term of 34 months beginning on the effective date as stated above and ending on June 30, 2025 ("Initial Term"), provided however that the parties shall meet in the first quarter of each calendar year to review performance and modify any terms or pricing agreed upon between the parties, to begin the following July 1. Upon the expiration of the Initial Term and any renewal term, this Agreement may be renewed for subsequent one year terms in writing as agreed upon between the parties.
17. **Notices.** All notices regarding the Parties and this Agreement are set forth in **Exhibit A.**
18. **Iran Divestment Act Certification.** The Parties hereby certify that they are not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. § 147-86.58. The Parties shall not utilize in the performance of the Agreement any sub County that is identified on the Iran Final Divestment List.
19. **E-Verify Compliance.** The Parties shall comply with the requirements of Chapter 64, Article 2 of the North Carolina General Statutes. Further, if a Party utilizes a subcontractor, that Party shall require the subcontractor to comply with the requirements of Chapter 64, Article 2 of the North Carolina General Statutes. The Parties represent that their consultants and subcontractors are following the requirements of Chapter 64, Article 2 of the North Carolina General Statutes.
20. **Governing Law.** This Agreement shall be governed by and construed in accordance with the internal laws of the State of North Carolina without giving effect to any choice or conflict of law provision or rule (whether of the State of North Carolina or any other jurisdiction) that would cause the application of the laws of any jurisdiction other than those of the State of North Carolina.
21. **Venue.** Any civil action or legal proceeding arising out of or relating to this Agreement shall be brought in the courts of record of the State of North Carolina in Pitt County, North Carolina. Each Party consents to the sole and proper jurisdiction of such court in any such civil action or legal proceeding and waives any objection to the laying of venue of any such civil action or legal proceeding in such court.
22. **Execution in Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original.

23. **Signatures.** As it is applicable to this Agreement, the Parties agree to and adopt the terms and conditions of the Uniform Electronic Transactions Act (the “Act”), as adopted in North Carolina General Statutes Chapter 66, including but not limited to the provisions governing electronic signatures. As such, this Agreement is “signed” if it includes a digital signature, symbol, and/or action that is adopted or performed by either Party or Party’s Electronic Agent (as defined in the Act) with the present intent to authenticate or manifest assent to the Agreement.

IN WITNESS WHEREOF, the Parties have affixed their hands and seals to this Agreement the day and year first set forth above, and the individuals who execute this Agreement personally represent and warrant that they have full authority to execute this Agreement on behalf of the respective Parties.

[The Signature Pages Appear After Exhibit A]

[Exhibit A on Next Page]

Exhibit A

I. SCOPE OF SERVICES.

The Pitt County Animal Shelter shall in accordance with applicable law, including but not limited to Chapter 19A of the North Carolina General Statutes, accept animals from GPD APSU, and/or the City, as requested by GPD APSU, and/or the City, that have been seized, taken up for impound, or that are running at large or stray, or have been lost, surrendered, abandoned, uncared-for, or otherwise obtained or recovered within the City by the City pursuant to North Carolina General Statutes and/or City Code. Upon acceptance of an animal from the City pursuant to this Agreement, the County shall be responsible for the care, medication, veterinary care, and welfare of each dog and cat during the period of holding consistent with the conditions herein stated.

II. COSTS AND PAYMENT.

- A. Monthly Cost and Payment. The base cost for services expended by the City for payment to the County for the services performed pursuant to this Agreement, is \$4,000.00 monthly for 10 large dog pens and 10 small cat pens. If the City requests additional pens, then additional pens may be provided, but only if the County determines that the County has additional available pens to provide to the City, and subject to the City being charged an additional fee of \$100 per animal in each additional pen. If additional pens are provided to the City, then the additional fee of \$100 per animal in each additional pen will be included in the invoice for the applicable month.
- B. Payment shall be made by the City to the County as follows:
1. The County will invoice the City once per calendar month and by the tenth day of each calendar month, using an invoice that has been approved by the Parties. The monthly invoice will be sent by the County to the City via email to the designated City staff as agreed upon by the Parties.
 2. Payment to the County will be made by the City within 30 days after receipt by the City of the County's monthly invoice. Failure of the City to make payment to the County within 30 days after receipt of a monthly invoice shall result in a \$200.00 late payment penalty assessed to the City and payable to the County. In no event shall the late payment penalty exceed \$200.00 for any one invoice.
- C. Reimbursements. The County shall not be entitled to reimbursement of any other expenses from the City during the term of this Agreement.
- D. Other Expenses. The County shall be responsible for all costs of care, including but not limited to nutrition, hydration, medication, routine veterinary care, and overall animal welfare of the animals accepted and held pursuant to this Agreement. To the extent required, the City shall be responsible for extraordinary medical expenses as approved by the GPD APSU Supervisor. By way of illustration the parties intend routine veterinary care to include standard

vaccinations such as rabies and parvo, and standard medications. By way of illustration the parties intend extraordinary medical expenses to include surgeries, but not including neutering or spaying surgeries, and including other specialized long-term care and medications. The County shall be responsible for the cost and administration of all appropriate vaccinations at or about the time of intake and shall also be responsible for the administration of all prescribed medications as well as documentation for same consistent with the County's policies and procedures and applicable State law. The City shall not be responsible for any medical expenses, which are the result of the negligence of the County or for any communicable disease outbreaks occurring at the Pitt County Animal Shelter.

III. ADDITIONAL CONDITIONS OF AGREEMENT.

- A. Inspections and Certifications. The County agrees to maintain current inspections of the premises, including but not limited to certifications and permits as required and issued by AWS. In the event that AWS conducts an inspection of the County's facilities and the facilities are found in violation or otherwise deficient under the rules and regulations prescribed by the North Carolina Department of Agriculture and Consumer Services and such violations or deficiencies cause the County's health certification to be withdrawn or the County's housing authorization to be withdrawn, then this Agreement may be suspended or terminated as provided by this Agreement without penalty or cost to either Party.
- B. Designated Kennels for City Use. In addition to other services as may be required by this Agreement, the County agrees to specifically designate 10 large dog pens and 10 small cat pens for use by the City and available as needed by the City whenever requested by the City.
- C. City Access to Pitt County Animal Shelter Facility. The County shall provide to all members of the GPD APSU, and other members of GPD as designated by the County, access to the Pitt County Animal Shelter facility via physical keys or proximity cards providing access 24 hours a day, seven days a week. The GPD APSU and designated members of GPD shall have access to and use of the intake area, stray hold area, animal control officers' shared office space, and parking areas of the Pitt County Animal Shelter facility.
- D. City to Abide by County's Policies and Procedures; Creation of Manual. The City agrees to abide by the policies and procedures set forth by the County while on the premises of the Pitt County Animal Shelter. The Parties shall create a mutually agreed upon procedure manual to be provided to all members of GPD APSU.
- E. Mutual Access to Electronic Animal Databases. To better serve the public and assist the Parties, the County agrees to provide each member of the GPD APSU access to the County's electronic animal database for the limited purpose of logging animals placed in custody of the County by the City. The City further agrees to provide the County access to the City's electronic animal database to each member of the Pitt County Animal Shelter facility.

- F. Certain Fees to be Retained by County. The City agrees that the County may set a fee schedule for services rendered to the public including but not limited to reclaims of animals, adoptions of animals, and routine medical treatment provided to animals. The County shall be entitled to all monies derived from the fees charged to the public for these services.
- G. Freezer. The City agrees to provide the County with a chest freezer purchased by the City. This freezer shall be utilized mutually by the Parties at the Pitt County Animal Shelter to carry out the requirements of this Agreement. Should the freezer need replacement or if additional freezers are needed, it shall be the duty of the County to provide a replacement freezer or additional freezers at County's expense.
- H. Rabies Clinic. The City agrees to provide sufficient staff to assist the County in offering two rabies clinics to the public. The times and location of these two clinics will be mutually agreed upon by City staff and County staff. It is agreed that the County will keep all fees collected during these two rabies clinics.
- I. Bond Petitions. The City agrees and designates the County as its "animal shelter" and "operator of the animal shelter" as those terms are used in N.C. Gen. Stat. § 19A-70. The City agrees the County is authorized to file, pursue, and settle bond petitions under N.C. Gen. Stat. § 19A-70 in the sole discretion of the County, and that the County is entitled to keep any fees or costs awarded in any such action.
- J. Euthanasia Certifications. The County agrees to contract with the City as required by the North Carolina Department of Agriculture to be the City's Animal Shelter so as members of GPD APSU can retain Certified Euthanasia Technician (CET) status and abilities. The City shall be responsible for certifying its staff in accordance with state law. The City shall also be responsible for maintaining a separate euthanasia manual as required by State Law and for purchase and logging of any controlled substances utilized for euthanasia of animals. The County agrees to allow CET's of the City to utilize the euthanasia room inside the County facility for any euthanasia's required.
- K. Drop Off Kennels. The County agrees to designate 2 temporary dog and cat intake pens to be utilized by GPD Police Officers when GPD APSU Officers are off-duty. GPD Police Officers will be provided the code to unlock and lock the pens. Should a GPD Police Officer place an animal in the temporary intake pen they shall fill out an intake form provided by the County. County staff will intake the animal the next business day in accordance with County policy.

IV. NOTICES.

Any written, telephonic, faxed, or emailed notices required under this Agreement shall be made to the following:

For the County:

Chad Singleton, Director
Pitt County Animal Services
4550 County Home Road
Greenville, North Carolina 27858
Telephone: (252) 902-1729
Fax: (252) 902-1875
Email: chad.singleton@pittcountync.gov

With a copy to
(which shall not constitute notice):
Jordan Smith, County Attorney
The County of Pitt, North Carolina
Pitt County Office Building
1717 West 5th Street
Greenville, North Carolina 27834
Telephone: (252) 902-3100
Fax: (252) 902-1872
Email: jordan.smith@pittcountync.gov

For the City:

Ted Sauls, Interim Chief of Police
City of Greenville
Greenville Police Department
Post Office Box 7207
Greenville, North Carolina 27835-7207
Telephone: (252) 329-4333
Fax: (252) 329-4792
Email: tsauls@greenvillenc.gov

With a copy to
(which shall not constitute notice):
Emanuel D. McGirt, City Attorney
City of Greenville
City Attorney's Office
Post Office Box 7207
Greenville, North Carolina 27835-7207
Telephone: (252) 329-4425
Fax: (252) 329-4626
Email: emcgirt@greenvillenc.gov

Joe R. Breece
Animal Protective Services Supervisor
Greenville Police Department
Post Office Box 7207
Greenville, North Carolina 27835-7207
Telephone: (252) 329-4388
Email: jbreece@greenvillenc.gov

[The Signature Pages Follow]

CITY OF GREENVILLE

CITY OF GREENVILLE

By: _____
Name: P. J. Connelly
Title: Mayor

By: _____
Name: Ann E. Wall
Title: City Manager

APPROVED AS TO FORM:

BY: _____
Emanuel D. McGirt, City Attorney

CITY OF GREENVILLE: PRE-AUDIT CERTIFICATION:

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

_____ Date: _____
Byron Hayes, Director of Financial Services

Account Number _____

Project Code (if applicable) _____

[Signatures Continue on Next Page]

**PITT COUNTY
BOARD OF COMMISSIONERS**

COUNTY OF PITT

By: _____
Name: Mike Fitzpatrick
Title: Chairman

By: _____
Name: Janis E. Gallagher
Title: County Manager

APPROVED AS TO FORM:

BY: _____
K. Jordan Smith, County Attorney

The undersigned certifies that this instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

By: _____
Name: _____
Title: _____
Date: _____

[End of Document]



City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: Consideration of Acceptance of Offer to Sell Former Greenville Utilities Commission Operations Center on Mumford Road, Consisting of Twelve Parcels

Explanation: Prior to the construction of a new Operations Center, Greenville Utilities Commission (GUC) operated an Operations Center at 801 Mumford Road which consists of twelve (12) separate parcels of land acquired over a period of time, denominated as Tax Parcel No. 28948, Tax Parcel No. 16494, Tax Parcel No. 16145, Tax Parcel No. 01791, Tax Parcel No. 23655, Tax Parcel No. 23656, Tax Parcel No. 16882, Tax Parcel No. 16878, Tax Parcel No. 16884, Tax Parcel No. 32669, Tax Parcel No. 22579, and Tax Parcel No. 49156. These parcels are currently titled in the name of the City of Greenville for the use and benefit of GUC. All operations at the former Operations Center ceased during June of this year, and this low-lying area has been prone to flooding. This property has previously been deemed by GUC and the City Council as surplus to the needs of GUC. The property is currently not generating any revenue for GUC. A sale of the property could generate substantial revenue.

Several offers to purchase this property have been received, and GUC proposes to sell the property under the upset bid procedure set forth in the General Statutes of North Carolina Chapter 160A (G.S. 160-A-269). This is the same manner that other property has previously been sold and is favored by the UNC School of Government and used recently by the City of Greenville, the County of Pitt, and the Pitt County Board of Education.

The highest offer for the property has been \$2,500,000. This offer to purchase the property has been submitted together with a bid deposit of five percent (5%), or a total of \$125,000 as required by statute. The GUC Board of Commissioners, at its regular meeting on July 21, 2022, approved the sale of the subject property to Stout Operating Firm, LLC, a North Carolina limited liability company. If approved by City Council, this offer will be advertised in the newspaper to allow for the submission of any upset bid.

Fiscal Note: No costs to the City.

Recommendation: Accept offer or any future offer for a higher price to be a reasonable offer for such property subject to the upset bid procedure set forth in Chapter 160A of the General Statutes of North Carolina.





City of Greenville, North Carolina

Meeting Date: 08/15/2022

<u>Title of Item:</u>	Resolution Accepting Dedication of Rights-of-Way and Easements for Barrington Fields, Section 2
<u>Explanation:</u>	In accordance with the City's Subdivision regulations, rights-of-way and easements have been dedicated for Barrington Fields, Section 2 (Map Book 3627 at Page 35). A resolution accepting the dedication of the aforementioned rights-of-way and easements is attached for City Council consideration. The final plat showing the rights-of-way and easements is also attached.
<u>Fiscal Note:</u>	Funds for the maintenance of these rights-of-way and easements are included within the fiscal year 2022-2023 budget.
<u>Recommendation:</u>	Funds for the maintenance of these rights-of-way and easements are included within the fiscal year 2022-2023 budget.

ATTACHMENTS

-  [COG-#1168146-v1-Barrington_Fields_Sec_2_Resolution.pdf](#)
-  [Barrington Fields Section 2 FP22-4.pdf](#)

RESOLUTION NO.
A RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLATS

WHEREAS, G.S. 160D-806 authorizes any City Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Subdivision Review Board of the City of Greenville has acted to approve the final plats named in this resolution, or the plats or maps that predate the Subdivision Review Process; and

WHEREAS, the final plats named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Greenville City Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the City of Greenville to accept the offered dedication on the plats named in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina:

Section 1. The City of Greenville accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision plats:

Barrington Fields, Section 2 Map Book 3627 at Page 35

Section 2. Acceptance of dedication of lands or facilities shall not place on the City any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the City, or as provided by the laws of the State of North Carolina.

Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

Adopted the 15th day of August, 2022.

P. J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

NORTH CAROLINA
PITT COUNTY

I, Camillia Smith, Notary Public for said County and State, certify that Valerie Shiuwegar personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its Mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and official seal this the 15th day of August, 2022.

Notary Public

My Commission Expires:

SITE DATA

NUMBER OF LOTS CREATED 8
 TOTAL AREA IN TRACT 4.0301 AC
 AREA IN COMMON AREA 0
 AREA IN PARKS, RECREATION
 AREAS AND THE LIKE 0



Doc ID: 015418080001 Type: CRP
 Recorded: 05/13/2022 at 02:44:41 PM
 Fee Amt: \$21.00 Page 1 of 1
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 88 PG 98

COPY



SURVEYOR'S CERTIFICATION

I, DEBORAH T. BOYETTE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 3627, PAGE 35) THAT THE BOUNDARIES NOT SURVEYED ARE DASHED AND CLEARLY INDICATED AS DRAWN FROM MAPS AND DEEDS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:32,551; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I FURTHER CERTIFY THAT THIS PLAT MEETS THE REQUIREMENTS OF G.S. 47-30 SECTION F (1) (a) THAT THIS MAP IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 13th DAY OF MAY, 2022.
 Deborah T. Boyette
 PROFESSIONAL SURVEYOR L-4146

REVIEW OFFICER'S CERTIFICATE

I, David Moore, REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 David Moore
 REVIEW OFFICER
 DATE 5/13/22

DEDICATION

Rocky Russell
 OWNER ROCKY RUSSELL DEVELOPMENT, LLC

OWNER ROCKY RUSSELL DEVELOPMENT, LLC

THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAY-GROUNDS, OPEN SPACES AND EASEMENTS FOREVER, ALL AREAS AS SHOWN OR AS INDICATED ON SAID PLAT.

SIGNED SEE ABOVE SIGNATURES
 ATTEST Judith R. Stroud

OWNERS STATEMENT

Rocky Russell
 OWNER ROCKY RUSSELL DEVELOPMENT, LLC

OWNER ROCKY RUSSELL DEVELOPMENT, LLC



APPROVAL

THIS FINAL PLAT, 22-4 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 13th DAY OF May 2022

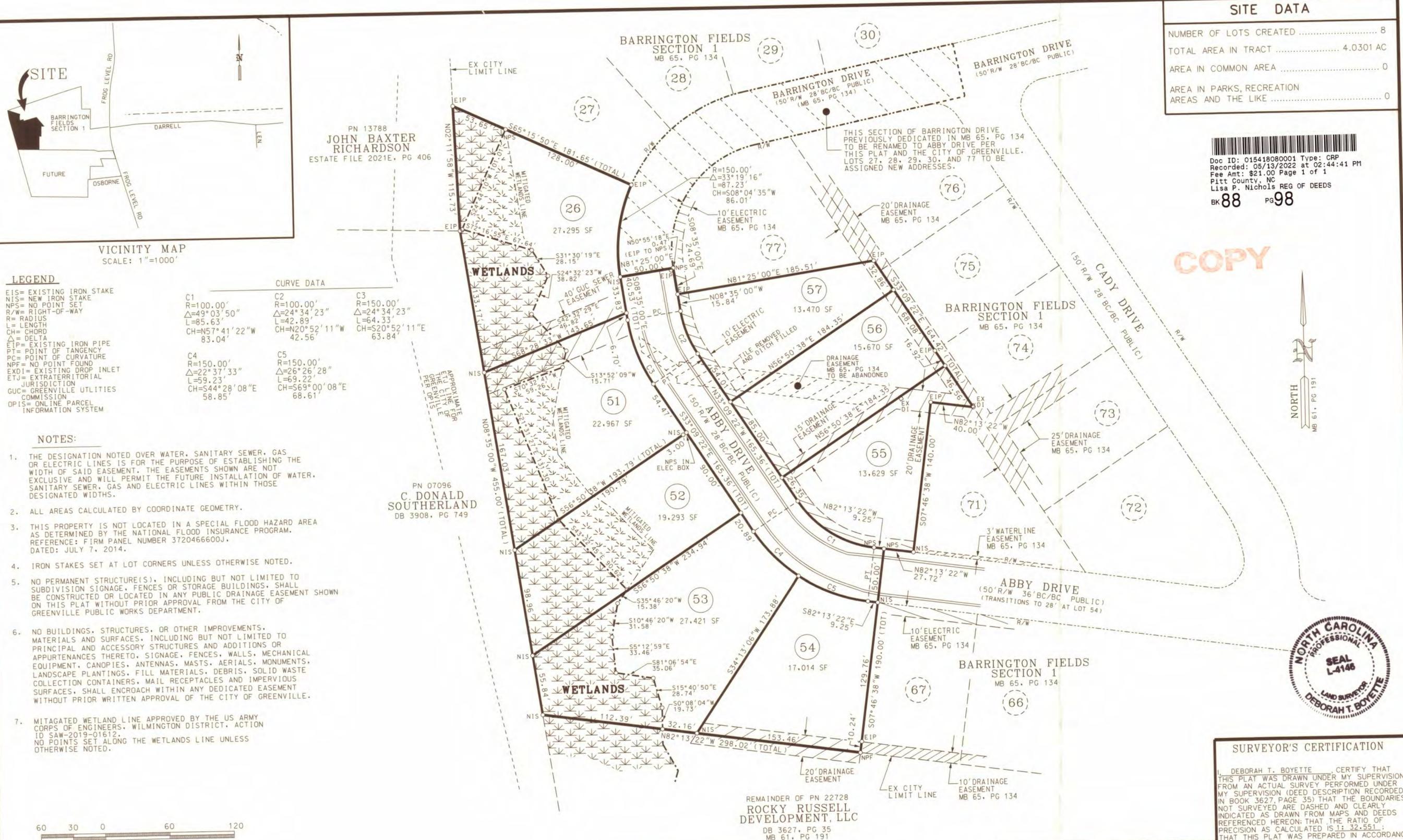
OWNER SWORN AND SUBSCRIBED TO BEFORE ME THIS 12th DAY OF May, 2022.
Judith R. Stroud 2/27/25
 NOTARY PUBLIC, MY COMMISSION EXPIRES ON

SIGNED David Moore
 CITY PLANNER



SOURCE OF TITLE

THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE NORTH CAROLINA IS:
 DEED BOOK 3627 PAGE 35
 DEED BOOK PAGE
Deborah T. Boyette
 N.C. LICENSE NO. L-4146



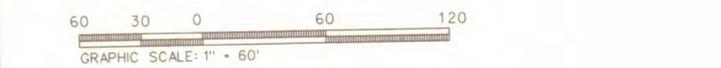
LEGEND

EIS= EXISTING IRON STAKE
 NIS= NEW IRON STAKE
 NPS= NO POINT SET
 R/W= RIGHT-OF-WAY
 R= RADIUS
 L= LENGTH
 CH= CHORD
 Δ= DELTA
 EIP= EXISTING IRON PIPE
 PIT= POINT OF TANGENCY
 PC= POINT OF CURVATURE
 NPF= NO POINT FOUND
 EXOI= EXISTING DROP INLET
 ETJ= EXTRATERRITORIAL JURISDICTION
 GUC= GREENVILLE UTILITIES COMMISSION
 OPIS= ONLINE PARCEL INFORMATION SYSTEM

CURVE DATA

C1 R=100.00' Δ=49°03'50" L=85.63 CH=N57°41'22"W 83.04'	C2 R=100.00' Δ=24°34'23" L=42.89' CH=N20°52'11"W 42.56'	C3 R=150.00' Δ=24°34'23" L=64.33' CH=S20°52'11"E 63.84'
C4 R=150.00' Δ=22°37'33" L=59.23' CH=S44°28'08"E 58.85'	C5 R=150.00' Δ=26°26'28" L=69.22' CH=S69°00'08"E 68.61'	

- NOTES:**
- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENT. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
 - ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
 - THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM. REFERENCE: FIRM PANEL NUMBER 3720466600J, DATED: JULY 7, 2014.
 - IRON STAKES SET AT LOT CORNERS UNLESS OTHERWISE NOTED.
 - NO PERMANENT STRUCTURE(S), INCLUDING BUT NOT LIMITED TO SUBDIVISION SIGNAGE, FENCES OR STORAGE BUILDINGS, SHALL BE CONSTRUCTED OR LOCATED IN ANY PUBLIC DRAINAGE EASEMENT SHOWN ON THIS PLAT WITHOUT PRIOR APPROVAL FROM THE CITY OF GREENVILLE PUBLIC WORKS DEPARTMENT.
 - NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENCRDACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
 - MITIGATED WETLAND LINE APPROVED BY THE US ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT, ACTION ID SAW-2019-01612. NO POINTS SET ALONG THE WETLANDS LINE UNLESS OTHERWISE NOTED.



SHEET 1 OF 1 A PORTION OF PN 22728

MAP FOR RECORD
BARRINGTON FIELDS
SECTION 2
 REFERENCE: DEED BOOK 3627, PAGE 35 AND MAP BOOK 61 PAGE 191 OF THE PITT COUNTY REGISTRY
 GREENVILLE, GREENVILLE TWP., PITT COUNTY, NORTH CAROLINA

OWNER: ROCKY RUSSELL DEVELOPMENT, LLC
 106 REGENCY BOULEVARD
 GREENVILLE, NC 27834
 C/O
 ROCKY RUSSELL
 (252) 355-7812

STROUD ENGINEERING, P.A. 107-B COMMERCE STREET GREENVILLE, NC 27858 (252)756-9352 LICENSE NO. C-0647	SURVEYED: DE DRAWN: RM CHECKED: DTB	APPROVED: DTB DATE: 1/11/22 SCALE: 1" = 60'
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City of Greenville, North Carolina

Meeting Date: 08/15/2022

-
- Title of Item:** Resolution Accepting Dedication of Rights-of-Way and Easements for West 8th Street, as well as the widening of Atlantic Avenue, Bonners Lane and Clark Street
- Explanation:** In accordance with the City's Subdivision regulations, rights-of-way and easements have been dedicated for West 8th Street, Atlantic Avenue, Bonners Lane and Clark Street (Map Book 88 at Page 100). A resolution accepting the dedication of the aforementioned rights-of-way and easements is attached for City Council consideration. The final plat showing the rights-of-way and easements is also attached.
- Fiscal Note:** Funds for the maintenance of these rights-of-way and easements are included within the fiscal year 2022-2023 budget.
- Recommendation:** City Council adopt the attached resolution accepting dedication of rights-of-way and easements for West 8th Street, as well as the widening of Atlantic Avenue, Bonners Lane and Clark Street.
-

ATTACHMENTS

-  [COG-#1168147-v1-W_8th_Resolution.pdf](#)
-  [W 8th Street COG FP19-45.pdf](#)

RESOLUTION NO.
A RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLATS

WHEREAS, G.S. 160D-806 authorizes any City Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Subdivision Review Board of the City of Greenville has acted to approve the final plats named in this resolution, or the plats or maps that predate the Subdivision Review Process; and

WHEREAS, the final plats named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Greenville City Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the City of Greenville to accept the offered dedication on the plats named in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina:

Section 1. The City of Greenville accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision plats:

West 8 th Street	Map Book 88 at Page 100
Atlantic Avenue	Map Book 88 at Page 100
Bonnars Lane	Map Book 88 at Page 100
Clark Street	Map Book 88 at Page 100

Section 2. Acceptance of dedication of lands or facilities shall not place on the City any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the City, or as provided by the laws of the State of North Carolina.

Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

Adopted the 15th day of August, 2022.

P. J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

NORTH CAROLINA
PITT COUNTY

I, Camillia Smith, Notary Public for said County and State, certify that Valerie Shiuwegar personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its Mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and official seal this the 15th day of August, 2022.

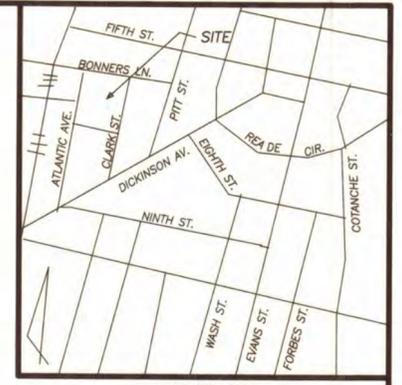
Notary Public

My Commission Expires:

AREA SUMMARY
 - AREA IN NEW EIGHTH ST. RIGHT OF WAY: 0.3406 AC.
 - AREA IN NEW RECOMBINED TRACT: 1.7923 AC.
 - AREA IN NEW RIGHT OF WAY OF CLARK ST. BONNERS LANE & ATLANTIC AVE.: 0.2054 AC.
TOTAL AREA 2.3383 AC.

Doc ID: 01542870001 Type: CRP
 Recorded: 05/19/2022 at 03:19:41 PM
 Fee Amt: \$21.00 Page 1 of 1
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
BK 88 Pg 100

COPY

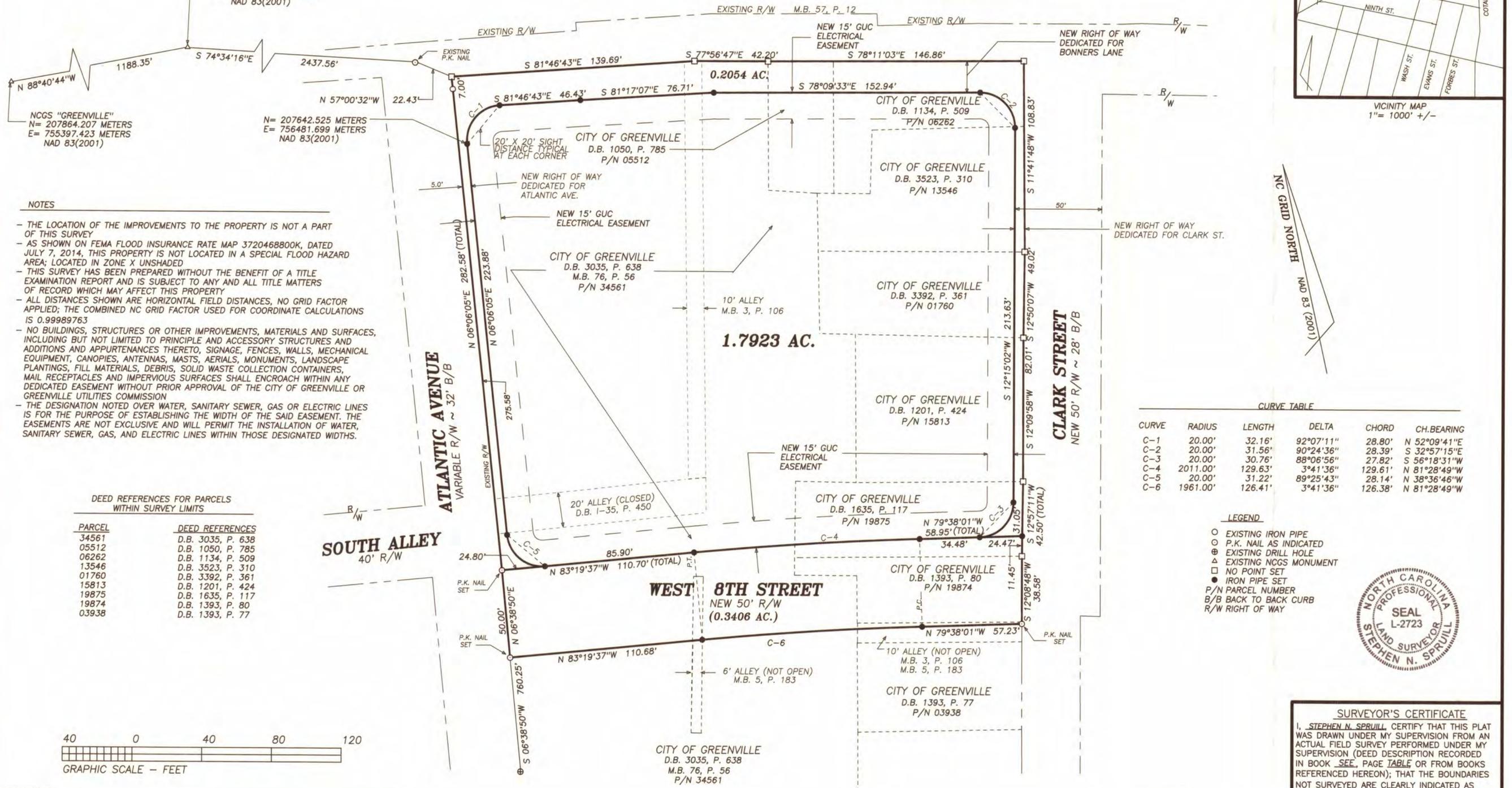


NCGS "TYSON"
 N= 207855.855 METERS
 E= 755759.591 METERS
 NAD 83(2001)

NCGS "GREENVILLE"
 N= 207864.207 METERS
 E= 755397.423 METERS
 NAD 83(2001)

N= 207642.525 METERS
 E= 756481.699 METERS
 NAD 83(2001)

BONNERS LANE
 VARIABLE R/W ~ 28.5 B/B



NOTES

- THE LOCATION OF THE IMPROVEMENTS TO THE PROPERTY IS NOT A PART OF THIS SURVEY
- AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP 3720468800K, DATED JULY 7, 2014, THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA; LOCATED IN ZONE X UNSHADED
- THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION REPORT AND IS SUBJECT TO ANY AND ALL TITLE MATTERS OF RECORD WHICH MAY AFFECT THIS PROPERTY
- ALL DISTANCES SHOWN ARE HORIZONTAL FIELD DISTANCES, NO GRID FACTOR APPLIED; THE COMBINED NC GRID FACTOR USED FOR COORDINATE CALCULATIONS IS 0.99989763
- NO BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPLE AND ACCESSORY STRUCTURES AND ADDITIONS AND APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES SHALL ENCROACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR APPROVAL OF THE CITY OF GREENVILLE OR GREENVILLE UTILITIES COMMISSION
- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF THE SAID EASEMENT. THE EASEMENTS ARE NOT EXCLUSIVE AND WILL PERMIT THE INSTALLATION OF WATER, SANITARY SEWER, GAS, AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.

DEED REFERENCES FOR PARCELS WITHIN SURVEY LIMITS

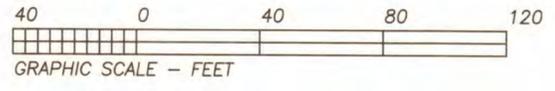
PARCEL	DEED REFERENCES
34561	D.B. 3035, P. 638
05512	D.B. 1050, P. 785
06262	D.B. 1134, P. 509
13546	D.B. 3523, P. 310
01760	D.B. 3392, P. 361
15813	D.B. 1201, P. 424
19875	D.B. 1635, P. 117
19874	D.B. 1393, P. 80
03938	D.B. 1393, P. 77

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	CH.BEARING
C-1	20.00'	32.16'	92°07'11"	28.80'	N 52°09'41"E
C-2	20.00'	31.56'	90°24'36"	28.39'	S 32°57'15"E
C-3	20.00'	30.76'	88°06'56"	27.82'	S 56°18'31"W
C-4	2011.00'	129.63'	3°41'36"	129.61'	N 81°28'49"W
C-5	20.00'	31.22'	89°25'43"	28.14'	N 38°36'46"W
C-6	1961.00'	126.41'	3°41'36"	126.38'	N 81°28'49"W

LEGEND

- EXISTING IRON PIPE
- P.K. NAIL AS INDICATED
- ⊕ EXISTING DRILL HOLE
- ▲ EXISTING NCGS MONUMENT
- NO POINT SET
- IRON PIPE SET
- P/N PARCEL NUMBER
- B/B BACK TO BACK CURB
- R/W RIGHT OF WAY



SHEET 1 OF 1

RECOMBINATION AND RIGHT OF WAY DEDICATION MAP FOR
CITY OF GREENVILLE
 CITY OF GREENVILLE
 GREENVILLE TOWNSHIP ~ PITT COUNTY
 NORTH CAROLINA

OWNER CITY OF GREENVILLE
 ADDRESS P.O. BOX 7207 GREENVILLE, NC 27835
 PHONE 252-329-4498

Spruill & Associates Inc
 2747 East Tenth Street
 Greenville, North Carolina 27858
 (252) 757-1200 Firm No. C-978

SURVEYED: DMJ APPROVED: SNS
 DRAWN: ARN DATE: 9-20-19
 CHECKED: JAD SCALE: 1" = 40'

SOURCE OF TITLE
 THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:
 DEED BOOK SEE PAGE TABLE
 DEED BOOK SEE PAGE TABLE
 DEED BOOK SEE PAGE TABLE

Stephen N. Spruill
 NC REGISTRATION NO. L-2723

OWNER'S STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF City Manager
 SWORN AND SUBSCRIBE TO BEFORE ME THIS 19th DAY OF May, 2022
Donna H. Raynor
 NOTARY PUBLIC Donna H. Raynor
 MY COMMISSION EXPIRES 12-25-2025
 North Carolina Pitt County

APPROVAL
 THIS FINAL PLAT # 19-45 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 16th DAY OF March, 2022
 SIGNED David Moore
 CITY PLANNER

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATE(S) TO THE PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS; FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.
 SIGNED Stephen N. Spruill
 ATTEST Valerie Shumway

SURVEYOR'S CERTIFICATE
 I, STEPHEN N. SPRUILL, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK SEE, PAGE TABLE OR FROM BOOKS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK N/A, PAGE ---, OR AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1: 21,200; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY AND IS AN EXCEPTION TO THE DEFINITION OF A SUBDIVISION IN THE CITY OF GREENVILLE

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 20 DAY OF OCTOBER, 2020
 SIGNED Stephen N. Spruill
 PROFESSIONAL LAND SURVEYOR NO. L-2723

REVIEW OFFICER'S CERTIFICATION
 I, David Moore, A REVIEW OFFICER OF PITT COUNTY, N.C., CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 BY David Moore
 REVIEW OFFICER
 DATE: May 19, 2022



City of Greenville, North Carolina

Meeting Date: 08/15/2022

<u>Title of Item:</u>	Resolution Accepting Dedication of Rights-of-Way and Easements for Arbor Hills South, Cluster Division, Phase 8
<u>Explanation:</u>	In accordance with the City's Subdivision regulations, rights-of-way and easements have been dedicated for Arbor Hills South, Cluster Division, Phase 8 (Map Book 3727 at Page 651). A resolution accepting the dedication of the aforementioned rights-of-way and easements is attached for City Council consideration. The final plat showing the rights-of-way and easements is also attached.
<u>Fiscal Note:</u>	Funds for the maintenance of these rights-of-way and easements are included within the fiscal year 2022-2023 budget.
<u>Recommendation:</u>	City Council adopt the attached resolution accepting dedication of rights-of-way and easements for Arbor Hills South, Cluster Division, Phase 8.

ATTACHMENTS

-  [COG-#1168145-v1-Arbor_Hills_Ph_8_Resolution.pdf](#)
-  [Arbor Hills South Phase 8 FInal Plat.pdf](#)

RESOLUTION NO.
A RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLATS

WHEREAS, G.S. 160D-806 authorizes any City Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Subdivision Review Board of the City of Greenville has acted to approve the final plats named in this resolution, or the plats or maps that predate the Subdivision Review Process; and

WHEREAS, the final plats named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Greenville City Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the City of Greenville to accept the offered dedication on the plats named in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina:

Section 1. The City of Greenville accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision plats:

Arbor Hills, South Cluster Subdivision, Phase 8 Map Book 3727 at Page 651

Section 2. Acceptance of dedication of lands or facilities shall not place on the City any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the City, or as provided by the laws of the State of North Carolina.

Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

Adopted the 15th day of August, 2022.

P. J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

NORTH CAROLINA
PITT COUNTY

I, Camillia Smith, Notary Public for said County and State, certify that Valerie Shiuwegar personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its Mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and official seal this the 15th day of August, 2022.

Notary Public

My Commission Expires:

SITE DATA

NUMBER OF LOTS CREATED.....35
 TOTAL AREA IN TRACT.....9.8047 AC
 AREA IN COMMON AREA/OPEN SPACE...1.4610 AC
 AREA IN PARKS, RECREATION
 AREAS AND THE LIKE.....0

COPY

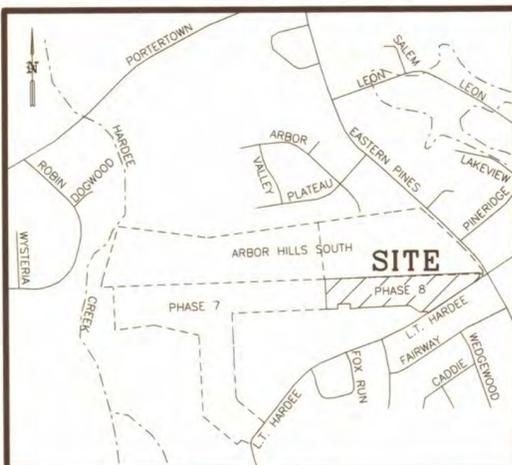
Doc ID: 015386510001 Type: CRP
 Recorded: 04/08/2022 at 03:32:50 PM
 Fee Amt: \$21.00 Page 1 of 1
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 88 PG 67

GENERAL NOTES:

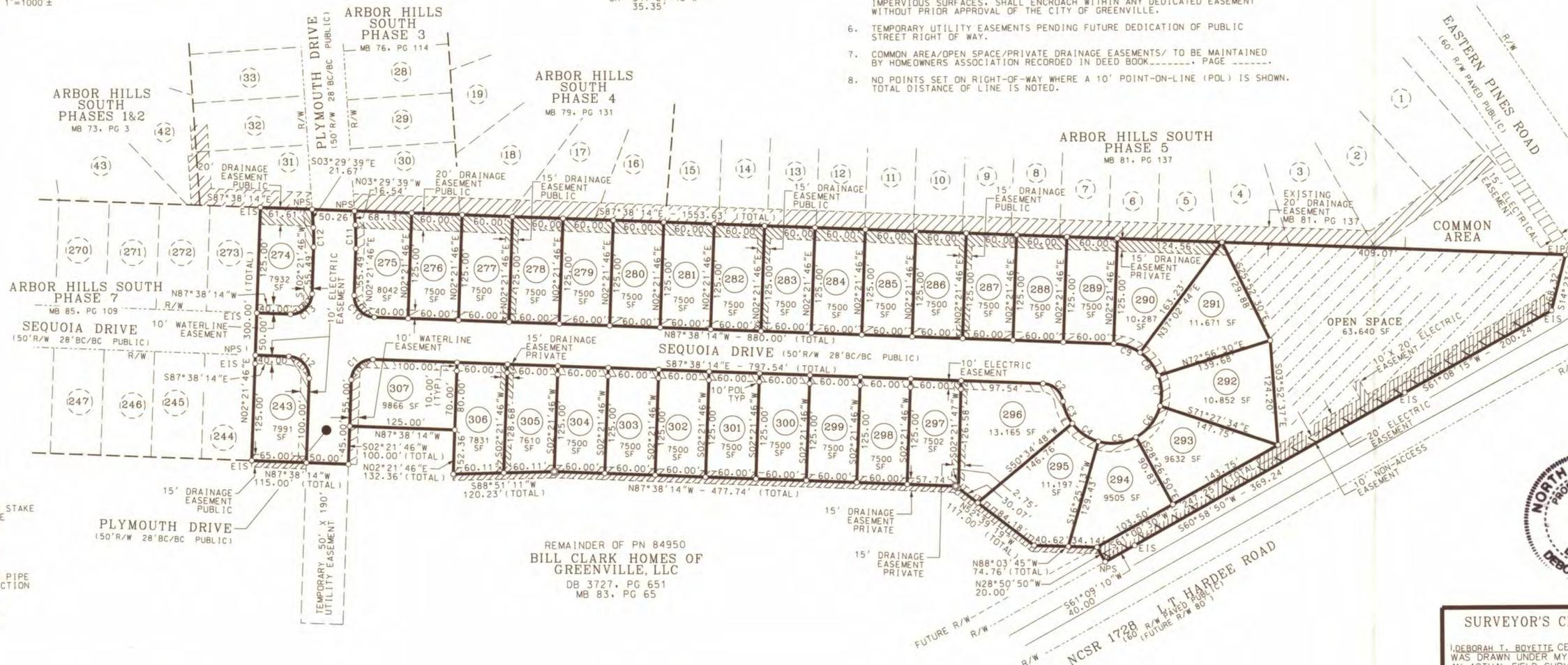
1. THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENT. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
2. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
3. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM. REFERENCE: FIRM NUMBER 3720560600J, EFFECTIVE DATE 01/02/2004.
4. IRONS SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
5. NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENCRDACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR APPROVAL OF THE CITY OF GREENVILLE.
6. TEMPORARY UTILITY EASEMENTS PENDING FUTURE DEDICATION OF PUBLIC STREET RIGHT OF WAY.
7. COMMON AREA/OPEN SPACE/PRIVATE DRAINAGE EASEMENTS/ TO BE MAINTAINED BY HOMEOWNERS ASSOCIATION RECORDED IN DEED BOOK..... PAGE.....
8. NO POINTS SET ON RIGHT-OF-WAY WHERE A 10' POINT-ON-LINE (POL) IS SHOWN. TOTAL DISTANCE OF LINE IS NOTED.

CURVE DATA

C1	C2	C3	C4
R= 25.00' Δ= 90°00'00" L= 39.27' CH= N47°21'45"E 35.36'	R= 25.00' Δ= 34.48' L= 34.48' CH= S48°07'42"E 31.81'	R= 59.00' Δ= 28.73' L= 28.73' CH= S22°34'12"E 28.45'	R= 59.00' Δ= 38.16' L= 38.16' CH= S55°03'04"E 37.50'
C5	C6	C7	C8
R= 59.00' Δ= 46.21' L= 46.21' CH= N83°59'54"E 45.04'	R= 59.00' Δ= 48.13' L= 48.13' CH= N38°10'31"E 46.80'	R= 59.00' Δ= 36.59' L= 36.59' CH= N02°57'30"W 36.00'	R= 25.00' Δ= 35.46' L= 35.46' CH= N37°56'40"W 34.93'
C9	C10	C11	C12
R= 59.00' Δ= 33.44' L= 33.44' CH= N71°24'03"W 32.99'	R= 25.00' Δ= 90°00'00" L= 39.27' CH= N42°38'14"W 35.35'	R= 275.00' Δ= 28.11' L= 28.11' CH= N00°33'56"W 28.10'	R= 25.00' Δ= 90°00'00" L= 39.27' CH= S47°38'14"E 35.36'
C13			
R= 25.00' Δ= 90°00'00" L= 39.27' CH= S47°21'46"W 35.35'			

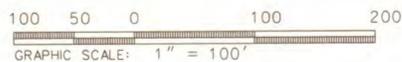


VICINITY MAP
SCALE: 1"=1000±



LEGEND

EIS= EXISTING IRON STAKE
 NIS= NEW IRON STAKE
 NPS= NO POINT SET
 R/W= RIGHT-OF-WAY
 L= LENGTH
 CH= CHORD
 Δ= DELTA
 ETP= EXISTING IRON PIPE
 ⊕= CHANGE IN DIRECTION
 BC= BACK OF CURB
 SF= SQUARE FEET
 POL= POINT ON LINE



SHEET 1 OF 1

A PORTION OF PN 84950

**MAP FOR RECORD
 ARBOR HILLS SOUTH
 CLUSTER SUBDIVISION
 PHASE 8**

REFERENCE: DEED BOOK 3727, PAGE 651 AND MAP BOOK 83, PAGE 65
 OF THE PITT COUNTY REGISTRY

GREENVILLE, GRIMESLAND TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: BILL CLARK HOMES OF GREENVILLE, LLC
 200 EAST ARLINGTON BLVD.
 GREENVILLE, NC 27858
 252-355-5805

SURVEYED: HOB/EGC
 DRAWN: LHJ
 CHECKED: HOB

APPROVED: DTB
 DATE: 8/20/21
 SCALE: 1" = 100'

SOURCE OF TITLE
 THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE NORTH CAROLINA IS:
 DEED BOOK 3727 PAGE 651
 DEED BOOK PAGE

Deborah T. Boyette
 N.C. LICENSE NO. L-4146

TRACY W. GRASHA
 Notary Public
 North Carolina
 Pitt County

OWNERS STATEMENT

THIS IS EVIDENCE THAT THIS SUB-DIVISION IS MADE AT THE REQUEST OF

OWNER: BILL CLARK HOMES OF GREENVILLE, LLC

SWORN AND SUBSCRIBED TO BEFORE ME THIS 8th DAY OF April, 2022.
 Tracy W. Grasha
 NOTARY (PUBLIC, MY COMMISSION EXPIRES ON 7-10-2023)

APPROVAL

THIS FINAL PLAT, 28-2 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE DAY OF April 2022

Dauida Moore
 CITY PLANNER

DEDICATION

THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAY-GROUNDS, OPEN SPACES AND EASEMENTS FOREVER. ALL AREAS AS SHOWN OR AS INDICATED ON SAID PLAT.

OWNER: BILL CLARK HOMES OF GREENVILLE, LLC

ATTEST: *E. Boyette*

SURVEYOR'S CERTIFICATION

DEBORAH T. BOYETTE CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 3727, PAGE 651, OR FROM BOOKS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK SEE PAGE PLAT, OR AS REFERENCED HEREON; THAT THE RATIO OF PRECISION IS 1:55,011 AS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f)(1)(a), THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 7 DAY OF April, 2022

SIGNED: *Deborah T. Boyette*
 PROFESSIONAL LAND SURVEYOR L-4146

REVIEW OFFICER'S CERTIFICATE

Dauida Moore
 REVIEW OFFICER OF PITT COUNTY, CERTIFY THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Dauida Moore
 REVIEW OFFICER
 DATE: April 8, 2022

STROUD ENGINEERING, P.A.
 107-B COMMERCE STREET
 GREENVILLE, NC 27858
 (252) 756-9352
 LICENSE NO. C-0647



City of Greenville, North Carolina

Meeting Date: 08/15/2022

-
- Title of Item:** Contract award for the Atlantic Avenue Parking Lot B Project
- Explanation:** The Atlantic Avenue Parking Lot B Project was advertised for bids on June 22, 2022, with the bid opening held on July 13, 2022. One bid was received. Per State statute, this single bid was rejected. The Project was re-advertised with a new bid opening date of July 21, 2022, with the lowest responsible, responsive bid submitted by ST Wooten Corporation of Wilson, NC, in the amount of \$1,006,861 for the base bid. The contract provides for the construction of a 94-space asphalt parking lot that will provide parking for City employees and paid public parking during evenings and weekends, as well as an underground stormwater detention basin. A proposed Alternate C-2 for Eighth Street Drainage Improvements is included in the contract to improve drainage and flooding along this section. The bid price for Alternate C-2 is \$215,070. The total project cost is \$1,221,931. A bid summary is attached.
- Fiscal Note:** The proposed budget for the Atlantic Avenue Parking Lot B and Alternate C-2, including 10% and 15% contingency, respectively, is \$1,354,877.60. The contract will be funded through the Capital Projects Fund, Stormwater Fund, and proceeds from the sale of 431 West 5th Street which was approved by City Council on June 27, 2022.
- Recommendation:** City Council award the contract for the Atlantic Avenue Parking Lot B Project and Alternate C-2 to ST Wooten Corporation of Wilson, NC, in the amount of \$1,221,931 and approve a contingency of \$132,946.60 for a total of \$1,354,877.60.
-

ATTACHMENTS

- [Atlantic_Avenue_Parking_Lot-B_Bid_Summary.pdf](#)
- [Atlantic Ave Lot B Project Outline Map.pdf](#)

**Atlantic Avenue Lot B
BID SUMMARY SHEET**

**City of Greenville, North Carolina
Engineering Division**

Bid Opening: July 21, 2022@ 2pm

<i>Contractor</i>	<i>Rec'd Addendum(s) 1 & 2</i>		<i>5% Bid Bond</i>		<i>M/WBE Submitted</i>		<i>Total Base Bid</i>	<i>Alternate C2</i>
	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>		
ST Wooten Corporation	X		X		X		\$1,006,861.00	\$215,070.00
Fred Smith Company		X	X		X		\$1,456,417.00	\$214,990.00

Vicinity Map

Atlantic Avenue Lot B



*Red Outline is approximate site layout. Miracle Deliverance Center Church will be demolished during the construction of the 94 parking spot lot.



City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: Ordinance to Amend the Manual of Fees to Update Fees as Related to Cemetery Operations, Administrative Notary Services and Police Department Off-Duty Rates

Explanation: The following is a summary of proposed updates to the Manual of Fees for Fiscal Year 2022-23:

Cemetery Fees

Fee adjustment to reflect rates of surrounding municipalities and private funeral homes which provide cemetery services. This is the first adjustment to cemetery rates since Fiscal Year 2007-08:

Service	Current Fee	Proposed Fee
Grave/Crypt Opening & Closing-Weekday	\$ 600.00	\$ 750.00
Grave/Crypt Opening & Closing-Weekend and Holiday	750.00	950.00
Cremation Niche Opening & Closing-Weekday	200.00	350.00
Cremation Niche Opening & Closing-Weekend & Holiday	250.00	450.00
Wait Time Per Hour - After 4 pm Winter/5 pm Summer	100.00	125.00
Monument Permit	40.00	125.00
Trading or Resell of Cemetery Lot	25.00	45.00
Copy of Lot Ownership When Original Deed is Lost	10.00	25.00
Single Grave Lot - City Resident	700.00	800.00
Single Grave Lot - Non Resident	900.00	1,000.00
Four Grave Lot - Resident	2,200.00	3,200.00
Four Grave Lot - Non Resident	3,000.00	4,000.00
Eight Grave Lot - Resident	4,400.00	6,400.00
Eight Grave Lot - Non Resident	6,000.00	8,000.00
Disinterment of Vault (Only performed M-F 8am-3pm)	-	1,600.00

Disinterment of Urn (Only performed M-F 8am-3pm)	-	800.00
--	---	--------

Administrative Fees

Fee adjustment to reflect changes due to recent North Carolina General Assembly legislation surrounding remote online notarization and updated Notary fees:

Notary Services	Current Fee	Proposed Fee
1 Signature	\$ 3.00	\$ 10.00
2 Signatures	4.00	20.00
3 Signatures	5.00	30.00
Acknowledgments, jurats, verifications, or proofs	-	\$10.00 per principal signature
Oaths or affirmations without a signature (except for the identity of a principal or subscribing witness)	-	\$10.00 per person
Electronic Notarization under G.S. 10B-188	-	\$15.00 (e-Notarizations)
Remote Online Notary fee	-	\$25.00 per principal signature

Greenville Police Department

Fee adjustment to match the current cost of providing off-duty officers through the Extra duty Program:

Currently:

Off-Duty Fee	Officer	Supervisor	Premium
Rate Paid to Employee by City	\$ 32.00	37.00	42.00
Administrative Fee	3.00	3.00	3.00
Extra Duty Solution (EDS)	2.75	3.15	3.53

Proposed Increase:

Off-Duty Fee	Officer	Supervisor	Premium
---------------------	----------------	-------------------	----------------

Rate Paid to Employee by City	\$ 40.00	45.00	50.00
Administrative Fee	3.00	3.00	3.00
Extra Duty Solution (EDS)	3.38	3.77	4.17

Fiscal Note:

The adjustment to the Manual of Fees for the Cemetery Fees, Police Department Off-Duty Rates, and Administrative Fees are used to offset the actual cost of services provided. Annual revenue from these fee changes would increase by approximately \$200,000.

Recommendation:

Approve the Proposed Adjustments to the Manual of Fees.

ATTACHMENTS

 Ordinance amending the Manual of Fees to update fees as related to the Cemetery Operations, Police Department Off-Duty Rates, and Administrative Notary Services..doc

ORDINANCE NO. 22-
 AN ORDINANCE AMENDING THE MANUAL OF FEES RELATING TO CEMETERY
 OPERATIONS, POLICE OFF-DUTY RATES, AND ADMINISTRATIVE NOTARY
 SERVICES

WHEREAS, an amendment to the Manual of Fees is required to update fees relating to cemetery operations, the off-duty rate for the Greenville Police Department, and changes to the fee schedule for administrative notary services;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN:

Section 1: That the Manual of Fees of the City of Greenville, North Carolina, be and is hereby amended by updating the Manual of Fees as follows:

Greenville Police Department

Off-Duty Fee	Officer	Supervisor	Premium
Rate Paid to Employee by City	\$ 40.00	45.00	50.00
Administrative Fee	3.00	3.00	3.00
Extra Duty Solution (EDS)	3.38	3.77	4.17

Cemetery Fees

Service	Proposed Fee
Grave/Crypt Opening & Closing-Weekday	\$ 750.00
Grave/Crypt Opening & Closing-Weekend and Holiday	950.00
Cremation Niche Opening & Closing-Weekday	350.00
Cremation Niche Opening & Closing-Weekend & Holiday	450.00
Wait Time Per Hour - After 4 pm Winter/5 pm Summer	125.00
Monument Permit	125.00
Trading or Resell of Cemetery Lot	45.00
Copy of Lot Ownership When Original Deed is Lost	25.00
Single Grave Lot - City Resident	800.00
Single Grave Lot - Non Resident	1,000.00
Four Grave Lot - Resident	3,200.00
Four Grave Lot - Non Resident	4,000.00
Eight Grave Lot - Resident	6,400.00
Eight Grave Lot - Non Resident	8,000.00

Disinterment of Vault (Only performed M-F 8am-3pm)	1,600.00
Disinterment of Urn (Only performed M-F 8am-3pm)	800.00

Administrative Fees

Notary Services	Proposed Fee
1 Signature	\$ 10.00
2 Signatures	20.00
3 Signatures	30.00
Acknowledgments, jurats, verifications, or proofs	\$10.00 per principal signature
Oaths or affirmations without a signature (except for the identity of a principal or subscribing witness)	\$10.00 per person
Electronic Notarization under G.S. 10B-188	\$15.00 (e-Notarizations)
Remote Online Notary fee	\$25.00 per principal signature

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 4. This ordinance shall become effective immediately upon its adoption.

This the 15th day of August, 2022.

P. J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk



City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: Various tax refunds greater than \$100

Explanation: Pursuant to North Carolina General Statute 105-381, refunds are being reported to City Council. These are refunds created by a change or release of value for City of Greenville taxes by the Pitt County Tax Assessor. Pitt County Commissioners have previously approved these refunds; they are before City Council for their approval as well. These refunds will be reported as they occur when they exceed \$100.

The Director of Financial Services reports refunds of the following taxes:

Payee	Adjustment Refunds	Amount
Baker, Alvin, Jr	Registered Motor Vehicle	287.25
Barry, Teresa Anne	Registered Motor Vehicle	317.50
Beaufort Co Tax Office	Registered Motor Vehicle	366.83
Blizzard, Lindsey Nicole	Registered Motor Vehicle	107.96
Coldiron, Alison Dean	Registered Motor Vehicle	396.29
Dent Surgeons, Inc	Registered Motor Vehicle	170.49
Feinstein, Dean Jacob	Registered Motor Vehicle	372.55
Gonzalez, Elisa	Registered Motor Vehicle	283.75
Ho, Phu Hoang	Registered Motor Vehicle	351.17
Horvath, Steven	Registered Motor Vehicle	413.51
Jacobs, Bon Jerald	Registered Motor Vehicle	382.30
Jenkins, John Walter	Registered Motor Vehicle	116.24
Johnston, Nancye	Registered Motor Vehicle	651.53
Jones, Christopher Alan	Registered Motor Vehicle	427.31
Joyner, John Machael	Registered Motor Vehicle	152.02
Lathan, Vivian Letistrene	Registered Motor Vehicle	105.35
Little, Donald Terrell	Registered Motor Vehicle	245.47
Long, Laura Lee	Registered Motor Vehicle	355.62
McLawhorn, Gentry	Registered Motor Vehicle	279.32
Moore, Matthew Wade	Registered Motor Vehicle	390.00

Nguyen, Nham Toan	Registered Motor Vehicle	411.32
Paul, Kristel Wainright	Registered Motor Vehicle	660.05
Paul, Thomas Martin	Registered Motor Vehicle	1,801.68
Rankin, Christopher Lee	Registered Motor Vehicle	360.80
Simmons, Sharon Denise	Registered Motor Vehicle	144.73
Stallings, Christopher Tucker	Registered Motor Vehicle	248.14
Strickland, Samuel Douglas	Registered Motor Vehicle	240.75
Wilkes, Brittany Marie	Registered Motor Vehicle	591.97
Wilkes, Matthew Michael	Registered Motor Vehicle	451.35
Willingham, Jeffrey Reeves	Registered Motor Vehicle	220.65
Wimer, Richard Hamilton	Registered Motor Vehicle	272.37
Woods, Wade Hamilton	Registered Motor Vehicle	163.70
Wooles, Teresa Stokes	Registered Motor Vehicle	271.97
Zervos, Emmanuel E	Registered Motor Vehicle	275.79
Ziegler, Mark Christopher	Registered Motor Vehicle	621.36
Greenbrier Place LLC	Real Estate Taxes	890.06
Beard, Keenan Joe	Individual Property Taxes	132.91
AAM Capital Inc	Business Personal Property	105.90
S C Haddock Trucking, Inc	Business Personal Property	744.65

Fiscal Note: The total refunded is \$14,782.61.

Recommendation: Approval of taxes refunded by City Council



City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: Annual Board & Commission Presentations - Pitt-Greenville Airport Authority

Explanation: Boards and commissions are annually scheduled to make brief presentations to the City Council. The Pitt-Greenville Airport Authority is scheduled for August 2022.

Fiscal Note: No direct fiscal impact.

Recommendation: Hear the presentation from the Pitt-Greenville Airport Authority.



City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: Resolutions Authorizing Condemnation to Acquire Certain Property for the BUILD Grant Project

Explanation: In November 2019, the United States Department of Transportation ("USDOT") Federal Highway Administration ("FHWA") awarded funding to the City of Greenville ("City") for infrastructure improvements through the Better Utilizing Investments to Leverage Development Project ("BUILD") totaling \$15 million.

The BUILD project will provide for streetscape, greenway and sidewalk improvements intended to transform safety, accessibility, and connectivity in the City's urban core consisting of enhancements to pedestrian, bicycle, vehicle and transit connections between the Medical District, West Greenville, downtown, and East Carolina University.

The City is actively working to acquire right-of-way and/or easements on 100 parcels for completing the BUILD project based on the timeline required by FHWA. TELICS is managing property acquisition on behalf of the City for BUILD, through engaging in good faith negotiations, and has been unable to successfully negotiate acquisition for the several properties due to complex ownership issues, such as heir property, and/or a property owner's unwillingness to negotiate and settle.

To ensure the BUILD project is able to move forward on FHWA's permitted schedule, including property acquisition, and for the City to receive the awarded funding, the most prudent option is to move forward with the condemnation process, pursuant to Chapter 40A of the North Carolina General Statutes, and use of the City's power of eminent domain to acquire the following easements and/or right-of way ("ROW"):

Parcel Number(s)	Property Address	Owner(s)	Type of Property Taking	Just Compensation
05448	1101 W. Fifth Street	Ella J. Daniels Heirs	Easement, ROW	\$1,600.00
17052	902 W. Fifth Street	South Dogwood Partners, LLC	Easement	\$1,875.00
10644	706 W. Fifth Street	Born 2 Win Ministries	Easement, ROW	\$1,700.00
25394	430 W. Fifth Street	Martha Elizabeth Wilson Heirs	Easement, ROW	\$29,700.00

25142	408 W. Fifth Street	John Bibby O'Brien	Easement, ROW	\$32,850.00
26145	402 E. Second Street	Eric Payne	Easements	\$750.00

Authorization by Council to proceed with an action for condemnation will not prohibit TELICS from continuing to attempt to reach settlement with the property owners. Additionally, there may be other properties brought to Council for condemnation.

Fiscal Note:

The City will receive \$15 million dollars in funding from FHWA and will approximately expend an additional 10 million dollars in support of the BUILD project, which includes funding for property acquisition.

At minimum, the City will expend funds as cited above in the table to acquire each piece of property, and upon the filing of the complaint, the amount estimated by the City to be just compensation for the condemnation will be deposited with the court. In addition, there will be legal expenses incurred as these actions proceed.

Recommendation:

Approve the attached resolutions authorizing condemnation of ROW and/or easements on certain properties, including Parcel Numbers: 05448, 17052, 10644, 25394, 25142, and 26145 owned by the individual(s) or entities cited above for the BUILD project.

ATTACHMENTS

- 📄 [RESOLUTION-AUTHORIZATION FOR BUILD GRANT-SOUTH DOGWOOD PARTNERS LLC \(2\).pdf](#)
- 📄 [RESOLUTION-AUTHORIZATION FOR BUILD GRANT-ELLA J DANIELS HEIRS.pdf](#)
- 📄 [RESOLUTION-AUTHORIZATION FOR BUILD GRANT - BORN 2 WIN MINISTRIES.pdf](#)
- 📄 [RESOLUTION-AUTHORIZATION FOR BUILD GRANT -MARTHA ELIZABETH WILSON HEIRS.pdf](#)
- 📄 [RESOLUTION-AUTHORIZATION FOR BUILD GRANT -JOHN BIBBY O BRIEN.pdf](#)
- 📄 [RESOLUTION-AUTHORIZATION FOR BUILD GRANT-ERIC PAYNE.pdf](#)
- 📄 [Project D - MB 88 PG 104.pdf](#)
- 📄 [Project G - MB 87 PG 162.pdf](#)

RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY OF THE
ELLA J. DANIELS HEIRS FOR THE COMPLETION OF THE BUILD PROJECT

WHEREAS, the City Council of the City of Greenville hereby determines that it is necessary and in the public interest to acquire certain property under ownership of the Ella J. Daniels Heirs for the public purpose described below; and

WHEREAS, the proper officials or representatives of the City of Greenville have been unable to acquire the necessary property by negotiated conveyance, due to complexity involving the number of heirs and property owners' unwillingness to negotiate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE THAT:

1. The City Council determines the acquisition of the below described property is for the public purpose of completing the BUILD project.
2. City Council authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, right-of-way totaling 0.003 acres on Parcel 05448, located at 1101 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,932.025' and a Easting: 2,479,658.105'; thence from said point of commencement S66°48'21"E 206.41' to an existing iron pipe in the southern right-of-way of W 5th Street, said iron pipe marking the north west corner of Ella J. Daniels Heirs as described above and the north east corner of Douglas Tyson as described in Deed Book 1008 Page 329, said iron pipe being the Point of Beginning; thence from the point of beginning with and along the said southern right-of-way S80°16'38"E 65.00' to a computed point in the western right-of-way of McKinley Avenue; thence with and along the said western right-of-way S09°36'22"W 13.68' to a rebar & NC DOT R/W disk set; thence leaving the said western right-of-way N17°39'03"W 1.62' to a 60d nail set; thence N17°39'03"W 6.74' to a 60d nail set; thence N17°39'03"W 5.61' to a rebar & NC DOT R/W disk set; thence N80°35'46"W 58.61' to a rebar & NC DOT R/W disk set in the eastern line of Douglas Tyson as described above; thence with and along the said eastern line N09°43'22"E 1.61' to the Point and Place of Beginning containing 132 square feet or 0.003 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

3. City Council further authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, a permanent utility easement totaling 0.007 acres, on Parcel 05448, located at 1101 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,932.025' and a Easting: 2,479,658.105'; thence from said point of commencement S66°48'21"E 206.41' to an existing iron pipe in the southern right-of-way of W 5th Street, said iron pipe marking the north west corner of Ella J. Daniels Heirs as described above and the north east corner of Douglas Tyson as described in Deed Book 1008 Page 329; thence with and along the eastern line of Tyson S09°43'22"W 1.61' to a rebar & NC DOT R/W disk set, said rebar & NC DOT R/W disk being the Point of Beginning; thence from the point of beginning

S80°35'46"E 58.61' to a rebar & NC DOT R/W disk set; thence S17°39'03"E 5.61' to a 60d nail set; thence N80°35'46"W 27.55' to a 60d nail set; thence N80°35'46"W 33.63' to a computed point in the eastern line of Douglas Tyson as described above; thence with and along the said eastern line N09°43'22"E 5.00' to the Point and Place of Beginning containing 299 square feet or 0.007 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

4. City Council further authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, a temporary construction easement totaling 0.004 acres on Parcel 05448, located at 1101 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,932.025' and a Easting: 2,479,658.105'; thence from said point of commencement S66°48'21"E 206.41' to an existing iron pipe in the southern right-of-way of W 5th Street, said iron pipe marking the north west corner of Ella J. Daniels Heirs as described above and the north east corner of Douglas Tyson as described in Deed Book 1008 Page 329; thence with and along the eastern line of Tyson S09°43'22"W 1.61' to a rebar & NC DOT R/W disk set; thence continuing with and along the said eastern line S09°43'22"W 5.00' to a computed point; thence leaving said eastern line S80°35'46"E 33.63' to a 60d nail set, said nail being the Point of Beginning; thence from the point of beginning S80°35'46"E 27.55' to 60d nail set; thence S17°39'03"E 6.74' to a 60d nail set; thence N80°35'46"W 30.62' to a 60d nail set; thence N09°24'14"E 6.00' to the Point and Place of Beginning containing 174 square feet or 0.004 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

5. The necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the property herein described are hereby directed to be instituted.

This the 15th day of August, 2022.

P.J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY OF THE
ELLA J. DANIELS HEIRS FOR THE COMPLETION OF THE BUILD PROJECT

WHEREAS, the City Council of the City of Greenville hereby determines that it is necessary and in the public interest to acquire certain property under ownership of the Ella J. Daniels Heirs for the public purpose described below; and

WHEREAS, the proper officials or representatives of the City of Greenville have been unable to acquire the necessary property by negotiated conveyance, due to complexity involving the number of heirs and property owners' unwillingness to negotiate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE THAT:

1. The City Council determines the acquisition of the below described property is for the public purpose of completing the BUILD project.
2. City Council authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, right-of-way totaling 0.003 acres on Parcel 05448, located at 1101 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,932.025' and a Easting: 2,479,658.105'; thence from said point of commencement S66°48'21"E 206.41' to an existing iron pipe in the southern right-of-way of W 5th Street, said iron pipe marking the north west corner of Ella J. Daniels Heirs as described above and the north east corner of Douglas Tyson as described in Deed Book 1008 Page 329, said iron pipe being the Point of Beginning; thence from the point of beginning with and along the said southern right-of-way S80°16'38"E 65.00' to a computed point in the western right-of-way of McKinley Avenue; thence with and along the said western right-of-way S09°36'22"W 13.68' to a rebar & NC DOT R/W disk set; thence leaving the said western right-of-way N17°39'03"W 1.62' to a 60d nail set; thence N17°39'03"W 6.74' to a 60d nail set; thence N17°39'03"W 5.61' to a rebar & NC DOT R/W disk set; thence N80°35'46"W 58.61' to a rebar & NC DOT R/W disk set in the eastern line of Douglas Tyson as described above; thence with and along the said eastern line N09°43'22"E 1.61' to the Point and Place of Beginning containing 132 square feet or 0.003 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

3. City Council further authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, a permanent utility easement totaling 0.007 acres, on Parcel 05448, located at 1101 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,932.025' and a Easting: 2,479,658.105'; thence from said point of commencement S66°48'21"E 206.41' to an existing iron pipe in the southern right-of-way of W 5th Street, said iron pipe marking the north west corner of Ella J. Daniels Heirs as described above and the north east corner of Douglas Tyson as described in Deed Book 1008 Page 329; thence with and along the eastern line of Tyson S09°43'22"W 1.61' to a rebar & NC DOT R/W disk set, said rebar & NC DOT R/W disk being the Point of Beginning; thence from the point of beginning

S80°35'46"E 58.61' to a rebar & NC DOT R/W disk set; thence S17°39'03"E 5.61' to a 60d nail set; thence N80°35'46"W 27.55' to a 60d nail set; thence N80°35'46"W 33.63' to a computed point in the eastern line of Douglas Tyson as described above; thence with and along the said eastern line N09°43'22"E 5.00' to the Point and Place of Beginning containing 299 square feet or 0.007 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

4. City Council further authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, a temporary construction easement totaling 0.004 acres on Parcel 05448, located at 1101 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,932.025' and a Easting: 2,479,658.105'; thence from said point of commencement S66°48'21"E 206.41' to an existing iron pipe in the southern right-of-way of W 5th Street, said iron pipe marking the north west corner of Ella J. Daniels Heirs as described above and the north east corner of Douglas Tyson as described in Deed Book 1008 Page 329; thence with and along the eastern line of Tyson S09°43'22"W 1.61' to a rebar & NC DOT R/W disk set; thence continuing with and along the said eastern line S09°43'22"W 5.00' to a computed point; thence leaving said eastern line S80°35'46"E 33.63' to a 60d nail set, said nail being the Point of Beginning; thence from the point of beginning S80°35'46"E 27.55' to 60d nail set; thence S17°39'03"E 6.74' to a 60d nail set; thence N80°35'46"W 30.62' to a 60d nail set; thence N09°24'14"E 6.00' to the Point and Place of Beginning containing 174 square feet or 0.004 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

5. The necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the property herein described are hereby directed to be instituted.

This the 15th day of August, 2022.

P.J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY OF THE BORN 2 WIN MINISTRIES FOR THE COMPLETION OF THE BUILD PROJECT

WHEREAS, the City Council of the City of Greenville hereby determines that it is necessary and in the public interest to acquire certain property under ownership of the Born 2 Win Ministries for the public purpose described below; and

WHEREAS, the proper officials or representatives of the City of Greenville have been unable to acquire the necessary property by negotiated conveyance, due to complexity involving the number of heirs and/or property owners' unwillingness to negotiate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE THAT:

1. The City Council determines the acquisition of the below described property is for the public purpose of completing the BUILD project.
2. City Council authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, right-of-way totaling 0.006 acres on Parcel 10644, located at 706 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,662.540' and a Easting: 2,480,967.475'; thence from said point of commencement N36°40'08"E 62.38' to an existing iron pipe in the northern right-of-way of W 5th Street marking the south east corner of Born 2 Win Ministries as described above and the south west corner of Dax R. Nelson as described in Deed Book 2666 Page 102; thence with and along the said northern right-of-way N80°37'05"W 67.32' to a rebar & NC DOT R/W disk set, said rebar & NC DOT R/W disk being the Point of Beginning; thence from the point of beginning continuing with and along the said northern right-of-way N80°35'46"W 24.00' to a rebar & NC DOT R/W disk set; thence leaving the said northern right-of-way N09°24'14"E 5.69' to a 60d nail set; thence N09°24'14"E 5.00' to a rebar & NC DOT R/W disk set; thence S80°35'46"E 24.00' to a rebar & NC DOT R/W disk set; thence S09°24'14"W 5.00' to a 60d nail set; thence S09°24'14"W 5.69' to the Point and Place of Beginning containing 257 square feet or 0.006 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

3. City Council further authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, permanent utility easements totaling 0.010 acres on Parcel 10644, located at 706 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,662.540' and a Easting: 2,480,967.475'; thence from said point of commencement N36°40'08"E 62.38' to an existing iron pipe in the northern right-of-way of W 5th Street marking the south east corner of Born 2 Win Ministries as described above and the south west corner of Dax R. Nelson as described in Deed Book 2666 Page 102; thence with and along the

said northern right-of-way N80°37'05"W 67.32' to a rebar & NC DOT R/W disk set; thence continuing with and along the said northern right-of-way N80°35'46"W 24.00' to a rebar & NC DOT R/W disk set, said rebar & NC DOT R/W disk being the Point of Beginning; thence from the point of beginning continuing with and along the said northern right-of-way N80°40'51"W 9.77' to a computed point being the intersection of the northern right-of-way of W 5th Street and the eastern right-of-way of Contentnea Street; thence with and along the said eastern right-of-way N11°40'27"E 5.71' to a 60d nail set; thence leaving the said eastern right-of-way S80°35'46"E 9.54' to a 60d nail set; thence S09°24'14"W 5.69' to the Point and Place of Beginning containing 55 square feet or 0.001 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104; and

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,662.540' and a Easting: 2,480,967.475'; thence from said point of commencement N36°40'08"E 62.38' to an existing iron pipe in the northern right-of-way of W 5th Street marking the south east corner of Born 2 Win Ministries as described above and the south west corner of Dax R. Nelson as described in Deed Book 2666 Page 102, said iron pipe also being the Point of Beginning; thence from the point of beginning with and along the said northern right-of-way N80°37'05"W 67.32' to a rebar & NC DOT R/W disk set; thence leaving the said northern right-of-way N09°24'14"E 5.69' to a 60d nail set; thence S80°35'46"E 5.00' to a 60d nail set; thence S80°35'46"E 62.54' to a 60d nail set in the western line of Dax R. Nelson as described above; thence with and along the said western line S11°40'27"W 5.67' to the Point and Place of Beginning containing 383 square feet or 0.009 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

4. City Council further authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, a temporary construction easement totaling 0.003 acres on Parcel 10644, located at 706 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,662.540' and a Easting: 2,480,967.475'; thence from said point of commencement N36°40'08"E 62.38' to an existing iron pipe in the northern right-of-way of W 5th Street marking the south east corner of Born 2 Win Ministries as described above and the south west corner of Dax R. Nelson as described in Deed Book 2666 Page 102; thence with and along the said northern right-of-way N80°37'05"W 67.32' to a rebar & NC DOT R/W disk set; thence N09°24'14"E 5.69' to a 60d nail set, said nail being the Point of Beginning; thence from the point of beginning N09°24'14"E 5.00' to a rebar & NC DOT R/W disk set; thence N80°35'46"W 24.00' to a rebar & NC DOT R/W disk set; thence S09°24'14"W 5.00' to a 60d nail set; thence N80°35'46"W 9.54' to a 60d nail set in the eastern right-of-way of Contentnea Street; thence with and along the said eastern right-of-way N11°40'27"E 7.01' to a 60d nail set; thence leaving the said eastern right-of-way S80°35'46"E 38.26' to a 60d nail set; thence S09°24'14"W 7.00' to a 60d nail set; thence N80°35'46"W 5.00' to the Point and Place of Beginning containing 149 square feet or 0.003 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

5. The necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the property herein described are hereby directed to be instituted.

This the 15th day of August, 2022.

P.J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY OF THE
MARTHA ELIZABETH WILSON HEIRS FOR THE COMPLETION OF THE BUILD PROJECT

WHEREAS, the City Council of the City of Greenville hereby determines that it is necessary and in the public interest to acquire certain property under ownership of the Martha Elizabeth Wilson Heirs for the public purpose described below; and

WHEREAS, the proper officials or representatives of the City of Greenville have been unable to acquire the necessary property by negotiated conveyance, due to complexity involving the number of heirs and/or property owners' unwillingness to negotiate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE THAT:

1. The City Council determines the acquisition of the below described property is for the public purpose of completing the BUILD project.
2. City Council authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, right-of-way totaling 0.003 acres on Parcel 25394, located at 430 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,655.000' and a Easting: 2,481,984.887'; thence from said point of commencement N46°16'26"W 11.71' to an existing iron pipe in the northern right-of-way of W 5th Street; thence with and along the said northern right-of-way N79°24'21"W 38.51' to a rebar & NC DOT R/W disk set; thence continuing with and along the said northern right-of-way N79°24'21"W 41.32' to a computed point being the south east corner of Martha E. Wilson heirs as described above and the south west corner of William J. Davis IV as described in Deed Book 3697 Page 411, said point also being the Point of Beginning; thence from the point of beginning with and along the said northern right-of-way N79°24'21"W 123.56' to a computed point being the intersection of the northern right-of-way of W 5th Street and the eastern right-of-way of CSX Railroad as depicted in Map Book 5 Page 185; thence with and along the said eastern right-of-way N14°29'00"E 3.20' to a rebar & NC DOT R/W disk set; thence leaving the said eastern right-of-way S79°48'26"E 11.15' to a rebar & NC DOT R/W disk set; thence S10°11'34"W 3.00' to a rebar & NC DOT R/W disk set; thence S79°48'26"E 112.18' to a rebar & NC DOT R/W disk set in the western line of William J. Davis IV as described above; thence with and along the said western line S10°32'48"W 1.05' to the Point and Place of Beginning containing 111 square feet or 0.003 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

3. City Council further authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, a permanent utility easement totaling 0.028 acres on Parcel 25394, located at 430 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,655.000' and a Easting: 2,481,984.887'; thence from said point of commencement N46°16'26"W 11.71' to an existing iron pipe in the northern right-of-way of W 5th Street; thence with and along the said northern right-of-way N79°24'21"W 38.51' to a rebar & NC

DOT R/W disk set; thence continuing with and along the said northern right-of-way N79°24'21"W 41.32' to a computed point being the south east corner of Martha E. Wilson heirs as described above and the south west corner of William J. Davis IV as described in Deed Book 3697 Page 411; thence with and along the western line of Davis N10°32'48"E 1.05' to a rebar & NC DOT R/W disk set, said rebar & NC DOT R/W disk being the Point of Beginning; thence from the point of beginning N79°48'26"W 112.18' to a rebar & NC DOT R/W disk set; thence N10°11'34"E 3.00' to a rebar & NC DOT R/W disk set; thence N79°48'26"W 11.15' to a rebar & NC DOT R/W disk set in the eastern right-of-way of CSX Railroad as depicted in Map Book 5 Page 185; thence with and along the said eastern right-of-way N14°29'00"E 7.02' to a 60d nail set; thence leaving the said eastern right-of-way S79°48'26"E 122.87' to a 60d nail set in the western line of William J. Davis IV as described above; thence with and along the said western line S10°32'48"W 10.00' to the Point and Place of Beginning containing 1,198 square feet or 0.028 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

4. The necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the property herein described are hereby directed to be instituted.

This the 15th day of August, 2022.

P.J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY OF THE JOHN BIBBY O'BRIEN FOR THE COMPLETION OF THE BUILD PROJECT

WHEREAS, the City Council of the City of Greenville hereby determines that it is necessary and in the public interest to acquire certain property under ownership of John Bibby O'Brien for the public purpose described below; and

WHEREAS, the proper officials or representatives of the City of Greenville have been unable to acquire the necessary property by negotiated conveyance, due to complexity involving the number of heirs and/or property owners' unwillingness to negotiate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE THAT:

1. The City Council determines the acquisition of the below described property is for the public purpose of completing the BUILD project.
2. City Council authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, right-of-way totaling 0.003 acres on Parcel 25142, located at 408 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,569.886' and a Easting: 2,482,427.022'; thence from said point of commencement N27°29'08"W 6.64' to an existing iron pipe in the northern right-of-way of W 5th Street marking the south west corner of the City of Greenville as described in Deed Book 3406 Page 633 and depicted in Map Book 26 Page 10 and the south east corner of John B. O'Brien as described above, said iron pipe also being the Point of Beginning; thence from the point of beginning with and along the said northern right-of-way N78°24'12"W 78.36' to a rebar & NC DOT R/W disk set; thence leaving the said northern right-of-way N11°35'48"E 1.73' to a rebar & NC DOT R/W disk set; thence S78°21'24"E 78.36' to a rebar & NC DOT R/W disk set in the western line of the City of Greenville as described above; thence with and along the said western line S11°46'55"W 1.66' to the Point and Place of Beginning containing 133 square feet or 0.003 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

3. City Council further authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, a permanent utility easement totaling 0.021 acres on Parcel 25142, located at 408 W. Fifth Street, more particularly described as follows:

Commencing at a control point having Localized NC Grid Coordinates of Northing: 681,569.886' and a Easting: 2,482,427.022'; thence from said point of commencement N27°29'08"W 6.64' to an existing iron pipe in the northern right-of-way of W 5th Street marking the south west corner of the City of Greenville as described in Deed Book 3406 Page 633 and depicted in Map Book 26 Page 10 and the south east corner of John B. O'Brien as described above; thence with and along the western line of the City of Greenville N11°46'55"E 1.66' to a rebar & NC DOT R/W disk set, said rebar & NC DOT R/W disk being the Point of Beginning; thence from the point of beginning N78°21'24"W 78.36' to a rebar & NC DOT R/W disk set; thence S11°35'48"W 1.73' to a rebar & NC DOT R/W disk set in the northern

right-of-way of W 5th Street; thence with and along the said northern right-of-way N78°24'12"W 10.73' to a computed point being the south west corner of John B. O'Brien as described above and the south east corner Walter B. Council Trustee as described in Deed Book 2268 Page 540; thence with and along the eastern line of Walter B. Council Trustee N11°28'34"E 11.73' to a 60d nail set; thence leaving the said eastern line S78°21'25"E 89.15' to a 60d nail in the western line of the City of Greenville as described above; thence with and along the said western line S11°46'55"W 10.00' to the Point and Place of Beginning containing 909 square feet or 0.021 acres according to a plat by CH Engineering titled "Easement Acquisition Plat, City of Greenville Build Project, Area D Improvements" dated May 20, 2022 and recorded in Map Book 88 Page 104.

4. The necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the property herein described are hereby directed to be instituted.

This the 15th day of August, 2022.

P.J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY OF THE ERIC PAYNE FOR THE COMPLETION OF THE BUILD PROJECT

WHEREAS, the City Council of the City of Greenville hereby determines that it is necessary and in the public interest to acquire certain property under ownership of Eric Payne for the public purpose described below; and

WHEREAS, the proper officials or representatives of the City of Greenville have been unable to acquire the necessary property by negotiated conveyance, due to complexity involving the number of heirs and/or property owners' unwillingness to negotiate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE THAT:

1. The City Council determines the acquisition of the below described property is for the public purpose of completing the BUILD project.
2. City Council authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, permanent trail and greenway easement totaling 0.004 acres on Parcel 26145, located at 402 E. Second Street, more particularly described as follows:

Beginning at an existing iron pipe located in the terminus right of way of East 2nd Street, said point marking a common corner of the Eric Payne property recorded in Deed Book 2296 Page 41 and Map Book 22 Page 85 and State of North Carolina Property recorded in Deed Book A-40 Page 186 and Map Book 20 Page 66; thence from the POINT OF BEGINNING with the northern line of Eric Payne N 78°02'03" W 5.92 feet to a point, the TRUE POINT OF BEGINNING; thence S 32°50'42" W 38.21 feet to a point in the western line of the State of North Carolina Property recorded in in Deed Book A-40 Page 186 and Map Book 20 Page 66; thence with the State of North Carolina Property N 16°33'05" E 35.82 feet to an existing iron pipe; thence S 78°02'03" E 10.75 feet to a point; the TRUE POINT OF BEGINNING, having an area of 192.0 square feet more or less, being located on the property of Eric Payne recorded in Deed Book 2296 Page 41 and Map Book 22 Page 85 and being identified as 04-TGE on an "Easement Acquisition Plat for the City of Greenville Build Project, Project G, Town Commons Connector Greenway" prepared by Rivers and Associates, Inc. dated April 23, 2021 and has a sealed date of April 23, 2021, last revised June 21, 2021 and being recorded in Map Book 87, Page 162 of the Pitt County Registry.

3. City Council further authorizes the City Attorney (including an attorney retained by the City) to acquire by condemnation, for the purposes stated herein, a temporary construction easement totaling 0.01 acres on Parcel 26145, located at 402 E. Second Street, more particularly described as follows:

Beginning at an existing iron pipe located in the terminus right of way of East 2nd Street, said point marking a common corner of the Eric Payne property recorded in Deed Book 2296 Page 41 and Map Book 22 Page 85 and State of North Carolina Property recorded in Deed Book A-40 Page 186 and Map Book 20 Page 66; thence from the POINT OF BEGINNING S 34°37'49" W 53.56 feet to a point in the western line of the State of North

Carolina Property recorded in in Deed Book A-40 Page 186 and Map Book 20 Page 66; thence with the western line of the State of North Carolina Property N 16°33'05" E 13.77 feet to a point; thence leaving the western line of the State of North Carolina Property N 32°50'42" E 38.21 feet to a point in the southern line of the State of North Carolina Property recorded in Deed Book A-40 Page 186 and Map Book 20 Page 66; thence with the southern line of the State of North Carolina property S 78°02'03" E 5.92 feet to an existing iron pipe, the POINT OF BEGINNING, having an area of 220.1 square feet or 0.01 acres more or less, being located on the property of Eric Payne recorded in Deed Book 2296 Page 41 and Map Book 22 Page 85 and being identified as 04-TCE on an "Easement Acquisition Plat for the City of Greenville Build Project, Project G, Town Commons Connector Greenway" prepared by Rivers and Associates, Inc. dated April 23, 2021 and has a sealed date of April 23, 2021, last revised June 21, 2021 and being recorded in Map Book 87, Page 162 of the Pitt County Registry.

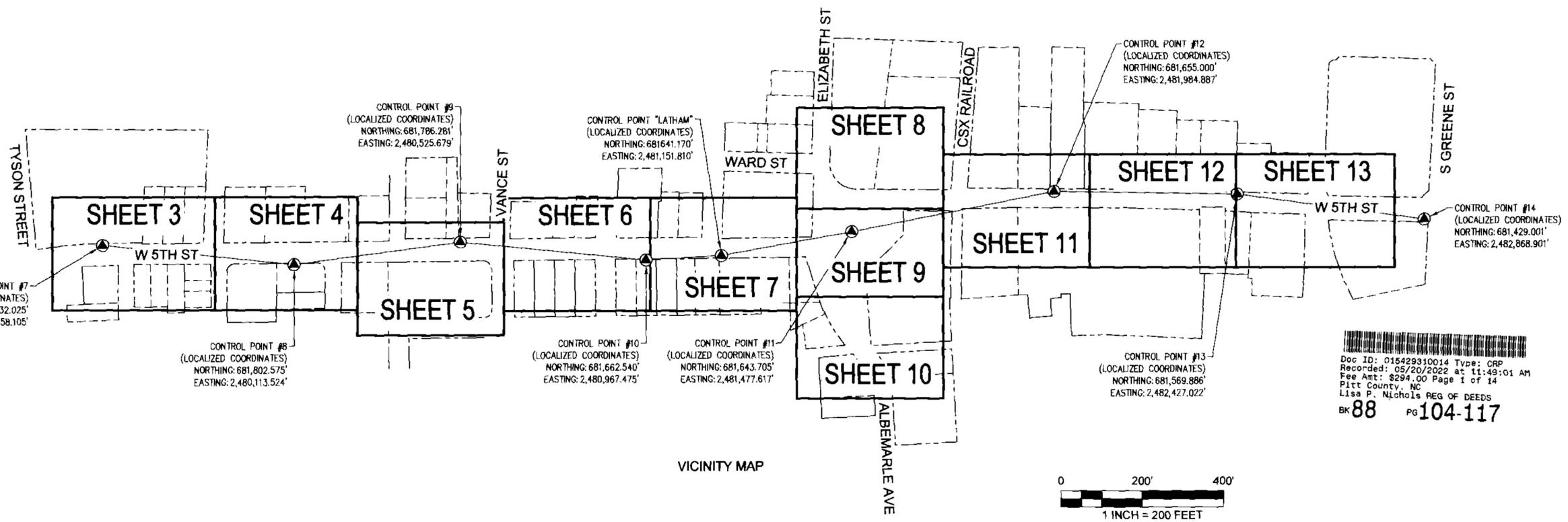
4. The necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the property herein described are hereby directed to be instituted.

This the 15th day of August, 2022.

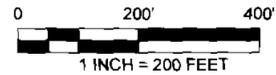
P.J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk



Doc ID: 015429310014 Type: CRP
 Recorded: 05/20/2022 at 11:49:01 AM
 Fee Amt: \$294.00 Page 1 of 14
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 88 Pg 104-117



VICINITY MAP

NO APPROVAL REQUIRED
 NORTH CAROLINA CITY OF GREENVILLE
 I HEREBY CERTIFY THAT NO APPROVAL IS REQUIRED BY THE CITY OF GREENVILLE PLANNING DEPARTMENT.
 BY: Chantale Moss
 CITY OF GREENVILLE PLANNING DEPARTMENT
 DATE: 4/20/2022
 REVIEW OFFICER

Chantale Moss
 A REVIEW OFFICER OF PITT COUNTY, N. C., CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 BY: Chantale Moss
 DATE: 4/20/2022

SURVEY HORIZONTAL CONTROL

POINT	NORTHING (US FT. - GROUND)	EASTING (US FT. - GROUND)	ELEVATION (NAVD '88)	DESCRIPTION
7	681,932.025'	2,479,658.105'	67.91'	NAIL
8	681,802.576'	2,480,113.524'	63.14'	NAIL
9	681,786.281'	2,480,525.680'	60.78'	NAIL
10	681,662.541'	2,480,967.475'	58.69'	NAIL
11	681,643.705'	2,481,477.617'	54.89'	NAIL
12	681,655.000'	2,481,984.887'	56.82'	NAIL
13	681,569.886'	2,482,427.022'	54.69'	MAG NAIL
14	681,429.001'	2,482,868.901'	49.78'	NAIL

SURVEY CONTROL CERTIFICATION

I, JEFFREY S. COATS, PLS, CERTIFY THAT THE NORTH CAROLINA STATE PLANE GRID COORDINATES AND GROUND COORDINATES SHOWN HEREON WERE DERIVED FROM AN ACTUAL GPS SURVEY AND TRADITIONAL TRAVERSE PERFORMED TO THE CLASS AA STANDARD PERFORMED BY RIVERS & ASSOCIATES; THAT VERTICAL DATUM/ELEVATIONS WAS DERIVED FROM LEVELING PERFORMED BY CH ENGINEERING ON 6/29/2020-7/11/2020 (CLASS A); BENCHMARK USED WAS NCGS LUPTON (EY1808), NAVD88 ELEVATION=60.90 FEET; AND THE FOLLOWING INFORMATION WAS USED DURING THE PERFORMANCE OF THE WORK:

- 1) CLASS OF SURVEY: CLASS AA (HORZ) CLASS A (VERT.)
- 2) POSITIONAL ACCURACY: 1.52 CM (HORZ.)
- 3) TYPE OF GPS FIELD PROCEDURE: NORTH CAROLINA RTN
- 4) DATE OF SURVEY WORK: 6/17/2020 - 6/30/2020
- 5) DATUM/EPOCH: NAD83/2011
- 6) PUBLISHED FIXED CONTROL: MULTIPLE NCGS RTN OBSERVATIONS
- 7) GEOID MODEL: GEOID12B
- 8) COMBINED GRID FACTOR: 0.999989534936001
- 9) UNITS: US SURVEY FEET

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS

20th DAY OF May, 2022.
Jeffrey S. Coats
 JEFFREY S. COATS, PLS L-3994

REVISIONS:

EASEMENT ACQUISITION PLAT CITY OF GREENVILLE BUILD PROJECT AREA "D" IMPROVEMENTS	
CITY OF GREENVILLE ~ GREENVILLE TOWNSHIP ~ PITT COUNTY ~ NORTH CAROLINA	
PREPARED FOR: CITY OF GREENVILLE POST OFFICE BOX 7207 GREENVILLE, NC 27838	SURVEYED J. NELSON / C. KNOX
	DRAWN B. RICHARDS
	CHECKED D. MCGOWAN
	DATE MAY 20, 2022
	SCALE 1 INCH = 200 FEET
 3220 GLEN ROYAL RD. RALEIGH, NC 27617 TEL. (919) 788-0224 FAX (919) 788-0232 CORPORATE LICENSE # P-0189	

SHEET INDEX	
#	DESCRIPTION
1	COVER
2	OWNER / EASEMENT TABLE
3	PROPOSED RIGHT-OF-WAY & EASEMENTS TO BE ACQUIRED-PARCELS 1-9
4	PROPOSED RIGHT-OF-WAY & EASEMENTS TO BE ACQUIRED-PARCELS 10-13
5	PROPOSED RIGHT-OF-WAY & EASEMENTS TO BE ACQUIRED-PARCELS 14-17
6	PROPOSED RIGHT-OF-WAY & EASEMENTS TO BE ACQUIRED-PARCELS 18-27
7	PROPOSED RIGHT-OF-WAY & EASEMENTS TO BE ACQUIRED-PARCELS 28-34
8	PROPOSED RIGHT-OF-WAY & EASEMENTS TO BE ACQUIRED-PARCELS 34, 36 & 37
9	PROPOSED RIGHT-OF-WAY & EASEMENTS TO BE ACQUIRED-PARCELS 34, 35 & 38
10	PROPOSED RIGHT-OF-WAY & EASEMENTS TO BE ACQUIRED-PARCELS 38, 71-75
11	PROPOSED RIGHT-OF-WAY & EASEMENTS TO BE ACQUIRED-PARCELS 39-43
12	PROPOSED RIGHT-OF-WAY & EASEMENTS TO BE ACQUIRED-PARCELS 41, 44-48
13	PROPOSED RIGHT-OF-WAY & EASEMENTS TO BE ACQUIRED-PARCELS 49-51
14	DTEAIL "A"



SURVEY CERTIFICATION

NORTH CAROLINA PITT COUNTY
 I, JEFFREY S. COATS, CERTIFY THAT THIS MAP SET WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THE RECORDED DEED AND PLAT DESCRIPTIONS ARE REFERENCED HEREIN; THAT THE RATIO OF PRECISION AS CALCULATED BY LEAST SQUARES IS 10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. FURTHERMORE I CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY AND IS AN EXCEPTION TO THE DEFINITION OF A SUBDIVISION IN THE CITY OF GREENVILLE. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL.
 THIS 20th DAY OF May, 2022.
Jeffrey S. Coats
 JEFFREY S. COATS, PLS L-3994

Table with columns: ROW TAKE, PROJECT PARCEL #, CITY PARCEL #, PROPERTY OWNER, ROW AREA, SHEET. Lists rows 1 through 44 with corresponding parcel and area information.

Table with columns: EASEMENT, PROJECT PARCEL #, CITY PARCEL #, PROPERTY OWNER, TCE AREA, SHEET. Lists easements TCE 1 through TCE 33 with corresponding parcel and area information.

Table with columns: EASEMENT, PROJECT PARCEL #, CITY PARCEL #, PROPERTY OWNER, PUE AREA, SHEET. Lists easements PUE 1 through PUE 54 with corresponding parcel and area information.

Table with columns: EASEMENT, PROJECT PARCEL #, CITY PARCEL #, PROPERTY OWNER, PDE AREA, SHEET. Lists easements PDE 1 through PDE 3 with corresponding parcel and area information.

Table with columns: EASEMENT, PROJECT PARCEL #, CITY PARCEL #, PROPERTY OWNER, PDUE AREA, SHEET. Lists easement PDUE 1 with corresponding parcel and area information.

Doc ID: 015429310014 Type: CRP
Recorded: 05/20/2022 at 11:49:01 AM
Fee Amt: \$294.00 Page 2 of 14
Pitt County, NC
Lisa P. Nichols REG OF DEEDS
BK 88 PG 104-117

REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
AREA "D" IMPROVEMENTS
CITY OF GREENVILLE - GREENVILLE TOWNSHIP - PITT COUNTY - NORTH CAROLINA
PREPARED FOR: CITY OF GREENVILLE
POST OFFICE BOX 7207
GREENVILLE, NC 27838
SURVEYED: J. NELSON / C. KNOX
DRAWN: B. RICHARDS
CHECKED: D. MCGOWAN
DATE: MAY 20, 2022
SCALE: 1 INCH = 20 FEET

NOTES:

- 1. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
2. SHEET 1 IS THE VICINITY MAP FOR SHEETS 2 THROUGH 13 OF THIS MAP SET.
3. ALL REFERENCES SHOWN HEREIN.
4. THE EXISTING BOUNDARIES, RIGHT OF WAYS AND EXISTING EASEMENTS AS SHOWN WERE COMPILED BY USING THE EXISTING PROPERTY CORNERS RECOVERED AND BY USING CURRENT DEED AND PLAT REFERENCES. THE PROPOSED RIGHT OF WAY AND PROPOSED EASEMENTS WERE COMBINED WITH THE EXISTING PROPERTY DATA TO FORM THE BASIS OF AREA COMPUTATIONS. THE PARCELS AS DRAWN ARE NOT CONSIDERED TO BE BOUNDARY SURVEYS AND SHOULD NOT BE USED AS SUCH.
5. THE INFORMATION CONTAINED HEREON IS SUBJECT TO THE FINDINGS OF A COMPLETE AND ACCURATE OPINION OF TITLE, AND TO THOSE EXCEPTIONS AND EASEMENTS OF RECORD, IF ANY, NOTED THEREON.
6. AREAS COMPUTED BY COORDINATE METHOD.
7. THE PROJECT POINT OF LOCALIZATION IS "PANEL 305" HAVING NC GRID COORDINATES OF NORTHING: 681,060.791', EASTING: 2,481,113.780' AND A NAVD 88 ELEVATION: 62.24'. THE PROJECT COMBINED FACTOR IS 0.99989534936001.
8. THESE PROPERTIES ARE LOCATED IN ZONE "X", AND IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA, AS DETERMINED BY NC FIRM MAP NUMBER 3720467800K WITH A EFFECTIVE DATE OF 7/17/2014 AND NC FIRM MAP NUMBER 3720468800K WITH A EFFECTIVE DATE OF 7/17/2014.

LEGEND

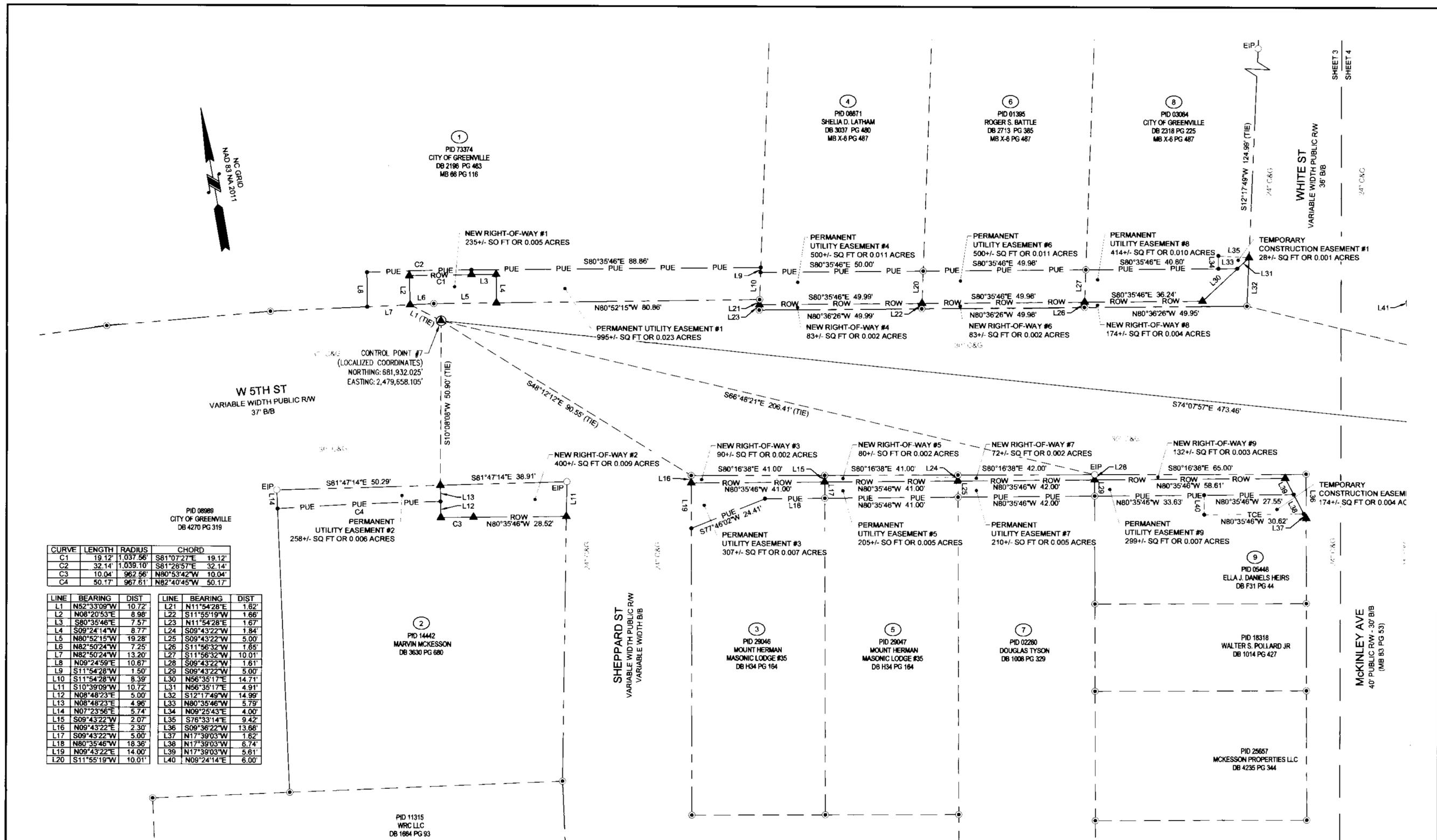
- CONTROL POINT REBAR & CAP SET
EXISTING PROPERTY CORNER
NC DOT RIGHT-OF-WAY DISK SET
60d NAIL SET
COMPUTED POINT-NO POINT SET
EXISTING RIGHT-OF-WAY
PROPERTY LINE SURVEYED
PROPERTY LINE NOT SURVEYED
EXISTING EASEMENT
PROPOSED RIGHT-OF-WAY
PERMANENT DRAINAGE EASEMENT
PERMANENT UTILITY EASEMENT
PERMANENT DRAINAGE & UTILITY EASEMENT
TEMP CONSTRUCTION EASEMENT

SURVEY CERTIFICATION

NORTH CAROLINA PITT COUNTY



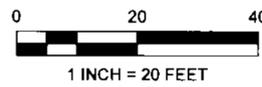
Jeffrey S. Coats 5/6/22
JEFFREY S. COATS, PLS L-3994



CONTROL POINT #7
(LOCALIZED COORDINATES)
NORTHING: 681,932.025'
EASTING: 2,479,658.105'

CURVE	LENGTH	RADIUS	CHORD
C1	19.12'	1,037.56'	S81°07'27"E 19.12'
C2	32.14'	1,039.10'	S81°26'57"E 32.14'
C3	10.04'	962.56'	N80°53'42"W 10.04'
C4	50.17'	967.61'	N82°40'45"W 50.17'

LINE	BEARING	DIST	LINE	BEARING	DIST
L1	N52°33'09"W	10.72'	L21	N11°54'28"E	1.62'
L2	N08°20'53"E	8.98'	L22	S11°55'19"W	1.66'
L3	S80°35'46"E	7.57'	L23	N11°54'28"E	1.67'
L4	S09°24'14"W	8.77'	L24	S09°43'22"W	1.84'
L5	N80°52'15"W	19.28'	L25	S09°43'22"W	5.00'
L6	N82°50'24"W	7.25'	L26	S11°56'32"W	1.65'
L7	N82°50'24"W	13.20'	L27	S11°56'32"W	10.01'
L8	N09°24'59"E	10.67'	L28	S09°43'22"W	1.61'
L9	S11°54'28"W	1.50'	L29	S09°43'22"W	5.00'
L10	S11°54'28"W	8.39'	L30	N56°35'17"E	14.71'
L11	S10°39'09"W	10.72'	L31	N56°35'17"E	4.91'
L12	N08°48'23"E	5.00'	L32	S12°17'49"W	14.99'
L13	N08°48'23"E	4.96'	L33	N80°35'46"W	5.79'
L14	N07°23'56"E	5.74'	L34	N09°25'43"E	4.00'
L15	S09°43'22"W	2.07'	L35	S78°33'14"E	9.42'
L16	N09°43'22"E	2.30'	L36	S09°36'22"W	13.68'
L17	S09°43'22"W	5.00'	L37	N17°39'03"W	1.62'
L18	N80°35'46"W	18.36'	L38	N17°39'03"W	6.74'
L19	N09°43'22"E	14.00'	L39	N17°39'03"W	5.61'
L20	S11°55'19"W	10.01'	L40	N09°24'14"E	6.00'



REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
AREA "D" IMPROVEMENTS

CITY OF GREENVILLE - GREENVILLE TOWNSHIP - PITT COUNTY - NORTH CAROLINA

PREPARED FOR: CITY OF GREENVILLE
POST OFFICE BOX 7207
GREENVILLE, NC 27838

CH ENGINEERING
3220 GLEN ROYAL RD. RALEIGH, NC 27617
TEL. (919) 788-0224 FAX (919) 788-0232
CORPORATE LICENSE # P-0189

SURVEYED
J. NELSON / C. KNOX

DRAWN
B. RICHARDS

CHECKED
D. MCGOWAN

DATE
MAY 20, 2022

SCALE
1 INCH = 20 FEET

NOTES:
SEE SHEET 2

LEGEND:
SEE SHEET 2

EASEMENT ACQUISITION / AREA TABLE:
SEE SHEET 2

SHEET 3 OF 14

Doc ID: 015429310014 Type: CRP
Recorded: 05/20/2022 at 11:49:01 AM
Fee Amt: \$294.00 Page 3 of 14
Pitt County, NC
Lisa P. Nichols REG OF DEEDS

88 Pg 104-117

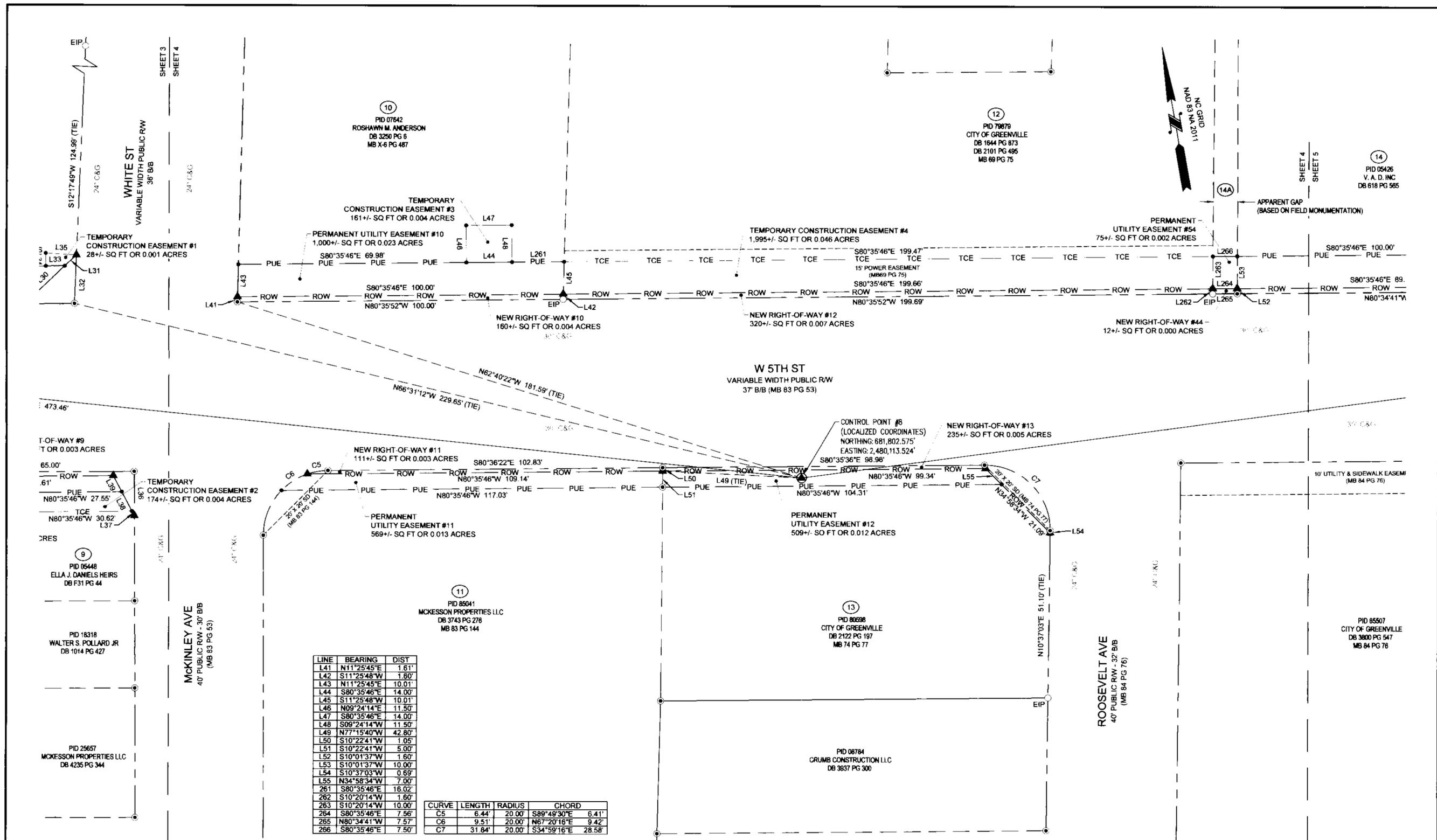
SURVEY CERTIFICATION

NORTH CAROLINA PITT COUNTY

JEFFREY S. COATS
L-3994
LAND SURVEYOR

Jeffrey S. Coats
JEFFREY S. COATS, PLS

L-3994



LINE	BEARING	DIST
L41	N11°25'45"E	1.61'
L42	S11°25'48"W	1.60'
L43	N11°25'45"E	10.01'
L44	S80°35'46"E	14.00'
L45	S11°25'48"W	10.01'
L46	N09°24'14"E	11.50'
L47	S80°35'46"E	14.00'
L48	S09°24'14"W	11.50'
L49	N77°15'40"W	42.80'
L50	S10°22'41"W	1.05'
L51	S10°22'41"W	5.00'
L52	S10°01'37"W	1.60'
L53	S10°01'37"W	10.00'
L54	S10°37'03"W	0.89'
L55	N34°58'34"W	7.00'
L261	S80°35'46"E	16.02'
L262	S10°20'14"W	1.60'
L263	S10°20'14"W	10.00'
L264	S80°35'46"E	7.56'
L265	N80°34'41"W	7.57'
L266	S80°35'46"E	7.50'

CURVE	LENGTH	RADIUS	CHORD
C5	6.44'	20.00'	S89°49'30"E 6.41'
C6	9.51'	20.00'	N67°20'16"E 9.42'
C7	31.64'	20.00'	S34°59'16"E 28.58'

REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
AREA "D" IMPROVEMENTS

CITY OF GREENVILLE - GREENVILLE TOWNSHIP - PITT COUNTY - NORTH CAROLINA

PREPARED FOR: CITY OF GREENVILLE
 POST OFFICE BOX 7207
 GREENVILLE, NC 27838

CH ENGINEERING
 3220 GLEN ROYAL RD. RALEIGH, NC 27817
 TEL. (919) 788-0224 FAX (919) 788-0232
 CORPORATE LICENSE # P-0189

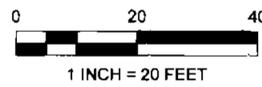
NOTES:
 SEE SHEET 2

LEGEND:
 SEE SHEET 2

EASEMENT ACQUISITION / AREA TABLE:
 SEE SHEET 2

SCALE
 1 INCH = 20 FEET

SHEET 4 OF 14



Doc ID: 015429310014 Type: CRP
 Recorded: 05/20/2022 at 11:49:01 AM
 Fee Amt: \$294.00 Page 4 of 14
 Pitt County, NC
 Lisa P. Nichols REG. OF DEEDS
 BK 88 PG 104-117

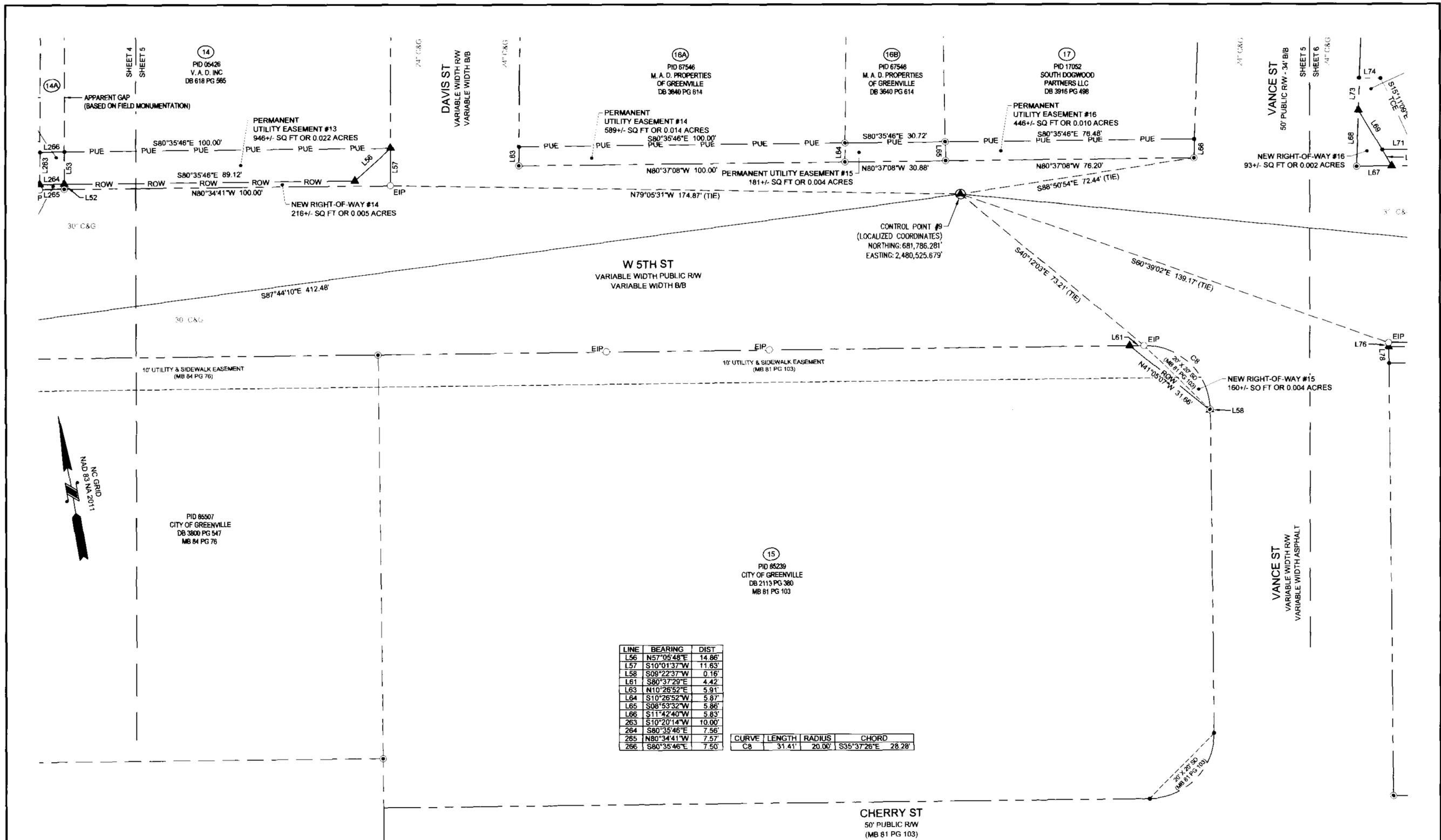
SURVEY CERTIFICATION

NORTH CAROLINA PITT COUNTY

JEFFREY S. COATS
 L-3994
 LAND SURVEYOR

Jeffrey S. Coats
 JEFFREY S. COATS, PLS

L-3994



LINE	BEARING	DIST
L56	N57°05'48"E	14.86'
L57	S10°01'37"W	11.63'
L58	S08°22'37"W	0.16'
L61	S80°37'29"E	4.42'
L63	N10°26'52"E	5.91'
L64	S10°26'52"W	5.87'
L65	S08°53'32"W	5.86'
L66	S11°42'40"W	5.83'
263	S10°20'14"W	10.00'
264	S80°35'46"E	7.56'
265	N80°34'41"W	7.57'
266	S80°35'46"E	7.50'

CURVE	LENGTH	RADIUS	CHORD
C8	31.41'	20.00'	S35°37'28"E 28.28'

REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
AREA "D" IMPROVEMENTS
 CITY OF GREENVILLE - GREENVILLE TOWNSHIP - PITT COUNTY - NORTH CAROLINA

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SURVEYED
 J. NELSON / C. KNOX

DRAWN
 B. RICHARDS

CHECKED
 D. McGOWAN

DATE
 MAY 20, 2022

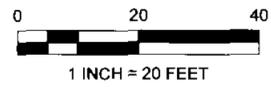
SCALE
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NOTES:
 SEE SHEET 2

LEGEND:
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EASEMENT ACQUISITION / AREA TABLE:
 SEE SHEET 2

SHEET 5 OF 14

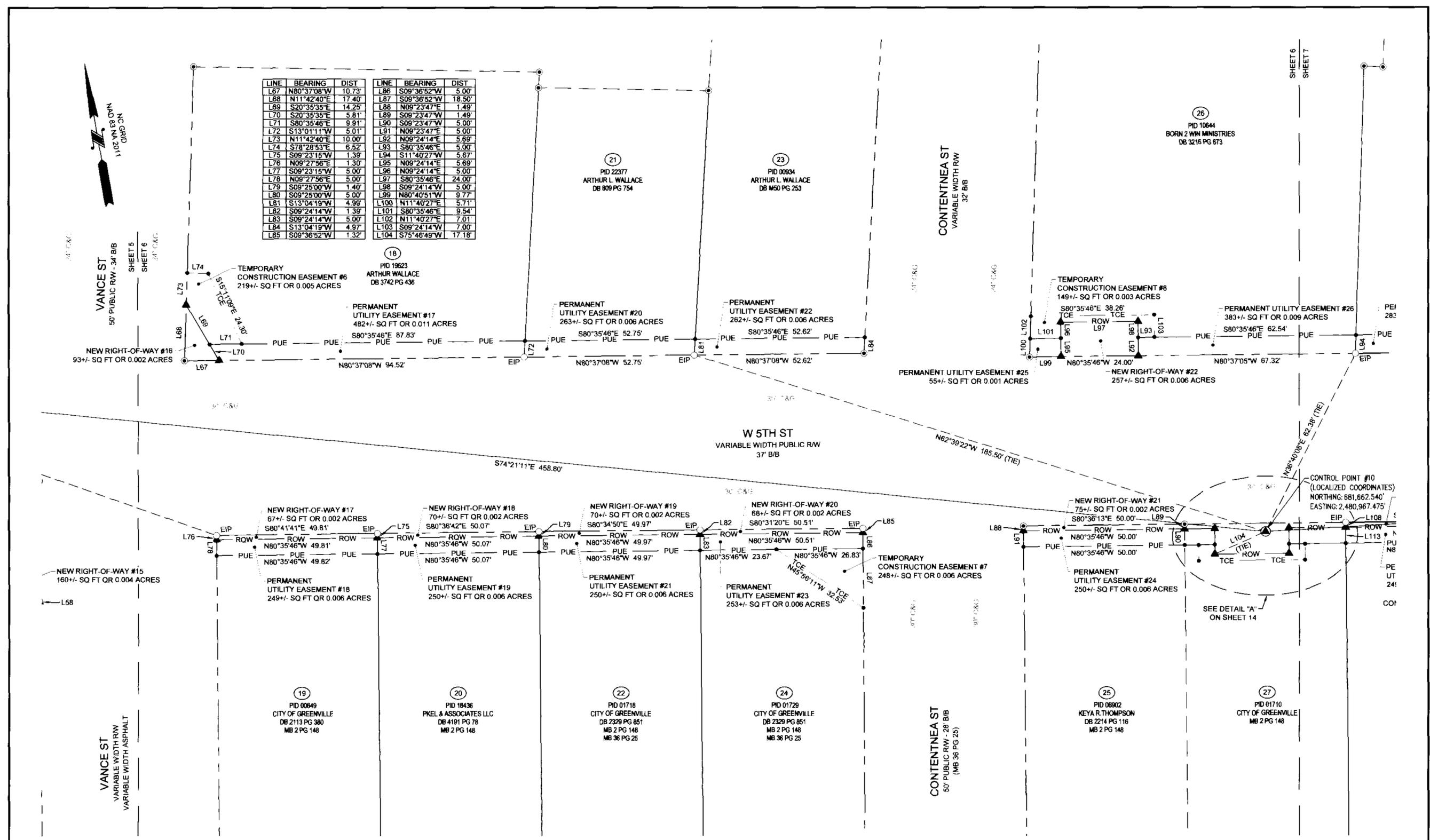


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 Recorded: 05/20/2022 at 11:48:01 AM
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 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 88 PG 104-117

SURVEY CERTIFICATION
 NORTH CAROLINA PITT COUNTY

JEFFREY S. COATS
 PROFESSIONAL LAND SURVEYOR
 L-3994

Jeffrey S. Coats 5/20/22
 JEFFREY S. COATS, PLS L-3994



REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
AREA "D" IMPROVEMENTS
 CITY OF GREENVILLE ~ GREENVILLE TOWNSHIP ~ PITT COUNTY ~ NORTH CAROLINA

PREPARED FOR: CITY OF GREENVILLE
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 B. RICHARDS

CHECKED
 D. MCGOWAN

DATE
 MAY 20, 2022

SCALE
 1 INCH = 20 FEET

NOTES:
 SEE SHEET 2

LEGEND:
 SEE SHEET 2

EASEMENT ACQUISITION / AREA TABLE:
 SEE SHEET 2

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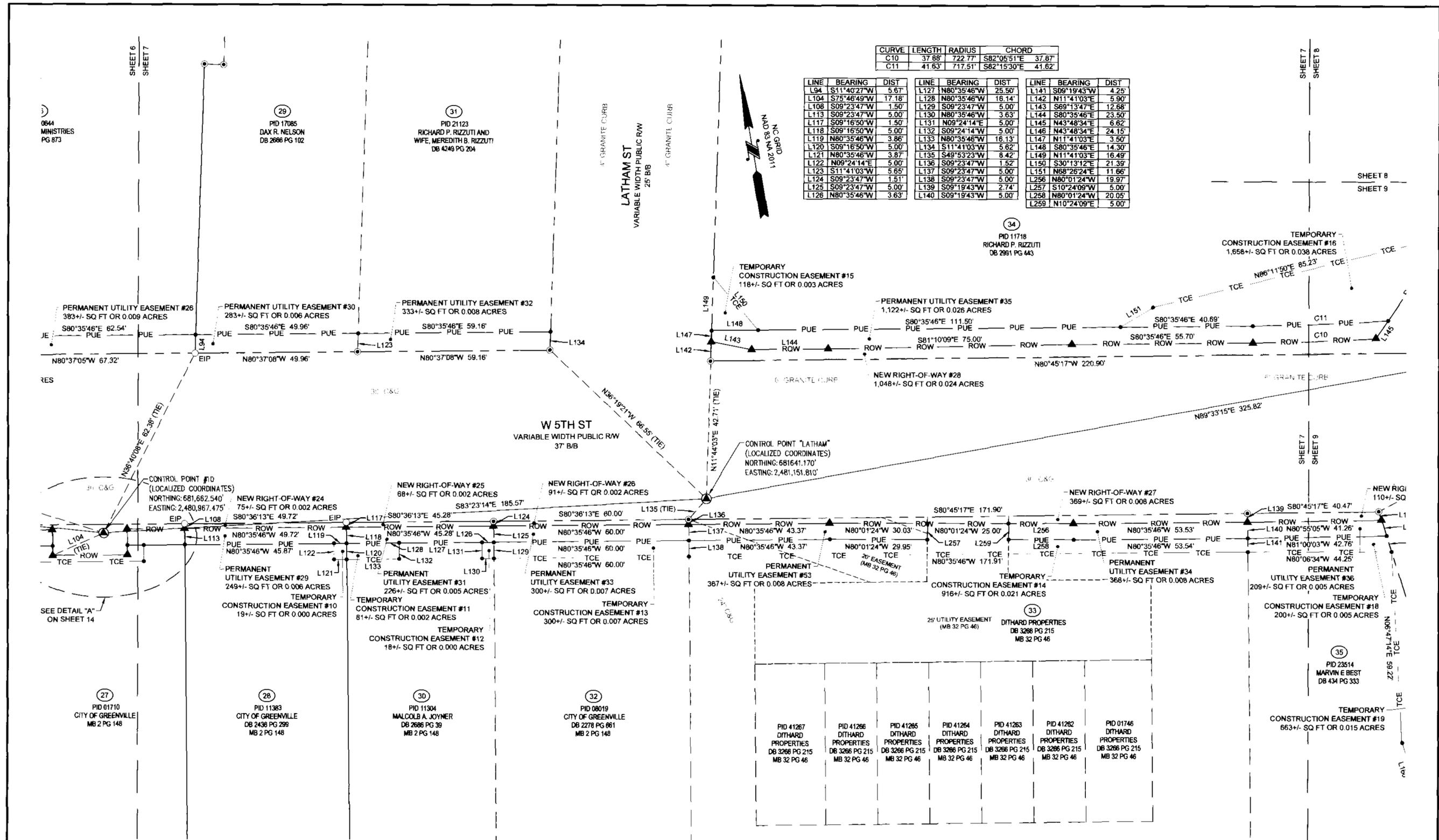
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 Fee Amt: \$294.00 Page 6 of 14
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 88 PG 104-117

SURVEY CERTIFICATION
 NORTH CAROLINA PITT COUNTY

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR
 L-3994
 JEFFREY S. COATS

Jeffrey S. Coats
 JEFFREY S. COATS, PLS

L-3994



CURVE	LENGTH	RADIUS	CHORD
C10	37.88'	722.77'	S82°05'51"E 37.87'
C11	41.63'	717.51'	S82°15'30"E 41.62'

LINE	BEARING	DIST	LINE	BEARING	DIST	LINE	BEARING	DIST
L94	S11°40'27"W	5.67'	L127	N80°35'46"W	25.50'	L141	S09°19'43"W	4.25'
L104	S75°46'49"W	17.18'	L128	N80°35'46"W	16.14'	L142	N11°41'03"E	5.90'
L108	S09°23'47"W	1.50'	L129	S09°23'47"W	5.00'	L143	S69°13'47"E	12.58'
L113	S09°23'47"W	5.00'	L130	N80°35'46"W	3.63'	L144	S80°35'46"E	23.50'
L117	S09°16'50"W	1.50'	L131	N09°24'14"E	5.00'	L145	N43°48'34"E	6.62'
L118	S09°16'50"W	5.00'	L132	S09°24'14"W	5.00'	L146	N43°48'34"E	24.15'
L119	N80°35'46"W	3.86'	L133	N80°35'46"W	16.13'	L147	N11°41'03"E	3.50'
L120	S09°16'50"W	5.00'	L134	S11°41'03"W	5.62'	L148	S80°35'46"E	14.30'
L121	N80°35'46"W	3.87'	L135	S49°53'23"W	8.42'	L149	N11°41'03"E	16.49'
L122	N09°24'14"E	5.00'	L136	S09°23'47"W	1.52'	L150	S30°13'12"E	21.39'
L123	S11°41'03"W	5.65'	L137	S09°23'47"W	5.00'	L151	N68°26'24"E	11.66'
L124	S09°23'47"W	1.51'	L138	S09°23'47"W	5.00'	L256	N80°01'24"W	19.97'
L125	S09°23'47"W	5.00'	L139	S09°19'43"W	2.74'	L257	S10°24'09"W	5.00'
L126	N80°35'46"W	3.63'	L140	S09°19'43"W	5.00'	L258	N80°01'24"W	20.05'
						L259	N10°24'09"E	5.00'

REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
AREA "D" IMPROVEMENTS

CITY OF GREENVILLE - GREENVILLE TOWNSHIP - PITT COUNTY - NORTH CAROLINA

PREPARED FOR: CITY OF GREENVILLE
 POST OFFICE BOX 7207
 GREENVILLE, NC 27838

CH ENGINEERING
 3220 GLEN ROYAL RD. RALEIGH, NC 27617
 TEL. (919) 788-0224 FAX (919) 788-0232
 CORPORATE LICENSE # P-0189

SURVEYED
 J. NELSON / C. KNOX

DRAWN
 B. RICHARDS

CHECKED
 D. MCGOWAN

DATE
 MAY 20, 2022

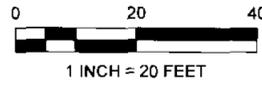
SCALE
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NOTES:
 SEE SHEET 2

LEGEND:
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EASEMENT ACQUISITION / AREA TABLE:
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SHEET 7 OF 14



Doc ID: 015429310014 Type: CRP
 Recorded: 05/20/2022 at 11:49:01 AM
 Fee Amt: \$294.00 Page 7 of 14
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 88 PG 104-117

SURVEY CERTIFICATION

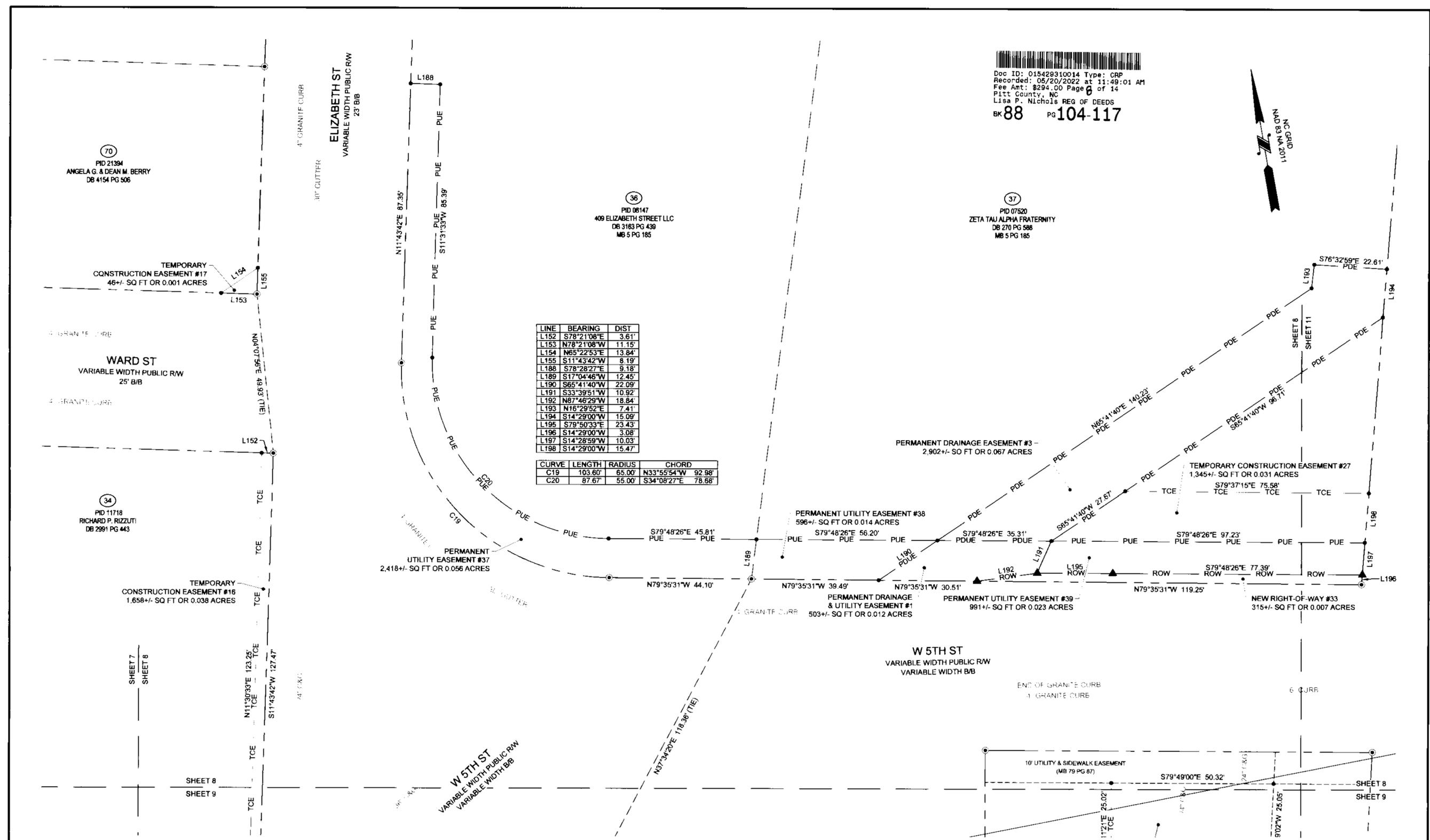
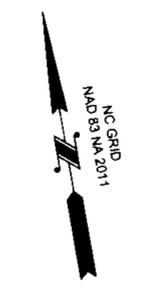
NORTH CAROLINA PITT COUNTY

JEFFREY S. COATS
 LAND SURVEYOR
 L-3994

JEFFREY S. COATS, PLS

L-3994

Doc ID: 015429310014 Type: CRP
 Recorded: 05/20/2022 at 11:49:01 AM
 Fee Amt: \$294.00 Page 8 of 14
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 88 PG 104-117



LINE	BEARING	DIST
L152	S78°21'08"E	3.61'
L153	N78°21'08"W	11.15'
L154	N65°22'53"E	13.84'
L155	S11°43'42"W	8.19'
L188	S78°28'27"E	9.18'
L189	S17°04'46"W	12.45'
L190	S65°41'40"W	22.09'
L191	S33°39'51"W	10.92'
L192	N87°46'29"W	18.84'
L193	N16°29'52"E	7.41'
L194	S14°29'00"W	15.09'
L195	S79°50'33"E	23.43'
L196	S14°29'00"W	3.08'
L197	S14°28'59"W	10.03'
L198	S14°29'00"W	15.47'

CURVE	LENGTH	RADIUS	CHORD
C19	103.60'	65.00'	N33°55'54"W 92.88'
C20	87.67'	55.00'	S34°08'27"E 78.68'

REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
AREA "D" IMPROVEMENTS

CITY OF GREENVILLE ~ GREENVILLE TOWNSHIP ~ PITT COUNTY ~ NORTH CAROLINA

PREPARED FOR: CITY OF GREENVILLE
 POST OFFICE BOX 7207
 GREENVILLE, NC 27838

CH ENGINEERING
 3220 GLEN ROYAL RD. RALEIGH, NC 27617
 TEL. (919) 788-0224 FAX (919) 788-0232
 CORPORATE LICENSE # P-0189

SURVEYED
 J. NELSON / C. KNOX

DRAWN
 B. RICHARDS

CHECKED
 D. MCGOWAN

DATE
 MAY 20, 2022

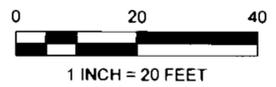
SCALE
 1 INCH = 20 FEET

NOTES:
 SEE SHEET 2

LEGEND:
 SEE SHEET 2

EASEMENT ACQUISITION / AREA TABLE:
 SEE SHEET 2

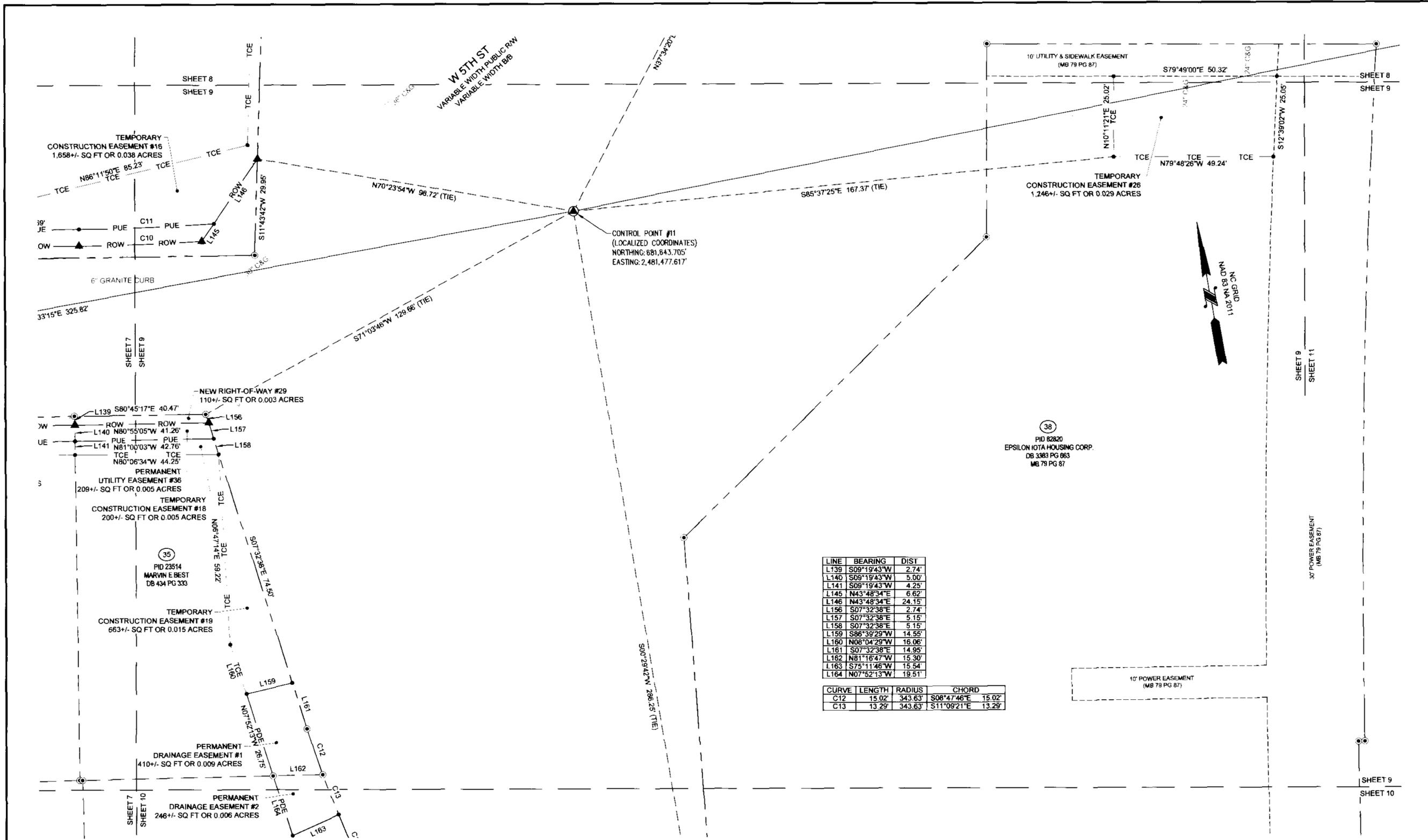
SHEET 8 OF 14



SURVEY CERTIFICATION
 NORTH CAROLINA PITT COUNTY

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR
 L-3994
 JEFFREY S. COATS

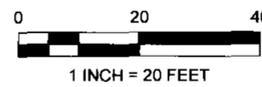
Jeffrey S. Coats 5/20/22
 JEFFREY S. COATS, PLS L-3994



CONTROL POINT #11
(LOCALIZED COORDINATES)
NORTHING: 681,843.705'
EASTING: 2,481,477.617'

LINE	BEARING	DIST
L139	S09°19'43"W	2.74'
L140	S09°19'43"W	5.00'
L141	S09°19'43"W	4.25'
L145	N43°48'34"E	6.62'
L146	N43°48'34"E	24.15'
L156	S07°32'38"E	2.74'
L157	S07°32'38"E	5.15'
L158	S07°32'38"E	5.15'
L159	S86°39'29"W	14.55'
L160	N08°04'29"W	16.06'
L161	S07°32'38"E	14.95'
L162	N81°16'47"W	15.30'
L163	S75°11'46"W	15.54'
L164	N07°52'13"W	19.51'

CURVE	LENGTH	RADIUS	CHORD
C12	15.02'	343.63'	S08°47'46"E 15.02'
C13	13.29'	343.63'	S11°09'21"E 13.29'



REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
AREA "D" IMPROVEMENTS
CITY OF GREENVILLE ~ GREENVILLE TOWNSHIP ~ PITT COUNTY ~ NORTH CAROLINA

PREPARED FOR: CITY OF GREENVILLE POST OFFICE BOX 7207 GREENVILLE, NC 27838	SURVEYED J. NELSON / C. KNOX
 3220 GLEN ROYAL RD. RALEIGH, NC 27617 TEL. (919) 788-0224 FAX (919) 788-0232 CORPORATE LICENSE # P-0189	DRAWN B. RICHARDS
	CHECKED D. MCGOWAN
	DATE MAY 20, 2022
SCALE 1 INCH = 20 FEET	SHEET 9 OF 14

NOTES:
SEE SHEET 2

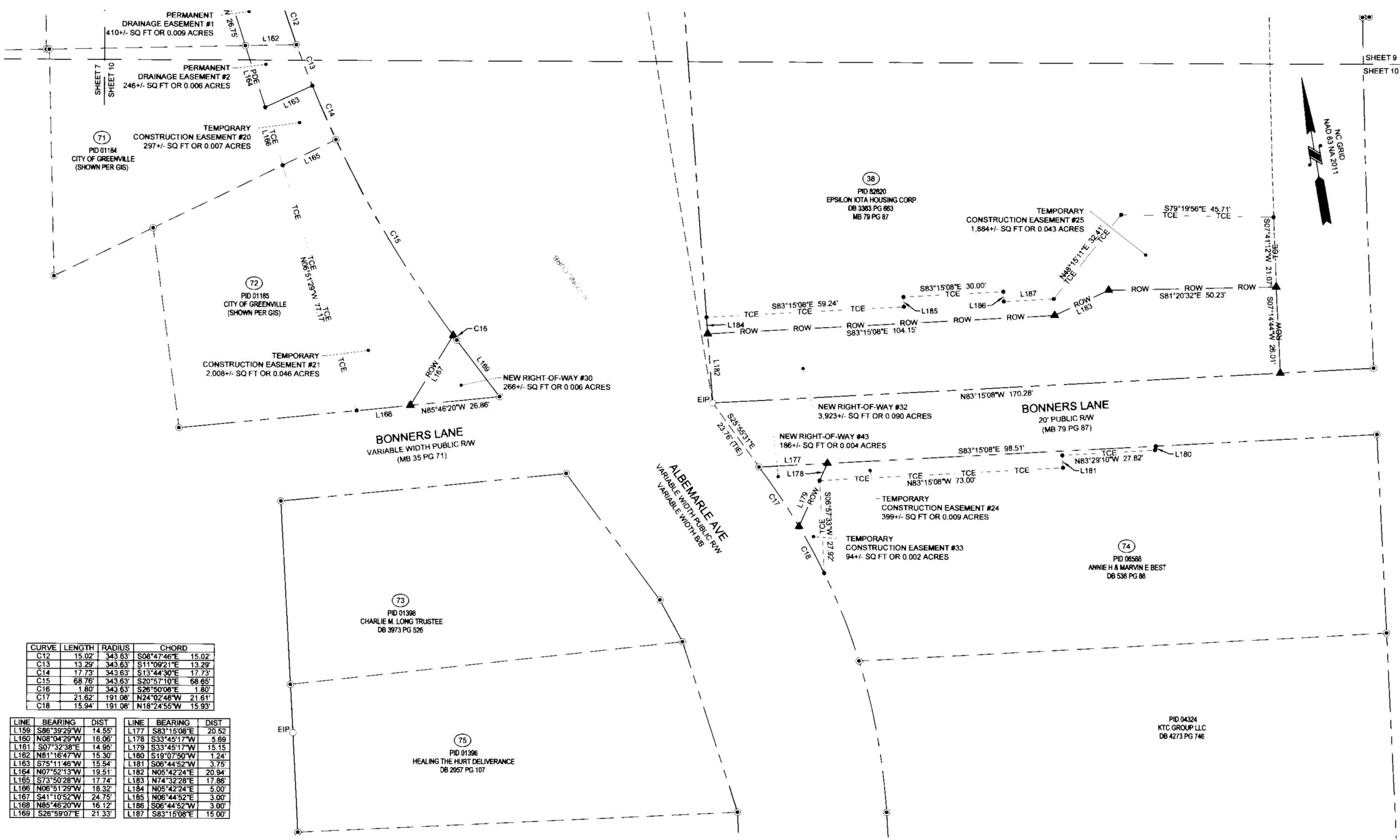
LEGEND:
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EASEMENT ACQUISITION / AREA TABLE
SEE SHEET 2

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Recorded: 05/20/2022 at 11:49:01 AM
Fee Amt: \$294.00 Page 9 of 14
Pitt County, NC
Lisa P. Nichols REG OF DEEDS
BK 88 PG 104-117

SURVEY CERTIFICATION
NORTH CAROLINA PITT COUNTY

Jeffrey S. Coats 5/22/22
JEFFREY S. COATS, PLS L-3994



CURVE	LENGTH	RADIUS	CHORD
C12	15.02'	343.63'	S08°47'46"E 15.02'
C13	13.29'	343.63'	S11°09'21"E 13.29'
C14	17.73'	343.63'	S13°44'30"E 17.73'
C15	68.76'	343.63'	S20°57'10"E 68.65'
C16	1.80'	343.63'	S26°50'08"E 1.80'
C17	21.62'	191.08'	N24°02'48"W 21.61'
C18	15.94'	191.08'	N18°24'55"W 15.93'

LINE	BEARING	DIST	LINE	BEARING	DIST
L159	S86°39'29"W	14.55'	L177	S83°15'08"E	20.52'
L160	N08°04'29"W	16.06'	L178	S33°45'17"W	5.69'
L161	S07°32'38"E	14.95'	L179	S33°45'17"W	15.15'
L162	N81°16'47"W	15.30'	L180	S19°07'50"W	1.24'
L163	S75°11'46"W	15.54'	L181	S06°44'52"W	3.75'
L164	N07°52'13"W	19.51'	L182	N05°42'24"E	20.94'
L165	S73°50'28"W	17.74'	L183	N74°32'28"E	17.86'
L166	N06°51'29"W	18.32'	L184	N05°42'24"E	5.00'
L167	S41°10'52"W	24.75'	L185	N06°44'52"E	3.00'
L168	N85°46'20"W	16.12'	L186	S06°44'52"W	3.00'
L169	S26°59'07"E	21.33'	L187	S83°15'08"E	15.00'

REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
AREA "D" IMPROVEMENTS

CITY OF GREENVILLE - GREENVILLE TOWNSHIP - PITT COUNTY - NORTH CAROLINA

PREPARED FOR: CITY OF GREENVILLE
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 GREENVILLE, NC 27838

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SURVEYED
 J. NELSON / C. KNOX

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DATE
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SCALE
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NOTES:

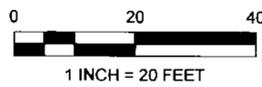
SEE SHEET 2

LEGEND:

SEE SHEET 2

EASEMENT ACQUISITION / AREA TABLE:

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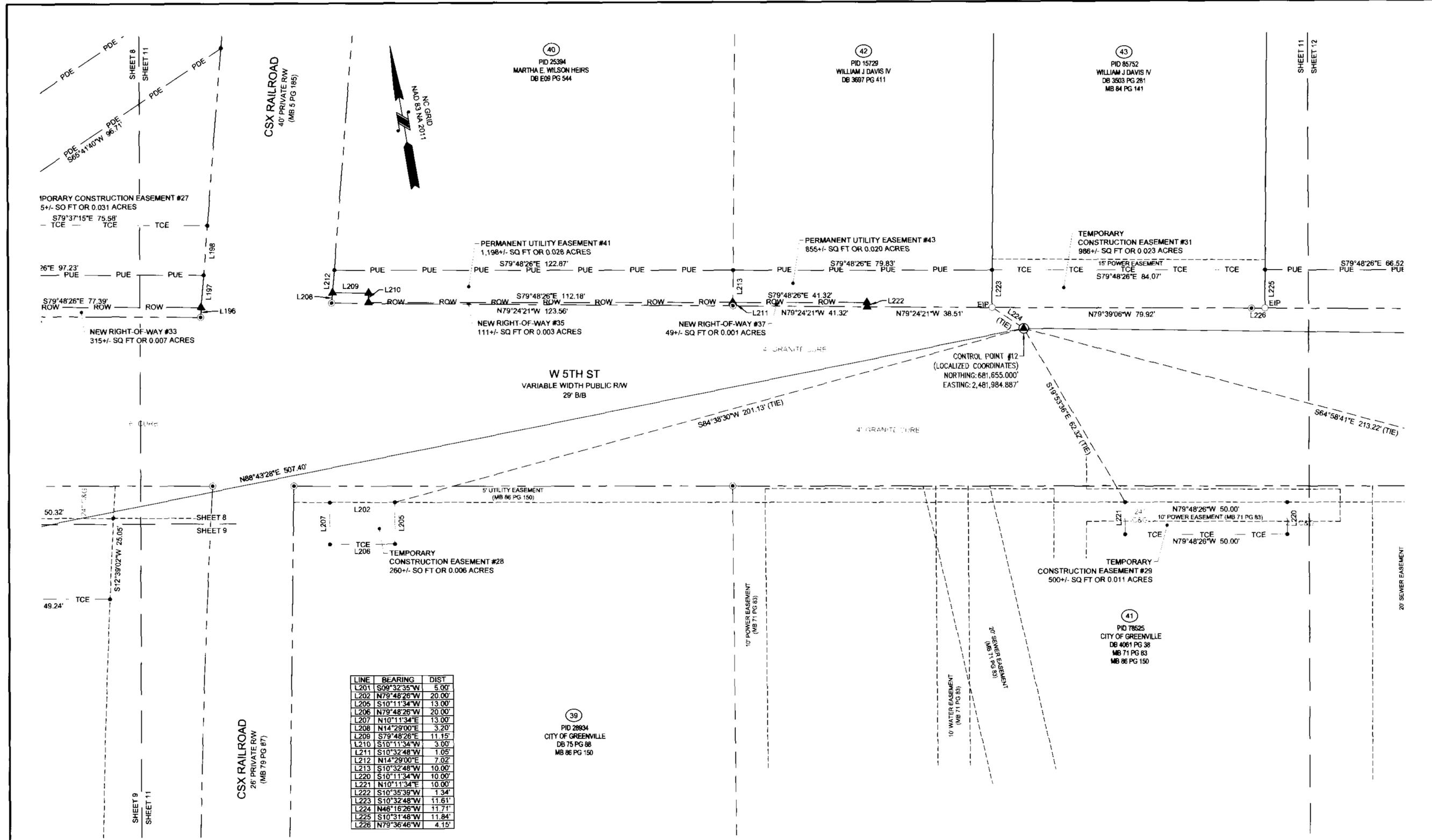


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 Pitt County, NC
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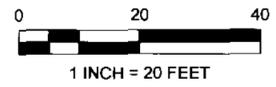
SURVEY CERTIFICATION
 NORTH CAROLINA PITT COUNTY

JEFFREY S. COATS
 PROFESSIONAL LAND SURVEYOR
 L-3994

Jeffrey S. Coats 5/20/22
 SHEET 10 OF 14



LINE	BEARING	DIST
L201	S09°32'35"W	5.00'
L202	N79°48'26"W	20.00'
L205	S10°11'34"W	13.00'
L206	N79°48'26"W	20.00'
L207	N10°11'34"E	13.00'
L208	N14°29'00"E	3.20'
L209	S79°48'26"E	11.15'
L210	S10°11'34"W	3.00'
L211	S10°32'48"W	1.05'
L212	N14°29'00"E	7.02'
L213	S10°32'48"W	10.00'
L220	S10°11'34"W	10.00'
L221	N10°11'34"E	10.00'
L222	S10°35'39"W	1.34'
L223	S10°32'48"W	11.61'
L224	N46°16'26"W	11.71'
L225	S10°31'48"W	11.84'
L226	N79°36'46"W	4.15'



REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
AREA "D" IMPROVEMENTS

CITY OF GREENVILLE ~ GREENVILLE TOWNSHIP ~ PITT COUNTY ~ NORTH CAROLINA

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 CORPORATE LICENSE # P-0189

NOTES:
 SEE SHEET 2

LEGEND:
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EASEMENT ACQUISITION / AREA TABLE:
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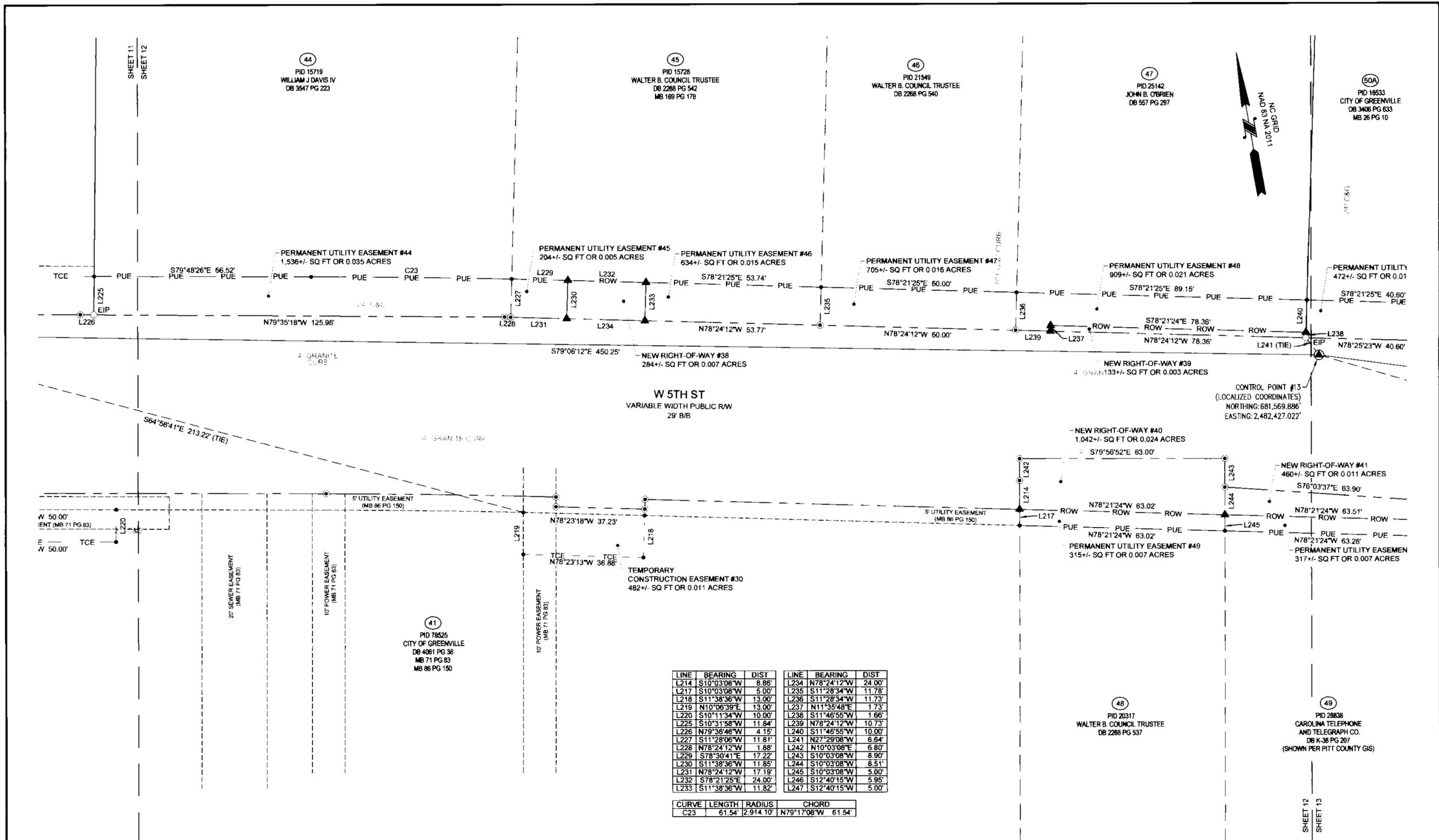
SHEET 11 OF 14

Doc ID: 015429310014 Type: CRP
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 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
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SURVEY CERTIFICATION
 NORTH CAROLINA PITT COUNTY

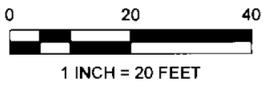
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR
 L-3994
JEFFREY S. COATS

Jeffrey S. Coats 5/20/22
 JEFFREY S. COATS, PLS L-3994



LINE	BEARING	DIST	LINE	BEARING	DIST
L214	S10°03'08"W	8.86'	L234	N78°24'12"W	24.00'
L217	S10°03'08"W	5.00'	L235	S11°28'34"W	11.78'
L218	S11°38'36"W	13.00'	L236	S11°28'34"W	11.73'
L219	N10°06'39"E	13.00'	L237	N11°35'48"E	1.73'
L220	S10°11'34"W	10.00'	L238	S11°46'55"W	1.66'
L225	S10°31'58"W	11.84'	L239	N78°24'12"W	10.73'
L226	N79°36'46"W	4.15'	L240	S11°46'55"W	10.00'
L227	S11°28'06"W	11.81'	L241	N27°29'08"W	6.64'
L228	N78°24'12"W	1.88'	L242	N10°03'08"E	6.80'
L229	S78°30'41"E	17.22'	L243	S10°03'08"W	8.90'
L230	S11°38'36"W	11.85'	L244	S10°03'08"W	8.51'
L231	N78°24'12"W	17.19'	L245	S10°03'08"W	5.00'
L232	S78°21'25"E	24.00'	L246	S12°40'15"W	5.95'
L233	S11°38'36"W	11.82'	L247	S12°40'15"W	5.00'

CURVE	LENGTH	RADIUS	CHORD
C23	61.54'	2,914.10'	N79°17'08"W 61.54'



REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
AREA "D" IMPROVEMENTS
 CITY OF GREENVILLE ~ GREENVILLE TOWNSHIP ~ PITT COUNTY ~ NORTH CAROLINA

PREPARED FOR: CITY OF GREENVILLE
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 GREENVILLE, NC 27838

SURVEYED
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 D. MCGOWAN

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NOTES:
 SEE SHEET 2

LEGEND:
 SEE SHEET 2

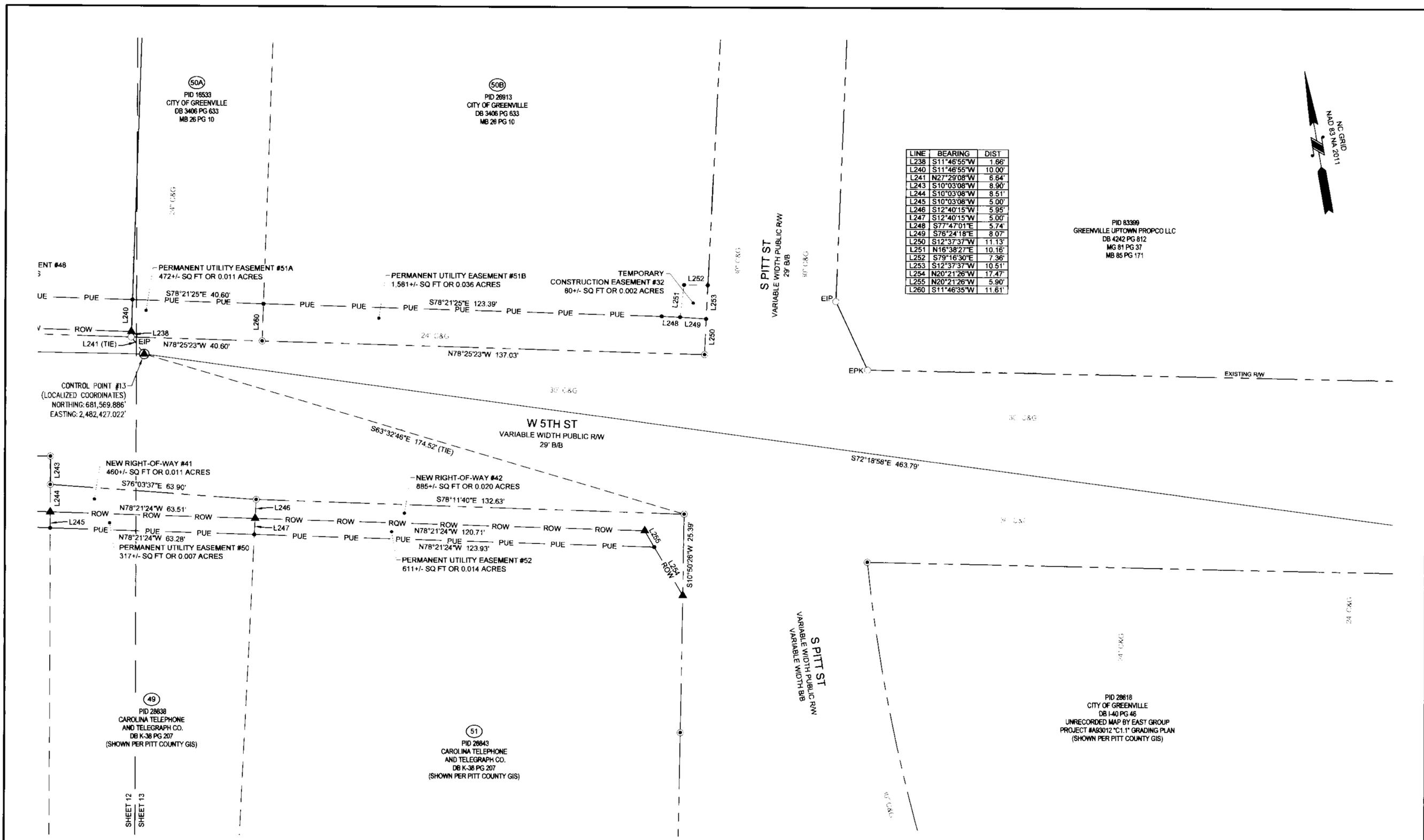
EASEMENT ACQUISITION / AREA TABLE:
 SEE SHEET 2

SHEET 12 OF 14

Doc ID: 015429310014 Type: CRP
 Recorded: 05/20/2022 at 11:49:01 AM
 Fee Amt: \$294.00 Page 12 of 14
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 88 PG 104-117

SURVEY CERTIFICATION
 NORTH CAROLINA PITT COUNTY

JEFFREY S. COATS, PLS
 L-3994



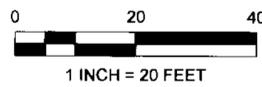
LINE	BEARING	DIST
L238	S11°46'55"W	1.66'
L240	S11°46'55"W	10.00'
L241	N27°29'08"W	6.64'
L243	S10°03'08"W	8.90'
L244	S10°03'08"W	8.51'
L245	S10°03'08"W	5.00'
L246	S12°40'15"W	5.95'
L247	S12°40'15"W	5.00'
L248	S77°47'01"E	5.74'
L249	S76°24'18"E	8.07'
L250	S12°37'37"W	11.13'
L251	N16°38'27"E	10.16'
L252	S79°16'30"E	7.36'
L253	S12°37'37"W	10.51'
L254	N20°21'26"W	17.47'
L255	N20°21'26"W	5.90'
L260	S11°46'35"W	11.61'



PID 83399
GREENVILLE UPTOWN PROPCO LLC
DB 4242 PG 812
MG 81 PG 37
MB 85 PG 171

PID 28818
CITY OF GREENVILLE
DB 140 PG 46
UNRECORDED MAP BY EAST GROUP
PROJECT #A83012 'C1.1' GRADING PLAN
(SHOWN PER PITT COUNTY GIS)

CONTROL POINT #13
(LOCALIZED COORDINATES)
NORTHING: 681,569.886'
EASTING: 2,482,427.022'



REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
AREA "D" IMPROVEMENTS

CITY OF GREENVILLE - GREENVILLE TOWNSHIP - PITT COUNTY - NORTH CAROLINA

PREPARED FOR: CITY OF GREENVILLE
POST OFFICE BOX 7207
GREENVILLE, NC 27838

CH ENGINEERING
3220 GLEN ROYAL RD. RALEIGH, NC 27617
TEL. (919) 788-0224 FAX (919) 788-0232
CORPORATE LICENSE # P-0189

NOTES:
SEE SHEET 2

LEGEND:
SEE SHEET 2

EASEMENT ACQUISITION / AREA TABLE:
SEE SHEET 2

SHEET 13 OF 14

Doc ID: 015429310014 Type: CRP
Recorded: 05/20/2022 at 11:49:01 AM
Fee Amt: \$294.00 Page 13 of 14
Pitt County, NC
Lisa P. Nichols REG OF DEEDS
BK 88 PG 104-117

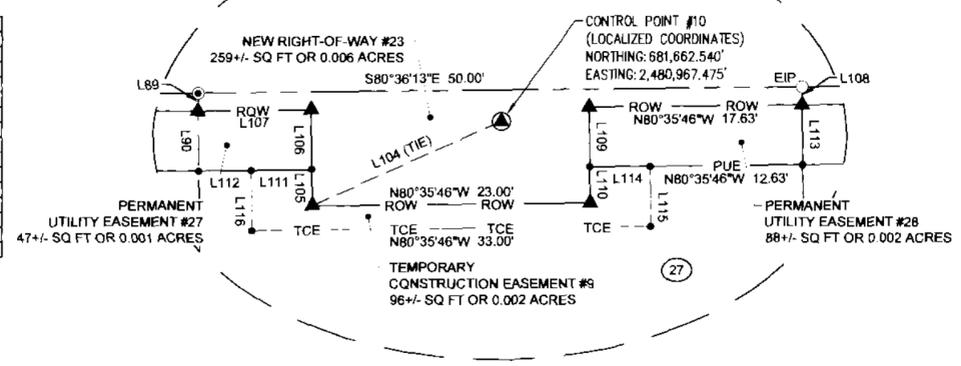
SURVEY CERTIFICATION
NORTH CAROLINA PITT COUNTY

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR
JEFFREY S. COATS
L-3994

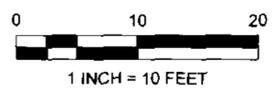
Jeffrey S. Coats
JEFFREY S. COATS, PLS L-3994

Doc ID: 015429310014 Type: CRP
 Recorded: 05/20/2022 at 11:49:01 AM
 Fee Amt: \$294.00 Page 14 of 14
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 Bk 88 PG 104-117

LINE	BEARING	DIST
L89	S09°23'47"W	1.48'
L90	S09°23'47"W	5.00'
L104	S75°46'49"W	17.18'
L105	N09°24'14"E	3.00'
L106	N09°24'14"E	5.00'
L107	N80°35'46"W	9.37'
L108	S09°23'47"W	1.50'
L109	S09°24'14"W	5.00'
L110	S09°24'14"W	3.00'
L111	N80°35'46"W	5.00'
L112	N80°35'46"W	4.37'
L113	S09°23'47"W	5.00'
L114	N80°35'46"W	5.00'
L115	S09°24'14"W	5.00'
L116	N09°24'14"E	5.00'



DETAIL "A"
1"=10'



REVISIONS:

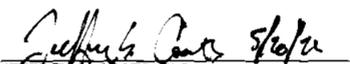
EASEMENT ACQUISITION PLAT CITY OF GREENVILLE BUILD PROJECT AREA "D" IMPROVEMENTS CITY OF GREENVILLE - GREENVILLE TOWNSHIP - PITT COUNTY - NORTH CAROLINA	
PREPARED FOR: CITY OF GREENVILLE POST OFFICE BOX 7207 GREENVILLE, NC 27838	SURVEYED J. NELSON / C. KNOX DRAWN B. RICHARDS CHECKED D. MCGOWAN DATE MAY 20, 2022 SCALE 1 INCH = 10 FEET
 3220 GLEN ROYAL RD. RALEIGH, NC 27617 TEL. (919) 788-0224 FAX (919) 788-0232 CORPORATE LICENSE # P-0189	

NOTES:
SEE SHEET 2

LEGEND:
SEE SHEET 2

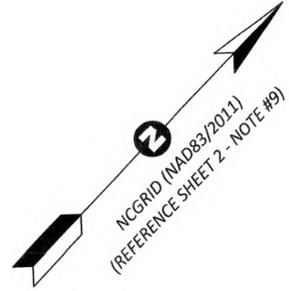
EASEMENT ACQUISITION / AREA TABLE:
SEE SHEET 2

SHEET 14 OF 14

SURVEY CERTIFICATION	
NORTH CAROLINA	PITT COUNTY
	
 JEFFREY S. COATS, PLS	
L-3994	

Doc ID: 015267450006 Type: CRP
 Recorded: 12/09/2021 at 02:44:34 PM
 Fee Amt: \$126.00 Page 1 of 6
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 87 PG 162-167

COPY



NO APPROVAL REQUIRED
 NORTH CAROLINA CITY OF GREENVILLE

I HEREBY CERTIFY THAT NO APPROVAL IS
 REQUIRED BY THE CITY OF GREENVILLE
 PLANNING DEPARTMENT.

BY: Chantall Goer
 CITY OF GREENVILLE PLANNING DEPARTMENT

DATE: 12/09/2021

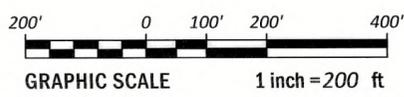
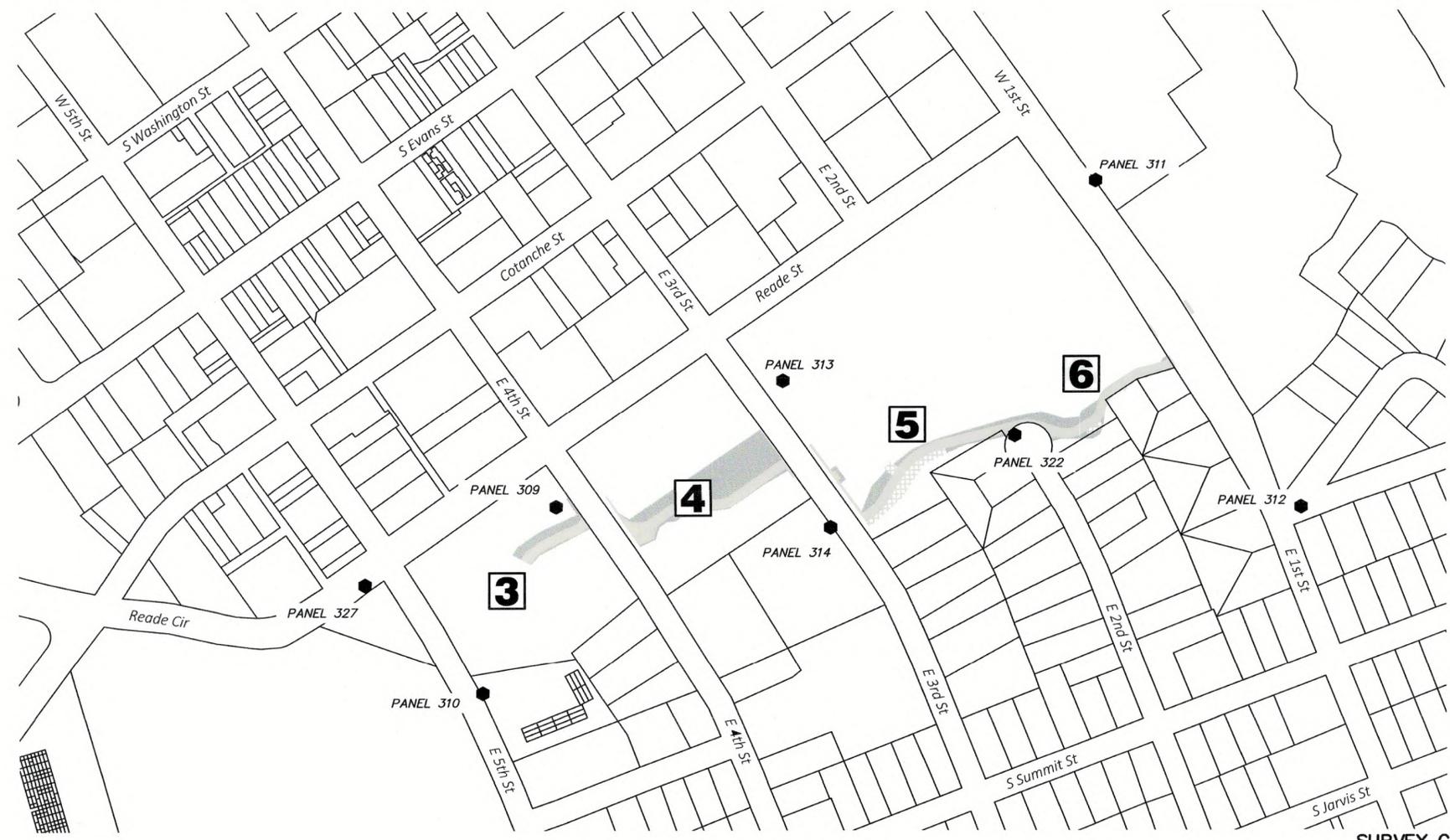
REVIEW OFFICER

NORTH CAROLINA PITT COUNTY
Chantae M Gooby

A REVIEW OFFICER OF PITT COUNTY, N.C.,
 CERTIFY THAT THE MAP OR PLAT TO WHICH
 THIS CERTIFICATION IS AFFIXED MEETS ALL
 STATUTORY REQUIREMENTS FOR RECORDING.

BY: Chantall Goer
 REVIEW OFFICER

DATE: 12/09/2021



VICINITY LEGEND:

- 1** SHEET NUMBER
- TEMPORARY CONSTRUCTION EASEMENT
- TRAIL & GREENWAY EASEMENT

SURVEY HORIZONTAL CONTROL

POINT	NORTHING (US FT-GROUND)	EASTING (US FT-GROUND)	ELEVATION (NAVD88)	DESCRIPTION	GRID NORTHING (US FT-NAD 83/2011)	GRID EASTING (US FT-NAD 83/2011)
305	681060.79	2481113.76	62.24	PANEL 305	681060.79	2481113.76
309	681491.29	2484355.13	48.50	PANEL 309	681491.25	2484354.79
310	681121.34	2484503.53	35.97	PANEL 310	681121.34	2484503.18
311	682698.27	2484689.27	40.36	PANEL 311	682698.10	2484688.90
312	682501.66	2485430.02	37.48	PANEL 312	682501.51	2485429.56
313	681983.00	2484510.02	40.38	PANEL 313	681982.91	2484509.66
314	681833.73	2484778.76	28.69	PANEL 314	681833.65	2484778.37
322	682218.22	2484920.10	28.55	PANEL 322	682218.10	2484919.70
327	681118.35	2484185.90	39.32	PANEL 327	681118.34	2484185.58

PROJECT CONTROL LOCALIZED TO GROUND AROUND PANEL 305; CALCULATED COMBINED FACTOR = 0.99989534936001.

I, PATRICK HARTMAN, P.L.S., CERTIFY THAT THE NORTH CAROLINA STATE PLANE
 GRID COORDINATES AND GROUND COORDINATES SHOWN HEREON WERE DERIVED
 FROM AN ACTUAL GPS SURVEY AND TRADITIONAL TRAVERSE PERFORMED TO THE
 CLASS A STANDARD; THAT VERTICAL DATUM/ELEVATIONS WAS DERIVED FROM
 LEVELING PERFORMED BY CH ENGINEERING ON 6/29/2020-7/1/2020 (CLASS A);
 BENCHMARK USED WAS NCGS LUPTON (EY1808), NAVD88 ELEVATION=60.90 FEET;
 AND THE FOLLOWING INFORMATION WAS USED DURING THE PERFORMANCE OF THE
 WORK:

- 1) CLASS OF SURVEY: CLASS A (HORZ.) CLASS A (VERT.)
- 2) POSITIONAL ACCURACY: 12 CM (HORZ.)
- 3) TYPE OF GPS FIELD PROCEDURE: NORTH CAROLINA RTN
- 4) DATE OF SURVEY WORK: 6/17/2020-7/1/2020
- 5) DATUM/EPOCH: NAD83/2011
- 6) PUBLISHED CONTROL/FIXED CONTROL: MULTIPLE NCGS RTN OBSERVATIONS
- 7) GEOID MODEL: GEOID12B
- 8) COMBINED GRID FACTOR: 0.99989534936001
- 9) UNITS: US SURVEY FEET

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 23RD DAY OF
 APRIL, 2021.

Patrick W. Hartman
 PROFESSIONAL LAND SURVEYOR LICENSE NO. L-4262

#2 - 6/21/2021 - REVISED SHEETS 1, 2, AND 6
 REVISIONS: #1 - 5/17/2021 - REVISED SHEETS 1, 2, 5 AND 6

**EASEMENT ACQUISITION PLAT
 CITY OF GREENVILLE BUILD PROJECT
 PROJECT G
 TOWN COMMON CONNECTOR GREENWAY
 CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, N.C.**

PREPARED FOR: CITY OF GREENVILLE
 ADDRESS: P.O. BOX 7207
 GREENVILLE, NC 27838

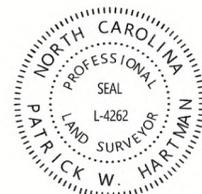
NC License: F-0334
Rivers
 & ASSOCIATES, INC.
 107 East Second Street
 Greenville, NC 27858
 (252) 752-4135
 Since 1918

Engineers
 Planners
 Surveyors
 Landscape Architects

SURVEYED
 RB/CG/TK
 DRAWN
 PH/MS
 CHECKED
 PH
 APPROVED
 N/A
 DATE
 04/23/2021
 SCALE
 1" = 20'

SHEET INDEX

#	DESCRIPTION
1	COVER
2	NOTES / LEGEND / ACQUISITION TABLE / CURVE TABLE / REFERENCES
3	TRAIL & GREENWAY/TEMPORARY CONSTRUCTION EASEMENTS - PARCEL 1
4	TRAIL & GREENWAY/TEMPORARY CONSTRUCTION EASEMENT - PARCEL 2
5	TRAIL & GREENWAY/PERMANENT DRAINAGE/TEMPORARY CONSTRUCTION EASEMENTS - PARCEL 3, 4
6	TRAIL & GREENWAY/PERMANENT DRAINAGE/TEMPORARY CONSTRUCTION EASEMENTS - PARCELS 3, 5, 6, 7 & 8



SURVEY CERTIFICATION

NORTH CAROLINA PITT COUNTY

I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN
 UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE
 UNDER MY DIRECTION BY RB/CG/TK. FROM DEED
 DESCRIPTIONS RECORDED IN BOOK SEE , PAGE REF; THAT
 THE RATIO OF PRECISION AS CALCULATED BY COORDINATES IS
 1:10,000+; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS
 BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS
 REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN
 ACCORDANCE WITH G.S. 47-30 AS AMENDED. I, FURTHER
 CERTIFY PURSUANT TO G.S. 47-30 (f)(11)d: THIS SURVEY
 IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF
 EXISTING PARCELS, A COURT ORDERED SURVEY OR OTHER
 EXCEPTION TO THE DEFINITION OF SUBDIVISION (EASEMENT
 PLAT): WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER,
 AND SEAL THIS 23RD DAY OF APRIL, 2021.

SIGNED: Patrick W. Hartman
 PROFESSIONAL LAND SURVEYOR LICENSE NUMBER L-4262

SCANNED
 DEC 09 2021

LEGEND:

---	RIGHT OF WAY (R/W)
---	PARCEL LINE
---	EXISTING EASEMENT
---	PROPOSED TRAIL AND GREENWAY EASEMENT (TGE)
---	PROPOSED TEMPORARY CONSTRUCTION EASEMENT (TCE)
---	PROPOSED PERMANENT DRAINAGE EASEMENT (PDE)
WM	WATER METER
WV	WATER VALVE
TEL VAULT	TELECOMMUNICATIONS VAULT
CB	CATCH BASIN
S	SIGN POST
LP	LIGHT POLES
PP	POWER/UTILITY POLE
CO	CLEAN OUT
MHSS	SANITARY SEWER MANHOLE
MHSD	STORM DRAIN MANHOLE
MHPWR	ELECTRIC MANHOLE
PWR	ELECTRIC BOX
☒	TRANSFORMER
☒	AERIAL CONTROL PANEL AND NUMBER
EIP	EXISTING IRON PIPE
EIR	EXISTING IRON ROD
☒	VEGETATION/TREES/SHRUBS
BP	BRADFORD PEAR TREE
DW	DOGWOOD TREE
SYC	SYCAMORE TREE
ORN	ORNAMENTAL/UNKNOWN
○	VARIOUS ABOVE GROUND UTILITY STRUCTURES DEFINED BY ADJACENT LABEL/ABBREVIATION AND/OR LEADER
DI	DRAINAGE INLET
ECON	ELECTRICAL CONNECTION BOX
C&G	CURB AND GUTTER
HW	HEAD WALL
HVAC	HEATING VENTILATION & AIR CONDITIONING
CAB	CABINET
FOV	FIBER OPTIC VAULT
BST	BITUMINOUS SURFACE TREATMENT (ASPHALT)
SB	ELECTRICAL SWITCH BOX
CATV	CABLE TELEVISION PEDESTAL
ICV	IRRIGATION CONTROL VALVE
COMM	COMMUNICATIONS
TS	UNKNOWN UTILITY STRUCTURE
SF±	SQUARE FEET PLUS OR MINUS
AC.±	ACRES PLUS OR MINUS
P.N.	PARCEL NUMBER
N/F	NOW OR FORMERLY
M.B.	MAP BOOK
D.B.	DEED BOOK
P.G.	PAGE
CONC.	CONCRETE
NPS	NO POINT SET
---	TRAIL & GREENWAY EASEMENT (TGE)
---	TEMPORARY CONSTRUCTION EASEMENT (TCE)
---	PERMANENT DRAINAGE EASEMENT (PDE)

Doc ID: 015267450006 Type: CRP
 Recorded: 12/09/2021 at 02:44:34 PM
 Fee Amt: \$128.00 Page 2 of 6
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 87 PG 162-167

COPY

EASEMENT ACQUISITION /AREA TABLE:

ID	OWNER	PARCEL NO.	NCPIN	PDE (SF)	TGE (SF)	TCE (SF)	ROW (SF)
1	STATE OF NORTH CAROLINA	29291	4688413216	---	2,999.7	3,184.5	---
2	STATE OF NORTH CAROLINA	29290	4688414626	---	8,487.5	17,478.6	---
3	STATE OF NORTH CAROLINA	29282	4688425295	3,762.2	14,747.4	7,219.6	---
4	ERIC PAYNE	26145	4688428015	---	192.0	220.1	---
5	JIM BLOUNT PROPERTIES LLC	04585	4688429262	---	---	386.2	---
6	THE DEVELOPMENT TRUST, LLC	21948	4688429364	108.0	109.5	---	---
7	THE DEVELOPMENT TRUST, LLC	85999	4688520478	---	57.4	24.3	---
8	THE CITY OF GREENVILLE	27654	4688329979	---	220.1	---	---

LINE TABLE:

LINE	BEARING	DISTANCE
L1	S 75°22'08" E	6.04'
L2	S 07°02'38" E	2.88'
L3	S 63°45'29" W	3.64'
L4	S 32°50'42" W	6.79'
L5	N 78°02'03" W	5.92'
L6	S 06°38'26" W	11.09'
L7	S 32°18'55" W	6.84'
L8	S 06°38'26" W	6.70'
L9	S 41°31'49" W	11.87'
L10	S 13°17'50" W	10.73'
L11	S 76°42'10" E	1.00'
L12	S 01°59'14" W	20.40'
L13	S 27°20'00" W	16.49'
L14	N 76°42'10" W	1.00'
L15	S 13°17'50" W	36.00'
L16	S 13°17'50" W	7.18'
L17	S 07°02'38" E	14.49'
L18	N 75°24'53" W	10.57'
L19	S 75°44'15" E	8.60'
L20	S 14°15'45" W	8.17'
L21	S 14°15'45" W	14.01'
L22	S 75°20'41" E	1.59'

CURVE TABLE:

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	160.00'	22.10'	N 15°45'00" E	22.09'
C2	210.00'	23.96'	N 22°58'33" E	23.94'
C3	90.00'	22.17'	N 19°11'10" E	22.11'
C4	110.00'	27.10'	S 19°11'13" W	27.03'
C5	190.00'	21.67'	S 22°58'32" W	21.66'
C6	140.00'	19.34'	S 15°45'00" W	19.33'
C7	40.00'	18.28'	S 01°17'58" E	18.12'
C8	177.00'	24.45'	N 15°45'00" E	24.43'
C9	45.00'	71.63'	N 56°31'53" E	64.30'
C10	60.00'	33.22'	N 26°47'32" E	32.79'
C11	40.00'	21.69'	N 27°07'07" E	21.42'
C12	60.00'	32.53'	S 27°07'07" W	32.14'
C13	40.00'	22.14'	S 26°47'32" W	21.86'
C14	90.00'	35.55'	N 00°40'37" W	35.32'
C15	160.00'	0.75'	N 11°51'30" W	0.75'
C16	160.00'	20.27'	N 08°05'44" W	20.25'
C17	160.00'	104.19'	N 14°11'21" E	102.36'
C18	52.50'	28.33'	N 48°18'05" E	27.98'
C19	40.00'	34.55'	N 39°00'37" E	33.49'
C20	25.00'	18.17'	N 06°33'40" W	17.77'
C21	45.00'	31.95'	N 07°02'38" W	31.28'
C22	60.00'	19.92'	N 22°48'22" E	19.82'
C23	40.00'	12.10'	N 23°39'06" E	12.05'
C24	60.00'	7.18'	S 18°24'51" W	7.17'
C25	45.00'	19.34'	S 15°04'28" E	19.19'
C26	45.00'	13.37'	S 05°44'57" W	13.32'
C27	60.00'	51.83'	S 39°00'37" W	50.23'
C28	47.00'	108.29'	S 53°53'53" W	85.88'
C29	140.00'	109.56'	S 10°25'34" W	106.78'
C30	110.00'	43.45'	S 00°40'37" E	43.17'
C31	60.00'	10.97'	S 27°04'39" W	10.95'
C32	40.00'	6.41'	S 27°43'19" W	6.41'
C33	40.00'	6.86'	S 18°12'46" W	6.86'
C34	47.00'	6.93'	N 55°45'44" W	6.92'
C35	47.00'	7.25'	S 16°56'33" E	7.24'

NOTES:

- ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
- AREA DETERMINED BY COORDINATE COMPUTATION.
- BOUNDARY INFORMATION TAKEN FROM SOURCES REFERENCED HEREON.
- AREAS ON THIS SURVEY ARE LOCATED IN "ZONE X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), "ZONE X" SHADED (AREA DETERMINED TO BE INSIDE THE 0.2% ANNUAL CHANCE FLOOD (500-YEAR FLOOD)), "ZONE AE" (AREAS DETERMINED TO BE INSIDE THE 1.0% ANNUAL CHANCE FLOOD (100-YEAR FLOOD)), AS DETERMINED FROM FIRM MAP NUMBERS 3720468800K AND 3720468700K, EFFECTIVE JULY 7, 2014.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT. RIVERS AND ASSOCIATES DOES NOT CLAIM THAT ALL MATTERS OF RECORD, WHICH MAY OR MAY NOT AFFECT THIS PROPERTY, ARE SHOWN HEREON. PROPERTIES SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
- THIS PLAT WAS PREPARED FOR THE PURPOSE OF EASEMENT OR RIGHT-OF-WAY ACQUISITION ONLY. IT IS NOT INTENDED TO SERVE AS A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON.
- ADJACENT OWNER INFORMATION TAKEN FROM PITT COUNTY GIS. INFORMATION HAS NOT BEEN CHECKED OR VERIFIED IF TITLE INFORMATION IS CORRECT.
- FOR CLARITY, MINIMAL EXISTING PLANIMETRIC FEATURES ARE BEING SHOWN FROM AERIAL MAPPING BY SPATIAL DATA CONSULTANTS, SUPPLEMENTED WITH FIELD SURVEY FROM JUNE THRU SEPTEMBER 2020; OTHER FEATURES MAY EXIST.
- GRID NORTH AND COORDINATE VALUES SHOWN ON THESE PLANS ARE BASED ON SURVEY CONTROL AND CALCULATIONS PERFORMED DURING INITIAL DESIGN SURVEY WORK FOR THIS PROJECT (JULY 7 & 10, 2020); COORDINATES SHOWN ARE GRID; TO LOCALIZE TO GROUND COORDINATES, THE GRID TO GROUND SCALE FACTOR IS 1.00010466159 (GRID COMBINED FACTOR IS 0.99989534936001). PROJECT LOCALIZATION POINT IS PANEL 305 HAVING GRID COORDINATES (NAD83/2011) OF:
 NORTHING: 681,060.791 US FEET
 EASTING: 2,481,113.760 US FEET

REFERENCES:

- D.B. A 40 PG. 186
- D.B. K 38 PG. 712
- D.B. U 47 PG. 511
- D.B. 3317 PG. 33
- D.B. 3367 PG. 83
- D.B. 3866 PG. 429
- D.B. 2296 PG. 47
- M.B. 15 PG. 52
- M.B. 15 PG. 53
- M.B. 15 PG. 89
- M.B. 20 PG. 70
- M.B. 20 PG. 66
- M.B. 22 PG. 85
- M.B. 25 PG. 175
- M.B. 27 PG. 159

SURVEY CERTIFICATION

NORTH CAROLINA PITT COUNTY

PROFESSIONAL LAND SURVEYOR

SEAL

L-4262

PATRICK W. HARTMAN

SIGNED: *[Signature]* 4/23/21

PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER L-4262

#2 - 6/21/21 - REVISED AREA TABLE PER 03-TGE1 & 06-TGE
 REVISIONS: #1 - 5/17/21 - REVISED AREA TABLE PER KHA COMMENTS & ADD. ESMTS.

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
PROJECT G
TOWN COMMON CONNECTOR GREENWAY
 CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, N.C.

PREPARED FOR: CITY OF GREENVILLE
 ADDRESS: P.O. BOX 7207
 GREENVILLE, NC 27838

NC License: F-0334
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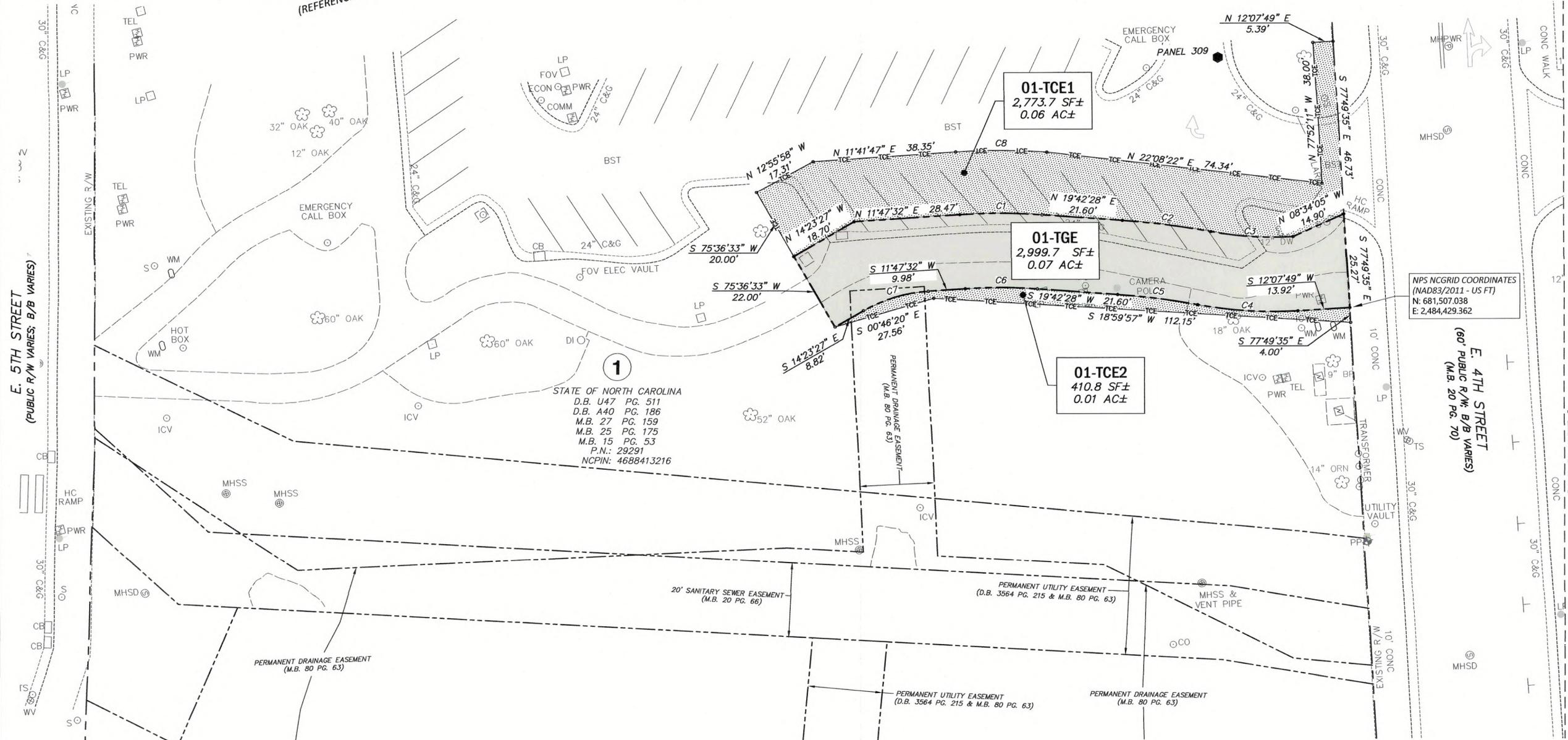
SURVEYED
 RB/CG/TK
 DRAWN
 PH/MS
 CHECKED
 PH
 APPROVED
 N/A
 DATE
 04/23/2021
 SCALE
 1" = 20'

SHEET 2 OF 6

Doc ID: 015267450006 Type: CRP
 Recorded: 12/09/2021 at 02:44:34 PM
 Fee Amt: \$126.00 Page 3 of 6
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 87 PG 162-167

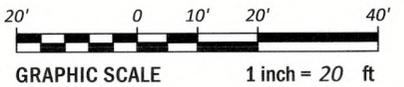
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NCGRID (NAD83/2011)
 (REFERENCE SHEET 2 - NOTE #9)



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 D.B. A40 PG. 186
 M.B. 27 PG. 159
 M.B. 25 PG. 175
 M.B. 15 PG. 53
 P.N.: 29291
 NCPIN: 4688413216

NPS NCGRID COORDINATES
 (NAD83/2011 - US FT)
 N: 681,507.038
 E: 2,484,429.362



REVISIONS:

EASEMENT ACQUISITION PLAT	
CITY OF GREENVILLE BUILD PROJECT	
PROJECT G	
TOWN COMMON CONNECTOR GREENWAY	
<i>CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, N.C.</i>	
PREPARED FOR: CITY OF GREENVILLE	SURVEYED RB/CG/TK
ADDRESS P.O. BOX 7207	DRAWN PH/MS
GREENVILLE, NC 27838	CHECKED PH
<p>NC License: F-0334 Engineers Planners Surveyors Landscape Architects 107 East Second Street Greenville, NC 27858 (252) 752-4135</p>	APPROVED N/A
	DATE 04/23/2021
	SCALE 1" = 20'

NOTES:

SEE SHEET 2

LEGEND:

SEE SHEET 2

REFERENCES:

SEE SHEET 2

EASEMENT ACQUISITION / AREA TABLE:

SEE SHEET 2

SHEET 3 OF 6

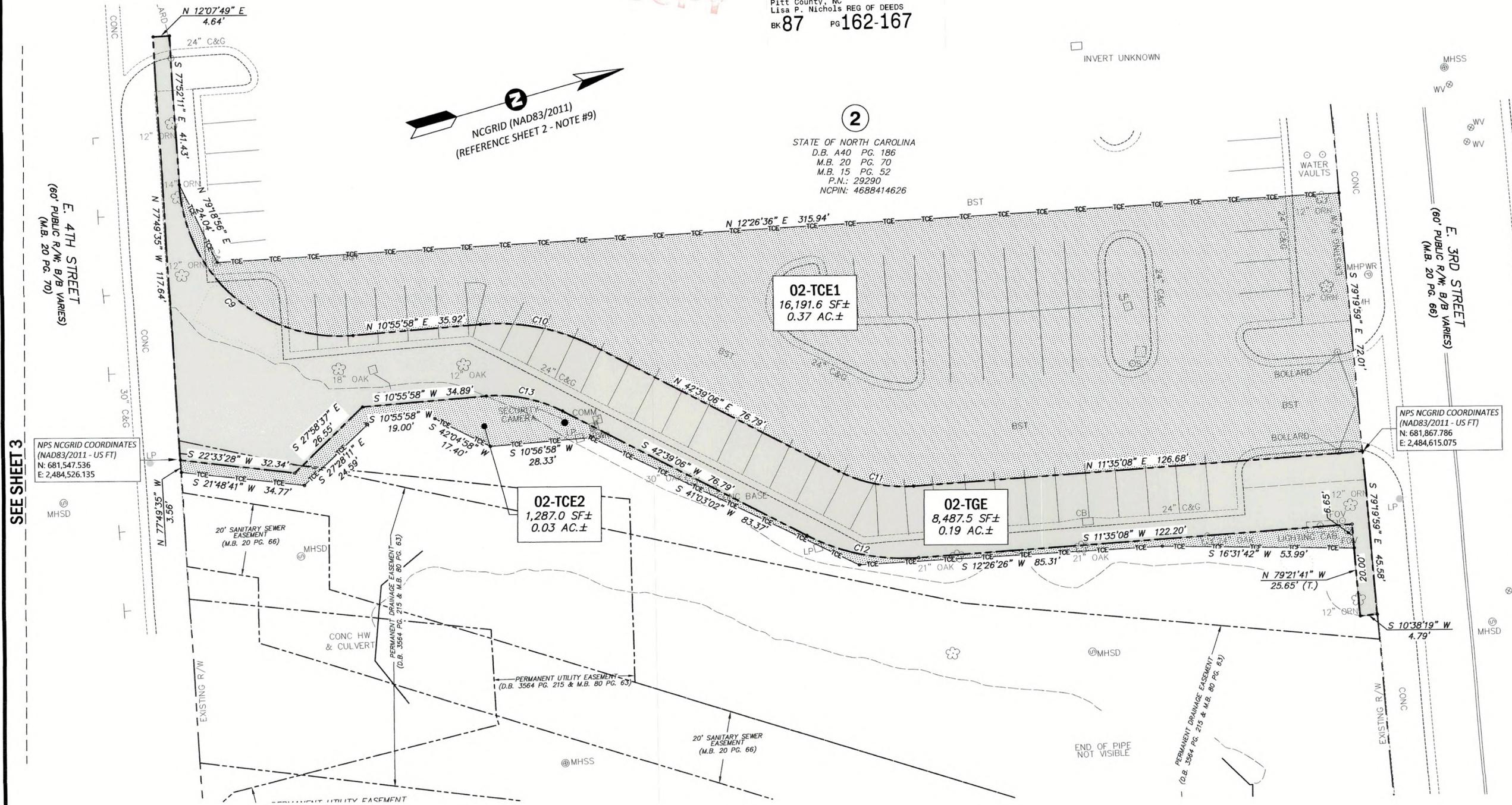
SURVEY CERTIFICATION	
NORTH CAROLINA	PITT COUNTY
SIGNED <i>Patrick W. Hartman</i> 4/23/21 PROFESSIONAL LAND SURVEYOR LICENSE NUMBER L-4262	

Doc ID: 015267450006 Type: CRP
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 Fee Amt: \$126.00 Page 4 of 6
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 87 PG 162-167

COPY

NCGRID (NAD83/2011)
 (REFERENCE SHEET 2 - NOTE #9)

STATE OF NORTH CAROLINA
 D.B. 140 PG. 186
 M.B. 20 PG. 70
 M.B. 15 PG. 52
 P.N.: 29290
 NCPIN: 4688414626



SEE SHEET 3

SEE SHEET 4

REVISIONS:

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
PROJECT G
TOWN COMMON CONNECTOR GREENWAY
 CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, N.C.

PREPARED FOR: CITY OF GREENVILLE
 ADDRESS: P.O. BOX 7207, GREENVILLE, NC 27838

Rivers & ASSOCIATES, INC.
 NC License: F-0334
 107 East Second Street, Greenville, NC 27858
 (252) 752-4135

Engineers, Planners, Surveyors, Landscape Architects
 SURVEYED RB/CG/TK
 DRAWN PH/MS
 CHECKED PH
 APPROVED N/A
 DATE 04/23/2021
 SCALE 1" = 20'

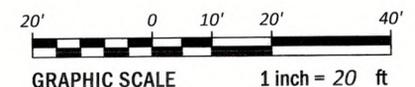
NOTES:
SEE SHEET 2

LEGEND:
SEE SHEET 2

REFERENCES:
SEE SHEET 2

EASEMENT ACQUISITION / AREA TABLE:
SEE SHEET 2

SHEET 4 OF 6



SURVEY CERTIFICATION
 NORTH CAROLINA PITT COUNTY

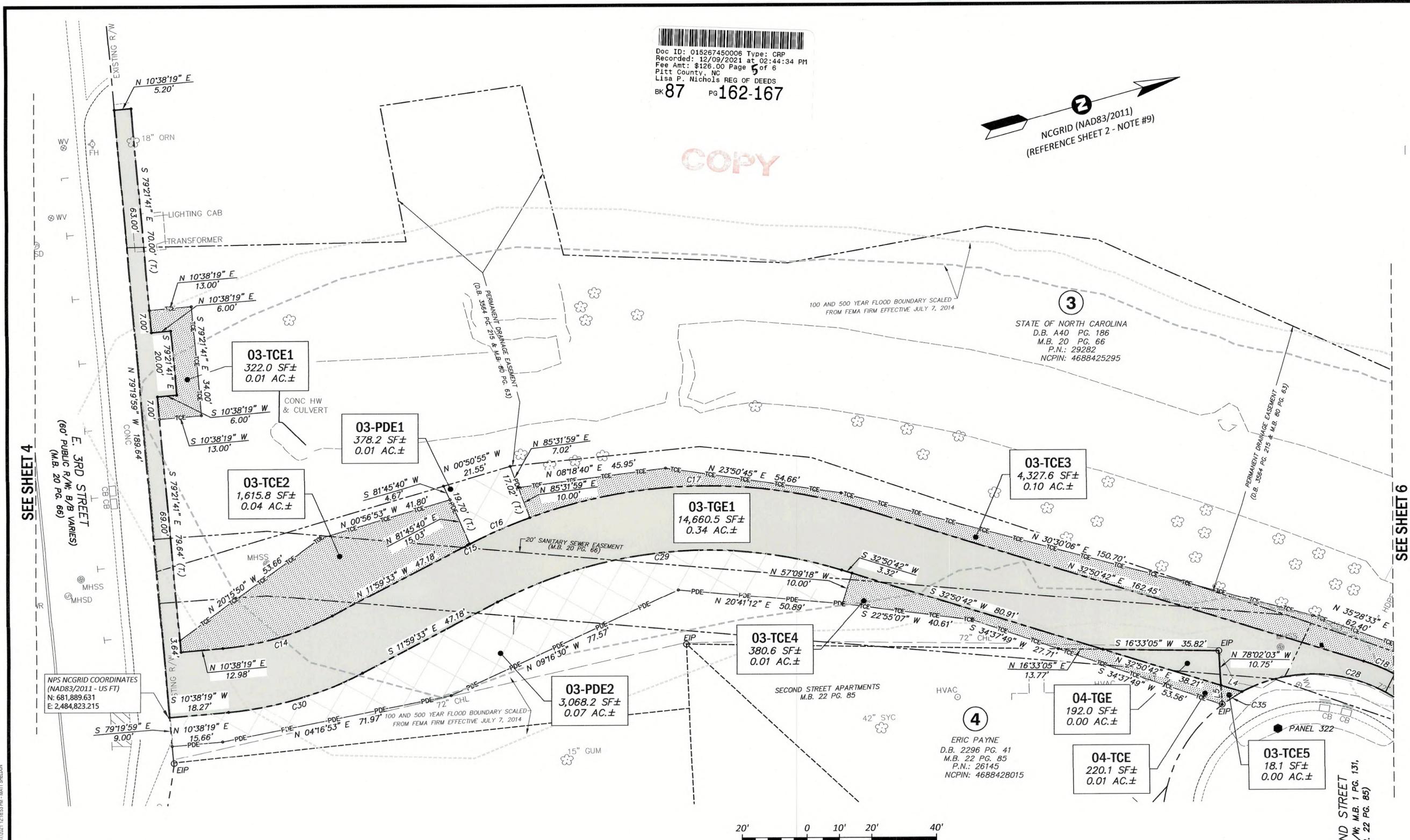
NORTH CAROLINA PROFESSIONAL LAND SURVEYOR SEAL
 SEAL L-4262
 PATRICK W. HARTMAN
 4/23/21

SIGNED: [Signature]
 PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER L-4262

Doc ID: 015267450006 Type: CRP
 Recorded: 12/09/2021 at 02:44:34 PM
 Fee Amt: \$126.00 Page 5 of 6
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 87 PG 162-167

COPY

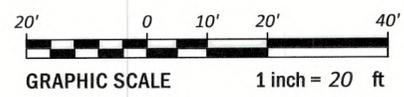
NCGRID (NAD83/2011)
 (REFERENCE SHEET 2 - NOTE #9)



SEE SHEET 4

SEE SHEET 6

NPS NCGRID COORDINATES
 (NAD83/2011 - US FT)
 N: 681,889.631
 E: 2,484,823.215



REVISIONS: #1 - 5/17/21 - CORRECTED 03-TCE2 PER KHA COMMENT

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
PROJECT G
TOWN COMMON CONNECTOR GREENWAY
 CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, N.C.

PREPARED FOR: CITY OF GREENVILLE	SURVEYED RB/CG/TK
ADDRESS P.O. BOX 7207 GREENVILLE, NC 27838	DRAWN PH/MS
	CHECKED PH
	APPROVED N/A
	DATE 04/23/2021
	SCALE 1" = 20'

Rivers & ASSOCIATES, INC.
 NC License: F-0334
 107 East Second Street Greenville, NC 27858 (252) 752-4135
 Since 1918

NOTES:
 SEE SHEET 2

LEGEND:
 SEE SHEET 2

REFERENCES:
 SEE SHEET 2

EASEMENT ACQUISITION / AREA TABLE:
 SEE SHEET 2

SHEET 5 OF 6

SURVEY CERTIFICATION
 NORTH CAROLINA PITT COUNTY

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR SEAL
 L-4262
 PATRICK W. HARTMAN

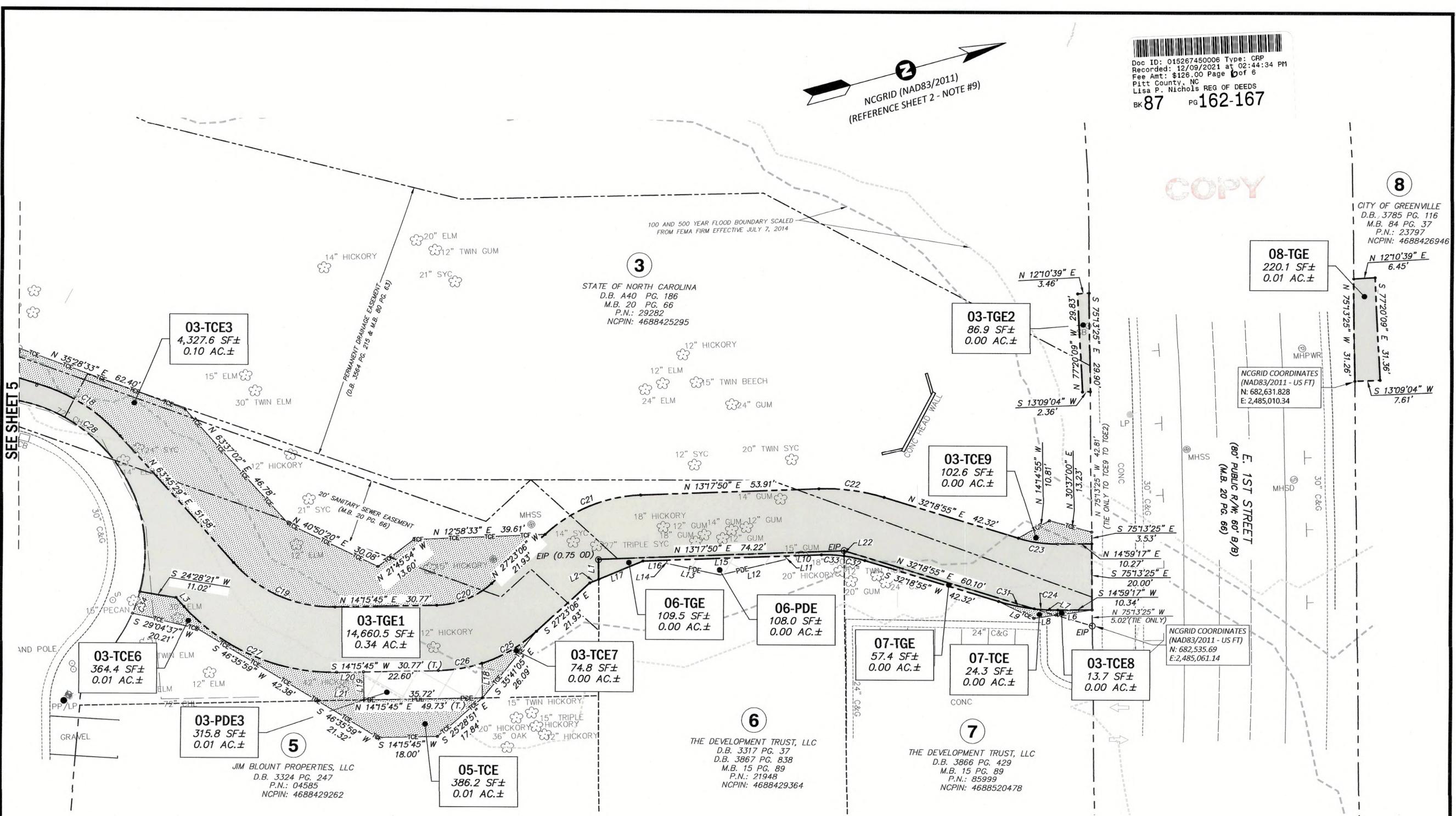
SIGNED: *[Signature]* 4/23/21
 PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER L-4262

NCGRID (NAD83/2011)
(REFERENCE SHEET 2 - NOTE #9)

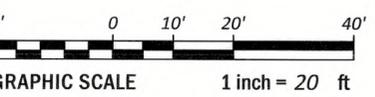
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Recorded: 12/09/2021 at 02:44:34 PM
Fee Amt: \$126.00 Page 6 of 6
Pitt County, NC
Lisa P. Nichols REG OF DEEDS
BK 87 PG 162-167

COPY

8
CITY OF GREENVILLE
D.B. 3785 PG. 116
M.B. 84 PG. 37
P.N.: 23797
NCPIN: 4688426946



SEE SHEET 5



REVISIONS: #1 - 5/17/21 - ADDED ADDITIONAL EASEMENTS PER KHA REVISION.
#2 - 6/21/21 - REVISED 03-TGE1 & 06-TGE PER LOCATED EIP

EASEMENT ACQUISITION PLAT
CITY OF GREENVILLE BUILD PROJECT
PROJECT G
TOWN COMMON CONNECTOR GREENWAY
CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, N.C.

PREPARED FOR: CITY OF GREENVILLE
ADDRESS P.O. BOX 7207
GREENVILLE, NC 27838

Rivers
& ASSOCIATES, INC.
riversandassociates.com Since 1918

NC License: F-0334
Engineers
Planners
Surveyors
Landscape Architects
107 East Second Street
Greenville, NC 27858
(252) 752-4135

SURVEYED
RB/CG/TK
DRAWN
PH/MS
CHECKED
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APPROVED
N/A
DATE
04/23/2021
SCALE
1" = 20'

NOTES:

SEE SHEET 2

LEGEND:

SEE SHEET 2

REFERENCES:

SEE SHEET 2

EASEMENT ACQUISITION / AREA TABLE:

SEE SHEET 2

SURVEY CERTIFICATION
NORTH CAROLINA PITT COUNTY

SIGNED: Patrick W. Hartman 4/23/21
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-4262



City of Greenville, North Carolina

Meeting Date: 08/15/2022

-
- Title of Item:** Execution of BUILD Grant Agreement with U.S. Department of Transportation and Designation of Authorized Agent for Grant Implementation
- Explanation:** In November 2019, the City of Greenville was selected to receive a federal BUILD Grant by the US Department of Transportation (USDOT). This original grant provides \$15 million in federal funding for seven project components that will connect residents, employees, students, and visitors to West Greenville, the Medical District, East Carolina University, and the burgeoning downtown. The seven project components include four greenway/multi-use paths and three streetscape projects.
- Upon notification of the City's selection as a BUILD recipient, staff began the process of coordinating with the Federal Highway Administration (FHWA) and selecting a design team. This team, led by Kimley-Horn & Associates and including eight sub-consultants, has worked diligently with City staff since June 2020 beginning with coordinating an extensive public involvement process. This led to finalizing the design, preparing construction plans, specifications, environmental documents, and right-of-way/easement maps for all seven project components. These project components will be advertised as two contracts this fall: one for greenway/multi-use paths and one for streetscapes. The full design package was recently completed, and has been reviewed and approved by FHWA.
- In late March 2022, the City was notified that additional BUILD funds were available. The team submitted the required reallocation response questionnaire for consideration, and was notified in August 2022 the City of Greenville was awarded an addition \$1,300,000 in BUILD funds.
- It is now appropriate to formalize the grant awards through execution of a grant agreement with USDOT, the parent organization of FHWA. The agreement, which is attached, outlines specifics of the grant award including, but not limited to, general terms and conditions, estimated project schedule/milestone dates and estimated budget. City approval and execution of the agreement is necessary prior to execution by USDOT and obligation of the federal funds (assignment that makes the funds available for use) to the City's BUILD project in the federal financial system. Full execution of the agreement, and obligation of FHWA funds, must occur no later than September 30, 2022.

Attached is a resolution authorizing the execution of the BUILD grant agreement and designating the City Manager as the City's authorized agent to execute the agreement, negotiate any additional terms and/or minor text amendments necessary for the execution of the agreement, and execute other grant related documents as may be necessary for implementation of the grant.

Fiscal Note:

The original grant award allocates \$15 million in federal BUILD funds, and the additional award in August 2022 allocates \$1,300,000.

NCDOT and East Carolina University are local financial partners for the BUILD grant improvements. NCDOT is contributing up to \$190,000 for resurfacing work on portions of 5th Street that they maintain, and East Carolina University is contributing \$500,000.00.

The remaining local portion, \$8,558,375.46, will be funded by the City through a combination of General Fund appropriations and ARPA funds.

Recommendation:

Approve the revised resolution authorizing the execution of the BUILD grant Agreement with USDOT to formalize the grant award for the BUILD Project and designate the City Manager as the City's authorized agent to execute said agreement, negotiate any additional terms and/or minor text amendments necessary for the execution of the agreement, including terms and amendments that allow the City to receive additional federal funding from FHWA, and execute other grant related documents as may be necessary for implementation of the grant.

ATTACHMENTS

-  [BUILD Resolution.pdf](#)
-  [BUILD Agreement.pdf](#)

RESOLUTION AUTHORIZING THE EXECUTION OF THE BUILD GRANT AGREEMENT
BETWEEN THE CITY OF GREENVILLE AND THE UNITED STATES DEPARTMENT OF
TRANSPORTATION - FEDERAL HIGHWAY ADMINISTRATION

WHEREAS, in November 2019, the United States Department of Transportation (“USDOT”) Federal Highway Administration (“FHWA”) awarded funding to the City of Greenville (“City”) for infrastructure improvements through the Better Utilizing Investments to Leverage Development Project (“BUILD”) totaling \$15 million; and

WHEREAS, in August 2022, the USDOT FHWA awarded additional funding to the City for infrastructure improvements through BUILD totaling \$1.3 million, and there may be potential for additional funding; and

WHEREAS, the remaining funds will be supplied through local partners, including the City, East Carolina University, Pitt County Arts Council, and NC Department of Transportation (“NCDOT”); and

WHEREAS, the BUILD grant project will provide for streetscape, greenway and sidewalk improvements intended to transform safety, accessibility, and connectivity in the City’s urban core consisting of enhancements to pedestrian, bicycle, vehicle and transit connections between the Medical District, West Greenville, downtown, and East Carolina University; and

WHEREAS, the City Council approved the funding commitment and the City submitted its grant application for review by USDOT-FHWA as of June 27, 2022 and must now execute a grant agreement (“Agreement”) with USDOT-FHWA and obligate funds no later than September 30, 2022 to finalize and secure its receipt of the grant;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE THAT:

1. The Agreement with USDOT-FHWA to formalize the grant award for the BUILD Project is approved for execution.
2. The City Manager is authorized to execute said Agreement, to negotiate any additional terms and/or make minor text amendments necessary for the execution of the Agreement that are in the best interest of the City, including terms and amendments that allow for the City to receive an increase amount of federal funding from FHWA for the BUILD project. Modifications should not be inconsistent with the terms reviewed and approved by Council herein.
3. The City Manager is also authorized to execute other grant related documents as may be necessary for implementation of the grant.

ADOPTED this the 15th day of August, 2022.

P.J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

- | | | | | | | | | | |
|--|--|----------------|--------------|------------------|----------------|--------------|-----------|---------------|------------------------|
| <p>1. Award No.
693JJ32240006</p> <p>4. Award To

City of Greenville
200 W. 5th Street
Greenville, NC 27858-1824

UEI: JMSKDYVBAFJ4
TIN No.: 56-6000229</p> <p>6. Period of Performance
Effective Date of Award –
March 31, 2027</p> <p>8. Type of Agreement
Grant</p> <p>10. Procurement Request No.
HOFM220045PR</p> <p>12. Submit Payment Requests To
See article 19.</p> <p>14. Accounting and Appropriations Data
1520C73E50.2021.070BDGA500.7001000000.41050.61006600</p> <p>15. Description of Project
Transportation Accessibility, Safety, and Connectivity (TASC) Project</p> | <p>2. Effective Date
See No. 17 Below</p> <p>3. CFDA No.
20.933</p> <p>5. Sponsoring Office
U.S. Department of Transportation
Federal Highway Administration
Office of Acquisition & Grants Management
1200 New Jersey Avenue, SE
HCFA-32, Mail Drop E62-204
Washington, DC 20590</p> <p>7. Total Amount</p> <table border="0"> <tr> <td>Federal Share:</td> <td style="text-align: right;">\$16,300,000</td> </tr> <tr> <td>Recipient Share:</td> <td style="text-align: right;">\$9,058,375.46</td> </tr> <tr> <td>State Share:</td> <td style="text-align: right;">\$190,000</td> </tr> <tr> <td>Total:</td> <td style="text-align: right;">\$25,548,375.46</td> </tr> </table> <p>9. Authority
Consolidated Appropriations Act, 2019 (Pub. L. 116-6, Feb. 15, 2019)</p> <p>11. Federal Funds Obligated
\$16,300,000</p> <p>13. Payment Office
See article 19.</p> | Federal Share: | \$16,300,000 | Recipient Share: | \$9,058,375.46 | State Share: | \$190,000 | Total: | \$25,548,375.46 |
| Federal Share: | \$16,300,000 | | | | | | | | |
| Recipient Share: | \$9,058,375.46 | | | | | | | | |
| State Share: | \$190,000 | | | | | | | | |
| Total: | \$25,548,375.46 | | | | | | | | |

RECIPIENT
16. Signature of Person Authorized to Sign

FEDERAL HIGHWAY ADMINISTRATION
17. Signature of Agreement Officer

Signature
Name: Ms. Ann Wall
Title: City Manager, City of Greenville

Date

Signature
Name: David J. Villalobos
Title: Agreement Officer

Date

U.S. DEPARTMENT OF TRANSPORTATION

**GRANT AGREEMENT UNDER THE
FISCAL YEAR 2019 BUILD TRANSPORTATION GRANTS PROGRAM**

This agreement is between the United States Department of Transportation (the “USDOT”) and the City of Greenville, North Carolina (the “Recipient”).

This agreement reflects the selection of the Recipient to receive a BUILD Grant for the Transportation Accessibility, Safety, and Connectivity (TASC) Project.

The parties therefore agree to the following:

**Article 1
GENERAL TERMS AND CONDITIONS**

1.1 General Terms and Conditions.

- (a) In this agreement, “**General Terms and Conditions**” means the content of the document titled “General Terms and Conditions Under The Fiscal Year 2019 BUILD Transportation Grants Program: FHWA Projects,” dated May 17, 2022, which is available at <http://go.usa.gov/xJcK9> Articles 8 – 24 are in the General Terms and Conditions. The General Terms and Conditions are part of this agreement.
- (b) The Recipient states that it has knowledge of the General Terms and Conditions.
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, terminating of the BUILD Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the USDOT the BUILD Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

**Article 2
APPLICATION, PROJECT, AND AWARD**

- 2.1 Application.** The application for funding was dated July 15, 2019, and titled “Transportation Accessibility, Safety, and Connectivity (TASC) Project.” It contained Standard

Form 424 and all information and attachments submitted with that form through Grants.gov.

2.2 Project. In this agreement, the “**Project**” means the project proposed in the application identified in section 2.1 as modified by the negotiated provisions of this agreement, including article 3 and attachments A-E.

2.3 Federal Award and Federal Obligation.

The USDOT hereby awards a BUILD Grant to the Recipient in the amount of \$16,300,000 and obligates that amount for the budget period.

2.4 Award Dates.

Budget Period End Date:	March 31, 2027
Period of Performance End Date:	March 31, 2027
Estimated Closeout Date:	September 30, 2027

2.5 Urban or Rural Designation. The USDOT hereby designates this to be an award to a project in a rural area.

2.6 Federal Award Identification Number. The Federal Award Identification Number is listed on page 1, line 1.

**Article 3
SUMMARY PROJECT INFORMATION**

3.1 Summary of Project’s Statement of Work. (See Attachment A for additional details).

The project will construct or reconstruct a network of vehicular, non-vehicular, and multimodal infrastructure in and around downtown Greenville, including roadway reconstruction and intersection realignment and upgrades on West 5th Street, and a series of new and upgraded off-street multi-use paths that integrate with existing paths, creating a continuous multi-use path network around the urban core.

3.2 Project’s Estimated Schedule.

Milestone	Schedule Date
Actual NEPA Completion	March 15, 2021
Actual Plan, Specification, & Estimate (PS&E) Approval Date	July 6, 2022

Milestone	Schedule Date
Planned Construction Start Date	February 15, 2023
Planned Construction Substantial Completion and Open to Traffic	September 30, 2026

3.3 Project’s Estimated Budget. (See Attachment B for additional details).

Eligible Project Costs	
BUILD Grant Amount:	\$16,300,000
Other Federal Funds:	\$0
State Funds ^a :	\$190,000
Local Funds ^b :	\$8,558,375.46
Other Funds ^c :	\$500,000.00
Total Eligible Project Cost:	\$25,548,375.46

^a – NCDOT
^b – City of Greenville (\$4,958,375.46) and American Rescue Plan Act (\$3,600,000) funds secured for the project.
^c – East Carolina University

**Article 4
CRITICAL MILESTONE DEADLINES**

4.1 Critical Milestone Deadlines.

Milestone	Deadline Date
Begin Construction	April 15, 2023
USDOT receives first reimbursement request	June 15, 2023
Construction substantially completed and project opens to traffic	September 30, 2026

**Article 5
PARTY INFORMATION**

5.1 Recipient’s Unique Entity Identifier.

Recipient’s Unique Entity Identifier: JMSKDYVBAFJ4

5.2 Recipient Contact(s).

Lisa Kirby, PE
Director of Engineering
City of Greenville Engineering Department
1500 Beatty Street
Greenville, NC 27834
(252) 329-4683
lkirby@greenvillenc.gov

And

James Lynn Raynor, PE
Civil Engineer III
City of Greenville Engineering Department
1500 Beatty Street
Greenville, NC 27834
(252) 329-4620
lraynor@greenvillenc.gov

5.3 Recipient Key Personnel.

Name	Title or Position
Lisa Kirby, PE	Director of Engineering
James Lynn Raynor, PE	Civil Engineer III

5.4 USDOT Project Contact(s).

David J. Villalobos
Agreement Officer (AO)
Federal Highway Administration
Office of Acquisition and Grants Management
HCFA-32, Mail Stop E62-310
1200 New Jersey Avenue, S.E.
Washington, DC 20590
(202)-366-7430

david.villalobos@dot.gov

and

Travis Wheeler
Agreement Specialist (AS)
Office of Acquisition and Grants Management
HCFA-32, Mail Stop E65-119
1200 New Jersey Avenue, S.E.
Washington, DC 20590
(202)-366-8887
Travis.wheeler@dot.gov

and

Seth Wilcher
Preconstruction & Environment Specialist
U.S. Department of Transportation
Federal Highway Administration
Terry Sanford Federal Building
310 New Bern Avenue, Suite 410
Raleigh, NC 27601
(919) 747-7019
seth.wilcher@dot.gov

Article 6 **USDOT ADMINISTRATIVE INFORMATION**

6.1 Payment System.

USDOT Payment System: DELPHI eInvoicing

6.2 Office for Subaward and Contract Authorization.

USDOT Office for Subaward and Contract Authorization: FHWA Office of Acquisition and Grants Management

Article 7
SPECIAL GRANT TERMS

- 7.1 Standard Railroad Agreement.** As a condition of this project, the Recipient will have a written standard railroad coordination agreement with CSX Transportation, Inc. (CSX) for work and operation within the CSX right-of-way no later than May 15, 2023.
- 7.2** There are no other special terms for this award.

ATTACHMENT A STATEMENT OF WORK

The TASC Investment Project is a strategic investment that will transform safety, accessibility, and connectivity in Greenville's urban core, linking residents, employees, students, and visitors to centers of education, employment, innovation, entrepreneurship, culture, entertainment and recreation. The TASC project lies at the heart of this urban core, a core that is vital to Eastern North Carolina. Within it lies critical regional needs: Greenville's Medical District, which includes the Veteran's Administration Clinic and the nearly 1,000 bed Vidant Medical Center; East Carolina University (ECU), a campus of more than 35,000 combined students, faculty, and staff; ECU's future Millennial Campus, which will provide advanced training and private sector collaboration; Greenville's burgeoning downtown (known as Uptown); and the low-income West Greenville neighborhood, which has been designated as an Opportunity Zone.

The TASC project includes key vehicular and non-vehicular investments that complete a long-planned but only partially constructed network of multi-modal infrastructure. This includes:

- Roadway reconstruction, realignment and intersection upgrades of West 5th Street to provide safe and direct multi-modal access through the West Greenville neighborhood between the Medical District to the west, Greenville's Uptown in the center, and ECU's Main Campus to the east. Realignment and intersection upgrades include the construction of two roundabouts along West 5th Street at misaligned intersections.

- New off-street multi-use path construction, between Memorial Drive and Moye Boulevard, to extend an existing greenway west and south to provide a parallel non-vehicular facility to the north of West 5th Street, creating a new terminus at the Veterans Administration Clinic.

- On-street bicycle accommodations and new multi-use path through the Medical District to on-street bicycle and pedestrian facilities on 10th Street, which is a key commuter route connecting the Medical District to Uptown and East Carolina University.

- Conversion of abandoned rail spurs to multi-use paths to create the only non-motorized vehicular connections between Uptown to ECU's new Millennial Campus, now known as Intersect East.

The intent of the TASC project elements is to support Greenville's efforts to improve safety, economic opportunity and quality of life for residents and workers in and around the heart of Greenville. When complete the project will increase access to jobs, health care, and education for thousands, and aid in recruitment and retention of Eastern North Carolina's best and brightest.

**ATTACHMENT B
ESTIMATED PROJECT BUDGET**

1. Supplementary Fund Source Table(s)

The following tables supplement the budget information in section 3.3.

Non-BUILD Previously Incurred Costs	
Other Federal Funds:	\$0
State Funds:	\$0
Local Funds:	\$6,130,352.74
Other Funds:	\$0
Total:	\$6,130,352.74

2. Cost Classification Table

Cost Classification	Total Costs	Non-BUILD Previously Incurred Costs	Eligible Costs
Administrative and legal expenses	\$181,200	\$181,200	\$0
Land, structures, rights-of-way, appraisals, etc.	\$2,937,385.69	\$2,937,385.69	\$0
Architectural and engineering fees	\$2,998,411.05	\$2,998,411.05	\$0
Other architectural and engineering fees	\$13,356	\$13,356	\$0
Project inspection fees	\$3,754,479.58	\$0	\$3,754,479.58
Construction	\$18,634,324.58	\$0	\$18,634,324.58
Contingencies	\$3,159,571.30	\$0	\$3,159,571.30
Project Total	\$31,678,728.20	\$6,130,352.74	\$25,548,375.46

**ATTACHMENT C
PERFORMANCE MEASUREMENT TABLE**

Study Area: The study area for this project is on West 5th Street and areas near/on the proposed Town Common Connector, Millennial Connector Path, and Moye Boulevard Sidewalk Expansion.

Pre-project Measurement Date: January 1, 2023

Pre-project Report Date: March 1, 2023

Project Outcomes Report Date: September 30, 2030

Table 1: Performance Measurement Table

Measure	Description and Category of Measure	Measurement Period	Reporting Period
Bike and Pedestrian Counts/Trips	<p align="center">Economic Competitiveness</p> <p>Average daily bicycle and pedestrian counts using National Bicycle & Pedestrian Documentation Project methodology by conducting hourly counts at key locations in the study area. Counts will be collected on a typical weekday, Saturday and Sunday and should be conducted monthly to produce a quarterly average.</p>	<p>Baseline Measurement: Annual average, accurate as of the Pre-project Measurement Date</p> <p>Post-construction Performance Measures: Accurate as of September 30, 2027 September 30, 2028 September 30, 2029</p>	<p>Baseline Measurement: Pre-project Report Date</p> <p>Post-construction Performance Measures: For a period of 3 years, beginning November 30, 2027 November 30, 2028 November 30, 2029</p>

Measure	Description and Category of Measure	Measurement Period	Reporting Period
Pavement Condition	<p>State of Good Repair</p> <p>The pavement condition rating of the existing roadway prior to construction will be compared to post construction ride conditions using the Pavement Condition Index and/or Pavement Condition Rating.</p>	<p>Baseline Measurement:</p> <p>Annual average, accurate as of the Pre-project Measurement Date</p> <p>Post-construction Performance Measures:</p> <p>Accurate as of</p> <p>September 30, 2027</p> <p>September 30, 2028</p> <p>September 30, 2029</p>	<p>Baseline Measurement:</p> <p>Pre-project Report Date</p> <p>Post-construction Performance Measures:</p> <p>For a period of 3 years, beginning</p> <p>November 30, 2027</p> <p>November 30, 2028</p> <p>November 30, 2029</p>
Auto Crash Rates by Type/Severity	<p>Safety</p> <p>Crash rates will be measured and reported as crashes per 100 million VMT and identified by the following severity categories: fatal, injury, and property-damage-only (PDO) crashes.</p>	<p>Baseline Measurement:</p> <p>Annual average, accurate as of the Pre-project Measurement Date</p> <p>Post-construction Performance Measures:</p> <p>Accurate as of</p> <p>September 30, 2027</p> <p>September 30, 2028</p> <p>September 30, 2029</p>	<p>Baseline Measurement:</p> <p>Pre-project Report Date</p> <p>Post-construction Performance Measures:</p> <p>For a period of 3 years, beginning</p> <p>November 30, 2027</p> <p>November 30, 2028</p> <p>November 30, 2029</p>

ATTACHMENT D MATERIAL CHANGES FROM APPLICATION

Scope: In order to keep the TASC Project on schedule and ensure the BUILD 19 grant funds could be obligated to construct all project components before the funds expired, the City of Greenville (City) proceeded with selection of an engineering team to provide professional services during the spring of 2020. These services included preliminary engineering (PE), environmental work, and right-of-way acquisition (ROW) services. The City, in consultation with FHWA, decided to proceed with the professional services contract because the engineering design and right-of-way information was necessary to further assess the cost to construct the project. The construction costs needed to be defined to complete the grant agreement and ensure the BUILD 19 funds could be obligated before September 30, 2021. September 30, 2021 was the obligation deadline for the BUILD 19 grant funds expired at the time of this decision. Since the City needed to initiate the engineering design process as soon as possible, they proceeded at risk and did not request pre-award approval. Therefore, the PE, environmental work, and ROW phases are classified as non-BUILD Previously Incurred Cost and, as such, are not included in Eligible Project Cost shown below.

Upon completing 60 percent design plans, the City conducted a value engineering meeting with the design team and upper management to bring the BUILD Grant Project closer to the City's available budget. Most of the changes from this meeting were aesthetic in nature, such as reduced landscaping and exchanging brick pavers for concrete. However, due to the significant and unanticipated increased cost of utility relocations, bicycles will now be accommodated using on-street sharrow markings for approximately half the length of the Moye Boulevard Sidewalk Expansion. These thermoplastic sharrow markings to accommodate bicycles in the outside lanes of Moye Boulevard have proven a safe and effective method of delineating shared on-street bicycle facilities and will be installed in accordance with MUTCD guidelines. In conjunction with the existing sidewalk for pedestrians, this continues to provide the north-south connection as part of the overall TASC Project.

Schedule: The City experienced significant delays due to challenges related to COVID-19, including quarantines, increased teleworking and teleconferencing, all of which made it difficult to properly and efficiently collaborate on many preliminary engineering activities. As design progressed, the scope of right-of-way acquisition and easements to complete the BUILD Grant Project increased significantly and required a substantial amount of additional effort to complete. The Project was also delayed due to coordination with the NC State Historic Preservation office while working through potential impacts to two historic districts. Lastly, schedules for individual components have been streamlined to realize efficiencies in construction and project management to ensure the BUILD 19 grant funds could be obligated to construct the project before the current obligation deadline of September 30, 2022.

Budget: The total BUILD amount of \$18 million identified in the application was reduced to \$15 million by USDOT. The City agreed to deliver the full scope of the grant project with additional funding sources; however, as noted above, the City began PE, environmental work, and ROW acquisition services without pre-award approval because the engineering design and right-of-way information was necessary to fully assess the cost to construct the project. These costs have been identified as non-BUILD Previously Incurred Cost.

Construction material costs and acquisition times have increased drastically due to an increased demand of contractors, a decrease in the labor pool, and lack of availability of raw materials associated with construction. Additionally, transportation costs for delivery of materials and labor have significantly increased due to fuel prices. These factors have resulted in an increase in the estimated construction cost to complete the BUILD Grant Project.

The City received an additional \$1,300,000 in BUILD 19 grant funds and secured additional non-Federal and Federal fund sources to complete the project budget. The Federal funds are from the American Rescue Plan Act and have been distributed to the City; therefore, they are included as a source of non-Federal funds. The table below provides a summary comparison of the project budget.

Fund Source	Application		Section 3.3 and Attachment B	
	\$	%	\$	%
Total Project Cost	24,000,000	100	31,678,728.20	100
Non-BUILD Previously Incurred Cost	0	0	6,130,352.74	19.4
Federal Funds	0	N/A	0	N/A
Non-Federal Funds	0	N/A	6,130,352.74	19.4
Total Eligible Project Cost	24,000,000	100	25,548,375.46	80.6
BUILD Funds	18,000,000	75	16,300,000	51.4
Other Federal Funds	0	N/A	0	0
Non-Federal Funds	6,000,000	25	9,248,375.46	29.2

ATTACHMENT E
APPROVED PRE-AWARD COSTS

None. The USDOT has not approved under this award any costs incurred under an advanced construction authorization (23 U.S.C. 115), any costs incurred prior to authorization (23 C.F.R. 1.9(b)), or any pre-award costs under 2 C.F.R. 200.458. Because unapproved costs incurred before the date of this agreement are not allowable costs under this award, the USDOT will neither reimburse those costs under this award nor consider them as a non-Federal cost sharing contribution to this award. Costs incurred before the date of this agreement are allowable costs under this award only if approved in writing by USDOT before being included the project costs and documented in this Attachment E. See section 19.2(b).



City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: Award the Construction Contract for the Wildwood Park Welcome Center to Hudson Brothers Construction Company

Explanation: The City of Greenville continues to implement recommendations from the Council adopted Wildwood Park Development Plan. The Development Plan includes the construction of a Welcome Center that will provide restroom and storage areas to support the activation of the park. Included for Council consideration is a construction contract with Hudson Brothers Construction Company for the development of the Welcome Center at Wildwood Park.

Design of the facility was completed by The East Group and BW Architecture. The facility will be located between two existing pavilions at Wildwood Park. The facility will be approximately 2,000 square feet and contain men's, women's, and family restrooms, a storage room, and an office area with a customer service window. A playground has also been designed and will be located immediately adjacent to the Welcome Center. The Welcome Center will provide shaded seating for parents while kids play on the playground. The covered patio will also offer spectacular views of the lake.

Once complete, the Welcome Center will serve as the office area for one full-time employee responsible for programming and maintenance within the park, as well as one Designated Part-time Park Ranger. The Welcome Center's hours of operation will be determined seasonally and will be based on usage of the park.

The City received four bids for construction of the Welcome Center. The lowest bid was submitted by Hudson Brothers Construction Company for \$1,087,000. The City is electing to include an alternate item for site lighting with a cost of \$58,500 which brings the total construction cost to \$1,145,500. The work is scheduled to be completed in 225 calendar days.

Fiscal Note: The total contract amount for the project is \$1,145,500. Funding for this project is available from previously approved debt financing.

Recommendation: Award the Construction Contract for the Wildwood Park Welcome Center to Hudson Brothers Construction Company in the Amount of \$1,145,500.

ATTACHMENTS

 **WWP Welcome Center Elevation.pdf**

 **COG-#1167604-v1-WWP Welcome Center Construction Contract**



NO.	DATE	DESCRIPTION
1	09.22.22	ISSUE FOR BID
2	09.22.22	ISSUE FOR BID
3	09.22.22	ISSUE FOR BID
4	09.22.22	ISSUE FOR BID
5	09.22.22	ISSUE FOR BID
6	09.22.22	ISSUE FOR BID
7	09.22.22	ISSUE FOR BID
8	09.22.22	ISSUE FOR BID
9	09.22.22	ISSUE FOR BID
10	09.22.22	ISSUE FOR BID

GLASS SCHEDULE

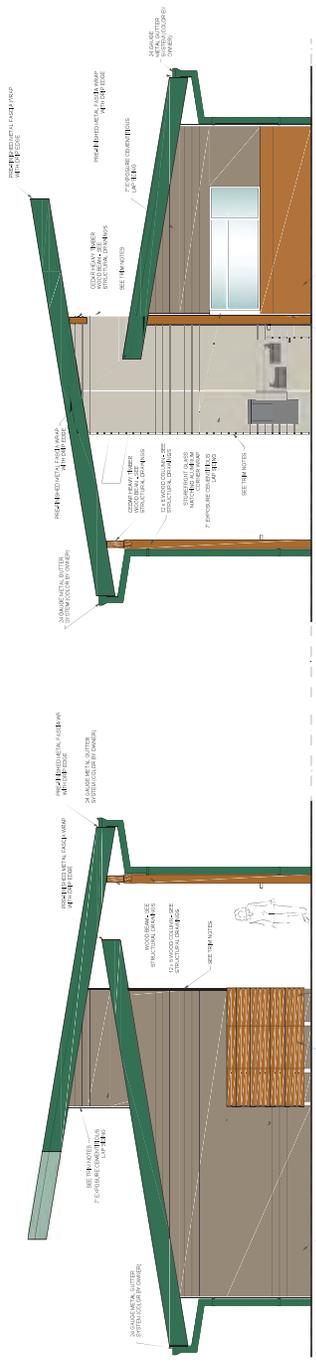
TYPE	DESCRIPTION
T	TEMPERED
O	OPAQUE

NOTE: ALL GLASS IS 1" INSULATED DOUBLE-GLAZED GLASS WITH LOW-E COATING ON BKD SURFACE.

SIDING SCHEDULE

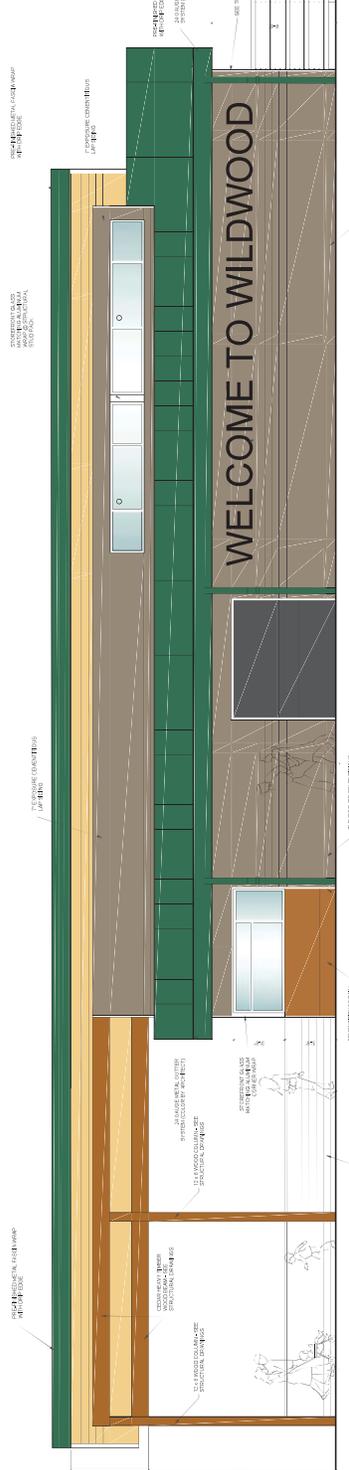
	CLAP SIDING (MIMIC) SIBING BY NICHHA, JAMES HARDE OR EQUAL
	RIFTSAWN RAINFOREST CEDAR SIDING BY NICHHA OR EQUAL

TRIM NOTES:
 NOTE 1: ALL OUTSIDE CORNER TRIM TO BE PREFINISHED ALUMINUM WITH 1" EXPOSURE SIMILAR TO TAVANAL TRIM OR EASY TRIM.
 NOTE 2: ALL INSIDE CORNER TRIM TO BE PREFINISHED ALUMINUM WITH 1/2" EXPOSURE SIMILAR TO TAVANAL TRIM OR EASY TRIM.
 NOTE 3: ALL TRIM TO BE TAVANAL TRIM OR EASY TRIM WITH 1/2" EXPOSURE SIMILAR TO TAVANAL TRIM OR EASY TRIM.
 NOTE 4: ALL TRIM TO BE TAVANAL TRIM OR EASY TRIM WITH 1/2" EXPOSURE SIMILAR TO TAVANAL TRIM OR EASY TRIM.
 NOTE 5: ALL TRIM TO BE TAVANAL TRIM OR EASY TRIM WITH 1/2" EXPOSURE SIMILAR TO TAVANAL TRIM OR EASY TRIM.

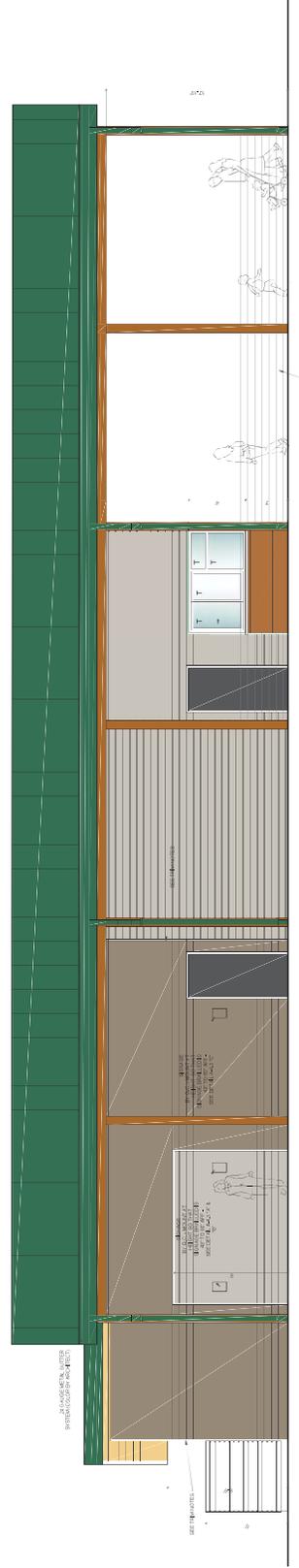


3.3 LEFT SIDE ELEVATION
 SCALE: 1/4" = 1'

3.4 RIGHT SIDE ELEVATION
 SCALE: 1/4" = 1'



3.2 FRONT (PARKING SIDE) ELEVATION
 SCALE: 1/4" = 1'



3.1 REAR (WATER SIDE) ELEVATION
 SCALE: 1/4" = 1'



AGREEMENT FOR CONTRACTOR SERVICES

Construction of Wildwood Park Welcome Center

THIS Agreement is made and entered into as of the _____ day of _____, 2022, by and between the City of Greenville, a municipal corporation organized and existing under the laws of the State of North Carolina, Party of the First Part, and hereinafter referred to as the “City”, with a primary address of 200 W. Fifth Street, Greenville, NC 27858, and Hudson Brothers Construction Company, a business corporation who is organized and existing under the laws of the State of *North Carolina*, party of the Second Part and hereinafter referred to as the “Contractor”, whose primary offices are located at 1450 East Arlington Blvd Greenville, NC 27858.

GENERAL RECITALS

WHEREAS, the City desires the assistance of a Contractor in the performance of certain professional services; and

WHEREAS, the Contractor has exhibited evidence of experience, ability, competence, and reputation to perform such professional services; and

WHEREAS, the City is authorized by North Carolina General Statute § 160A-20.1 to enter into an Agreement for performance of such services and has followed the required procurement processes pursuant to federal, state and local laws and regulations, where applicable;

NOW THEREFORE, the City and the Contractor, for consideration hereinafter stipulated, mutually agree as follows:

The Contractor agrees to perform the assigned construction services.

ARTICLE I – SCOPE OF WORK

I.A. **DESCRIPTION OF WORK REQUIRED**

The Contractor shall construct the Wildwood Park Welcome Center located at 3450 Blue Heron Drive, Greenville, NC 27834 (City-owned property, known as Wildwood Park, Parcel Number 86710 (hereinafter referred to as the “Property”) using the Plan Specifications as defined in the Bid Advertisement and amendments, if any, construction documents, and project manual, said work being hereinafter referred to as the “Work”. The Plan Specifications, Bid Advertisement and amendments, if any, construction documents, and project manual are hereby incorporated by reference herein and made a part hereof as fully as if herein set forth. Unless otherwise specified herein, the Contractor is to furnish all necessary labor, materials, tools, equipment, superintendence, delivery and perform all necessary services to complete the Work at no additional costs to the City.

I.B. **WORK STANDARDS**

The Contractor will perform the scope of work in accordance with all applicable federal, state and local laws, regulations and safety guidelines.

Operations: The Contractor will make every effort to ensure that the performance of the Work does not restrict access by the general public to the Property and its facilities.

Debris Removal: The Contractor shall properly dispose of all refuse and construction debris resulting from the Work in an appropriate manner consistent with the ordinances and requirements of the City and the construction specifications.

I.C. **ORDER OF PRECEDENCE**

For the resolution and interpretation of any inconsistencies in this Agreement and/or the documents attached hereto and included herein by this reference, the precedence of these documents shall be given the following order:

1. This Agreement with any Attachments, including Addendum(s) and Amendment(s) hereto;
2. If applicable, negotiated Amendments or clarification to the Contractor’s Proposal which have been incorporated by reference to the final Agreement;
3. City’s Bid Advertisement with four Addenda, Project Plan Sheets, and Project Manual; and
4. Contractor’s Bid Package.

I.D. **SUBCONTRACTS**

The Contractor and/or subcontractor will not sublet any portion of the work covered by this Agreement without prior written approval by the City.

I.D.1. The Contractor will be responsible for the schedule of any work sublet to others so as to assure the overall schedule of the project is maintained.

I.D.2. The Contractor will be responsible for the completeness, accuracy and presentation of all data, and for the review of any work sublet to others.

- I.D.3. The Contractor shall notify all subcontractors under this contract of ALL new work assignments made by the City to the Contractor regardless of any particular subcontractors engagement level under a particular task order. This notification information may be requested by the City in the form of a report.

ARTICLE II – DATA AND SERVICES TO BE PROVIDED BY THE CITY

II.A. DATA AND SERVICES

- II.A.1. The City’s supervisor who will be overseeing the Contractor in order to ensure that the requirements of this contract are met is the Parks Planner. If assistance or further information is needed, the Contractor shall contact the Parks Planner at (252) 329-4242. All directions and communications from the City to the Contractor shall be through the Parks Planner or their designee unless otherwise stated herein.
- II.A.2. The City shall provide available data and information, as applicable to the Work to be performed under this Agreement.
- II.A.3. Any City property, information, data, instruments, documents, studies or reports given to or prepared or assembled by or provided to the Contractor under this Agreement shall be kept as confidential, used only for the purpose(s) required to perform the Agreement and not divulged or made available to any individual or organization without the prior written approval of the City. The City’s data and property in the hands of the Contractor shall be protected from unauthorized disclosure, loss, damage, destruction by a natural event or another eventuality. The Contractor agrees to reimburse the City for loss or damage of City property while in Contractor’s custody. Such City Data shall be returned to the City in a form acceptable to the City upon the termination or expiration of this Agreement. The Contractor shall notify the City of any security breaches within 24 hours as required by G.S. § 143B-1379.

ARTICLE III – TIME OF BEGINNING AND COMPLETION

III.A. PERIOD OF PERFORMANCE

Work will begin no later than ten (10) calendar days following written Notice to Proceed to begin work on specified deliverables. The work shall be completed within two hundred and twenty-five (225) days from the date of the issuance of a Notice to Proceed.

This Agreement will expire *two hundred and twenty five (225) days* from the issuance of a Notice to Proceed.

This Agreement may be extended if mutually agreed upon by the City and the Contractor.

Liquidated Damages: If the Contractor fails to complete the work within the time specified, the Contractor shall pay liquidated damages to the City of Greenville in the amount of one hundred dollars, (\$100.00) for each calendar day of delay until the work is complete or is accepted.

III.B. **DELIVERABLES**

If additional deliverables beyond the agreed-upon scope of work for the project are required to complete the assignment then a new written amended scope of work will be developed for the additional services. The Contractor shall notify the City's Project Manager as soon as additional services beyond agreed upon scope of work appear to be warranted. The Contractor must never under any circumstance exceed the approved cost estimate without prior written authorization from the City.

No new assignment will be issued after *two hundred and twenty-five (225) days* from the date of execution or after the not-to-exceed amount has been depleted, whichever occurs first.

No additional work may be assigned under this Agreement after that date unless appropriate supplemental Agreements are in place.

ARTICLE IV – COMPENSTATION AND PAYMENTS

IV.A. **FEEES AND COSTS**

As compensation for the Work as outlined in ARTICLE I, a maximum fee amount will be established. The maximum fee amount for the services covered under this Agreement shall not exceed *\$1,145,500.00 (One Million one hundred and forty-five thousand and five hundred dollars)* and shall be based on the Contactor's bid package. The Contractor's base bid was \$1,087,000 and the City has elected to include the site lighting alternate listed on the bid form for \$58,500. The City shall not be obligated to pay the Contractor any payments, fees, expenses, or compensation other than those authorized upon submission by Contractor and approval by City of invoices as outlined in section IV.B.

IV.B. **PAYMENT**

Upon receipt of invoices and appropriate supporting documentation by the City, the invoices are payable within thirty (30) days from receipt, provided they have first been approved by the City. The City does not agree to the payment of late charges or finance charges assessed by the Contractor for any reason. Invoices are payable in U.S. funds.

The Contractor shall pay subcontractors for work performed within seven (7) days after Contractor receives payment from the City for work performed by the subcontractor. This requirement must be incorporated into all subcontractor agreements. Failure to comply with the seven (7) day requirement may cause the City to withhold payments to the Contractor and the City may suspend work until the subcontractor is paid.

All invoices shall be directed to: *Recreation and Parks Department, Mark Nottingham, Parks Planner, 2000 Cedar Ln Greenville NC 27858, mnottingham@greenvillenc.gov.*

It shall be the responsibility of the Contractor and all subcontractors to keep records of all payments requested and the dates received. The City may request copies of this information in the form of a report.

ARTICLE V - GENERAL TERMS AND CONDITIONS

V.A. TERMINATION

The City may terminate this Agreement at any time upon any of the following grounds:

- V.A.1. **DEFAULT.** The Contractor fails to perform, provides unacceptable performance, fails to comply with the provisions of the contract, or fails to follow safety regulations as required in this Agreement. Under this provision only, the City shall provide written notice to the Contractor regarding the condition(s) and the Contractor shall have five (5) calendar days to rectify. In the event the condition(s) identified are not rectified to the satisfaction of the City, the City will give the Contractor written notice of termination, which will be effective as of the date of notice unless otherwise stated in the notice of termination.
- V.A.2. **CONVENIENCE.** The City may terminate this agreement by giving seven (7) calendar days written notice. Contractor shall be paid for services provided up to the date of termination. The City shall not be liable to Contractor for any additional compensation, or for any consequential or incidental damages.
- V.A.3. **FUNDING.** In accordance with paragraph V.G.14, this agreement shall automatically terminate should funding cease to be available.
- V.A.4. **FORCE MAJEURE.** This includes but is not limited to any acts of God; acts of the public enemy; insurrections; riots; embargoes; labor disputes, including strikes, lockouts, job actions, or boycotts; shortages of materials or energy; fires; explosions; floods; any curtailment, order, regulation, or restriction imposed by governmental, military or lawfully established civilian authorities, including, without limitation any of the foregoing which occur as a result of epidemic or pandemic; changes in laws governing this type of Work of facility; or other unforeseeable causes beyond the reasonable control and without the fault or negligence of the City. Reasonable extension of time for unforeseen delays may be made by mutual written consent of all parties involved.
- V.A.5. **EXPIRATION.** Upon expiration of this Agreement, this Agreement is terminated, if not extended, in accordance with the terms and conditions of this Agreement.

V.B. CONTRACTOR'S RESPONSIBILITY

- V.B.1. Contractor shall perform the Work under this Agreement as an independent contractor and not as City's agent or employee. Contractor shall be solely responsible for the compensation, benefits, contributions and taxes, if any, of its employees and agents.
- V.B.2. The standard of care applicable to Contractor's performance will be the degree of skill and diligence normally employed by professional Contractors performing the same or similar services at the time and location said services are performed. Contractor will re-perform any services not meeting this standard without additional compensation.
- V.B.3. Contractor will provide all equipment including but not limited to computer, recording equipment, long distance telephone and facsimile service, cellular service, and any clerical

supplies necessary to perform the Work required under this Agreement. Contractor shall be responsible for all travel and related expenses.

V.B.4. Contractor shall be responsible for all federal, state and local taxes incurred, owed or payable as a result of the performance of the Work.

V.B.5. In the performance of the Work under this Agreement, Contractor shall comply with all federal, state, county and City statutes, ordinances, regulations, and rules, which are applicable.

V.B.6 The Contractor shall furnish a competent supervisor who shall be on the job and available to the Parks Planner or their designee at all times that the Contractor's crews are on the Property. The Contractor's supervisor shall have full authority over the Contractor's work crews and shall monitor them and direct them responsibly. The Contractor's supervisor shall have a mobile telephone number to be contacted as needed. This number shall be provided to the City within five (5) days of the date of this contract.

V.C. **INDEMNIFICATION AND INSURANCE**

V.C.1. **INDEMNITY AND HOLD HARMLESS REQUIREMENTS:**

- a. To the maximum extent allowed by law, the Contractor shall defend, indemnify, and save harmless Indemnitees from and against all Charges that arise in any manner from, in connection with, or out of this contract as a result of acts or omissions of the Contractor or subcontractors or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable. In performing its duties under this subsection "a," the Contractor shall at its sole expense defend Indemnitees with legal counsel reasonably acceptable to City.
- b. Definitions. As used in subsections "a" above and "c" below -- "Charges" means claims, judgments, costs, damages, losses, demands, liabilities, duties, obligations, fines, penalties, royalties, settlements, and expenses (included without limitation within "Charges" are (1) interest and reasonable attorneys' fees assessed as part of any such item, and (2) amounts for alleged violations of sedimentation pollution, erosion control, pollution, or other environmental laws, regulations, ordinances, rules, or orders -- including but not limited to any such alleged violation that arises out of the handling, transportation, deposit, or delivery of the items that are the subject of this contract). "Indemnitees" means City and its officers, officials, independent contractors, agents, and employees, excluding the Contractor.
- c. Other Provisions Separate. Nothing in this section shall affect any warranties in favor of the City that are otherwise provided in or arise out of this contract. This section is in addition to and shall be construed separately from any other indemnification provision that may be in this contract.
- d. Survival. This section shall remain in force despite termination of this contract (whether by expiration of the term or otherwise) and termination of the services of the Contractor under this contract.

- e. Limitations of the Contractor's Obligation. If this section is in, or is in connection with, a contract relative to the design, planning, construction, alteration, repair or maintenance of a building, structure, highway, road, appurtenance or appliance, including moving, demolition and excavating connected therewith, then subsection "a" above shall not require the Contractor to indemnify or hold harmless Indemnitees against liability for damages arising out of bodily injury to persons or damage to property proximately caused by or resulting from the negligence, in whole or in part, of Indemnitees.
- f. It is understood and agreed by the parties that the City will assume no liability for damages, injury, or other loss to the Contractor, its employees or property, tools or equipment, or to other persons or properties located on City facilities resulting from the Contractor's activities and operations while performing services under this contract. The Contractor shall assume full and complete liability for any and all damages to City or private properties caused by or from its activities, operations, and that of its employees, agents, and officers.
- g. Contractor will promptly notify the City of any Civil or Criminal Actions filed against the Contractor or of any notice of violation from any Federal or State Agency or of any claim as soon as practical as relates to the services provided. The City, upon receipt of such notice, shall have the right, at its election, to defend any and all actions or suits or join in defense.

V.C.2. **INSURANCE:**

The Contractor agrees to purchase at its own expense insurance coverages to satisfy the following minimum requirements. Work under this contract shall not commence until all insurance required as listed has been obtained. Insurance required shall remain in effect through the life of this contract.

- a. **Workers' Compensation Insurance:** No contractor or subcontractor may exclude executive officers. Workers Compensation must include all employees

Limits:

Workers Compensation: Statutory for the State of North Carolina.

Employers Liability: Bodily Injury by Accident \$1,000,000 each accident.

Bodily Injury by Disease \$1,000,000 policy limit.

Bodily Injury by Disease \$1,000,000 each employee.

- b. **Commercial General Liability:**

Limits:

Each Occurrence:	\$1,000,000
Personal and Advertising Injury	\$1,000,000
General Aggregate Limit	\$2,000,000
Products and Completed Operations Aggregate	\$2,000,000

The aggregate limit must apply per project. The form of coverage must be the ISO CG 00 01 policy as approved by the State of North Carolina Department of Insurance. If a form of coverage other than the CG 00 01 is used it must be approved **Contractor**. Any endorsed exclusions or limitations from the standard policy must be clearly stated in writing and attached to the Certificate of Insurance. Completed Operations coverage must be maintained for the period of the applicable statute of limitations. Additionally, the **Contractor** must be added as an Additional Insured to the Commercial General Liability policy.

- c. **Commercial Automobile Liability:**

Limits: \$1,000,000 combined single limit.

- d. **Cancellation:**

Each certificate of insurance shall bear the provision that the policy cannot be altered or canceled in less than ten (10) days after mailing written notice to the assured of such alteration or cancellation, sent registered mail.

e. Proof of Carriages:

- i. The **Contractor** shall provide the City with insurance industry standard ACCORD form Certificate(s) of Insurance on all policies of insurance and renewals thereof in a form(s) acceptable to the City prior to the commencement of services. Said policies shall provide that the City be an additional named insured.
- ii. The City shall be notified in writing of any reduction, cancellation, or substantial change of policy or policies at least thirty (30) days prior to the effective date of said action.
- iii. All insurance policies shall be issued by responsible companies who are acceptable to the City and licensed and authorized to do business under the laws of North Carolina.

V.D. CORRECTION OF WORK

The Contractor shall promptly correct all Work rejected by the City as failing to conform to this Agreement. The Contractor shall bear all costs of correcting such rejected work. Rejected work shall consist of that Work which is deemed ineligible by the City's representative.

V.E. RELATIONSHIP WITH OTHERS

The Contractor will cooperate fully with the City with other municipalities and local government officials, Federal and state environmental resource and regulatory agencies, and with any others as may be directed by the City. This shall include attendance at meetings, workshops, and hearings and also includes provision of project development, human and natural environmental and engineering information to all parties as may be requested by the City. The Contractor will also cooperate fully with the City and other agencies on adjacent projects, as necessary.

V.F. NOTICE

Any notice or communication required or permitted by this Agreement shall be deemed sufficiently given if in writing and when delivered personally or three (3) days after deposit with a receipted commercial courier service or the U.S. Postal Service as registered or certified mail, postage prepaid, and addressed as follows:

City:

City of Greenville
P.O. Box 7207
Greenville, NC 27835
Attn: Mark Nottingham

Contractor:

Hudson Brothers Construction Company
1450 E. Arlington Blvd
Greenville, NC 27858
Attn: E. Lynn Hudson

V.G. **ADDITIONAL PROVISIONS**

V.G.1. **TIME IS OF THE ESSENCE**

The parties agree that time is of the essence in the completion of the Work to be performed pursuant to this Agreement.

The Contractor agrees that all Work shall be executed regularly, diligently, and uninterrupted at such a rate of progress as will ensure full completion thereof within the time specified.

V.G.2. **OWNERSHIP OF DOCUMENTS**

All tracings, documents, technical reports, charts, plans, specifications, photographs, photographic negatives, survey notes, computations, and maps and other data or documents prepared or obtained under the terms of the this Agreement shall be delivered to and become the property of the City without restriction or limitation on their use. However, in the event of any reuse or alteration of any documents furnished to the City, such alteration or reuse shall be at the City's sole risk. In the case of an Agreement involving preliminary plans only, no commitment is stated or implied that would constitute a limitation on the subsequent use of the plans or ideas incorporated therein for preparation of construction plans. These items could become the property of the City, if the City so elects.

V.G.3. **MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE PROGRAM AND NONDISCRIMINATION**

The City has adopted an Affirmative Action and Minority and Women Business Enterprise Plan (M/WBE) Program. The Contractor attests that it also shall take affirmative action to insure equality of opportunity in all aspects of employment and to utilize MWBE suppliers of materials and labor when available.

Contractor further agrees that in the performance of these services that it will not discriminate in its hiring, employment, and contracting practices with reference to political affiliation, genetic information, sexual orientation, age, sex, race, color, religion, national origin, handicap or disability.

V.G.4. **IRAN DIVESTMENT ACT CERTIFICATION**

The Contractor hereby certifies that, it is not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. § 147-86.58. The Contractor shall not utilize in the performance of the Agreement any subcontractor that is identified on the Iran Final Divestment List.

V.G.5. **E-VERIFY**

The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further if the Contractor utilizes a Subcontractor, the Contractor shall require the Subcontractor to comply with the requirements of Article 2

of Chapter 64 of the North Carolina General Statutes. The Contractor represents that the Contractor and its Subcontractors are in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

V.G.6. ASSIGNMENT

There shall be no assignment, subletting or transfer of the interest (including payments) of the Contractor in any of the work covered by the Agreement without the written consent of the City. Unless the City agrees otherwise in writing, the Contractor and all assignees shall be subject to all of the City's defenses and shall be liable for all of the Contractor's duties that arise out of this Agreement and all of the City's claims that arise out of this Agreement. Without granting the Contractor the right to assign, it is agreed that the duties of the Contractor that arise out of this contract shall be binding upon it and its heirs, personal representatives, successors, and assigns.

V.G.7. GENERAL COMPLIANCE WITH LAWS

The Contractor shall comply with all applicable Federal, State, and local laws, ordinances, rules, regulations and program guidelines pertaining to the performance of Work under this Agreement.

V.G.8. AMENDMENTS AND WAIVER

No waiver, alterations, consent or modification of any of the provisions of this Agreement shall be binding unless in writing and signed by the City or his designee.

V.G.9. PERMITS, LICENSES, AND CERTIFICATES

The Contractor is to procure all permits, licenses, and certificates, as required by any such laws, ordinances, rules and regulations, for proper execution and completion of the Work under this Agreement.

V.G.10. CHOICE OF LAW AND VENUE

This Agreement is deemed to be under and shall be governed by and construed according to the laws of the State of North Carolina and the ordinances of the City of Greenville. The exclusive forum and venue for all actions, suits or proceedings arising out of or related to this Agreement shall be the North Carolina General Courts of Justice, in Pitt County, or if in federal court, in the Eastern District of North Carolina.

V.G.11. AUTHORITY TO CONTRACT

The undersigned hereby certifies that this Agreement is made without prior understanding, agreement, or connection with any corporation, firm, or person who submitted bids for the Work covered by this Agreement and is in all respects fair and without collusion or fraud. As to Contractor, the undersigned hereby warrants and certifies that they are authorized to enter into this Agreement and to execute same on behalf of the Contractor as the act of the said Contractor.

V.G.12. DISPUTE RESOLUTION

In the event of any dispute arising out of or relating to this agreement, the affected party shall notify the other party, and the parties shall attempt in good faith to resolve the matter within thirty (30) days after the date such notice is received by the other party (the "Notice Date") prior to exercising their rights under law.

V.G.13. CONFLICT OF INTERESTS

- a. Contractor is aware of the conflict of interest laws of the City of Greenville, of the State of North Carolina (as set forth in North Carolina General Statutes), and agrees that it will fully comply in all respects with the terms thereof and any future amendments.
- b. Contractor covenants that no person or entity under its employ, presently exercising any functions or responsibilities in connection with this Agreement has any personal financial interests, direct or indirect, with the City. Contractor further covenants that, in the performance of this Agreement, no person or entity having such conflicting interest shall be utilized in respect to the Scope of Work or services provided hereunder. Any such conflict of interest(s) on the part of Contractor, its employees or associated persons or entities shall be disclosed to the City.
- c. Contractor shall disclose any possible conflicts of interest or apparent improprieties of any party under or in connection with the Legal Requirements, including the standards for procurement.
- d. Contractor shall make any such disclosure to the City in writing and immediately upon the Contractor's discovery of such possible conflict. The City's determination regarding the possible conflict of interest shall be binding on all parties.
- e. No employee, agent, Contractor, elected official or appointed official of the City, exercising any functions or responsibilities in connection with this Agreement, or who is in a position to participate in the decision-making process or gain inside information regarding activities, has any personal financial interest, direct or indirect, in this Agreement, the proceeds hereunder, the Project or Contractor, either for themselves or for those with whom they have family or business ties, during their tenure or for one year thereafter.

V.G.14. NON-APPROPRIATION OF FUNDS

Contractor acknowledges that funding for this Agreement is conditioned upon appropriation and allocation by the governing body of sufficient funds to support the activities described in this Agreement. By written notice to Contractor at the earliest possible date, City may terminate this Agreement, in whole or in part, at any time for lack of appropriation of funds, or other withdrawal, reduction or limitation in any way of the City's budget, funding or financial resources. Such termination is in addition to the City's rights to terminate for convenience or cause. If this Agreement is terminated for non-appropriation: The City will be liable only for payment in accordance with the terms of this Agreement for Work completed and expenses incurred prior to the effective date of termination. The Contractor will not be compensated for any other costs in connection with a termination for non-appropriation. The Contractor will not be entitled to recover any damages in connection with a termination for non-

appropriation, including, but not limited to, lost profits. Contractor shall be released from any further obligation to provide Work affected by such termination; and Termination shall not prejudice any other right or remedy available to the City. Funding for this Agreement is subject to annual appropriation.

V.G.15. **RECORD RETENTION**

All records required to be kept on the project shall be maintained for at least five (5) years after final payments and until all other pending matters for this project have been closed. However, if any audit, litigation or other action arising out of or related in any way to this project is commenced before the end of the five (5) year period, the records shall be retained for one (1) year after all issues arising out of the action are finally resolved or until the end of the five (5) year period, whichever is later.

V.G.16. **CONFIDENTIALITY**

Proprietary or confidential information (“confidential information”) developed or disclosed by either party under this agreement shall be clearly labeled and identified as confidential information by the disclosing party at the time of disclosure. Confidential Information shall not be disclosed to the extent allowable by law by the receiving party to any other person except to those individuals who need access to such Confidential Information as needed to ensure proper performance of the Services.

Neither party shall be liable for disclosure or use of Confidential Information which: (1) is or was known by the receiving party at the time of disclosure due to circumstances unrelated to this agreement; (2) is generally available to the public without breach of this agreement; (3) is disclosed with the prior written approval of the disclosing party; or (4) is required to be released by applicable law or court order.

Each party shall return all Confidential Information relating to this agreement to the disclosing party upon request of the disclosing party or upon termination of this agreement, whichever occurs first. Each party shall have the right to retain a copy of the Confidential Information for its internal records and subject to ongoing compliance with the restrictions set forth in this Section. This Section shall survive termination of this agreement.

V.G.17. **SEVERABILITY**

No waiver of any breach of this agreement shall operate as a waiver of any similar subsequent breach or any breach of any other provision of this agreement. If any provision of this agreement is held invalid by a court of competent jurisdiction, such provision shall be severed from this agreement and to the extent possible, this agreement shall continue without affecting the remaining provisions.

V.G.18. **COUNTERPARTS**

This agreement may be executed in counterparts, and the counterparts, taken together, shall constitute the original.

V.G.19. **THIRD PARTY RIGHTS**

No Third Party Rights Created. This contract is intended for the benefit of the City and the Contractor and not any other person.

V.G.20. **PRINCIPLES OF INTERPRETATION AND DEFINITIONS.**

(1) The singular includes the plural and the plural the singular. The pronouns “it” and “its” include the masculine and feminine. References to statutes or regulations include all statutory or regulatory provisions consolidating, amending, or replacing the statute or regulation. References to contracts and agreements shall be deemed to include all amendments to them. The words “include,” “including,” etc. mean include, including, etc. without limitation. (2) References to a “Section” or “section” shall mean a section of this contract. (3) “Contract” and “Agreement,” whether or not capitalized, refer to this instrument. (4) “Duties” includes obligations. (5) The word “person” includes natural persons, firms, companies, associations, partnerships, trusts, corporations, governmental agencies and units, and other legal entities. (6) The word “shall” is mandatory. (7) The word “day” means calendar day. (8) The word “Work” is defined in Section I.A. (9) A definition in this contract will not apply to the extent the context requires otherwise.

V.G.21. **ENTIRE AGREEMENT**

This Agreement, including any Exhibits hereto, contains all the terms and conditions agreed upon by the parties. No promises, agreements, conditions, inducements, warranties, or understandings, written or oral, expressed or implied, between the parties, other than as set forth or referenced in this contract shall be deemed to exist or to bind either party hereto.

V.G.22. **HEADINGS**

The headings of the various Articles and Sections herein are for convenience of reference only and shall not form part of this Agreement or define or limit any of the terms or provisions hereof.

V.G.23. **DISCHARGE OF MECHANICS AND MATERIALMEN’S LIEN**

The Contractor’s shall use its best efforts to prevent any liens that arise from the performance of the Work from being filed against the City or Property. If any liens are filed, the Contractor’s shall prevent any liens from becoming delinquent. Upon completion of the Work and prior to payment by the City, the Contractor’s shall execute and provide to the City a Release of Liens and Waiver of Claims form.

V.G.24. **PEFORMANCE OF GOVERNMENT FUNCTIONS**

Nothing contained in this Agreement shall be deemed or construed so as to in any way estop, limit, or impair the City from exercising or performing any regulatory, policing, legislative, governmental, or other powers or functions.

V.G.25. **E-SIGNATURE AUTHORITY**

The parties hereto consent and agree that this Agreement may be signed and/or transmitted by facsimile, e-mail of a .pdf document or using electronic signature technology (e.g., via DocuSign or similar electronic signature technology), and that such

signed electronic record shall be valid and as effective to bind the party so signing as a paper copy bearing such party's hand written signature. The parties further consent and agree that (1) to the extent a party signs this document using electronic signature technology, by clicking "sign", such party is signing this Agreement electronically, and (2) the electronic signatures appearing on this Agreement shall be treated for purposes of validity, enforceability and admissibility, the same as hand-written signatures.

V.G.26. **CITY MANAGER'S AUTHORITY**

To the extent, if any, the City has the power to suspend or terminate this contract or the Contractor's services under this Agreement, that power may be exercised by the City Manager or their designee.

(REMAINDER OF) THIS PAGE LEFT INTENTIONALLY BLANK

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date first written above:

EXECUTED by the City this DATE: _____

CITY OF GREENVILLE

BY: _____

TITLE: _____

APPROVED AS TO FORM:

BY: _____
Emanuel McGirt, City Attorney

PRE-AUDIT CERTIFICATION:

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

BY: _____ Date: _____
Byron Hayes, Director of Financial Services

Account Number 060-04-40-51-000-000-534005-21004

Project Code (if applicable) WILDWOOD-PHASE 2-CONSTR-WLCM CTR

**CONTRACTOR SIGNATURE PAGES FOLLOW –
TO BE COMPLETED, AS APPLICABLE TO EACH SIGNATORY ENTITY.**

**SIGNATURE OF CONTRACTOR – (PROFESSIONAL) BUSINESS
CORPORATION (COMPANY)**

EXECUTED by the Contractor this DATE _____.

Full name of Corporation (Company)

Signature of Witness

Signature of Member/Manager/Authorized Agent

(Select Appropriate Title Above)

Print or type Signer's name

Print or type Signer's name



City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: Award the Purchase and Installation of Playground Equipment for the Wildwood Park Playground from Cunningham Recreation

Explanation: The City of Greenville continues to implement recommendations from the Council adopted Wildwood Park Development Plan. The Development Plan includes the construction of a Welcome Center that will provide restroom and storage areas to support the activation of the park. The Welcome Center project also includes the development of a nature themed playground with recreational components for ages five through twelve years old. Included for Council consideration is a contract with Cunningham Recreation for the addition of a playground adjacent to the Welcome Center.

Beginning June 1, 2022, Recreation & Parks Staff solicited design proposals from playground equipment suppliers. On June 30, the City received 11 playground designs for Wildwood Park. City staff evaluated the designs and chose the one which will best fit the space and Wildwood Park's aesthetic vision. In addition to ensuring the playground would fit within the Welcome Center project site plan, other aspects considered were future maintenance costs, creativity and safety of the play components.

Staff worked with Cunningham Recreation to make minor changes to ensure the playground would be a great asset to the park. The final product will serve as a major attraction at Wildwood Park and will provide additional outdoor recreational opportunities for the youth in the Greenville community. Attached with the agenda item is a rendering of the proposed nature themed playground within Wildwood Park.

Fiscal Note: The total contract amount for the project is \$417,938.78. Funding for the Wildwood Park playground is available through previously approved debt financing. Staff will also continue to seek private partners who may be interested in financially supporting the Wildwood Park Playground.

Recommendation: Award the \$417,938.78 Purchase from Cunningham Recreation for the Wildwood Park Playground.

ATTACHMENTS

 [Wildwood Park-Option 1 \(rev 7.27.22\)-Quote.pdf](#)

 **Wildwood Playground Rendering.jpg**



GameTime c/o Cunningham Recreation
 PO Box 240981
 Charlotte, NC 28224
 800.438.2780
 704.525.7356 FAX

07/27/2022
 Quote #
 159543-01-05

Wildwood Park-Option 1 (rev 7.27.22)

Greenville Recreation & Parks, NC
 Attn: Don Octigan
 2000 Cedar Lane
 Greenville, NC 27858
 Phone: 252-329-4545
 DOctigan@greenvillenc.gov

Ship to Zip 27858

Quantity	Part #	Description	Unit Price	Amount
1	RDU	GameTime - PowerScape Modular 2-5 Structure (per drawing)	\$29,712.00	\$29,712.00
1	RDU	GameTime - PowerScape Modular 5-12 Structure (per drawing)	\$190,946.00	\$190,946.00
14	CUSTOM	Landmark Design GFRC - GFRC Coated Uprights	\$2,000.00	\$28,000.00
1	3259	GameTime - Concert Trio	\$4,522.00	\$4,522.00
1	4676	GameTime - Harmonic Chimes (set of 3)	\$3,315.00	\$3,315.00
1	6238	GameTime - Shadow Play Flower	\$5,419.00	\$5,419.00
1	GFRC329	Landmark Design GFRC - Leaning Log Climber	\$11,780.00	\$11,780.00
4	38111L	GameTime - Tree Stump	\$721.00	\$2,884.00
1	38230	GameTime - Log Balance Beam	\$2,661.00	\$2,661.00
1	38115	GameTime - Tree Swing	\$7,547.00	\$7,547.00
1	8910	GameTime - Belt Seat 3 1/2"Od(8910)	\$288.00	\$288.00
1	8696	GameTime - Encl Seat 3 1/2"(8696)	\$359.00	\$359.00
373	EFW	GT-Impax - Engineered Wood Fiber Safety Surfacing (CY)- <ul style="list-style-type: none"> • Area: 7545 Sq.Ft. • Thickness (Compacted): 12" 	\$21.95	\$8,187.35
1	4858	GameTime - Access Playcurb-W/Adap	\$615.00	\$615.00
140	4862	GameTime - 12" Playground Border	\$62.00	\$8,680.00
1	INSTALL	MISC - Installation of Equipment/Surfacing Above:- *Includes permitting *Excludes site prep	\$96,297.00	\$96,297.00
715	TURF	GT-Impax - Synthetic Turf Safety Surfacing- Includes: Materials 4" Compacted Stone Sub Base Impact Attenuation for 4' CFH Dumpster Installation	\$26.50	\$18,947.50
Contract: OMNIA #2017001134			Sub Total	\$420,159.85
			Discount	(\$76,464.22)
			Material Surcharge	\$36,080.72
			Freight	\$18,360.00
			Tax	\$19,802.43
			Total	\$417,938.78



GameTime c/o Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX

07/27/2022
Quote #
159543-01-05

Wildwood Park-Option 1 (rev 7.27.22)

Comments

Site must be clear, level, free of obstructions, and accessible. Site should permit installation equipment access. Purchaser shall be responsible for unknown conditions such as buried utilities, tree stumps, bedrock or any concealed materials or conditions that may result in additional costs.

*A deposit of \$10,500 will be required at time of order . Deposit is required for all custom items before manufacturing can begin.

GAMETIME - TERMS & CONDITIONS:

- **PRICING:** Due to volatile economic demand, pricing is valid for 30 days. Pricing is subject to change. Request updated pricing when purchasing from quotes more than 30 days old.
- **TERMS OF SALE:** For equipment & material purchases, Net 30 days from date of invoice for governmental agencies and those with approved credit. All others, full payment for equipment, taxes and freight up front. Balance for services & materials due upon completion or as otherwise negotiated upon credit application review. Pre-payment may be required for equipment orders totaling less than \$5,000. Payment by VISA, MasterCard, or AMEX is accepted (If you elect to pay by credit card, GameTime charges a 2.50% processing fee that is assessed on the amount of your payment. This fee is shown as a separate line item and included in the total amount charged to your credit card. You have the option to pay by check, ACH or Wire without any additional fees.) . Checks should be made payable to Playcore Wisconsin, Inc. d/b/a GameTime unless otherwise directed.
- **CREDIT APPLICATION:** Required for all non-governmental agencies and those entities who have not purchased from GameTime within the previous twelve calendar months.
- **FINANCE CHARGE:** A 1.5% monthly finance charge (or maximum permitted by law) will be added to all invoices over 30 days past due.
- **CASH WITH ORDER DISCOUNT:** Orders for GameTime equipment paid in full at time of order via check or electronic funds transfer (EFT) are eligible for a 3% cash-with-order (CWO) discount.
- **ORDERS:** All orders shall be in writing by purchase order, signed quotation or similar documentation. Purchase orders must be made out to Playcore Wisconsin, Inc. d/b/a GameTime.
- **FREIGHT CHARGES:** Shipments shall be F.O.B. destination. Freight charges prepaid and added separately.
- **SHIPMENT:** Standard Lead time is 12-14 weeks (some items may take longer) after receipt and acceptance of purchase order, credit application, color selections and approved drawings or submittals.
- **PACKAGING:** All goods shall be packaged in accordance with acceptable commercial practices and marked to preclude confusion during unloading and handling.
- **RECEIPT OF GOODS:** Customer shall coordinate, receive, unload, inspect and provide written acceptance of shipment. Any damage to packaging or equipment must be noted when signing delivery ticket. If damages are noted, receiver must submit a claim to Cunningham Recreation within 15 Days. Receiver is also responsible for taking inventory of the shipment and reporting any concealed damage or discrepancy in quantities received within 60 days of receipt.
- **RETURNS:** Returns are only available on shipments delivered within the last 60 days. A 25% (min.) restocking fee will be deducted from any credit due. Customer is responsible for all packaging & shipping charges. Credit is based on condition of items upon return. All returns must be in unused and merchantable condition. GameTime reserves the right to deduct costs associated with restoring returned goods to merchantable condition. Uprights & custom products cannot be returned.
- **TAXES:** Sales tax is shown as a separate line item when included. A copy of your tax exemption certificate must be submitted at time of order or taxes will be added to your invoice.

INSTALLATION CONDITIONS:

- **ACCESS:** Site should be clear, level and allow for unrestricted access of trucks and machinery.
- **STORAGE:** Customer is responsible for providing a secure location to off-load and store the equipment during the installation process. Once equipment has delivered to the site, the owner is responsible should theft or vandalism occur unless other arrangements are made and noted on the quotation.
- **FOOTER EXCAVATION:** Installation pricing is based on footer excavation through earth/soil only. Customer shall be responsible for unknown conditions such as buried utilities (public & private), tree stumps, rock, or any concealed materials or conditions that may result in additional labor or materials cost.
- **UTILITIES:** Installer will contact Miss Utility to locate all public utilities prior to layout and excavation of any footer holes. Owner is responsible for locating any private utilities.
- **ADDITIONAL COSTS:** Pricing is based on a single mobilization for installation unless otherwise noted. Price includes ONLY what is stated in this quotation. If additional site work or specialized equipment is required, pricing is subject to change.



GameTime c/o Cunningham Recreation
PO Box 240981
Charlotte, NC 28224
800.438.2780
704.525.7356 FAX

07/27/2022
Quote #
159543-01-05

Wildwood Park-Option 1 (rev 7.27.22)

ACCEPTANCE OF QUOTATION:

Acceptance of this proposal indicates your agreement to the terms and conditions stated herein.

Accepted By (printed): _____ Title: _____

Telephone: _____ Fax: _____

P.O. Number: _____ Date: _____

Purchase Amount: \$417,938.78

SALES TAX EXEMPTION CERTIFICATE #: _____

(PLEASE PROVIDE A COPY OF CERTIFICATE)

Salesperson's Signature

Customer Signature

BILLING INFORMATION:

Bill to: _____

Contact: _____

Address: _____

Address: _____

City, State: _____ Zip: _____

Tel: _____ Fax: _____

E-mail: _____

SHIPPING INFORMATION:

Ship to: _____

Contact: _____

Address: _____

Address: _____

City, State: _____ Zip: _____

Tel: _____ Fax: _____

E-mail: _____



Wildwood Park
Option 1- Revised (Color Option 3)

DESIGNED BY: [unreadable] | DRAWN BY: [unreadable]



389



City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: First Reading of an Ordinance to Revise Part II, Title 12, Chapter 1, Section 3 of the City Code of Ordinances to Create the Uptown Social District and the Dickinson Avenue Social District

Explanation: On November 22, 2021 and February 7, 2022 the City Attorney's Office made presentations to City Council regarding the newly created statute N.C.G.S. § 18B-904.1 regarding social districts. On July 7, 2022, N.C.G.S. § 18B-904.1 was repealed and N.C.G.S. § 18B-300.1 (Authorization and Regulation of Social Districts) was created. The new law allows cities and counties to create, by ordinance, designated social districts in accordance with the newly created statute N.C.G.S. § 18B-300.1 and allows non-permittee businesses to participate in social districts.

The City Attorney's Office has prepared for consideration a resolution, ordinance and Management and Maintenance plan creating two social districts in the City of Greenville.

The following is a summary of the ordinance and the Management and Maintenance Plan presented for Council's consideration:

- The ordinance creates and designates the following social districts in the City of Greenville:
 - Uptown Social District
 - Dickinson Avenue Social District
- Boundary maps, for each respective social district, are attached with the agenda for Council's review.
- Unless otherwise suspended by law, each social district will operate from 6:00 p.m. to 10:00 p.m. Thursday through Saturday.
- Participating permittee businesses (i.e. businesses located in the social district that hold certain ABC permits) may sell and serve open containers of alcoholic beverages and allow customers to exit their premises into the social district only during the days and hours of operation of the social district. The open containers shall:
 - Only be sold and served on the premises of the participating

- permittee.
 - Clearly identify the ABC permittee from which the beverage is purchased.
 - Clearly display a logo or some other mark that is unique to the Social District.
 - Not be comprised of glass.
 - Not contain more than 16 fluid ounces.
 - Display the statement "Drink Responsibly- Be 21."
- Alcoholic beverages sold and served by participating permittees may only be consumed by customers of the social district, during the hours of operation, in compliance with the N.C.G.S. § 18B-300.1 and City Code.
 - All sidewalks and crosswalks within the social district boundary are included and allowed for possession and consumption, unless otherwise specifically closed as allowed by City Code.
 - All streets within the social district shall be excluded and not allowed for possession or consumption, unless the street within the social district is specifically closed as allowed by City Code.
 - All public parking lots located within the boundaries of the social district shall be excluded and not allowed for possession or consumption.
 - Participating non-permittee businesses in the social district may allow, on their properties, customers who are in possession of alcoholic beverages purchased from a participating permittee in the social district.
- The boundaries of the social district shall be designated by signs posted in conspicuous locations indicating the area is included in the social district. The signs will also state the following:
 - Days and hours of operation of the social district
 - Contact number for the GPD and NC ALE Division.
 - Statement that an alcoholic beverage purchased from a permittee for consumption in the social district can only be consumed in the social district and must be disposed of prior to exiting the social district.
- The City will develop and approve a uniform sign indicating that a non-permittee business (i.e. business located in the social district that does not hold an ABC permit) allows alcoholic beverages on its premises when the social district is active.
 - The City will distribute an electronic version of the sign to each participating non-permittee business for their production and display at their place of business.
 - The participating non-permittee business shall display the approved sign in their place of business during the operation of the social district.

- Participating permittees and non-permittee businesses will be solely responsible for having and maintaining insurance associated with their respective properties.
- Violations of the ordinance may be subject to the following penalties:
 - Criminal: Class 3 misdemeanor with criminal penalty of not less than \$100 and no more than \$500; and/or
 - Civil: 1st Violation: \$100; 2nd Violation (within 365 days of the 1st): \$250; 3rd and Subsequent Violations (within 365 days of the 1st): \$500.

The statutory language of Session Law 2021-138 states: “Notwithstanding G.S. 160A-75, no ordinance specifying a criminal penalty may be enacted at the meeting in which it is first introduced.” This will be a first reading and preliminary vote on the ordinance. The item will be brought back at the August 18, 2022, City Council meeting for a second reading and adoption by City Council.

Fiscal Note:

Although the creation of a social district will have a fiscal impact, there is no fiscal impact associated with this presentation.

Recommendation:

As required by N.C. State law, Council will hear discussion on the first reading of the ordinance and take a preliminary vote on the ordinance. Council will continue the item on August 15, 2022 to the City Council meeting on August 18, 2022 for a second reading and adoption.

ATTACHMENTS

- 📄 [Resolution--Authorizing_and_Designating_Social_Districts.cleaned.pdf](#)
- 📄 [Ordinance_22-XX--An_Ordinance_Creating_Social_Districts.pdf](#)
- 📄 [The_Greenville_Social_Districts_Management_and_Maintenance_Plan.cleaned.pdf](#)

RESOLUTION NO. 2022-

RESOLUTION OF THE GREENVILLE CITY COUNCIL TO AUTHORIZE AND DESIGNATE THE UPTOWN SOCIAL DISTRICT AND THE DICKINSON AVENUE SOCIAL DISTRICT

WHEREAS, Session Law 2022-49, Part XX, Section 3.(e) and Section 3.(f) authorizes a city to adopt an ordinance designating a social district for use in accordance with newly created N.C.G.S. § 18B-300.1; and

WHEREAS, N.C.G.S. § 18B-300.1 defines a social district as “a defined area in which a person may consume alcoholic beverages sold by a permittee [which] may include both indoor and outdoor areas of businesses within or contiguous to the defined area during the days and hours set by the local government by ordinance pursuant to [N.C.G.S. § 18B-300.1(d)]. A social district may include privately owned property, including permittees and non-permittee businesses, and multi-tenant establishments, as defined in [N.C.G.S. §] 18B-1001.5, and public streets, crosswalks, or parking areas whether or not the streets or parking areas are closed to vehicle traffic;” and

WHEREAS, in accordance with the law, once a city designates a social district, participating ABC permittees can sell alcoholic beverages in authorized containers to patrons to be possessed and consumed within the social district; and

WHEREAS, the Uptown Social District and the Dickinson Avenue Social District shall be created and managed by the City of Greenville; and

WHEREAS, the City Council finds that the designation of the Uptown Social District and the Dickinson Avenue Social District pursuant to Session Law 2022-49 is in the best interests of the citizens and businesses of the City of Greenville; and

WHEREAS, the City Council designates the social districts defined and shown in the Ordinance as the Uptown Social District and the Dickinson Avenue Social District; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina, that it does hereby adopt and approve the Ordinance attached hereto creating the Greenville Uptown Social District and the Dickinson Avenue Social District and the *Greenville Social Districts Management and Maintenance Plan*.

ADOPTED this the _____ day of _____, 2022.

P. J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

ORDINANCE NO. 22-_____

AN ORDINANCE TO REVISE PART II, TITLE 12, CHAPTER 1, SECTION 3 OF THE CODE OF ORDINANCES, CITY OF GREENVILLE TO CREATE THE UPTOWN SOCIAL DISTRICT AND THE DICKINSON AVENUE SOCIAL DISTRICT

WHEREAS, in accordance with Session Law 2022-49, Sections 3.(e) and 3.(f), which amends N.C.G.S. § 160A-205.4 and creates N.C.G.S. § 18B-300.1 and Session Law 2021-138, Part XIII. Section 13.(b), which amends N.C.G.S. § 160A-175 and N.C.G.S. § 14-4 regarding penalties for violations of ordinances; the City Council of the City Greenville desires to revise and amend Part II, Title 12, Chapter 1, Section 3 of the Code of Ordinances, City of Greenville to comply with State law and allow for the creation and designation of designated social districts in accordance with N.C.G.S. § 18B-300.1;

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN:

SECTION 1. That Part II, Title 12, Chapter 1, Section 3 of the Code of Ordinances, City of Greenville, is hereby repealed and replaced as amended to now read as follows:

SEC. 12-1-2 ALCOHOLIC BEVERAGES; SOCIAL DISTRICTS.

(A) *Definitions.* For the purpose of this section, the following definitions, regardless of capitalization, shall apply unless the context clearly indicates or requires a different meaning. To the extent any of the definitions are contrary to the provisions of Chapter 18B of the North Carolina General Statutes, the definitions as found in Chapter 18B of the North Carolina General Statutes shall control.

ABC Commission. The North Carolina Alcoholic Beverage Control Commission established under G.S. section 18B-200.

ABC permit or permits. Any written or printed authorization issued by the Commission pursuant to the provisions of Chapter 18B of the North Carolina General Statutes, other than a purchase-transportation permit. Unless the context clearly requires otherwise, as in the provisions concerning applications for permits, “ABC permit” or “permit” means a presently valid permit.

Alcoholic beverage. Any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor, mixed beverages, and any alcohol consumable.

Alcohol consumable. Any manufactured and packaged ice cream, ice pop, gum-based, or gelatin-based food product containing at least one-half of one percent (0.5%) alcohol by volume.

Chief of Police. The Chief of Police of the Greenville Police Department or designee.

City. The City of Greenville.

Customer. A person who purchases an alcoholic beverage from a permittee that is in a social district.

Fortified wine. Any wine or alcohol consumable containing more than sixteen percent (16%) and no more than twenty-four percent (24%) alcohol by volume, made by fermentation from grapes, fruits, berries, rice, or honey; or by the addition of pure cane, beet, or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice, or honey that is contained in the base wine and produced in accordance with the regulations of the United States.

Malt beverage. Beer, lager, malt liquor, ale, porter, and any other brewed or fermented beverage or alcohol consumable except unfortified or fortified wine as defined by Chapter 18B of the North Carolina General Statutes, containing at least one-half of one percent (0.5%), and not more than fifteen percent (15%), alcohol by volume. Any malt beverage containing more than six percent (6%) alcohol by volume shall bear a label clearly indicating the alcohol content of the malt beverage.

Mixed beverage. Either of the following:

- (1) A drink composed in whole or in part of spirituous liquor and served in a quantity less than the quantity contained in a closed package.
- (2) A premixed cocktail served from a closed package containing only one serving.

Manual of Fees. The fee schedule approved and adopted by the Greenville City Council which is periodically updated and lists sales and services provided by the City of Greenville.

Non-permittee business. A business that is located in a social district and does not hold any ABC permit

Open container. A container whose seal has been broken or a container other than the manufacturer's unopened original container.

Permittee. An establishment holding any of the following permits issued by the ABC Commission:

- (1) An on-premises malt beverage permit issued pursuant to G.S. section 18B-1001(1).
- (2) An on-premises unfortified wine permit issued pursuant to G.S. section 18B-1001(3).
- (3) An on-premises fortified wine permit issued pursuant to G.S. section 18B-1001(5).

- (4) A mixed beverages permit issued pursuant to G.S. section 18B-1001(10).
- (5) A wine shop permit issued pursuant to section G.S. 18B-1001(16).
- (6) A distillery permit issued pursuant to section G.S. 18B-1100(5).

Person. An individual, firm, partnership, association, corporation, limited liability company, other organization or group, or other combination of persons acting as a unit.

Police Department. The Greenville Police Department.

Police Officers. Sworn law enforcement officers employed by the Greenville Police Department.

Premises. A fixed permanent establishment, including all areas inside or outside the licensed establishment, where the permittee has control through a lease, deed, or other legal process.

Social district. A defined area in which a person may consume alcoholic beverages sold by a permittee. A social district may include both indoor and outdoor areas of businesses within or contiguous to the defined area during the days and hours set by the local government by ordinance pursuant to G.S. section 18B-300.1(d). A social district may include privately owned property, including permittees and non-permittee businesses, and multi-tenant establishments, as defined in G.S. section 18B-1001.5, and public streets, crosswalks, or parking areas whether or not the streets or parking areas are closed to vehicle traffic.

Spirituos liquor or liquor. Distilled spirits or ethyl alcohol, and any alcohol consumable containing distilled spirits or ethyl alcohol, including spirits of wine, whiskey, rum, brandy, gin and all other distilled spirits and mixtures of cordials, liqueur, and premixed cocktails, in closed containers regardless of their dilution.

Unfortified wine. Any wine or alcohol consumable containing sixteen percent (16%) or less alcohol by volume made by fermentation from grapes, fruits, berries, rice, or honey; or by the addition of pure cane, beet, or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice, or honey that is contained in the base wine and produced in accordance with the regulations of the United States.

(B) *Possession of open container of unfortified wine or malt beverage prohibited.* Unless otherwise allowed by State law or this section, it shall be unlawful for any person to possess an open container of unfortified wine or malt beverage upon either of the following:

- (1) A public street in the City by a person who is not an occupant of a motor vehicle.

- (2) Any property owned, occupied, or controlled by the City, including, but not limited to a sidewalk, alley, building, parcel, lot, park, or parking lot.

(C) *Consumption of unfortified wine or malt beverage prohibited.* Unless otherwise allowed by State law or this section, it shall be unlawful for any person to consume unfortified wine or a malt beverage upon either of the following:

- (1) A public street in the City by a person who is not an occupant of a motor vehicle.
- (2) Any property owned, occupied, or controlled by the City, including, but not limited to a sidewalk, alley, building, parcel, lot, park, or parking lot.

(D) *Exceptions regarding alcoholic beverages.* Notwithstanding any other provision of this section and as otherwise allowed by State law, upon obtaining all ABC permits as required by law; obtaining all City permits as may be required; paying all fees as may be required by the *Manual of Fees*; entering into any lease with the City as may be required; obtaining the written approval of the City Manager and subject to any conditions identified by the City Manager in the written approval; and complying with the *Policy and Procedures for the Conditional Service, Sale, and Consumption of Alcoholic Beverages Upon City Facilities*, the sale, service, possession, and consumption of alcoholic beverages as provided by the ABC permit is allowed upon designated portions of:

- (1) A golf course owned, occupied, or controlled by the City;
- (2) A convention center owned, occupied, or controlled by the City;
- (3) The Walter L. Stasavich Science and Nature Center and River Park North;
- (4) The building owned by the City at the Perkins Complex;
- (5) The C.M. Eppes Recreation Center;
- (6) A building owned by the City and leased to a person for a continuous term of greater than two years;
- (7) The Town Common;
- (8) Wildwood Park.
- (9) Any other property owned, occupied, or controlled by the City, including but not limited to public streets, sidewalks, alleys, or parking lots which are temporarily closed to regular traffic for special events. Factors which the City Manager shall consider when permitting the sale, service, possession, or consumption of alcoholic beverages as may be allowed by State law and the ABC Commission at an event or series of events to be conducted at

property owned, occupied, or controlled by the City or public streets, sidewalks, alleys or parking lots which are temporarily closed to regular traffic for special events include but are not limited to:

- (a) That an applicable ABC permit for the event has been issued by the ABC Commission.
- (b) The City's previous experience with the event organizer and/or the event.
- (c) That the location and time for the event is appropriate.
- (d) That the event organizer's plans regarding control of sale, crowd control, cleanup, and other public safety and welfare matters are adequate.

(10) Social Districts in accordance with this section.

(E) Social Districts.

- (1) *Creation.* Pursuant to the provisions of North Carolina General Statutes sections 160A-205.4, 18B-300.1, and as otherwise allowed by State law one or more social districts may be created within the City.
- (2) *Management.* City social districts shall be created, designated, and managed in accordance with the requirements contained in North Carolina General Statutes Section section 160A-205.4 and Chapter 18B and this section.
- (3) *Designated social districts.* The City hereby creates and designates the following Social District(s):
 - (a) The Uptown Social District shall be designated as follows:
 - (i) *General Boundary Area Description; Properties Excluded; Participating Non-Permittee Business Included.* The general northernmost boundary area of the Uptown Social District shall begin at the southwest corner of the intersection of West Fourth Street and Evans Street, thence shall run along the southern right-of-way of West and East Fourth Street in an easterly direction for 186+/- feet to the northeasternmost right-of-way abutting Parcel No. 23601 as listed at the Pitt County Register of Deeds and ending at the right-of-way abutting Parcel No. 15715 as listed at the Pitt County Register of Deeds. In no event shall Parcel No. 15715 as listed at the Pitt County Register of Deeds, nor

portions of abutting streets or sidewalks running along Parcel No. 15715 be included in the Uptown Social District. The general easternmost boundary area of the Uptown Social District shall begin at the intersection of the right-of-way and the northwesternmost portion of Parcel No. 12630 as listed at the Pitt County Register of Deeds and thence shall run along the eastern right-of-way of Cotanche Street in a southerly direction for 672+/- feet; thence cornering and ending at the intersection of the eastern right-of-way of Cotanche Street and the northern right-of-way of Reade Circle. The general southernmost boundary area of the Uptown Social District shall begin at the northern right-of-way of Reade Circle at its intersection with Cotanche Street and proceed in a southwesterly direction for 510+/- feet; thence cornering at the intersection of the northern right-of-way of Reade Circle and the westernmost right-of-way of Evans Street. The general westernmost boundary area of the Uptown Social District shall begin at the northern right-of-way of Reade Circle and the westernmost right-of-way of Evans Street and run along the western right-of-way of Evans Street in a northerly direction for 1,080+/- feet and returning to the point of beginning of the general northernmost boundary area of the Uptown Social District. In no event shall Parcel No. 06645 as listed at the Pitt County Register of Deeds be included in the Uptown Social District. Participating non-permittee businesses within the Uptown Social District are also specifically included in the Uptown Social District as also defined on the most current rendering as identified in subsection (b).

- (ii) *Sidewalks and Crosswalks within the General Boundary Area Included.* All sidewalks and crosswalks within the general boundary area are specifically included in the Uptown Social District, unless specifically closed as allowed by City Code or other applicable law.
 - (iii) *When Streets Included.* Except for the herein described crosswalks, all streets abutting or contained within the Uptown Social District shall be excluded from the Uptown Social District, unless any said street or all said streets are specifically closed as allowed by City Code or other applicable law.
- (b) The Uptown Social District map is shown on the attached rendering, attached as Exhibit A. The most current version of said map is available at the City Clerk's office and on the City's website.

(c) The Dickinson Avenue Social District which is designated as the area within the City as follows:

(i) *General Boundary Area Description; Properties Excluded; Participating Non-Permittee Business Included.* The Dickinson Avenue Social District shall begin at southeast corner of the intersection of Reade Circle and Dickinson Avenue, thence shall run along the southern right-of-way of Reade Circle in an easterly direction for 190+/- feet; thence cornering and running along the easternmost property line of Parcel No. 87407 as listed at the Pitt County Register of Deeds in a southwesterly direction for 185+/- feet; thence cornering and running along the easternmost property line of Parcel No. 02701 as listed at the Pitt County Register of Deeds in a southeasterly direction for 85+/- feet; thence cornering and running along the southernmost property line of Parcel No. 02701 as listed at the Pitt County Register of Deeds in a southwesterly direction for 55+/- feet; thence crossing West Eighth Street in a southwesterly direction for 45+/- feet; thence running along the southernmost right-of-way of West Eighth Street in a southeasterly direction for 275+/- feet; thence cornering and running along the westernmost right-of-way of South Washington Street in a southerly direction for 300+/- feet; thence running along the northernmost right-of-way of West Ninth Street in a westerly direction for 1,080+/- feet; thence crossing Dickinson Avenue in a northerly direction for 75+/- feet; thence cornering and running along the northernmost right-of-way of Dickinson Avenue in a northeasterly direction for 130+/- feet; thence cornering and running along the westernmost right-of-way of Clark Street in a northerly direction for 650+/- feet; thence cornering and running along the southern right-of-way of West Eighth Street and the northernmost property lines of Parcel Nos. 21141 and 12851 as listed at the Pitt County Register of Deeds in an easterly direction for 250+/- feet; thence cornering and running along the westernmost right-of-way of South Pitt Street in a southerly direction for 20+/- feet; thence cornering and running crossing South Pitt Street and the northern property line of Parcel No. 22790 as listed at the Pitt County Register of Deeds in an easterly direction for 125+/- feet; thence cornering and running along the easternmost property lines of Parcel Nos. 22790 and 05237 as listed at the Pitt County Register of Deeds and across Dickinson Avenue in a southeasterly direction for 160+/- feet; thence cornering and running along the southernmost right-of-way of Dickinson

Avenue in a northeasterly direction for 305+/- feet returning to the point of beginning. In no event shall Parcel Nos. 20038 or 19449 as listed at the Pitt County Register of Deeds be included in the Dickinson Avenue Social District. Participating non-permittee businesses within the Dickinson Avenue Social District are also specifically included in the Dickinson Avenue Social District as also defined on the most current rendering as identified in subsection (d).

(ii) *Sidewalks and Crosswalks within the General Boundary Area Included.* All sidewalks and crosswalks within the general boundary area are specifically included in the Dickinson Avenue Social District, unless specifically closed as allowed by City Code or other applicable law.

(iii) *When Streets Included.* Except for the herein described crosswalks, all streets abutting or contained within the Dickinson Avenue Social District shall be excluded from the Dickinson Avenue Social District, unless any said street or all said streets are specifically closed as allowed by City Code or other applicable law.

(d) The Dickinson Avenue Social District is shown on the attached rendering, attached as Exhibit B. The most current version of said map is available at the City Clerk's office and on the City's website.

(4) *Social district days and hours.* Alcoholic beverages may be consumed by customers in accordance with the provisions of G.S. section 18B-300.1 and this section in the Uptown Social District and the Dickinson Avenue Social District Thursday through Saturday from 6:00 p.m. to 10:00 p.m.

(5) *Social district operation.* The operation of the Uptown Social District and the Dickinson Avenue Social District, including guidelines regarding the suspension of regular days and hours of alcohol consumption in all or part of a social district during events requiring other permits pursuant to G.S. section 18B-300.1(j) shall be established by and contained in the *Greenville Social Districts Management and Maintenance Plan*.

(6) *Suspension of the social district.* In addition to any other authority authorized by law, as may be required to protect the health and safety of the general public, the City Manager or designee may suspend operations of any or all social districts.

(F) *Penalties.* In addition to any other penalty as may be allowed by law, a violation of this section may subject the offender to any or all of the following penalties:

- (1) *Criminal.* Any person violating any provision of this section shall be guilty of a Class 3 misdemeanor pursuant to G.S. 14-4 and G.S. 160A-175 and shall pay a criminal penalty of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00).
- (2) *Civil.*
 - (a) Any person violating any provision of this section shall be issued a civil citation or citations, as may be required, as follows:
 1. *First violation.* A violation of this section shall subject the violator to a civil penalty of one hundred dollars (\$100.00).
 2. *Second violation within 365 days of the first violation.* A second violation of this section by the violator within 365 days from herein defined first violation shall subject the violator to a civil penalty of two hundred fifty dollars (\$250.00).
 3. *Third and subsequent violations within 365 days of the first violation.* A third violation and any subsequent violations of this section by the violator within 365 days from herein defined first violation shall subject the violator to a civil penalty of five hundred dollars (\$500.00) per violation.
 - (b) *Contents and service of civil citation.* A civil citation issued for a violation of any provision of this section shall clearly state when the civil penalty is due and the manner in which the violation may be appealed. Civil citations issued under this section shall be served personally or by first-class mail upon the violator by a police officer.
 - (c) *Appeals; payment of civil penalties.* Unless appealed in accordance with Part II, Title 1, Chapter 1, Section 20 of the City Code, all civil penalties assessed for violations of any provision of this section must be paid to and received by the revenue division of the City's Financial Services Department within five business days from the date of issuance.
 - (d) *Methods of recovery of unpaid civil penalties.* Unless appealed in accordance with Part II, Title 1, Chapter 1, Section 20 of the City Code, if full payment for an assessed civil penalty is not timely received by the revenue division of the City's Financial Services Department, the City may recover the unpaid civil penalty by any or all of the following methods:
 1. A civil action in the nature of a debt.

2. The use of a collections agency.
3. The use of the provisions of Chapter 105A (The Setoff Debt Collection Act) and G.S. 18C-134.
4. Equitable remedies issued by a court of competent jurisdiction.
5. Any other method authorized by law to secure, collect, satisfy, or otherwise recover any civil penalty owed.

(3) *Continuing violations.* Each day's continuing violation of this section shall be a separate and distinct offense.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

SECTION 4. In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

SECTION 5. This ordinance will become effective 45 days from the below date of adoption.

This the _____ day of _____, 2022.

P. J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk

Uptown Social District

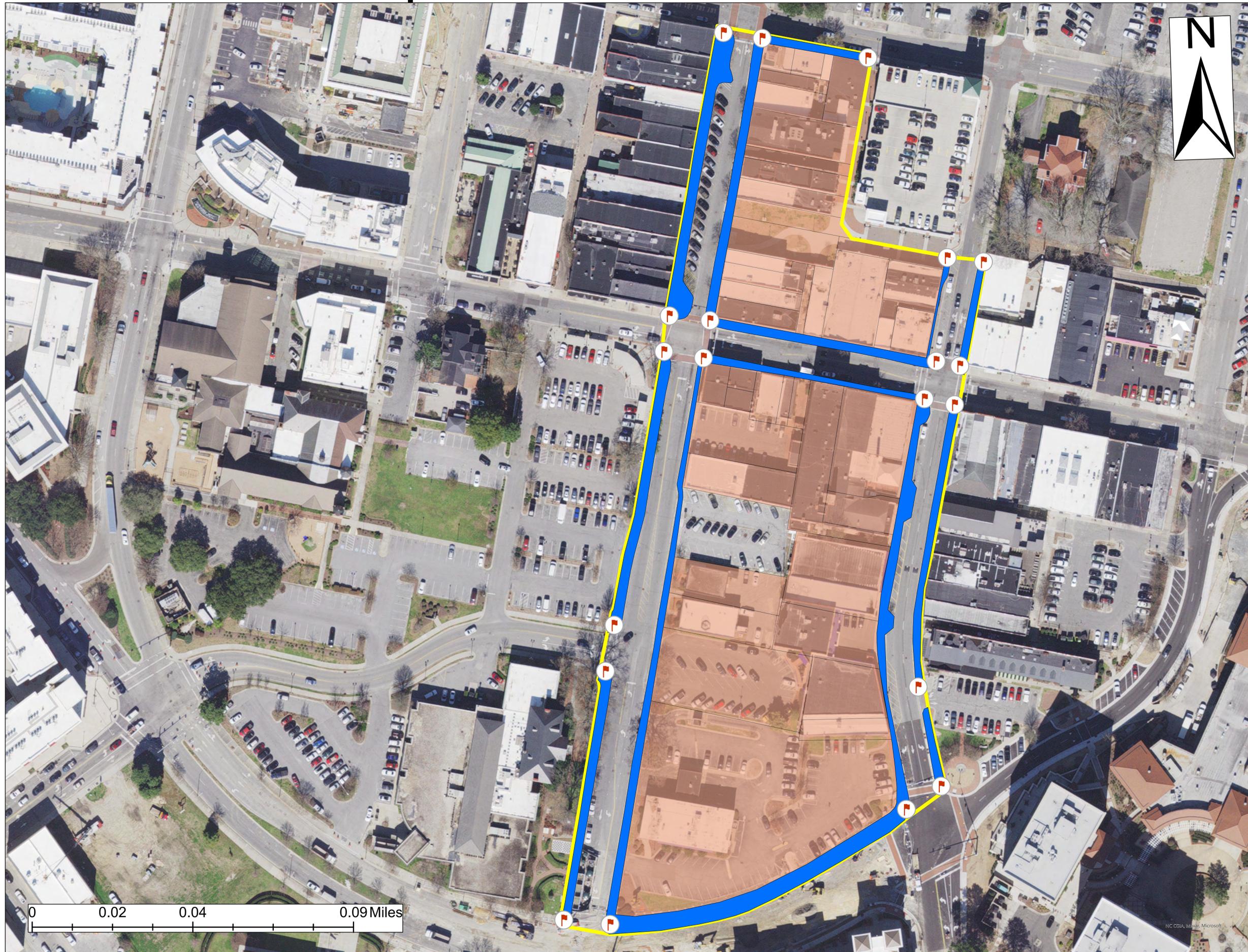


Exhibit A

Legend

-  Eligible Social District Area
-  Social District Signage
-  Sidewalks
-  Boundary

Dickinson Avenue Social District



Exhibit B

- Legend**
- Eligible Social District Area
 - Social District Signage
 - Sidewalks
 - Boundary

CITY OF GREENVILLE

GREENVILLE SOCIAL DISTRICTS MANAGEMENT AND MAINTENANCE PLAN



2022



THE GREENVILLE SOCIAL DISTRICTS MANAGEMENT AND MAINTENANCE PLAN

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The Greenville Social Districts Management and Maintenance Plan

Introduction

On July 7, 2022, Session Law 2022-49 was signed by the Governor creating a new statute, N.C.G.S. § 18B-300.1, which allows a local government, such as the City of Greenville (“the City”) to establish “Social Districts” within its jurisdiction. Without limiting the consumption or possession of alcoholic beverages otherwise allowed under Chapter 18B of the North Carolina General Statutes, the intent of N.C.G.S. § 18B-300.1, as stated in N.C.G.S. § 18B-300.1(a), is to regulate, open containers of alcoholic beverages that customers (persons who purchase alcoholic beverages from a permittee that is in a social district) of certain ABC permittees take from the permittee’s licensed premises (for example those establishments having on-premises, mixed beverage, wine shop, or distillery permits issued by the such as private bars, private clubs, restaurants, and hotels) into another defined area where consumption of the alcoholic beverages is allowed. Accordingly, the law serves to regulate the possession and consumption of open containers of alcoholic beverages within the designated social district. The law further allows non-ABC permittee businesses and private property owners located in a social district to allow on their properties open containers of alcoholic beverages sold by participating social district permittees when the social district is active. The City has established two social districts, designated as the Uptown Social District and the Dickinson Avenue Social District.

Each social district must be maintained in a manner that protects the health and safety of the general public. This Management and Maintenance Plan (“the Plan”), which has been approved by City Council, outlines the management, maintenance, and operations of the City’s designated social districts. In accordance with the provisions of N.C.G.S. § 18B-300.1(d)(2), the Plan, which includes a rendering of the boundaries of the Uptown Social District and the Dickinson Avenue Social District and days and hours during which alcoholic beverages may be consumed in the social districts will be placed on the City’s website.

Additionally, in accordance with N.C.G.S. § 18B-300.1(d)(3), before allowing consumption of alcoholic beverages in either of these social districts, the City will submit to the North Carolina Alcoholic Beverage Control Commission (“ABC Commission”) a detailed map of each social district with the boundaries of the social district clearly marked and the days and hours during which alcoholic beverages may be consumed in the social district.

Management of the Social Districts

The Uptown Social District and the Dickinson Avenue Social District will be jointly managed by the City’s Planning and Development Services Department, Public Works Department, and the Police Department.



Non-Permittee Business Signs

In accordance with N.C.G.S. § 18B-300.1(d)(4), the City will develop and approve uniform signs in an electronic .pdf file or similar electronic format indicating that a non-permittee business is included in the social district and allows alcoholic beverages on its premises when the social district is active. The City will then distribute the signs to non-permittee businesses that are included in the social district via email only. Participating non-permittee businesses are solely responsible for all printing and placement of required signs. The City may include private entities, including property owners or property owners' associations. A participating non-permittee business shall display the uniform sign at all times during the times when the social district is active. A customer may not bring an alcoholic beverage into a non-permittee business that does not display the uniform sign. No non-permittee business shall be required to participate or be included in a social district or to allow customers to bring alcohol onto its premises

Social District Boundaries—Maps

A rendering of the boundaries of the Uptown Social District is shown on page 30. A rendering of the boundaries of the Dickinson Avenue Social District is shown on page 32.

Days and Hours of Operation

Unless otherwise suspended by operation of law, the Uptown Social District and the Dickinson Avenue Social District will operate on Thursday through Saturday from 6:00 p.m. to 10:00 p.m. Alcoholic beverages may be consumed in accordance with the provisions of N.C.G.S. § 18B-300.1 and City Code § 12-1-3 only during those dates and hours.

Financing

The costs of establishing and managing the Uptown Social District and the Dickinson Avenue Social District will be funded by the City. Permittee participants and non-permittee business participants are solely responsible for costs associated with their respective properties.

Enforcement and Penalties

Police officers with the Greenville Police Department will enforce the provisions of N.C.G.S. § 18B-300.1 and City Code § 12-1-3. A violation of the provisions of N.C.G.S. § 18B-300.1 (for example N.C.G.S. § 18B-300.1(e) and N.C.G.S. § 18B-300.1(f)) is a Class 1 misdemeanor pursuant to N.C.G.S. § 18B-102(b). A violation of the provisions of City Code § 12-1-3 may be punishable as a Class 3 misdemeanor and/or as a civil penalty as therein stated. Of note, pursuant to N.C.G.S. § 18B-300.1(h), during the days and hours when the social district is active, a non-permittee business participating in the social district shall allow law enforcement officers access to the areas of the premises accessible by customers.



Insurance

The City is insured for its management, maintenance, and operation of the Uptown Social District and the Dickinson Avenue Social District upon the property owned, occupied, or controlled by the City. Permittee participants and non-permittee businesses are solely responsible for having and maintaining any recommended or required insurance associated with their respective properties.

Sanitation and Maintenance

The City's Public Works Department will provide sanitation services within the Uptown Social District and the Dickinson Avenue Social District on the property owned, occupied, or controlled by the City including trash removal and litter pick up. Permittee participants and non-permittee businesses are solely responsible for sanitation services on their private property. Trash/recycling receptacles will be located at the boundaries of the each social district to encourage patrons to properly dispose of their used cups and unconsumed alcohol, as well as throughout the social district area.

Marketing and Promotion

Marketing and promotion of the Uptown Social District and the Dickinson Avenue Social District will be provided by the City.

Required Signs Designating the Social District

In accordance with the provisions of N.C.G.S. § 18B-300.1(d)(1), the Uptown Social District and the Dickinson Avenue Social District will be clearly defined with signs posted in a conspicuous location indicating which area is included in the social district, the days and hours during which alcoholic beverages may be consumed in the social district, the telephone number for the ALE Division and the Greenville Police Department, and a clear statement that an alcoholic beverage purchased from a permittee for consumption in a social district shall (1) only be consumed in the social district and (2) be disposed of before the person in possession of the alcoholic beverage exits the social district.

EXAMPLE: An example of a required sign designating the Uptown Social District is as follows:



THIS IS THE SOCIAL DISTRICT BOUNDARY

Alcoholic beverages may only be consumed in the social district as follows:

<u>DAYS</u>	<u>HOURS</u>
Thursday through Saturday	6:00 p.m. to 10:00 p.m.

NOTICE

An alcoholic beverage purchased from a permittee as defined by N.C.G.S. § 18B-300.1(b)(3) for consumption in this social district shall:

- (1) Only be consumed in the social district and**
- (2) Be disposed of before the person in possession of the alcoholic beverage exits the social district.**

A violation is punishable as a Class 1 misdemeanor.

(N.C.G.S. § 18B-300.1 and N.C.G.S. § 18B-102(b))

Telephone Contacts:

N.C. Alcohol Law Enforcement (ALE) Division:
1-877-ALE-AGENT or (252) 756-4755 (District II)

Greenville Police Department:
Non-Emergency (252) 329-4315
Information Desk (252) 329-4317



Suspension of the Days and/or Hours of Alcohol Consumption in All or Part of the Social District During Events Requiring Other Permits Pursuant to N.C.G.S. § 18B-3001.(j)

To ensure the overall protection of health and safety of the general public, the City Manager or designee has the authority to suspend the regular days and/or hours of alcohol consumption in all or part of the Uptown Social District and/or the Dickinson Avenue Social District during any event requiring other permits pursuant to N.C.G.S. § 18B-300.1(j). Such notice of suspension shall be made in writing and signed by the City Manager or designee. If the City Manager or designee decides to suspend the regular days and/or hours of alcohol consumption in all or part of the Uptown Social District and or the Dickinson Avenue Social District during any event requiring other permits pursuant to N.C.G.S. § 18B-300.1(j), the City Manager or designee shall ensure that the Notice of Suspension defining the suspension (including the days, hours, and area) is posted (1) on the exterior main entry doors of City Hall and the Municipal Building and (2) on the City's website.

Open Containers Sold by Participating Permittees—N.C.G.S. § 18B-300.1(e)

In accordance with N.C.G.S. § 18B-300.1(e), a participating permittee in a social district designated by the City may sell open containers of alcoholic beverages and allow customers to exit its licensed premises to the social district Thursday through Saturday from 6:00 p.m. to 10:00 p.m. and shall:

- (1) Only sell and serve alcoholic beverages on its licensed premises.
- (2) Only sell alcoholic beverages for consumption in social district and off the premises of the permittee in a container that meets all of the following requirements:
 - a) The container clearly identifies the ABC permittee from which the alcoholic beverage was purchased.
 - b) The container clearly displays a logo or some other mark that is unique to the social district in which it will be consumed.
 - c) The container is not comprised of glass.
 - d) The container displays, in no less than 12-point font, the statement, "Drink Responsibly – Be 21."
 - e) The container shall not hold more than 16 fluid ounces.



Limitations on Open Containers—N.C.G.S. § 18B-300.1(f)

In accordance with N.C.G.S. § 18B-300.1(f), except as otherwise allowed by City Code, the possession and consumption of an open container of an alcoholic beverage in a social district designated by the City is subject to all of the following requirements:

- (1) A customer may only possess and consume open containers of alcoholic beverages that were purchased from a permittee located in the social district.
- (2) Customer-purchased open containers of alcoholic beverages in the social district shall only be in containers meeting the requirements set forth in N.C.G.S. § 18B-300.1(e), except for open containers sold by a permittee for consumption on the permittee's premises.
- (3) A customer may only possess and consume open containers of alcoholic beverages in the social district on Thursday through Saturday from 6:00 p.m. to 10:00 p.m.
- (4) A customer shall not possess at one time open containers of alcoholic beverages in the social district in excess of the number of alcoholic beverages that may be sold and delivered by a retail permittee as set forth in N.C.G.S. § 18B-1010. Pursuant to N.C.G.S. § 18B-1010, a social district permittee participant may sell and deliver open containers of alcoholic beverage drinks to a single patron with the following limitations:
 - a) Not more than two alcoholic beverage drinks at one time if the alcoholic beverage drinks are any of the following:
 1. A malt beverage.
 2. Unfortified wine.
 3. Fortified wine.
 - b) Not more than one alcoholic beverage at one time if an alcoholic beverage drink is a mixed beverage or contains spirituous liquor.
- (5) A customer shall dispose of any open container of an alcoholic beverage purchased from a social district permittee participant in the customer's possession prior to exiting the social district unless the customer is reentering the licensed premises of the permittee participant where the customer purchased the alcoholic beverage.
- (6) Notwithstanding N.C.G.S. § 18B-300 and N.C.G.S. § 18B-301, a social district permittee participant or non-permittee business participant may allow a



customer to possess and consume on the business’s premises alcoholic beverages purchased from any social district permittee participant in the social district.

Of additional note, Session Law 2022-49 also amended N.C.G.S. § 18B-301 (Possession and consumption of fortified wine and spirituous liquor.) by adding a new subsection (b1), which states: “(b1) Possession in a Social District or Common Area. – It shall be lawful, without an ABC permit, for a person to possess an open container of fortified wine or spirituous liquor in a social district or a designated consumption area under a common area entertainment permit in compliance with the provisions of G.S. 18B-300.1 or G.S. 18B-1001.5, respectively.”



N.C.G.S. § 18B-300.1



N.C.G.S. § 18B-300.1. Authorization and regulation of social districts.

(a) **Policy.** – The intent of this section is to regulate open containers of alcoholic beverages that customers of a permittee take from the permittee’s licensed premises into another area where consumption of the alcoholic beverages is allowed. This section shall not in any way limit the consumption or possession of alcoholic beverages otherwise allowed under this Chapter.

(b) **Definitions.** – The following definitions apply in this section:

- (1) **Customer.** – A person who purchases an alcoholic beverage from a permittee that is in a social district.
- (2) **Non-permittee business.** – A business that is located in a social district and does not hold any ABC permit.
- (3) **Permittee.** – An establishment holding any of the following permits issued by the Commission:
 - a. An on-premises malt beverage permit issued pursuant to G.S. 18B-1001(1).
 - b. An on-premises unfortified wine permit issued pursuant to G.S. 18B-1001(3).
 - c. An on-premises fortified wine permit issued pursuant to G.S. 18B-1001(5).
 - d. A mixed beverages permit issued pursuant to G.S. 18B-1001(10).
 - e. A wine shop permit issued pursuant to G.S. 18B-1001(16).
 - f. A distillery permit issued pursuant to G.S. 18B-1100(5).
- (4) **Social district.** – A defined area in which a person may consume alcoholic beverages sold by a permittee. A social district may include both indoor and outdoor areas of businesses within or contiguous to the defined area during the days and hours set by the local government by ordinance pursuant to subsection (d) of this section. A social district may include privately owned property, including permittees and non-permittee businesses, and multi-tenant establishments, as defined in G.S. 18B-1001.5, and public streets, crosswalks, or parking areas whether or not the streets or parking areas are closed to vehicle traffic.

(c) **Local Ordinances Authorized.** – Pursuant to G.S. 153A-145.9, a county may adopt an ordinance designating one or more social districts in the parts of the county outside any city. Pursuant to G.S. 160A-205.4, a city may adopt an ordinance designating one or more social districts.

(d) **Requirements for Designation.** – A social district designated under this section shall meet all of the following requirements:

- (1) The social district shall be clearly defined with signs posted in a conspicuous location indicating which area is included in the social district, the days and hours during which alcoholic beverages may be consumed in the social district, the telephone number for the ALE Division and the local law enforcement agency with jurisdiction over the area comprising the social district, and a clear statement that an alcoholic beverage purchased from a permittee for consumption in a



social district shall (i) only be consumed in the social district and (ii) be disposed of before the person in possession of the alcoholic beverage exits the social district. The hours set by a city or county during which customer-purchased alcoholic beverages may be consumed in a social district shall be in accordance with G.S. 18B-1004.

- (2) The city or county, or the city's or county's designee, shall establish or approve management and maintenance plans for the social district and post these plans, along with a rendering of the boundaries of the social district and days and hours during which alcoholic beverages may be consumed in the social district, on the website for the city or county. The city's or county's designee may include a private entity, including a property owner or property owner's association. Any plan established under this subdivision shall be approved by the governing body of the city or county. The social district shall be maintained in a manner that protects the health and safety of the general public. The city or county may establish guidelines in the ordinance establishing the social district or in its management and maintenance plan to allow for suspension of regular days and hours of alcohol consumption in all or part of a social district during events requiring other permits pursuant to subsection (j) of this section.
- (3) Before allowing consumption of alcoholic beverages in a social district, the city or county shall submit to the Commission a detailed map of the social district with the boundaries of the social district clearly marked, and the days and hours during which alcoholic beverages may be consumed in the social district. The city or county shall only be required to submit a revised map to the Commission if the city or county amends the geographic footprint of a social district. A permittee may be included in the social district even if it chooses to exclude open containers of alcoholic beverages purchased from other permittees in the social district.
- (4) The city or county, or the city's or county's designee, shall develop or approve uniform signs indicating that a non-permittee business is included in the social district and allows alcoholic beverages on its premises when the social district is active and distribute the signs to non-permittee businesses that are included in the social district. The city's or county's designee may include a private entity, including a property owner or property owner's association. The signs may be in the form of a sticker, placard, or other format as deemed appropriate by the city or county. A participating non-permittee business shall display the uniform sign at all times during the times when the social district is active. A customer may not bring an alcoholic beverage into a non-permittee business that does not display the uniform sign. No non-permittee business shall be required to participate or be included in a social district or to allow customers to bring alcohol onto its premises.



(e) Open Containers Sold by Permittees. – A permittee located in a social district may sell open containers of alcoholic beverages and allow customers to exit its licensed premises to the social district in accordance with the following requirements:

- (1) The permittee shall only sell and serve alcoholic beverages on its licensed premises.
- (2) The permittee shall only sell an open container of an alcoholic beverage for consumption in the social district and off the premises of the permittee in a container that meets all of the following requirements:
 - a. The container clearly identifies the permittee from which the alcoholic beverage was purchased.
 - b. The container clearly displays a logo or some other mark that is unique to the social district in which it will be consumed.
 - c. The container is not comprised of glass.
 - d. The container displays, in no less than 12-point font, the statement, “Drink Responsibly – Be 21.”
 - e. The container shall not hold more than 16 fluid ounces.
- (3) Nothing in this subsection shall be construed to authorize the sale and delivery of alcoholic beverage drinks in excess of the limitation set forth in G.S. 18B-1010.

(f) Limitations on Open Containers. – Except where otherwise allowed by local ordinance, the possession and consumption of an open container of an alcoholic beverage in a social district is subject to all of the following requirements:

- (1) A customer may only possess and consume open containers of alcoholic beverages that were purchased from a permittee located in the social district.
- (2) Customer-purchased open containers of alcoholic beverages in the social district shall only be in containers meeting the requirements set forth in subsection (e) of this section, except for open containers sold by a permittee for consumption on the permittee’s premises.
- (3) A customer may only possess and consume open containers of alcoholic beverages in the social district during the days and hours set by the city or county in accordance with subsection (b) of this section, not to exceed the hours for consumption authorized pursuant to G.S. 18B-1004.
- (4) A customer shall not possess at one time open containers of alcoholic beverages in the social district in excess of the number of alcoholic beverages that may be sold and delivered by a retail permittee as set forth in G.S. 18B-1010.
- (5) A customer shall dispose of any open container of an alcoholic beverage purchased from a permittee in the customer’s possession prior to exiting the social district unless the customer is reentering the licensed premises of the permittee where the customer purchased the alcoholic beverage.
- (6) Notwithstanding G.S. 18B-300 and G.S. 18B-301, a permittee or non-permittee business may allow a customer to possess and consume on the business’s premises alcoholic beverages purchased from a permittee in the social district.



(g) Limitations on Closed Containers. – A person, including a customer who is in possession of an open container of an alcoholic beverage authorized under this section, may possess alcoholic beverages in closed containers in a social district to the extent allowed by law.

(h) Responsibilities of Non-Permittee Businesses. – A non-permittee business that is part of a social district and that allows customers to bring alcoholic beverages onto its premises shall not be responsible for enforcement of this Chapter. All non-permittee businesses that are part of a social district and that allow customers to bring alcoholic beverages onto their premises shall clearly post signage on any exits that do not open to the social district indicating that alcoholic beverages may not be taken past that point. During the days and hours when the social district is active, a non-permittee business that allows customers to bring alcoholic beverages onto its premises shall allow law enforcement officers access to the areas of the premises accessible by customers.

(i) Multi-Tenant Establishments Located in a Social District. – Permittees and non-permittee businesses in a multi-tenant establishment located within a social district may participate in the social district regardless of whether the multi-tenant establishment has a common area entertainment permit.

(j) Interaction with Other Permits. – The Commission shall issue permits for special events occurring partially or entirely within the boundaries of a social district as follows:

- (1) The Commission may issue special one-time permits pursuant to G.S. 18B-1002(a)(2) or (a)(5) for events occurring on premises located partially or entirely within the boundaries of a social district. If the event is scheduled to occur during hours when alcoholic beverages may be consumed in the social district, the event permittee shall, in addition to obtaining such signed law enforcement notification as may be required under the Commission’s rules, include in such notification a statement that the event is to occur in a social district during days and hours designated for consumption of alcoholic beverages.
- (2) A permittee holding a winery special event permit, malt beverage special event permit, or spirituous liquor special event permit pursuant to G.S. 18B-1114.1, 18B-1114.5, and 18B-1114.7, respectively, may sell and serve products at special events taking place in a social district.
- (3) A permittee holding a mixed beverages catering permit pursuant to G.S. 18B-1001(12) may serve spirituous liquor to guests at events taking place in a social district.



Resolution Creating the Uptown Social District and the Dickinson Avenue Social District



RESOLUTION NO. 2022-

RESOLUTION OF THE GREENVILLE CITY COUNCIL TO AUTHORIZE AND DESIGNATE THE UPTOWN SOCIAL DISTRICT AND THE DICKINSON AVENUE SOCIAL DISTRICT

WHEREAS, Session Law 2022-49, Part XX, Section 3.(e) and Section 3.(f) authorizes a city to adopt an ordinance designating a social district for use in accordance with newly created N.C.G.S. § 18B-300.1; and

WHEREAS, N.C.G.S. § 18B-300.1 defines a social district as “a defined area in which a person may consume alcoholic beverages sold by a permittee [which] may include both indoor and outdoor areas of businesses within or contiguous to the defined area during the days and hours set by the local government by ordinance pursuant to [N.C.G.S. § 18B-300.1(d)]. A social district may include privately owned property, including permittees and non-permittee businesses, and multi-tenant establishments, as defined in [N.C.G.S. §] 18B-1001.5, and public streets, crosswalks, or parking areas whether or not the streets or parking areas are closed to vehicle traffic;” and

WHEREAS, in accordance with the law, once a city designates a social district, participating ABC permittees can sell alcoholic beverages in authorized containers to patrons to be possessed and consumed within the social district; and

WHEREAS, the Uptown Social District and the Dickinson Avenue Social District shall be created and managed by the City of Greenville; and

WHEREAS, the City Council finds that the designation of the Uptown Social District and the Dickinson Avenue Social District pursuant to Session Law 2022-49 is in the best interests of the citizens and businesses of the City of Greenville; and

WHEREAS, the City Council designates the social districts defined and shown in the Ordinance as the Uptown Social District and the Dickinson Avenue Social District; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina, that it does hereby adopt and approve the Ordinance attached hereto creating the Greenville Uptown Social District and the Dickinson Avenue Social District and the *Greenville Social Districts Management and Maintenance Plan*.

ADOPTED this the _____ day of _____, 2022.

P. J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk



Ordinance Creating the Uptown Social District and the Dickinson Avenue Social District



ORDINANCE NO. 22-_____

AN ORDINANCE TO REVISE PART II, TITLE 12, CHAPTER 1, SECTION 3 OF THE CODE OF ORDINANCES, CITY OF GREENVILLE TO CREATE THE UPTOWN SOCIAL DISTRICT AND THE DICKINSON AVENUE SOCIAL DISTRICT

WHEREAS, in accordance with Session Law 2022-49, Sections 3.(e) and 3.(f), which amends N.C.G.S. § 160A-205.4 and creates N.C.G.S. § 18B-300.1 and Session Law 2021-138, Part XIII. Section 13.(b), which amends N.C.G.S. § 160A-175 and N.C.G.S. § 14-4 regarding penalties for violations of ordinances; the City Council of the City of Greenville desires to revise and amend Part II, Title 12, Chapter 1, Section 3 of the Code of Ordinances, City of Greenville to comply with State law and allow for the creation and designation of designated social districts in accordance with N.C.G.S. § 18B-300.1;

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN:

SECTION 1. That Part II, Title 12, Chapter 1, Section 3 of the Code of Ordinances, City of Greenville, is hereby repealed and replaced as amended to now read as follows:

SEC. 12-1-2 ALCOHOLIC BEVERAGES; SOCIAL DISTRICTS.

(A) *Definitions.* For the purpose of this section, the following definitions, regardless of capitalization, shall apply unless the context clearly indicates or requires a different meaning. To the extent any of the definitions are contrary to the provisions of Chapter 18B of the North Carolina General Statutes, the definitions as found in Chapter 18B of the North Carolina General Statutes shall control.

ABC Commission. The North Carolina Alcoholic Beverage Control Commission established under G.S. section 18B-200.

ABC permit or permits. Any written or printed authorization issued by the Commission pursuant to the provisions of Chapter 18B of the North Carolina General Statutes, other than a purchase-transportation permit. Unless the context clearly requires otherwise, as in the provisions concerning applications for permits, “ABC permit” or “permit” means a presently valid permit.

Alcoholic beverage. Any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor, mixed beverages, and any alcohol consumable.

Alcohol consumable. Any manufactured and packaged ice cream, ice pop, gum-based, or gelatin-based food product containing at least one-half of one percent (0.5%) alcohol by volume.



Chief of Police. The Chief of Police of the Greenville Police Department or designee.

City. The City of Greenville.

Customer. A person who purchases an alcoholic beverage from a permittee that is in a social district.

Fortified wine. Any wine or alcohol consumable containing more than sixteen percent (16%) and no more than twenty-four percent (24%) alcohol by volume, made by fermentation from grapes, fruits, berries, rice, or honey; or by the addition of pure cane, beet, or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice, or honey that is contained in the base wine and produced in accordance with the regulations of the United States.

Malt beverage. Beer, lager, malt liquor, ale, porter, and any other brewed or fermented beverage or alcohol consumable except unfortified or fortified wine as defined by Chapter 18B of the North Carolina General Statutes, containing at least one-half of one percent (0.5%), and not more than fifteen percent (15%), alcohol by volume. Any malt beverage containing more than six percent (6%) alcohol by volume shall bear a label clearly indicating the alcohol content of the malt beverage.

Mixed beverage. Either of the following:

- (1) A drink composed in whole or in part of spirituous liquor and served in a quantity less than the quantity contained in a closed package.
- (2) A premixed cocktail served from a closed package containing only one serving.

Manual of Fees. The fee schedule approved and adopted by the Greenville City Council which is periodically updated and lists sales and services provided by the City of Greenville.

Non-permittee business. A business that is located in a social district and does not hold any ABC permit

Open container. A container whose seal has been broken or a container other than the manufacturer's unopened original container.

Permittee. An establishment holding any of the following permits issued by the ABC Commission:

- (1) An on-premises malt beverage permit issued pursuant to G.S. section 18B-1001(1).



- (2) An on-premises unfortified wine permit issued pursuant to G.S. section 18B-1001(3).
- (3) An on-premises fortified wine permit issued pursuant to G.S. section 18B-1001(5).
- (4) A mixed beverages permit issued pursuant to G.S. section 18B-1001(10).
- (5) A wine shop permit issued pursuant to section G.S. 18B-1001(16).
- (6) A distillery permit issued pursuant to section G.S. 18B-1100(5).

Person. An individual, firm, partnership, association, corporation, limited liability company, other organization or group, or other combination of persons acting as a unit.

Police Department. The Greenville Police Department.

Police Officers. Sworn law enforcement officers employed by the Greenville Police Department.

Premises. A fixed permanent establishment, including all areas inside or outside the licensed establishment, where the permittee has control through a lease, deed, or other legal process.

Social district. A defined area in which a person may consume alcoholic beverages sold by a permittee. A social district may include both indoor and outdoor areas of businesses within or contiguous to the defined area during the days and hours set by the local government by ordinance pursuant to G.S. section 18B-300.1(d). A social district may include privately owned property, including permittees and non-permittee businesses, and multi-tenant establishments, as defined in G.S. section 18B-1001.5, and public streets, crosswalks, or parking areas whether or not the streets or parking areas are closed to vehicle traffic.

Spirituos liquor or liquor. Distilled spirits or ethyl alcohol, and any alcohol consumable containing distilled spirits or ethyl alcohol, including spirits of wine, whiskey, rum, brandy, gin and all other distilled spirits and mixtures of cordials, liqueur, and premixed cocktails, in closed containers regardless of their dilution.

Unfortified wine. Any wine or alcohol consumable containing sixteen percent (16%) or less alcohol by volume made by fermentation from grapes, fruits, berries, rice, or honey; or by the addition of pure cane, beet, or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice, or honey that is contained in the base wine and produced in accordance with the regulations of the United States.



(B) *Possession of open container of unfortified wine or malt beverage prohibited.* Unless otherwise allowed by State law or this section, it shall be unlawful for any person to possess an open container of unfortified wine or malt beverage upon either of the following:

- (1) A public street in the City by a person who is not an occupant of a motor vehicle.
- (2) Any property owned, occupied, or controlled by the City, including, but not limited to a sidewalk, alley, building, parcel, lot, park, or parking lot.

(C) *Consumption of unfortified wine or malt beverage prohibited.* Unless otherwise allowed by State law or this section, it shall be unlawful for any person to consume unfortified wine or a malt beverage upon either of the following:

- (1) A public street in the City by a person who is not an occupant of a motor vehicle.
- (2) Any property owned, occupied, or controlled by the City, including, but not limited to a sidewalk, alley, building, parcel, lot, park, or parking lot.

(D) *Exceptions regarding alcoholic beverages.* Notwithstanding any other provision of this section and as otherwise allowed by State law, upon obtaining all ABC permits as required by law; obtaining all City permits as may be required; paying all fees as may be required by the *Manual of Fees*; entering into any lease with the City as may be required; obtaining the written approval of the City Manager and subject to any conditions identified by the City Manager in the written approval; and complying with the *Policy and Procedures for the Conditional Service, Sale, and Consumption of Alcoholic Beverages Upon City Facilities*, the sale, service, possession, and consumption of alcoholic beverages as provided by the ABC permit is allowed upon designated portions of:

- (1) A golf course owned, occupied, or controlled by the City;
- (2) A convention center owned, occupied, or controlled by the City;
- (3) The Walter L. Stasavich Science and Nature Center and River Park North;
- (4) The building owned by the City at the Perkins Complex;
- (5) The C.M. Eppes Recreation Center;
- (6) A building owned by the City and leased to a person for a continuous term of greater than two years;



- (7) The Town Common;
 - (8) Wildwood Park.
 - (9) Any other property owned, occupied, or controlled by the City, including but not limited to public streets, sidewalks, alleys, or parking lots which are temporarily closed to regular traffic for special events. Factors which the City Manager shall consider when permitting the sale, service, possession, or consumption of alcoholic beverages as may be allowed by State law and the ABC Commission at an event or series of events to be conducted at property owned, occupied, or controlled by the City or public streets, sidewalks, alleys or parking lots which are temporarily closed to regular traffic for special events include but are not limited to:
 - (a) That an applicable ABC permit for the event has been issued by the ABC Commission.
 - (b) The City's previous experience with the event organizer and/or the event.
 - (c) That the location and time for the event is appropriate.
 - (d) That the event organizer's plans regarding control of sale, crowd control, cleanup, and other public safety and welfare matters are adequate.
 - (10) Social Districts in accordance with this section.
- (E) Social Districts.
- (1) *Creation.* Pursuant to the provisions of North Carolina General Statutes sections 160A-205.4, 18B-300.1, and as otherwise allowed by State law one or more social districts may be created within the City.
 - (2) *Management.* City social districts shall be created, designated, and managed in accordance with the requirements contained in North Carolina General Statutes Section section 160A-205.4 and Chapter 18B and this section.
 - (3) *Designated social districts.* The City hereby creates and designates the following Social District(s):
 - (a) The Uptown Social District shall be designated as follows:



- (i) *General Boundary Area Description; Properties Excluded; Participating Non-Permittee Business Included.* The general northernmost boundary area of the Uptown Social District shall begin at the southwest corner of the intersection of West Fourth Street and Evans Street, thence shall run along the southern right-of-way of West and East Fourth Street in an easterly direction for 186+/- feet to the northeasternmost right-of-way abutting Parcel No. 23601 as listed at the Pitt County Register of Deeds and ending at the right-of-way abutting Parcel No. 15715 as listed at the Pitt County Register of Deeds. In no event shall Parcel No. 15715 as listed at the Pitt County Register of Deeds, nor portions of abutting streets or sidewalks running along Parcel No. 15715 be included in the Uptown Social District. The general easternmost boundary area of the Uptown Social District shall begin at the intersection of the right-of-way and the northwesternmost portion of Parcel No. 12630 as listed at the Pitt County Register of Deeds and thence shall run along the eastern right-of-way of Cotanche Street in a southerly direction for 672+/- feet; thence cornering and ending at the intersection of the eastern right-of-way of Cotanche Street and the northern right-of-way of Reade Circle. The general southernmost boundary area of the Uptown Social District shall begin at the northern right-of-way of Reade Circle at its intersection with Cotanche Street and proceed in a southwesterly direction for 510+/- feet; thence cornering at the intersection of the northern right-of-way of Reade Circle and the westernmost right-of-way of Evans Street. The general westernmost boundary area of the Uptown Social District shall begin at the northern right-of-way of Reade Circle and the westernmost right-of-way of Evans Street and run along the western right-of-way of Evans Street in a northerly direction for 1,080+/- feet and returning to the point of beginning of the general northernmost boundary area of the Uptown Social District. In no event shall Parcel No. 06645 as listed at the Pitt County Register of Deeds be included in the Uptown Social District. Participating non-permittee businesses within the Uptown Social District are also specifically included in the Uptown Social District as also defined on the most current rendering as identified in subsection (b).



- (ii) *Sidewalks and Crosswalks within the General Boundary Area Included.* All sidewalks and crosswalks within the general boundary area are specifically included in the Uptown Social District, unless specifically closed as allowed by City Code or other applicable law.
 - (iii) *When Streets Included.* Except for the herein described crosswalks, all streets abutting or contained within the Uptown Social District shall be excluded from the Uptown Social District, unless any said street or all said streets are specifically closed as allowed by City Code or other applicable law.
- (b) The Uptown Social District map is shown on the attached rendering, attached as Exhibit A. The most current version of said map is available at the City Clerk's office and on the City's website.
- (c) The Dickinson Avenue Social District which is designated as the area within the City as follows:
- (i) *General Boundary Area Description; Properties Excluded; Participating Non-Permittee Business Included.* The Dickinson Avenue Social District shall begin at southeast corner of the intersection of Reade Circle and Dickinson Avenue, thence shall run along the southern right-of-way of Reade Circle in an easterly direction for 190+/- feet; thence cornering and running along the easternmost property line of Parcel No. 87407 as listed at the Pitt County Register of Deeds in a southwesterly direction for 185+/- feet; thence cornering and running along the easternmost property line of Parcel No. 02701 as listed at the Pitt County Register of Deeds in a southeasterly direction for 85+/- feet; thence cornering and running along the southernmost property line of Parcel No. 02701 as listed at the Pitt County Register of Deeds in a southwesterly direction for 55+/- feet; thence crossing West Eighth Street in a southwesterly direction for 45+/- feet; thence running along the southernmost right-of-way of West Eighth Street in a southeasterly direction for 275+/- feet; thence cornering and running along the westernmost right-of-way of South Washington Street in a southerly direction for 300+/- feet; thence running along the northernmost right-of-way of West Ninth Street in a westerly direction for 1,080+/- feet; thence crossing



Dickinson Avenue in a northerly direction for 75+/- feet; thence cornering and running along the northernmost right-of-way of Dickinson Avenue in a northeasterly direction for 130+/- feet; thence cornering and running along the westernmost right-of-way of Clark Street in a northerly direction for 650+/- feet; thence cornering and running along the southern right-of-way of West Eighth Street and the northernmost property lines of Parcel Nos. 21141 and 12851 as listed at the Pitt County Register of Deeds in an easterly direction for 250+/- feet; thence cornering and running along the westernmost right-of-way of South Pitt Street in a southerly direction for 20+/- feet; thence cornering and running crossing South Pitt Street and the northern property line of Parcel No. 22790 as listed at the Pitt County Register of Deeds in an easterly direction for 125+/- feet; thence cornering and running along the easternmost property lines of Parcel Nos. 22790 and 05237 as listed at the Pitt County Register of Deeds and across Dickinson Avenue in a southeasterly direction for 160+/- feet; thence cornering and running along the southernmost right-of-way of Dickinson Avenue in a northeasterly direction for 305+/- feet returning to the point of beginning. In no event shall Parcel Nos. 20038 or 19449 as listed at the Pitt County Register of Deeds be included in the Dickinson Avenue Social District. Participating non-permittee businesses within the Dickinson Avenue Social District are also specifically included in the Dickinson Avenue Social District as also defined on the most current rendering as identified in subsection (d).

- (ii) *Sidewalks and Crosswalks within the General Boundary Area Included.* All sidewalks and crosswalks within the general boundary area are specifically included in the Dickinson Avenue Social District, unless specifically closed as allowed by City Code or other applicable law.
- (iii) *When Streets Included.* Except for the herein described crosswalks, all streets abutting or contained within the Dickinson Avenue Social District shall be excluded from the Dickinson Avenue Social District, unless any said street or all said streets are specifically closed as allowed by City Code or other applicable law.



(d) The Dickinson Avenue Social District is shown on the attached rendering, attached as Exhibit B. The most current version of said map is available at the City Clerk's office and on the City's website.

(4) *Social district days and hours.* Alcoholic beverages may be consumed by customers in accordance with the provisions of G.S. section 18B-300.1 and this section in the Uptown Social District and the Dickinson Avenue Social District Thursday through Saturday from 6:00 p.m. to 10:00 p.m.

(5) *Social district operation.* The operation of the Uptown Social District and the Dickinson Avenue Social District, including guidelines regarding the suspension of regular days and hours of alcohol consumption in all or part of a social district during events requiring other permits pursuant to G.S. section 18B-300.1(j) shall be established by and contained in the *Greenville Social Districts Management and Maintenance Plan*.

(6) *Suspension of the social district.* In addition to any other authority authorized by law, as may be required to protect the health and safety of the general public, the City Manager or designee may suspend operations of any or all social districts.

(F) *Penalties.* In addition to any other penalty as may be allowed by law, a violation of this section may subject the offender to any or all of the following penalties:

(1) *Criminal.* Any person violating any provision of this section shall be guilty of a Class 3 misdemeanor pursuant to G.S. 14-4 and G.S. 160A-175 and shall pay a criminal penalty of not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00).

(2) *Civil.*

(a) Any person violating any provision of this section shall be issued a civil citation or citations, as may be required, as follows:

1. *First violation.* A violation of this section shall subject the violator to a civil penalty of one hundred dollars (\$100.00).

2. *Second violation within 365 days of the first violation.* A second violation of this section by the violator within 365 days from herein defined first violation shall subject the violator to a civil penalty of two hundred fifty dollars (\$250.00).



3. *Third and subsequent violations within 365 days of the first violation.* A third violation and any subsequent violations of this section by the violator within 365 days from herein defined first violation shall subject the violator to a civil penalty of five hundred dollars (\$500.00) per violation.
 - (b) *Contents and service of civil citation.* A civil citation issued for a violation of any provision of this section shall clearly state when the civil penalty is due and the manner in which the violation may be appealed. Civil citations issued under this section shall be served personally or by first-class mail upon the violator by a police officer.
 - (c) *Appeals; payment of civil penalties.* Unless appealed in accordance with Part II, Title 1, Chapter 1, Section 20 of the City Code, all civil penalties assessed for violations of any provision of this section must be paid to and received by the revenue division of the City's Financial Services Department within five business days from the date of issuance.
 - (d) *Methods of recovery of unpaid civil penalties.* Unless appealed in accordance with Part II, Title 1, Chapter 1, Section 20 of the City Code, if full payment for an assessed civil penalty is not timely received by the revenue division of the City's Financial Services Department, the City may recover the unpaid civil penalty by any or all of the following methods:
 1. A civil action in the nature of a debt.
 2. The use of a collections agency.
 3. The use of the provisions of Chapter 105A (The Setoff Debt Collection Act) and G.S. 18C-134.
 4. Equitable remedies issued by a court of competent jurisdiction.
 5. Any other method authorized by law to secure, collect, satisfy, or otherwise recover any civil penalty owed.
- (3) *Continuing violations.* Each day's continuing violation of this section shall be a separate and distinct offense.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.



SECTION 3. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

SECTION 4. In accordance with Session Law 2021-138, Part XIII., Section 13.(b), this ordinance specifying a criminal penalty has been enacted at the meeting other than that in which it was first introduced.

SECTION 5. This ordinance will become effective 45 days from the below date of adoption.

This the ___ day of _____, 2022.

P. J. Connelly, Mayor

ATTEST:

Valerie Shiuwegar, City Clerk



Map of the Uptown Social District

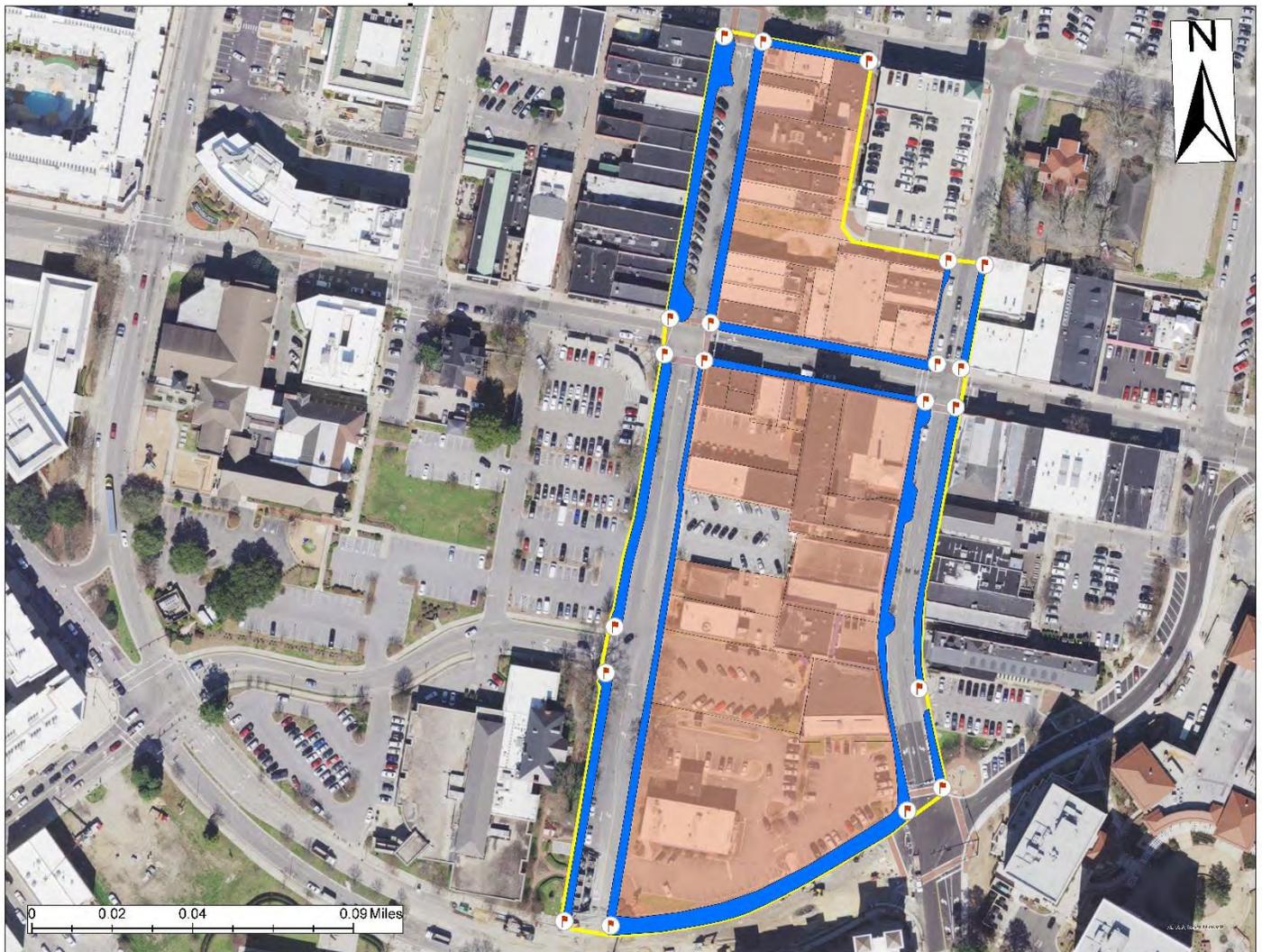


Uptown Social District

Exhibit A

Legend

- Eligible Social District Area
- Social District Signage
- Sidewalks
- Boundary





Map of the Dickinson Avenue Social District



Exhibit B

Dickinson Avenue Social District

Legend

- Eligible Social District Area
- Social District Signage
- Sidewalks
- Boundary





City of Greenville, North Carolina

Meeting Date: 08/15/2022

Title of Item: Budget Ordinance Amendment #1 to the 2022-2023 City of Greenville Budget (Ordinance #22-045), Special Revenue Grant Fund (Ordinance #11-003), Capital Projects Funds (Ordinance #17-024), Engineering Capital Projects Fund (Ordinance #20-019), and Red Light Camera Program Fund (Ordinance #18-058).

Explanation: Attached for consideration at the August 15, 2022 City Council meeting is an ordinance amending the 2022-2023 City of Greenville Budget (Ordinance #22-045), Special Revenue Grant Fund (Ordinance #11-003), Capital Projects Funds (Ordinance #17-024), Red Light Camera Program Fund (Ordinance #18-058), and the Occupancy Tax Fund (Ordinance #11-003).

For ease of reference, a footnote has been added to each line item of the Budget Ordinance Amendment, which corresponds to the explanation below:

<u>Item</u>	<u>Justification</u>	<u>Funds Amended</u>	<u>Net Adjustment</u>
A	To recognize funds received from the sale of property within the Engineering Capital Projects Fund as well as a transfer from the Stormwater Fund for the Employee Parking Lot project.	Stormwater Eng Capital Proj	\$300,540
B	To recognize prior fiscal year 2021-22 encumbrances and carryovers in the City's Operating Funds.	General VRF Transit Fleet Sanitation FIP Stormwater	2,804,376 5,491,924 89,073 212,026 126,503 1,191,874 1,136,179
C	To recognize Rural Transformation Grant funding received from the NC Department of Commerce	Special Rev	875,000
D	To recognize funding received from GUC for the Energy Assistance Program.	CD Capital Proj	150,000

E	To recognize funding received from the Governor's Crime Commission for the LPR Camera Watch Program.	Special Rev	24,500
F	To recognize Justice Assistance Grant (JAG) funding received from the US Department of Justice.	Special Rev	55,135
G	To recognize pass through grant funding from the NC Biotechnology Center for Project Lucky.	Special Rev	100,000
H	To establish a current year budget for the Red Light Camera Fund.	Red Light Camera	1,800,000
I	To transfer funds from the Public Works Capital Project Fund to the Engineering Capital Projects Fund to consolidate the Employee Parking Lot project.	PW Capital Proj Eng Capital Proj	- 140,000
J	To establish a current year budget for the Occupancy Tax Fund.	Occupancy Tax	375,000
K	To reallocate debt funding within the Recreation & Parks Capital Projects Fund based on final administrative costs for the Series 2021 Limited Obligation Bond Issuance.	R&P Capital Proj	-
L	To update the Housing Fund budget to reflect the current year appropriation allocated by the US Department of Housing & Urban Development.	Housing	<19,494>

Fiscal Note:

The Budget Ordinance Amendment affects the following funds:

<u>Fund</u>	<u>2021-22 Original Budget</u>	<u>Amendment #1</u>	<u>2021-22 Budget per Amendment #1</u>
General	\$95,165,572	\$2,804,376	\$97,969,948
Debt Service	6,322,622	-	6,322,622
Public Transportation (Transit)	3,485,714	89,073	3,574,787
Fleet Maintenance	5,203,116	212,026	5,415,142
Sanitation	8,387,480	126,503	8,513,983
Stormwater	8,535,490	1,243,680	9,779,170
Housing	1,931,466	<19,494>	1,911,972
Health Insurance	14,258,648	-	14,258,648
Vehicle Replacement	5,153,938	5,491,924	10,645,862
Facilities Improvement	1,200,000	1,191,874	2,391,874
Special Revenue Grants	12,429,379	1,179,635	13,609,014

Public Works Capital Projects	57,952,391	5,000	57,957,391
Recreation & Parks Capital Projects	14,785,556	-	14,785,556
Community Development Capital Projects	19,254,227	150,000	19,404,227
Red Light Camera Program	-	1,800,000	1,800,000
Engineering Capital Projects	27,723,213	440,540	28,163,753
Occupancy Tax	3,681,128	375,000	4,056,128

Recommendation: Approve Budget Ordinance Amendment #1 to the 2022-2023 City of Greenville Budget (Ordinance #22-045), Special Revenue Grant Fund (Ordinance #11-003), Capital Projects Funds (Ordinance #17-024), Engineering Capital Projects Fund (Ordinance #20-019), and Red Light Camera Program Fund (Ordinance #18-058).

ATTACHMENTS

 [Budget_Amendment_Final.xlsx](#)

ORDINANCE NO. 22-
CITY OF GREENVILLE, NORTH CAROLINA
Ordinance (#1) Amending the 2022-23 Budget (Ordinance #22-045),
Special Revenue Grant Fund (Ordinance #11-003), the Capital Projects Funds (Ordinance #17-024),
Engineering Capital Projects Fund (Ordinance #20-019), and Red Light Camera Program Fund (Ordinance #18-058)

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES ORDAIN:

Section I: Estimated Revenues and Appropriations. General Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

Budget Amendment #1				
	2022-23 Original Budget	B.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES				
Property Tax	\$ 38,030,400	\$ -	\$ -	\$ 38,030,400
Sales Tax	26,935,346	-	-	26,935,346
Video Prog. & Telecom. Service Tax	793,717	-	-	793,717
Rental Vehicle Gross Receipts	176,125	-	-	176,125
Utilities Franchise Tax	6,828,328	-	-	6,828,328
Motor Vehicle Tax	1,746,059	-	-	1,746,059
Other Unrestricted Intergov't	871,145	-	-	871,145
Powell Bill	2,123,924	-	-	2,123,924
Restricted Intergov't Revenues	465,601	-	-	465,601
Licenses, Permits and Fees	4,341,722	-	-	4,341,722
Rescue Service Transport	3,200,000	-	-	3,200,000
Parking Violation Penalties, Leases,	275,000	-	-	275,000
Other Sales & Services	378,697	-	-	378,697
Other Revenues	1,032,490	-	-	1,032,490
Interest on Investments	742,690	-	-	742,690
Transfers In GUC	7,074,328	-	-	7,074,328
Appropriated Fund Balance	150,000	2,804,376	2,804,376	2,954,376
Total Revenues	\$ 95,165,572	\$ 2,804,376	\$ 2,804,376	\$ 97,969,948
APPROPRIATIONS				
Mayor/City Council	\$ 503,926	\$ 20,024	\$ 20,024	\$ 523,950
City Manager	2,950,567	179,319	179,319	3,129,886
City Clerk	362,930	-	-	362,930
City Attorney	686,116	-	-	686,116
Human Resources	4,383,855	6,350	6,350	4,390,205
Information Technology	3,533,373	110,202	110,202	3,643,575
Engineering	5,021,147	120,062	120,062	5,141,209
Fire/Rescue	17,360,824	270,940	270,940	17,631,764
Financial Services	2,844,749	30,954	30,954	2,875,703
Recreation & Parks	7,905,239	196,350	196,350	8,101,589
Police	27,665,488	950,982	950,982	28,616,470
Public Works	5,547,691	733,078	733,078	6,280,769
Planning & Development	3,384,929	56,115	56,115	3,441,044
OPEB	700,000	-	-	700,000
Capital Improvements	474,018	-	-	474,018
Contingency	100,000	-	-	100,000
Indirect Cost Reimbursement	(1,950,887)	-	-	(1,950,887)
Total Appropriations	\$ 81,473,965	\$ 2,674,376	\$ 2,674,376	\$ 84,148,341
OTHER FINANCING SOURCES				
Transfers to Other Funds	\$ 13,691,607	\$ 130,000	\$ 130,000	\$ 13,821,607
Total Other Financing Sources	\$ 13,691,607	\$ 130,000	\$ 130,000	\$ 13,821,607
Total Approp & Other Fin Sources	\$ 95,165,572	\$ 2,804,376	\$ 2,804,376	\$ 97,969,948

Section II: Estimated Revenues and Appropriations. Vehicle Replacement Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Original Budget	B.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES				
Transfer from Sanitation Fund	\$ 1,460,400	\$ -	\$ -	\$ 1,460,400
Transfer from Other Funds	857,212	-	-	857,212
Transfer from General Fund	2,836,326	-	-	2,836,326
Appropriated Fund Balance	-	5,491,924	5,491,924	5,491,924
Total Revenues	\$ 5,153,938	\$ 5,491,924	\$ 5,491,924	\$ 10,645,862
APPROPRIATIONS				
Vehicle Replacement Fund	\$ 5,153,938	\$ 5,491,924	\$ 5,491,924	\$ 10,645,862
Total Appropriations	\$ 5,153,938	\$ 5,491,924	\$ 5,491,924	\$ 10,645,862

Section III: Estimated Revenues and Appropriations. Transit Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Original Budget	B.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES				
Grant Income	\$ 2,391,820	\$ -	\$ -	\$ 2,391,820
Bus Fare Ticket Sales	272,000	-	-	272,000
Other Revenues	50,000	-	-	50,000
Transfer from General Fund	771,894	-	-	771,894
Appropriated Fund Balance	-	89,073	89,073	89,073
Total Revenues	\$ 3,485,714	\$ 89,073	\$ 89,073	\$ 3,574,787
APPROPRIATIONS				
Public Transportation	\$ 3,485,714	\$ 89,073	\$ 89,073	\$ 3,574,787
Total Appropriations	\$ 3,485,714	\$ 89,073	\$ 89,073	\$ 3,574,787

Section IV: Estimated Revenues and Appropriations. Red Light Camera Program Fund, of Ordinance #18-058 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Original Budget	H.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES				
Red Light Citations	\$ -	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000
Total Revenues	\$ -	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000
APPROPRIATIONS				
Operating	\$ -	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000
Total Appropriations	\$ -	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000

Section V: Estimated Revenues and Appropriations. Fleet Maintenance Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Original Budget	B.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES				
Fuel Markup	\$ 1,604,780	\$ -	\$ -	\$ 1,604,780
Labor Fees	1,606,279	-	-	1,606,279
Parts Markup	1,284,335	-	-	1,284,335
Commercial Labor Markup	665,572	-	-	665,572
Other Revenues	42,150	-	-	42,150
Appropriated Fund Balance	-	212,026	212,026	212,026
Total Revenues	\$ 5,203,116	\$ -	\$ -	\$ 5,415,142
APPROPRIATIONS				
Fleet Maintenance	\$ 5,203,116	\$ 212,026	\$ 212,026	\$ 5,415,142
Total Appropriations	\$ 5,203,116	\$ 212,026	\$ 212,026	\$ 5,415,142

Section VI: Estimated Revenues and Appropriations. Community Development Capital Projects Fund, of Ordinance #17-024 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Revised Budget	D.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES				
Transfers In / CD Small Business	\$ 4,997,546	\$ -	\$ -	\$ 4,997,546
Transfers / Ctr City Rev Project	160,500	-	-	160,500
Transfers / Trans from Energy Eff	275,000	-	-	275,000
Transfers from General Fund	1,190,000	-	-	1,190,000
Rstrc Intgv / Spec ST Fed Grant	1,000,000	150,000	150,000	1,150,000
Rstrc Intgv / Grant Proceeds	7,500	-	-	7,500
Investment Earnings	399,640	-	-	399,640
Bond Proceeds	10,048,747	-	-	10,048,747
Comm Dev / Sale of Property	422,088	-	-	422,088
Rental Income	316,117	-	-	316,117
Other Revenues	437,089	-	-	437,089
Total Revenues	\$ 19,254,227	\$ 150,000	\$ 150,000	\$ 19,404,227
APPROPRIATIONS				
GUC Energy Improvement Program	\$ 100,000	\$ -	\$ -	\$ 100,000
West Greenville Revitalization Proj	6,270,918	-	-	6,270,918
Center City Revitalization Project	5,349,156	-	-	5,349,156
Energy Efficient Revolving Loan Prog	1,150,000	150,000	150,000	1,300,000
4th Street Parking Garage Project	5,194,153	-	-	5,194,153
Imperial Site Purchase	957,035	-	-	957,035
Zoning Ordinance Update	150,000	-	-	150,000
Transfer to R&P Capital Project	82,965	-	-	82,965
Total Appropriations	\$ 19,254,227	\$ 150,000	\$ 150,000	\$ 19,404,227

Section VII: Estimated Revenues and Appropriations. Housing Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Original Budget	L.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES				
CDBG Grant Income	\$ 1,037,668	\$ (62,313)	\$ (62,313)	\$ 975,355
HOME Grant Income	565,103	42,819	42,819	607,922
Transfer from General Fund	328,695	-	-	328,695
Total Revenues	\$ 1,931,466	\$ (19,494)	\$ (19,494)	\$ 1,911,972
APPROPRIATIONS				
Personnel	\$ 552,128	\$ -	\$ -	\$ 552,128
Operating	1,379,338	(19,494)	(19,494)	1,359,844
Total Appropriations	\$ 1,931,466	\$ (19,494)	\$ (19,494)	\$ 1,911,972

Section VIII: Estimated Revenues and Appropriations. Sanitation Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Original Budget	B.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES				
Refuse Fees	\$ 8,133,180	\$ -	\$ -	\$ 8,133,180
Cart and Dumpster	158,000	-	-	158,000
Other Revenues	96,300	-	-	96,300
Appropriated Fund Balance	-	126,503	126,503	126,503
Total Revenues	\$ 8,387,480	\$ -	\$ -	\$ 8,513,983
APPROPRIATIONS				
Sanitation Service	\$ 8,387,480	\$ 126,503	\$ 126,503	\$ 8,513,983
Total Appropriations	\$ 8,387,480	\$ 126,503	\$ 126,503	\$ 8,513,983

Section IX: Estimated Revenues and Appropriations. Facilities Improvement Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Original Budget	B.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES				
Transfer from General Fund	\$ 1,200,000	\$ -	\$ -	\$ 1,200,000
Appropriated Fund Balance	-	1,191,874	1,191,874	1,191,874
Total Revenues	\$ 1,200,000	\$ 1,191,874	\$ 1,191,874	\$ 2,391,874
APPROPRIATIONS				
Facilities Improvement Fund	\$ 1,200,000	\$ 1,191,874	\$ 1,191,874	\$ 2,391,874
Total Appropriations	\$ 1,200,000	\$ 1,191,874	\$ 1,191,874	\$ 2,391,874

Section X: Estimated Revenues and Appropriations. Recreation & Parks Capital Project Fund, of Ordinance #17-024 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Revised Budget	K.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES				
Restricted Intergovernmental	\$ 705,857	\$ -	\$ -	\$ 705,857
Transfer from General Fund	1,848,484	-	-	1,848,484
Transfer from Capital Reserve	128,822	-	-	128,822
Transfer from CD Cap Project Fund	82,965	-	-	82,965
Transfer from FIP	44,818	-	-	44,818
Transfer from FEMA-Hurricane	117,340	-	-	117,340
Transfer from Public Works Capital	30,000	-	-	30,000
Special Donations	639,500	-	-	639,500
Miscellaneous Revenue	567,148	-	-	567,148
Appropriated Fund Balance	572,874	-	-	572,874
Long Term Financing	10,047,748	-	-	10,047,748
Total Revenues	\$ 14,785,556	\$ -	\$ -	\$ 14,785,556
APPROPRIATIONS				
Water Sports Facility Project	\$ 794,675	\$ -	\$ -	\$ 794,675
Wildwood Park	7,776,013	38,506	38,506	7,814,519
Transfer to General Fund	9,000	-	-	9,000
Eppes Remodel	1,369,792	(10,641)	(10,641)	1,359,151
Parks Improvements	45,000	-	-	45,000
Pool Replacement	4,319,693	(27,865)	(27,865)	4,291,828
GAFC Bathrooms	125,000	-	-	125,000
Off-Leash Dog Park	175,000	-	-	175,000
Parks Comprehensive Master Plan	147,000	-	-	147,000
Transfer to Other Fund	24,383	-	-	24,383
Total Appropriations	\$ 14,785,556	\$ -	\$ -	\$ 14,785,556

Section XI: Estimated Revenues and Appropriations. Occupancy Tax Fund, of Ordinance #11-003 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Revised Budget	J.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES				
Occupancy Tax	\$ 651,538	\$ 375,000	\$ 375,000	\$ 1,026,538
Transfer from Public Works Capital Projects	1,866,866	-	-	1,866,866
Transfer from Debt Service	1,162,724	-	-	1,162,724
Total Revenues	\$ 3,681,128	\$ 375,000	\$ 375,000	\$ 4,056,128
APPROPRIATIONS				
Occupancy Tax Reserves	\$ 3,148,128	\$ -	\$ -	\$ 3,148,128
Service Charge/Collection Fee	8,000	50,000	50,000	58,000
Payments to CVB	425,000	325,000	325,000	750,000
Transfer to Facilities Improvement	100,000	-	-	100,000
Total Appropriations	\$ 3,681,128	\$ 375,000	\$ 375,000	\$ 4,056,128

Section XII: Estimated Revenues and Appropriations. Engineering Capital Projects Fund, of Ordinance #20-019 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Revised Budget	A.	I.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES					
Special Fed/State/Loc Grant	\$ 15,000,000	\$ -	\$ -	\$ -	\$ 15,000,000
Transfer from Capital Reserve	2,016,882	-	-	-	2,016,882
Transfer from Street Improvement Bond Fund	2,555,921	-	-	-	2,555,921
Transfer from Other Funds	614,253	107,500	140,000	247,500	861,753
Other In-kind Contributions	1,170,000	-	-	-	1,170,000
Transfer from General Fund	6,366,157	-	-	-	6,366,157
Sale of Property	-	193,040	-	193,040	193,040
Total Revenues	\$ 27,723,213	\$ 300,540	\$ 140,000	\$ 440,540	\$ 28,163,753
APPROPRIATIONS					
BUILD	\$ 24,000,000	\$ -	\$ -	\$ -	\$ 24,000,000
Pavement Management Program	2,800,000	-	-	-	2,800,000
Employee Parking Lot	923,213	300,540	140,000	440,540	1,363,753
Total Appropriations	\$ 27,723,213	\$ 300,540	\$ 140,000	\$ 440,540	\$ 28,163,753

Section XIII: Estimated Revenues and Appropriations. Stormwater Management Utility Fund, of Ordinance #22-045 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Original Budget	A.	B.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES					
Utility Fee	\$ 8,535,490	\$ -	\$ -	\$ -	\$ 8,535,490
Appropriated Fund Balance	-	107,500	1,136,179	1,243,679	1,243,679
Total Revenues	\$ 8,535,490	\$ 107,500	\$ 1,136,179	\$ 1,243,679	\$ 9,779,169
APPROPRIATIONS					
Stormwater Management	\$ 8,535,490	\$ 107,500	\$ 1,136,180	\$ 1,243,680	\$ 9,779,170
Total Appropriations	\$ 8,535,490	\$ 107,500	\$ 1,136,180	\$ 1,243,680	\$ 9,779,170

Section XIV: Estimated Revenues and Appropriations. Public Works Capital Project Fund, of Ordinance #17-024 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Revised Budget	B.	I.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES					
Occupancy Tax	\$ 422,610	\$ -	\$ -	\$ -	\$ 422,610
Transfers from Other Funds	21,757,736	5,000	-	5,000	21,762,736
Other Income	2,731,245	-	-	-	2,731,245
Spec Fed/State/Loc Grant	24,698,934	-	-	-	24,698,934
Bond Proceeds	6,200,000	-	-	-	6,200,000
Appropriated Fund Balance	2,141,866	-	-	-	2,141,866
Total Revenues	\$ 57,952,391	\$ 5,000	\$ -	\$ 5,000	\$ 57,957,391
APPROPRIATIONS					
Stantonsburg Rd./10th St Con Project	\$ 6,194,950	\$ -	\$ -	\$ -	\$ 6,194,950
Computerized Traffic Signal System	8,883,151	-	-	-	8,883,151
Sidewalk Development Project	931,287	-	(140,000)	(140,000)	791,287
GTAC Project	9,336,917	-	-	-	9,336,917
Energy Efficiency Project	777,600	-	-	-	777,600
King George Bridge Project	1,341,089	-	-	-	1,341,089
Energy Savings Equipment Project	2,591,373	-	-	-	2,591,373
Convention Center Expansion Project	4,718,000	-	-	-	4,718,000
Pedestrian Improvement Project	210,761	-	-	-	210,761
Street Lights & Cameras	2,001,225	-	-	-	2,001,225
F/R Station 3 Parking Lot	139,551	-	-	-	139,551
F/R Station 2 Bay Expansion	244,655	-	-	-	244,655
Parking Lot Enhancements	4,866	-	-	-	4,866
Street Improvements Project	14,282,805	-	-	-	14,282,805
Safe Routes to School	1,409,463	-	-	-	1,409,463
Imperial Demolition	238,464	-	-	-	238,464
Parking Deck Safety Improvements	175,000	5,000	-	5,000	180,000
Salt/Sand Storage Facility	185,000	-	-	-	185,000
Emerald Loop Lighting Upgrades	200,000	-	-	-	200,000
Transfer to Other Funds	1,866,866	-	140,000	140,000	2,006,866
Transfer to General Fund	636,801	-	-	-	636,801
Transfer to Street Improvement	1,002,567	-	-	-	1,002,567
Transfer to Recreation & Parks Capital	30,000	-	-	-	30,000
Transfer to Facilities Improvement	300,000	-	-	-	300,000
Transfer to IT Capital Projects Fund	250,000	-	-	-	250,000
Total Appropriations	\$ 57,952,391	\$ 5,000	\$ -	\$ 5,000	\$ 57,957,391

Section XV: Estimated Revenues and Appropriations. Special Revenue Grant Fund, of Ordinance #11-003 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2022-23 Revised Budget	B.	C.	E.	F.	G.	Total Amend #1	2022-23 Budget per Amend #1
ESTIMATED REVENUES								
Special Fed/State/Loc Grant	\$ 9,374,628	\$ -	\$ 875,000	\$ 24,500	\$ 55,135	\$ 100,000	\$ 1,054,635	\$ 10,429,263
CARES Act Funding	1,594,927	-	-	-	-	-	-	1,594,927
Transfer From General Fund	1,387,170	125,000	-	-	-	-	125,000	1,512,170
Transfer From Pre-1994 Entitlement	27,419	-	-	-	-	-	-	27,419
Transfer from Other Funds	45,235	-	-	-	-	-	-	45,235
Total Revenues	\$ 12,429,379	\$ 125,000	\$ 875,000	\$ 24,500	\$ 55,135	\$ 100,000	1,179,635	\$ 13,609,014
APPROPRIATIONS								
Personnel	\$ 2,264,108	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,264,108
Operating	5,802,674	125,000	-	-	-	-	125,000	5,927,674
Capital Outlay	2,006,385	-	-	-	-	-	-	2,006,385
Transfers	27,419	-	-	-	-	-	-	27,419
COVID-19	1,560,518	-	-	-	-	-	-	1,560,518
Rural Housing Recovery Grant	350,000	-	-	-	-	-	-	350,000
Environmental Enhancement Grant	88,275	-	-	-	-	-	-	88,275
STAR Grant	330,000	-	-	-	-	-	-	330,000
Rural Transportation Grant	-	-	875,000	-	-	-	875,000	875,000
Governor's Crime Commission Grant 22	-	-	-	24,500	-	-	24,500	24,500
Justice Assistance Grant 2022	-	-	-	-	55,135	-	55,135	55,135
Project Lucky - Partnership Development Grant	-	-	-	-	-	100,000	100,000	100,000
Total Appropriations	\$ 12,429,379	\$ 125,000	\$ 875,000	\$ 24,500	\$ 55,135	\$ 100,000	1,179,635	\$ 13,609,014

Section XVI: All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed:

Adopted this 15th day of August, 2022

P. J. Connelly, Mayor

ATTEST:

Valerie P. Shiuwegar, City Clerk