



Wake Forest Board of Commissioners
Meeting Agenda
December 21, 2021 at 6:00 PM
All items listed are for discussion and possible action.

Notice

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Town of Wake Forest will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. For individuals with impaired hearing, special equipment is available for use during meetings in the Town Hall board chambers. Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Town of Wake Forest should contact the office of ADA Coordinator [Mickey Rochelle](#) at 919-435-9455 or Town Clerk [Deeda Harris](#) at 919-435-9413 as soon as possible, but no later than 48 hours before the scheduled event.

Cable & Online Broadcast of Board of Commissioners Meetings

All Board of Commissioners meetings are broadcast live on [WFTV 10](#) beginning at 7 p.m. Meetings are also aired online on the [Public Meetings Portal](#) on the [Town of Wake Forest website](#). Archived meeting videos are also provided and available for one year after the original air date.

Meeting Agendas

The [Board of Commissioners](#) meeting agenda is available to be viewed and downloaded by noon on the Friday prior to the third Tuesday of each month. Citizens may request copies of the agenda or submit questions concerning agenda items by calling the Town Clerk's office at 919-435-9413. Citizens may also receive a copy of each month's agenda via email by enrolling in the free [E-Notifier](#) subscription service.

Public Hearings

When an agenda item is denoted as a [Public Hearing](#), persons attending shall be permitted to address the Board of Commissioners regarding the item under consideration with those speaking in favor first and those against speaking second. Proponents and opponents shall each be given five minutes of time to speak and may choose to allow one speaker to utilize the time. In the event either proponent(s) or opponent(s) have not designated a speaker to represent the view, each speaker will be allowed five minutes each to express his/her comments, ideas, concerns, expressions, and desires. No comments will be allowed on agenda items.

Public Comment

During the Public Comment period, anyone wishing to address the Board of Commissioners concerning an issue or topic that is not a public hearing item or an agenda item should complete and submit the Board of Commissioner Public Comment Form on the [Town website](#) or email Town Clerk [Deeda Harris](#) by 9 a.m. the day of the meeting. Then, during the Public Comment portion of the meeting, Mayor Jones will recognize you and invite you to the podium at which time you will have 3-5 minutes to speak. Thank you for your cooperation.

Call to Order

Pledge of Allegiance

1. Approval of Agenda

2. Approval of Minutes

- 2.A. Approval of Minutes:
-November 4, 2021, work session minutes
-November 16, 2021, regular meeting minutes
[2021Nov04WSMinutes-DRAFT.docx](#)
[BOC 2021Nov16Minutes-DRAFT.pdf](#)

3. Presentations

- 3.A. Presentation of Proclamation Recognizing School Choice Week
[Proclamation-SchoolChoiceWeek2022.docx](#)
- 3.B. Presentation of fiscal year ended June 30, 2021 Comprehensive Annual Finance Report
[Presentation of Annual Financial Report for June 30, 2021_summary.pdf](#)

4. Public Hearings / Public Comment

- 4.A. Public hearing on and consideration of a petition requesting contiguous annexation submitted by Hawthorne at Traditions Apartments, LLC for property located at 601 Gilcrest Farm Rd, being Wake County Tax PIN 1851-24-2248 and adjacent right-of-way totaling approximately 13.197.
[122121 BOC Agenda Summary \(AN-21-09\).pdf](#)
[Attachment A Legal Description AN-21-09.pdf](#)
[Attachment B Annexation Map AN-21-09.pdf](#)
[Attachment C Contiguous Annexation Petition AN-21-09.pdf](#)
[Hawthorne at Traditions Draft Ordinance \(AN-21-09\).docx](#)

5. Consent Agenda

(A Consent Agenda is a group of items passed with a single motion and vote. These matters are of a generally routine nature. No debate is allowable on any item included on the Consent Agenda. If a Commissioner or any citizen of Wake Forest or its ETJ wants separate consideration of any item, it may be removed from the Consent Agenda by request.)

- 5.A. Approval of Ordinance Update Amending Chapter 26, Solid Waste, of the Town of Wake Forest Code of Ordinances
[Chapter 26_Ordinance Update_December 2021 \(003\).docx](#)
- 5.B. Resolution Recognizing the Retirement of Christopher M. Bass
[Agenda Item Summary - Bass.docx](#)
[Resolution2021-141APPREC__Chistopher_M._Bass.doc](#)
- 5.C. Updates to the Town of Wake Forest Record Retention Policy.
[Summary_Consideration of updates to the Town of Wake Forest Record Retention Policy.docx](#)
[Attachment 1 2021 Records Retention Schedule.pdf](#)
[Attachment 2 Digital Records Procedure](#)
[Attachment 3 Resolution adopting the 2021 Municipal Retention and Disposition Schedule](#)
- 5.D. Updates to the Town of Wake Forest Board of Commissioners Rules of Procedure.
[Summary - Resolution to update Rules of Procedure 2021.docx](#)
[Attachment 1 Rules of Procedure 2021 Update.pdf](#)
- 5.E. Updates to the Code of Ethics

[Summary - Resolution to Approve and Adopt a Code of Ethics for Advisory Boards.docx](#)
[Attachment 1 Code of Ethics for Advisory Board Members 2021 Update.pdf](#)
- 5.F. Approval of Appointments to Citizen Advisory Boards.
[RESOLUTION2021-148_Adv_Board_Appts-HPC.docx](#)
[RESOLUTION2021-149_Adv_Board_Appts-HRC.docx](#)
[RESOLUTION2021-150_Adv_Board_Appts-PAC.docx](#)
[RESOLUTION2021-151_Adv_Board_Appts-PRCR.docx](#)
[RESOLUTION2021-152_Adv_Board_Appts-TAB.docx](#)
[RESOLUTION2021-153_Adv_Board_Appts-UFB.docx](#)

6. Legislative Items

- 6.A. Consideration of an Ordinance Encouraging Minority Business Participation in Projects Involving Reimbursement Agreements

7. Planning Items

- 7.A. Consideration of Action on LEGISLATIVE CASE RZ-19-10, Star Road PUD:
Request filed by Site Property Development, LLC to rezone from the existing Highway

Business (HB) to Planned Unit Development District (PUD) for 33.9± acres located at 0 Star Road being Wake County Tax PINs: 1739653709, 1739750868, and 1739558441 and adjacent right-of-way to centerline.

[122121 BOC Agenda Summary RZ-19-10.pdf](#)

[RZ-19-10 Staff Report - BOC Action.pdf](#)

[Attachment A – Neighborhood Meeting Information.pdf](#)

[Attachment B – Application.pdf](#)

[Attachment C – Maps.pdf](#)

[Attachment D- Plan Consistency Matrix.pdf](#)

[Attachment E - S-Line Rail Map.pdf](#)

[Attachment F - Traffic Impact Analysis Executive Summary, NCDOT Review Report, and Town of Wake Forest Approval Letter.pdf](#)

[Attachment G – Star Road PUD Concept Plan.pdf](#)

[Attachment H – Star Road PUD Intent and Compatibility Statement.pdf](#)

[Attachment I - Resolution for Denial RZ-19-10 Star Road PUD.docx](#)

[Attachment J - Star Road PUD Request for New Hearing.pdf](#)

[Exhibit 1 - Planning Board Written Recommendation.pdf](#)

[Exhibit 2 - Inconsistency Statement for Disapproval RZ-19-10 Star Road PUD.pdf](#)

7.B. Wellington Park Discussion

8. Administration and Financial Items

8.A. Wireless Research Center Digital Hub Update

[Draft Item Summary_Wireless Research Center Digital Workforce Hub Contract Modifications.docx](#)

[Community Development Agreement - Wireless Research Center\(2958611.6\)CleanCopy.pdf](#)

[Community Development Agreement - Wireless Research Center\(2958611.6\)Amendments.pdf](#)

[WF Digital Workforce Hub 1-Year Milestones and Deliverables 102621.pdf](#)

[Resolution2021-x_Wireless_Research_Center_Digital_Workforce_Hub\(3002976.2\).docx](#)

9. Public Services Items

10. Parks and Recreation Items

11. Public Safety Items

12. Other Business

- 12.A. Department Monthly Report
[November 2021 Monthly Report.pdf](#)
- 12.B. Wake County Tax Releases
[TaxReportForWakeForest.pdf](#)
- 12.C. Resolutions of Appreciation to the Outgoing Commissioners
[Resolution2021-154ResolutionOfAppreciation-Simpers.docx](#)
[Resolution2021-155ResolutionOfAppreciation- Wall-Lennon.docx](#)
- 12.D. Oaths of Office for Candidates-Elect
[OathOfOffice-MayorJones,2021.docx](#)
[OathOfOffice-CommissionerShackleford,2021.docx](#)
[OathOfOffice-CommissionerSliwinski,2021.docx](#)
- 12.E. Election of Mayor Pro Tem

13. Adjournment



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-381-

Submitted by: Sherry Scoggins

Submitting Department: Administration

Meeting Date: December 21, 2021

SUBJECT

Approval of Minutes:

-November 4, 2021, work session minutes

-November 16, 2021, regular meeting minutes

Recommendation:

Item Summary:

ATTACHMENTS

- [2021Nov04WSMinutes-DRAFT.docx](#)
- [BOC 2021Nov16Minutes-DRAFT.pdf](#)



Wake Forest Board of Commissioners Work Session Meeting Minutes

The Wake Forest Board of Commissioners met on Thursday, November 4, 2021, at 6:00 p.m. in the Board Room at Wake Forest Town Hall, 301 S Brooks Street.

Mayor Jones called the meeting to order at 6:00 p.m.

Board of Commissioner Members Present: Mayor Vivian A. Jones, Commissioner Jim Dyer, Commissioner Chad Sary, Commissioner Liz Simperts, Commissioner Bridget Wall-Lennon, Commissioner Adam Wright

Staff Present:

Town Manager Kip Padgett
Assistant Town Manager Candace Davis
Assistant Town Manager Allison Snyder
Interim Town Clerk Sherry Scoggins
Deputy Town Clerk Terry Savary
Chief Financial Officer Aileen Staples
Planning Director Courtney Tanner

Assistant Planning Director Jennifer Currin
Long Range Planning Manager Brad West
Executive Assistant Cathi Pope
Strategic Performance Manager Lisa Hayes

1. Presentations

1.1 Presentation on Legislative Case RZ-21-07 to Clarify and Reaffirm the Town of Wake Forest Zoning Maps

Planning Director Courtney Tanner provided on overview of Legislative Case RZ-21-07. This item is slated for public hearing at the Tuesday, November 16, 2021, Board of Commissioners meeting.

1.2 Affordable Housing Plan Housing Needs Assessment Presentation

Long Range Planning Manager Brad West introduced the HR&A Advisors who would present the Affordable Housing Plan Housing Needs Assessment Presentation.

Phillip Kash, Christiana Whitcomb, and Arjun Gupta Sarma of HR&A Advisors provided an overview of the Affordable Housing Plan Housing Needs Assessment. The presentation is attached and incorporated into the minutes.

The Board of Commissioners requested that more efforts be added in reaching the seniors and to mail the survey.

1.3 Presentation on American Rescue Plan Local Fiscal Recovery Funds

Strategic Performance Manager Lisa Hayes provided an overview of the American Rescue Plan Local Fiscal Recovery Funds. The presentation is attached and incorporated into the minutes.

Ms. Hayes added this will come back to the Board of Commissioners in the CIP process.

2. Discussion of Monthly Financial Report

Received.

3. Review of Draft Agenda for Upcoming Regular Meeting

3.1 Draft November 16, 2021, Board of Commissioners Agenda

Town Manager Kip Padgett stated the following amendments for the draft November 16, 2021, Board of Commissioners Agenda:

- Move Item 3B, Presentation of fiscal year ended June 30, 2021, Comprehensive Annual Finance Report to the December work session
- Addition of a special presentation for November 16

4. Other Business

4.1 Appointment of Candidates for the Board of Adjustment

Due to a technology glitch, there was a tie for Board of Adjustment candidates Jonathan Bivens and Nicholas Kentopp. The Board of Commissioners were requested to re-do the vote for a candidate for the Board of Adjustment.

Interim Town Clerk Scoggins stated the ballots reflected the selection of Jonathan Bivens and requested approval of a waiver as this is more than two terms.

ACTION:

Mover: Commissioner Dyer moved to approve the waiver request.

Second: Commissioner Sary

Vote: Motion carried 5-0.

RESOLUTION 2021 - 131

**RESOLUTION TO WAIVER TERM LIMIT FOR ADVISORY BOARDS
OF THE TOWN OF WAKE FOREST, NORTH CAROLINA**

WHEREAS the town's ordinance has a two-term limit requirement for the citizen advisory boards,

WHEREAS, the Wake Forest Board of Commissioners desires to consider all the applicants who applied for the Board of Adjustment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the limit be waived for all returning members to be considered for re-appointment on the respective advisory boards.

ACTION:

Mover: Commissioner Wright moved to appoint Jonathan Bivens to the Board of Adjustment.

Second: Commissioner Sary

Vote: Motion carried 5-0.

RESOLUTION 2021 - 133

**ADVISORY BOARD/COMMISSION APPOINTMENTS
FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA**

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the following citizen advisory boards:

Board of Adjustment

*Bryan Lange
(January 2022 – December 2024)*

*Jonathan Bivens
(January 2022 – December 2024)*

4.2 Approval of Employment Agreement for Town Attorney

ACTION:

Mover: Commissioner Wall-Lennon moved to appoint Hassan Kingsberry as Town Attorney.

Seconder: Commissioner Dyer

Vote: Motion carried 5-0

RESOLUTION 2021-134

APPOINTMENT OF TOWN ATTORNEY

WHEREAS, the Board of Commissioners approved the position of Town Attorney in the FY 21-22 budget; and

WHEREAS, this position will be full time and serve as Chief Legal Adviser to the Board subject to North Carolina General Statutes and the Town Charter.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest that Hassan Kingsberry is appointed Town Attorney, subject to the attached employment agreement.

5. Commissioner Reports

Mayor Pro Tem Simperts and Commissioner Sary stated no report.

Commissioner Wright stated he provided a webinar last Thursday on adult daycare. As a result of the webinar, attained 18 subscribers to the Senior Center. He attended the Technology meeting last week with discussion on the STEM event next year.

Commissioner Dyer stated he is the liaison to the Historical Advisory Council, and he attended the two-day virtual conference hosted by the North Carolina Preservation Council. At the last meeting he mentioned John Mills who passed away last month, and he officiated his funeral. He stated November 11 is Veterans Day and there will be an event at the memorial and the public is invited to attend.

Commissioner Wall-Lennon stated the Urban Forestry Board met last Tuesday and discussed obtaining American Chestnut Trees for Joyner Park. She added Luke DeVores, Urban Forestry Coordinator, gave two talks on Fall Foliage Tours on Wednesday and he will host two more on Saturday.

Mayor Jones stated Officer First Class Rob Wilkinson was named the 2020 Crisis Intervention Team (CIT) Officer of the Year for the Town of Wake Forest Police Department. He was also selected as the 2020 Wake County CIT Co-Officer of the Year. She stated the Town hosted the S-Line Transit Oriented Development Planning Study Advisory Committee in the plaza and NCDOT and Rail Division are the leads for the study. She attended the CAMPO Retreat in which the focus was the strategic plan. TJCOG hosted a virtual summit on strategic planning. She attended the RTA Regional Alliance Meeting today and added this is its 20th year. She stated the focus of the meeting is the Triangle communities working together. She attended the ribbon cutting at Brookfields Indoor Golf and Lounge at The Factory. She attended the Infinite 30 Weight Loss and Wellness 5th anniversary celebration. This business was begun in Wake Forest and is now franchised in eight states. She attended the BW Wells Association meeting. BW Wells is near the Wake Forest Community and a state park site. The Northeast Make a Difference Day was a good event. The Wake County Commissioners appointed her to another term with the Go Triangle Board of Trustees. She attended the Garden Club event.

Town Manager Kip Padgett stated the Northeast Area Plan is available on the Town's website for review.

Town Manager Kip Padgett recognized Town Planning Director Courtney Tanner and wished her a happy birthday.

6. Adjournment

With no further business to discuss, Mayor Jones adjourned the meeting at 7:13 p.m.

Duly approved in open session this 21st day of December 2021.

(ATTEST)

Vivian A. Jones
Mayor

Deputy / Interim Town Clerk



Wake Forest Board of Commissioners Meeting Minutes

The Wake Forest Board of Commissioners met on **Tuesday, November 16, 2021** at **6:00 p.m.** in the Board Room at Wake Forest Town Hall, 301 S Brooks Street.

Mayor Jones called the meeting to order at **6:00 p.m.**

Mayor Jones led the Pledge of Allegiance.

Board of Commissioner Members Present: Mayor Vivian Jones, Commissioner Jim Dyer, Commissioner Chad Sary, Commissioner Liz Simperts, Commissioner Bridget Wall-Lennon, Commissioner Adam Wright

Staff Present:

Town Manager Kip Padgett
Town Attorney Eric Vernon
Assistant Town Manager Allison Snyder
Deputy Town Clerk Theresa Savary
Planning Director Courtney Tanner
Assistant Planning Director Jennifer Currin
Senior Planner – Historic Preservation Michelle Michael
Planner II-Long Range Dylan Bruchhaus
Strategic Performance Manager Lisa Hayes
Police Chief Jeff Leonard
Downtown Development Manager Jennifer Herbert
Human Resources Director Virginia Jones

Fire Chief Ron Early
Parks, Recreation & Cultural Resources Director Ruben Wall
Inspections Director JJ Carr
Public Facilities Manager Mickey Rochelle
Street Maintenance Manager Tim Bailey
Center Manager Renaissance Centre Debbie Dunn
Police Captain Julius Jefferson
Police Officer Mario Mayes
Economic Development Director Jason Cannon
Electric Department Supervisor-Wake Forest Power Chris Terrell

1. Approval of Agenda

ACTION:

Mover: Commissioner Wall-Lennon moved to approve the agenda.

Second: Commissioner Dyer.

Vote: Motion carried 5-0.

2. Approval of Minutes

2.A. Approval of Minutes for Meetings held:

- October 5, 2021 (Board of Commissioners Work Session)
- October 5, 2021 (Joint Public Hearing)
- October 13, 2021 (Joint meeting between the Town of Wake Forest and Rolesville)
- October 19, 2021 (Board of Commissioners Regular Meeting)

ACTION:

Mover: Commissioner Adam Wright moved to approve the minutes as presented.

Second: Commissioner Dyer.

Vote: Motion carried 5-0.

3. Presentations

3.A. Special Presentation

NC Insurance Commissioner Mike Causey announced that the Wake Forest Fire Department earned a Class 1 Public Protection Classification rating by the Insurance Services Office. Mr. Causey stated the Class I represents the highest possible fire protection service. Mr. Causey stated the Wake Forest Fire Department is one of eighteen communities in North Carolina that has earned a Class 1 designation.

Fire Chief Ron Early accepted the Class 1 designation on behalf of the Wake Forest Fire Department.

- 3.B. Proclamation recognizing November 26, 2021, as "Plaid Friday" and November 27, 2021, as "Small Business Saturday"

Mayor Jones read the proclamation into the record:

***Proclaiming Friday, November 26, 2021, as Plaid Friday
And Saturday, November 27, 2021, as Small Business Saturday***

WHEREAS, purchasing holiday gifts and shopping year-round with locally owned and independent businesses supports the economic health and resilience of the community; and

WHEREAS, shopping locally supports our neighbors, friends, and family members employed by local businesses; and

WHEREAS, when we support small business, jobs are created, and local communities preserve their unique culture; and

WHEREAS, just like the individual, the individual threads are weak on their own but are strong together, so is our community. Together supporting one another while celebrating our uniqueness we are interwoven and strong; and

WHEREAS, Plaid Friday is a fun and enjoyable alternative to the big box store "Black Friday" consumer frenzy where everyone is encouraged to wear plaid and shop local and independent; and

WHEREAS, Small Business Saturday is a nationwide campaign to cultivate business for small merchants on the Saturday after Thanksgiving; and

WHEREAS, Plaid Friday and Small Business Saturday celebrate and support small businesses and all they do for Wake Forest.

WHEREAS, we encourage citizens to consider shopping our small merchants on Plaid Friday and Small Business Saturday as a way to boost the local economy and strengthen our small business community.

WHEREAS, the Town of Wake Forest, North Carolina supports and joins in this national effort to help America's small businesses do what they do best – grow their business, create jobs, and ensure that our communities remain as vibrant tomorrow as they are today.

NOW THEREFORE, I, Vivian Jones, Mayor of the Town of Wake Forest, in the State of North Carolina, do hereby proclaim

November 26, 2021, as Plaid Friday and November 27, 2021, as Small Business Saturday and encourage our residents to recognize and support small businesses within our community by shopping these establishments on the Friday and Saturday following Thanksgiving.

Mayor Jones presented the proclamation to Downtown Development Manager Jennifer Herbert and Downtown Business Alliance Chair Marissa Shattuck.

Ms. Shattuck thanked the Mayor, Board of Commissioners, and the community for supporting small local businesses.

4. Public hearings / Public Comment

4.A. Consideration of and Public Hearing on Legislative Case RZ-21-07 to Clarify and Reaffirm the Town of Wake Forest Zoning and Overlay District Maps

Rick Ostergard of 8032 Hawkshead Rd., Wake Forest, NC asked if there's any property in the Town that has a questionable zoning on it that the affirmation of this zoning map is going to legalize. Mayor Jones replied, this is a reaffirmation and there's nothing being done tonight. He spoke about zoning changes and is unsure how the process works. Mr. Ostergard said there was a map that changed zoning within a month without any noticeable zoning action that the zoning was changed. Commissioner Sary stated it was a result of when the UDO was adopted.

Wanda Mukherjee of 1208 Chilmark Ave., Wake Forest, NC spoke on behalf of Riverstone HOA Governmental Affairs Committee and the concerned citizens for the Preservation of Wake Forest Open Space. She asked the board if this is correcting something that was not done properly in the past. She assumes it is not because of Commissioner Sary's response that it was a result of when the UDO got adopted. Ms. Mukherjee addressed community engagement involving the citizens of Wake Forest. She said in order for the public to understand they need to know the underpinning of

things such as “what prompted this?” and “why are we taking this action now?” “why are we doing this before the newly elected candidates are seated?” She expressed concern about some of the watershed designation areas for the neighborhoods on the northwest side of Capital Blvd. that are missing from the current zoning in the UDO. Ms. Mukherjee asked that the public hearing be continued until January when the newly elected candidates are seated.

Margaret Watkins of 407 Belmellen Ct., Wake Forest, NC remarked, if approving the map tonight there would be a bias on an upcoming quasi-judicial hearing. She said according to the board those decisions will have to be made on that hearing as an impartial decision maker.

Commissioner Wall-Lennon said there was conversation about the northeast having an overlay district and asked when they’d entertain the thought or consideration for the respective area of Town. Planning Director Tanner stated the next round would be to go back out to the community and reaffirm those guidelines with the community and then have an overlay if supported by the board.

Commissioner Sary asked if the area on the northwest side of Capital Blvd. is within the Falls Lake Watershed Management Area. Planning Director Tanner replied, not all, but most of it is. She said there’s both critical and non-critical which are identified by the state. Commissioner Sary asked if it’s currently an overlay district. Planning Director Tanner replied, correct and they have the overlay district that ties to additional standards identified in the UDO. Commissioner Sary responded that will continue and nothing will change with the action tonight. Planning Director Tanner replied, correct.

Commissioner Wall-Lennon asked if someone would address the issues brought before the board. Planning Director Tanner explained this is a legislative process they’re going through now and any quasi-judicial process, regardless of the case, has nothing to do with it. She said this is reaffirming the zoning map that is effective as the date of today.

ACTION:

Mover: Commissioner Sary moved to approve the request as presented with the Consistency Statement.

Seconder: Commissioner Dyer.

Vote: Motion carried 4-1.

Aye

Commissioner Chad Sary
Commissioner James Dyer
Commissioner Adam Wright
Commissioner Bridget Wall-Lennon

Nay

Commissioner Liz Simpers

- 4.B. Public hearing on and consideration of a petition requesting contiguous annexation submitted by WF-GCA Holding Village, LLC for property associated with Holding Village Subdivision located at 0 South Franklin Street, a small portion of lot 5 being approximately 0.08 acres and being Wake County PIN 1840-54-5435.

Mayor Jones opened the public hearing. No one came forward to speak on this item.
Mayor Jones closed the public hearing.

ACTION:

Mover: Commissioner Wright moved to approve the request as presented.

Seconder: Commissioner Dyer.

Vote: Motion carried 5-0.

- 4.C. Public Comment: If anyone would like to address the Board of Commissioners on an item other than a public hearing item during the time of public comment, please sign up with the Town Clerk prior to the meeting. Each speaker is asked to limit comments to 5 minutes. Please provide the clerk with copies of any handouts you have for the Board. Although the Board is interested in hearing your concerns, speakers should not expect Board action or deliberation on subject matter brought up during the Public Comment segment. Topics requiring further investigation will be referred to the appropriate Town Staff and may be scheduled for a future agenda. Thank you for your consideration of the Board of Commissioners, staff and other speakers.

George Mackie spoke to the board about the redevelopment of Wellington Mobile Home Park.

5. Consent Agenda

A Consent Agenda is a group of items passed with a single motion and vote. These matters are of a generally routine nature. No debate is allowable on any item included on the Consent Agenda. If a Commissioner or any citizen of Wake Forest or its ETJ wants separate consideration of any item, it may be removed from the Consent Agenda by request.

- 5.A. Approval of the 2022 Board of Commissioners Meeting Schedule
- 5.B. Approval of a resolution to schedule the public hearing and certify the sufficiency for a petition requesting contiguous annexation submitted by Hawthorne at Traditions Apartments, LLC for property located at 601 Gilcrest Farm Rd, being Wake County Tax PIN 1851-24-2248 and adjacent right-of-way
- 5.C. Approval of resolution amending check and purchase order signing procedures
- 5.D. Renaissance Area Noise Ordinance Waiver Extension
- 5.E. Approval of Advisory Board Ordinance Amendments
- 5.F. Resolution Authorizing the Town Manager to Execute, on Behalf of the Town of Wake Forest, the Professional Design and Engineering Services Contract for Dunn Creek Phase 4

ACTION:

Mover: Commissioner Dyer moved to approve the consent agenda items as presented.

Second: Commissioner Wall-Lennon.

Vote: Motion carried 5-0.

6. Legislative Items

- 6.A. Consideration of Waiver of the Code of Ordinances – Sec. 20-2. Public Consumption, Possession, etc., of Alcohol for Friday Night on White for the 2022 Series dates: April 8, May 13, June 10, July 15, August 12, and September 9

ACTION:

Mover: Commissioner Dyer moved to approve as presented.

Seconder: Commissioner Wright seconded.

Vote: Motion carried 5-0.

7. Planning Items

No Planning Items were presented.

8. Administration and Financial Items

No Administration and Financial Items were presented.

9. Public Services Items

No Public Service Items were presented.

10. Parks and Recreation Items

No Parks and Recreation Items were presented.

11. Public Safety Items

No Public Safety Items were presented.

12. Other Business

12.A. Department Monthly Report

Received.

12.B. Wake County Tax Releases

Received.

12.D. Commissioner Reports

Commissioner Simperts stated she was out of town for the weekend but heard amazing things about the Wake Forest Cares event.

Commissioner Sary had no update.

Commissioner Wright encouraged others to check out the charity fundraisers on the Town's website. He looks forward to next year's Wake Forest Cares event and hopes to see it expand.

Commissioner Dyer stated the Historic Advisory Council is putting up historical markers in the northeast community. He stated the Human Relations Council is meeting Wednesday night. He commented on the Wake Forest Cares event stating it was well done and everyone seemed to be having a great time. He thanked Commissioner Wall-Lennon and Commissioner Simperts for their service and dedication to the community. He said it's been a pleasure working with them and appreciates the work they've done.

Commissioner Wall-Lennon stated the Wake Forest Cares event was great and she enjoyed it. She said it's a good opportunity for those who want to contribute, which falls in place with the Police Department Turkey Drive as well as Shop with a Cop. She attended the presentation on the Northeast Community Plan Update. She attended the Northeast Community Coalition monthly meeting. She didn't think there was going to be an Urban Forestry meeting this month due to the Thanksgiving Holiday.

Mayor Jones stated the Fall Foliage Tours were a big success and thanked Luke Devores. She said the Spirits of Wake Forest tours are sold out and thanked Wake Forest Downtown. She mentioned that Carolina Country Magazine named Wake Forest the finest Main Street in North Carolina. She attended the Wake Forest Birthplace Annual Meeting. She stated she attended the following events:

- Veterans Day Celebration
- Guild of Artist Art Show at Renaissance Centre
- Tarzan at Heritage High School
- Wake Forest Birthplace Annual Meeting
- American Legion Breakfast

Mayor Jones wished everyone a Happy Thanksgiving.

Town Manager Kip Padgett had no updates.

Commissioner Wall-Lennon asked Mr. Padgett if the new microphones for the Board Chambers would be in tomorrow. Mr. Padgett replied yes, they should be in tomorrow.

13. Adjournment

Mayor Jones adjourned the meeting at 7:04 p.m.

Duly approved in open session this 21st day, of December 2021.

(ATTEST)

Vivian Jones
Mayor

Theresa Savary
Deputy Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-353-
Submitted by: Sherry Scoggins
Submitting Department: Administration
Meeting Date: December 21, 2021

SUBJECT

Presentation of Proclamation Recognizing School Choice Week

Recommendation:

Item Summary:

ATTACHMENTS

- [Proclamation-SchoolChoiceWeek2022.docx](#)

PROCLAIMING JANUARY 23-29, 2022, AS SCHOOL CHOICE WEEK

WHEREAS all children in Wake Forest should have access to the highest-quality education possible; and,

WHEREAS Wake Forest recognizes the important role that an effective education plays in preparing all students in Wake Forest to be successful adults; and,

WHEREAS quality education is critically important to the economic vitality of Wake Forest; and,

WHEREAS Wake Forest is home to a multitude of high quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and

WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and,

WHEREAS Wake Forest has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

NOW, THEREFORE, I, Vivian Jones do hereby recognize January 23 – 29, 2022 as Wake Forest School Choice Week, and I call this observance to the attention of all of our citizens.

Duly proclaimed this 21st day of December 2021.



Vivian A. Jones, Mayor



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-361-
Submitted by: Aileen Staples
Submitting Department: Finance
Meeting Date: December 21, 2021

SUBJECT

Presentation of fiscal year ended June 30, 2021 Comprehensive Annual Finance Report

Recommendation:

Item Summary:

ATTACHMENTS

- [Presentation of Annual Financial Report for June 30, 2021_summary.pdf](#)

Presentation of fiscal year ended June 30, 2021 Comprehensive Annual Financial Report

Cherry Bekaert LLP will present the audited financial report for the year ended June 30, 2021. There will be a power point presentation summarizing the financial performance of the Town for the fiscal year 2020-2021.



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-352-
Submitted by: Melanie Rausch
Submitting Department: Planning
Meeting Date: December 21, 2021

SUBJECT

Public hearing on and consideration of a petition requesting contiguous annexation submitted by Hawthorne at Traditions Apartments, LLC for property located at 601 Gilcrest Farm Rd, being Wake County Tax PIN 1851-24-2248 and adjacent right-of-way totaling approximately 13.197.

Recommendation:

Item Summary:

ATTACHMENTS

- [122121 BOC Agenda Summary \(AN-21-09\).pdf](#)
- [Attachment A Legal Description AN-21-09.pdf](#)
- [Attachment B Annexation Map AN-21-09.pdf](#)
- [Attachment C Contiguous Annexation Petition AN-21-09.pdf](#)
- [Hawthorne at Traditions Draft Ordinance \(AN-21-09\).docx](#)

Agenda Item: Public hearing on and consideration of a petition requesting contiguous annexation submitted by Hawthorne at Traditions Apartments, LLC for property located at 601 Gilcrest Farm Road, being Wake County Tax PIN 1851-24-2248 and adjacent right-of-way totaling approximately 13.197.

Summary: The property proposed for annexation is contiguous to the corporate limits of the Town of Wake Forest for Hawthorne at Traditions Apartments, LLC. The Board of Commissioners set the date of the public hearing, accepted the annexation petition, adopted the resolution to investigate the annexation petition and had the Town Clerk certify the annexation petition at the November 16th, 2021 meeting. This annexation petition is associated with Hawthorne at Traditions Apartments.

Attachments: Attachment A - Legal Description AN-21-09

Attachment B - Annexation Map AN-21-09

Attachment C – Contiguous Annexation Petition AN-21-09

Draft Ordinance

HAWTHORNE AT TRADITIONS APARTMENTS, LLC

PIN# 1851-24-2248

Deed Book: 18517, Page: 1738

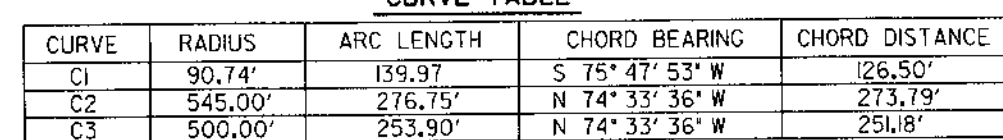
Book of Maps: 2020, Page: 856

LEGAL DESCRIPTION OF ANNEXATION

Lying and being in Wake Forest Township, Wake County, North Carolina and being more particularly described as follows:

BEGINNING at an existing iron pipe located in the northern 90 foot right-of-way line of Royal Mill Avenue (BM.2016 PG.711-715), said iron pipe marking the southwestern most corner of the property of Hawthorne at Traditions Apartments, LLC (PIN#1851-24-2248, DB.18517 PG.1738, BM.2020 PG.856) and being on the line common to The Orchards at Traditions Townhome Association, Inc. (PIN#1851-14-5191, DB.17395 PG.167, BM.2018 PG.30); thence leaving said Royal Mill Avenue right-of-way and along common line with The Orchards at Traditions Townhome Association, Inc. the following (3) three courses and distances: (1) North 21° 31' 53" East, 37.32 feet to an existing iron pipe; (2) North 13° 25' 01" West, 241.33 feet to an existing iron pipe; (3) North 17° 58' 44" East, 262.75 feet to an existing iron pipe in the center of a creek and being on the line common to The Town of Wake Forest (PIN#1851-14-8740, DB.10692 PG.1977, BM.1995 PG.1607); thence along common line with The Town of Wake Forest and center of creek (BM.2016 PG.1159) the following (5) five courses and distances: (1) North 00° 59' 54" East, 22.89 feet to a point; (2) North 26° 54' 36" East, 71.39 feet to a point; (3) North 21° 05' 11" East, 78.76 feet to a point; (4) North 49° 29' 42" East, 18.67 feet to a point; (5) North 16° 22' 48" East, 65.26 feet to a point on a line common to Universal Health Care Inc. (PIN#1851-24-5850, DB.18496 PG.630, BM.2020 PG.856); thence leaving said creek and along common line with Universal Health Care Inc. South 60° 00' 45" East, 979.18 feet to an existing iron pipe in the western 70 foot right-of-way line of Gilcrest Farm Road (SR 1943)(BM.2016 PG.711-715); thence leaving common line with Universal Health Care Inc. and along the western right-of-way line of Gilcrest Farm Road South 31° 36' 31" West, 452.78 feet to a new rebar set; thence leaving the western right-of-way line of Gilcrest Farm Road South 31° 36' 31" West, 133.23 feet to a point in the center of the 90 foot right-of-way of Royal Mill Avenue; thence along the center of the 90 foot right-of-way of Royal Mill Avenue the following (3) courses and distances: (1) North 60° 00' 45" West, 237.99 feet to a point; (2) a curve having a radius of 500.00 feet, an arc length of 253.90' feet, a chord bearing and distance of North 74° 33' 36" West, 251.18 feet to a point; (3) North 89° 06' 26" West, 225.89 feet to a point; thence leaving the center of the 90 foot right-of-way of Royal Mill Avenue North 00° 53' 34" East, 45.00 feet to the said Point of Beginning;

New Annexation being the lands of Hawthorne at Traditions Apartments, LLC (PIN#1851-24-2248, DB.18517 PG.1738, BM.2020 PG.856) and a portion of the northern half of right-of-way along Royal Mill Avenue containing 574,861 Square feet, 13.197 Acres more or less according to Map entitled "Annexation Map for the Town of Wake Forest, Project: Hawthorne at Traditions Apartments, LLC" by NV5 Engineers and Consultants, dated October 1, 2021.



PROFESSIONAL LAND SURVEYOR
REGISTRATION NO. L-5259

AREA TO BE ANNEXED
AREA: 574,861 Sq.Ft.
13.197 Acres

POB

1. THE BASIS OF BEARINGS FOR THIS SURVEY IS NAD 83 (2011 SPSS), USING A TRIMBLE R8 GNSS GPS UNIT AND THE REAL TIME NETWORK (RTN).
2. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN FEET UNLESS OTHERWISE SHOWN.
3. ALL AREA SHOWNS WERE COMPUTED BY COORDINATE GEOMETRY UNLESS OTHERWISE SHOWN.
4. PORTIONS OF SUBJECT PROPERTY IS IN A "SPECIAL FLOOD HAZARD ZONE (SFHA), ZONE A, AS DEFINED BY FEMA FIRM MAP #32085100K, EFFECTIVE DATE APRIL 16TH, 2013.
5. ZONING FOR THE ENTIRE SUBJECT PROPERTY RESIDES IN THE "RMX" (RESIDENTIAL MEDIUM-DENSITY) ZONING DISTRICT.
6. NO RECOVERABLE MONUMENT WAS FOUND WITHIN 2,000 FEET OF THE SUBJECT PROPERTY.
7. WAKE FOREST CORPORATE BOUNDARY LIMIT WAS TAKEN FROM THE "WAKE COUNTY" WEBSITE, 5/17/23.
8. THIS SURVEY MAP IS INTENDED TO REPRESENT AN ANNEXATION PLAT FOR PIN#861-24-2248, AND IS NOT A BOUNDARY SURVEY.
9. THE PROPERTY LINES SHOWN HEREON HAVE BEEN CONFIRMED FROM A BOUNDARY SURVEY DATED 10/24/2023 TO 10/26/2023. PROPERTY LINES SHOWN TAKEN FROM REFERENCES SHOWN HEREON.

PROJECT CONTROL: BRIDGE SPIKE
NAD83/2011 LOCALIZED COORDS
N: 813755.428
E: 2152486.519

N 40°35'21" W
98.03' (GROUND DIST.)
98.02' (GRID DIST.)
CF= 0.99994257
(TIE ONLY)

WAKE FOREST
CORPORATE
LIMIT BOUNDARY
(SEE NOTE #7)

- EXISTING PROPERTY LINE (SURVEYED)
- EXISTING ADJACENT PROPERTY LINE (NOT SURVEYED)
- EXISTING RIGHT OF WAY (NOT SURVEYED)
- EASEMENT LINE (NOT SURVEYED)
- ANNEXATION LINE
- CORPORATE LIMIT BOUNDARY
- STREAM LINE

NEWS

NV5 ENGINEERS & CONSULTANTS, INC.
3300 REGENCY PARKWAY, SUITE 100
CARY, NC 27518
P: 919.851.1912
www.NV5.com

PROJECT:
HAWTHORNE AT TRADITIONS
APARTMENTS

OWNER:
HAWTHORNE AT TRADITIONS
APARTMENTS, LLC.

ADDRESS:
601 GILCREST FARM RD.
WAKE FOREST, NC 27587-8255

PIN#:
1851-24-2248

ANNEXATION MAP
FOR THE TOWN OF WAKE FOREST
PROJECT: HAWTHORNE AT TRADITIONS APARTMENTS, LLC

WAKE COUNTY, WAKE FOREST TWP., NORTH CAROLINA

REVIEWS		REMARKS
NO	DATE	
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		

PROJECT NO: 2020213.00

A DRAWN BY: ESS
DWG. CHECKED BY: ESS
SCALE: SEE PLAN
DATE: OCTOBER 1, 202

SHEET 1 OF 1



TOWN of WAKE FOREST

Planning Department
Wake Forest Town Hall – 3rd Floor
301 S. Brooks Street
Wake Forest, NC 27587
t 919.435.9510
f 919.435.9539
www.wakeforestnc.gov

CONTIGUOUS ANNEXATION PETITION APPLICATION

(Last updated: July 2013)

Submittal Date: 9/23/2021

To the Board of Commissioners of the Town of Wake Forest:

I/we the undersigned owner(s) of real property respectfully request that the area described in the paragraph below and as shown in the attached survey map of the property be annexed into the Town of Wake Forest.

The area to be annexed is contiguous to the Town of Wake Forest corporate limits and the boundaries of such territory are as follows *(attach or insert below a metes & bounds description with a matching survey map)*:

BEING ALL of Lot P5-1, containing approximately 12.40 acres, as set forth on the plat recorded in Book
of Maps 2020, Page 856, Wake County Registry (attached).

Note: If ownership is a corporation or partnership, please provide such name and the name and signature of the person authorized to sign on behalf of the corporation or partnership. If in joint ownership, please provide names and signatures of ALL owners.

Hawthorne at Traditions Apartments, LLC 806 Green Valley Rd, #311,
Samantha Davenport - Registered Agent Greensboro, NC 27408

Samantha Davenport 9/23/2021

Name	Address	Signature	Date
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

For additional information or assistance, please call the Planning Department at (919) 435-9510.

ORDINANCE 2021-

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF WAKE FOREST, NORTH CAROLINA

(contiguous annexation petition submitted by Hawthorne at Traditions Apartments, LLC for property located at 601 Gilcrest Farm Road being Wake County Tax PIN 1851-24-2248 and adjacent right-of-way totaling approximately 13.197 acres.)

WHEREAS, the Board of Commissioners has adopted a resolution under N.C.G.S. 160A-31, as amended, stating its intent to annex the area described below; and

WHEREAS, the Board of Commissioners has by said resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at the Town of Wake Forest Town Hall at 6:00 p.m. on December 21st, 2021, after due notice by publication on December 10th, 2021; and

WHEREAS, the Board of Commissioners does hereby find as a fact that said petition meets the requirements of N.C.G.S. 160A-31, as amended;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Wake Forest, North Carolina:

Section 1. By virtue of the authority granted by N.C.G.S. 160A-31, as amended, the following described territory is hereby annexed and made part of the Town of Wake Forest as of the 21st day of December 2021.

(See Attachment A – Legal Description and Attachment B – Annexation Map, as recorded in Wake County BM_____ PG_____)

Section 2. Upon and after the 21st day of December, 2021, the territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Wake Forest and shall be entitled to the same privileges and benefits as other parts of the

Town of Wake Forest. Said territory shall be subject to municipal taxes according to N.C.G.S. 160A-58.10.

Section 3. The Mayor and the Town of Wake Forest shall cause to be recorded in the office of the Register of Deeds of Wake County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance.

This the 21st day of December, 2021.

Moved by: _____

Seconded: _____

Mayor: _____

APPROVED AS TO FORM:

Town Attorney

ATTEST:

Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-390-

Submitted by: Jeanette Johnson

Submitting Department: Public Works

Meeting Date: December 21, 2021

SUBJECT

Approval of Ordinance Update Amending Chapter 26, Solid Waste, of the Town of Wake Forest Code of Ordinances

Recommendation:

Item Summary:

ATTACHMENTS

- [Chapter 26_Ordinance Update_December 2021 \(003\).docx](#)

ORDINANCE 2021 - 53

ORDINANCE UPDATE AMENDING TOWN OF WAKE FOREST CODE OF ORDINANCES
CHAPTER 26 - SOLID WASTE

WHEREAS, the Board of Commissioners adopted the Code of Ordinances Chapter 26 in 1985 and adopted updates in 2005 and in 2020;

WHEREAS, the current ordinance is outdated and has been updated to better align with current practices and better outline procedure and regulations regarding solid waste in addition to embracing a more sustainable collections program.

WHEREAS, the Board of Commissioners have reviewed the updated Chapter 26 of the Code of Ordinances; and

NOW THEREFORE, BE IT ORDAINED by the Wake Forest Board of Commissioners that the updates to Chapter 26 of the Code of Ordinances are approved and adopted and the changes will be effective March 11, 2022.

Duly adopted this 21st day of December 2021.

Vivian A. Jones

Mayor

ATTEST:

APPROVED AS TO FORM:

Sherry L. Scoggins, MMC

Interim Town Clerk

Town Attorney

Chapter 26 - SOLID WASTE^[1]

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Footnotes:

--- (1) ---

Cross reference— Buildings and building regulations, ch. 8; littering in cemeteries, § 12-7; trash as a nuisance, § 14-33; human waste on streets, § 14-34; utilities, ch. 32.

State Law reference— Municipal authority to regulate disposal of garbage, G.S. 160A-192; authority to operate solid waste disposal system, G.S. 160A-311(6); municipal solid waste responsibilities, G.S. 130A-309.09A.

ARTICLE I. – Residential Trash, Recycling and Yard Trimmings

Sec. 26-1. Declaration of Policy

It is the policy of the Wake Forest Board of Commissioners to protect the health, safety, and welfare of the citizens and the environment by establishing minimum standards as codified in Articles I through VI of this Chapter for the storage, collection, transportation, processing, and disposal of Solid Waste and the recovery of Recyclable Materials and other resources from Solid Waste within Wake Forest. The Director of Public Works shall make, and may from time to time alter and amend, such regulations as are expressly required by rule, statute, intergovernmental mandate or the provisions of this chapter, and may make, and from time to time alter, amend or revoke such other regulations for the application, administration, interpretation and enforcement of this Chapter as are necessary or expedient to execute and make effective its provisions; provided, no such regulations shall be in conflict with the provisions of this Code or any other ordinance or statute. The Public Works Department is given authority to prevent items banned from landfills, as set forth in N.C. Gen. Stat 130A-309.10(f) from entering the waste stream through education, press release, public notice, and/or direct enforcement including the assessment of administrative fees and civil penalties.

Sec. 26-2.- Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ashes mean refuse resulting from the burning of wood, coal and other combustible material used for residential cooking and heating purposes.

Accumulation means the acquisition or gradual gather of solid waste, not confined in a container intended for disposal.

Biodegradable Paper Yard Waste Bag means a bag that is designated for the use of yard waste containment and is biodegradable so it can be composted with such yard waste materials of which it contains.

Brush means any woody waste, including tree branches, small tree stumps, and large shrubs, i.e., too large to fit in a 30-gallon paper yard waste bag, all with a branch or trunk diameter of six inches or less.

Brush Pile means an accumulation of cuttings or dead portions of trees, brush, or bushes placed in a pile or allowed to lie randomly on the ground, not exceeding the amount needed for kindling.

Building debris means refuse from the construction, demolition, remodeling and repair operations on houses, commercial buildings, and other structures, including, but not limited to, excavated earth, stones, brick, plaster, lumber, concrete, trees, shrubs and waste parts generated by installations and replacements.

Bulky waste means large items of solid waste such as household appliances, furniture, and other oversize wastes whose large size precludes or complicates their handling by normal solid waste collection, processing or disposal methods.

Commercial solid waste means solid wastes generated by stores, offices, restaurants, warehouses, and other nonmanufacturing activities, excluding residential and industrial waste.

Collection is the act of removing solid waste or designated recyclable materials and yard trimmings from the collection point to a central collection or storage point.

Collection Assistance Program (CAP) means collection of Trash Carts and Recycling Carts from a specified location not at the Collection Point. This service is for residents who are physically unable to transport their carts to the Collection Point and have no one residing in their household able to transport their carts to the Collection Point. The resident must renew CAP annually. Bulk collections are not eligible for CAP.

Collection Point means the town-designated location where service through the Residential Collection System is provided and means the unpaved area between the street pavement and front property line of each dwelling with fronts on the public street. If none exists, the location shall be as near the edge of pavement as possible so as not to obstruct or impede the travel of pedestrians or vehicles or parking of cars. In those cases where service is provided along alleys, the Collection Point shall be adjacent to the alley, outside of all private fences and place so as not to impede vehicular traffic.

Commercial Establishment means any nonresidential location not otherwise exempt under federal or state law, including, but not limited to: office buildings, shopping centers, places of worship, Nonprofit Organizations, hospitals, public or private schools or universities, government buildings or agencies, public authorities, or a Commercial Tenant of any of these properties. Commercial Establishment also means the nonresidential portion of mixed-use buildings — properties that serve as a Multi-Family Property and Commercial Establishment, such as ground floor retail with upper-story residential or office uses. Home-based businesses (home occupations) are excluded.

Construction and demolition waste means solid waste resulting solely from construction, remodeling, repair or demolition operations on buildings or other structures, but does not include inert debris, land clearing debris, yard debris, used asphalt, asphalt mixed with dirt, sand, gravel, rock, concrete, or similar nonhazardous material.

Contractor means an individual, corporation or partnership performing refuse collection and disposal under contract with the town.

Dead animal means an animal or portion thereof equal to or more than ten pounds in weight that has expired from any cause, except those animals slaughtered or killed for human consumption.

Disposal site means a refuse depository, including, but not limited to, a sanitary landfill, transfer station, waste collection center licensed, permitted or approved to receive refuse for processing or final disposal.

Dumpster means a large capacity container designated for pickup and dumping by front-loading packers.

Garbage means all putrescible solid waste, including animal offal and carcasses, and recognizable industrial byproducts, but excluding sewage and human wastes.

Front Building ~~Line~~ Line means a straight line running between the two (2) corners of a building side facing the street frontage or the two (2) extreme edges of the building profile visible from the street frontage and extending to the property line.

Hazardous Waste means any waste designated by the U.S. Environmental Protection Agency or appropriate state agency as "hazardous" as defined by federal and state laws.

Household Container means a metal or sturdy plastic container of substantial construction which is watertight, equipped with a tightly fitting lid and carrying handles enough for safe and convenient handling. *Town issued yard waste carts may fall under this title.* Such containers shall have a capacity of not less than twenty (20) gallons nor more than forty- eight (48) gallons and shall be properly labeled to identify the contents therein. *These containers should be reusable or capable of being used multiple times.*

Industrial Waste means waste from factories, processing plants and other manufacturing enterprises.

Institutional Solid Waste means solid wastes generated by educational, health care, correctional and other institutional facilities.

Leaf Collection Season means that period specifically designated and published by the Department of Public Works, for the collection of loose leaves.

Multi-Family Property means a building, or portion thereof, designed for occupancy by three (3) or more families living independently, or a townhouse/condominium association, cooperative, etc. (with the exception of any Multi-Family Property currently contracting with a private hauler).

Public Works Director means the director of public works of the town, or their agent or successor.

Recycling means the process by which solid waste or recovered materials are collected, separated or processed, and reused or returned to use in the form of raw materials or products.

Recyclable Material means materials that can be recovered from the waste stream and reprocessed to be reused as a material to make new products, such as cardboard, mixed paper, metal cans, aluminum, glass, plastic, and metal items, that are identified as Recyclable Materials pursuant to the list administered by the Department of Public Works and posted on the Town website. The Public Works Director or their designee will announce 90 days prior to the addition of new materials to the list. The Public Works Director or their designee will announce 90 days prior to the deletion of existing materials from the list.

Recycling Cart means a wheeled container with a watertight lid provided by the *County Town* specifically for the collection of Recyclables Materials at the Collection Point

Refuse means solid wastes, including garbage and ashes, collected from residences, commercial establishments and institutions.

Refuse container means a roll-out cart which is a wheeled solid waste receptacle with a normal capacity of approximately 90 gallons, but no more than 101 gallons. Roll-out carts shall be constructed of nonmetal material and designed to be emptied by hydraulic or actuator lift mechanisms.

Residential Collection System means the Solid Waste collection services provided by the Town or its contractor to the properties as set forth in Chapter 26.

Solid Waste means any hazardous or nonhazardous garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, domestic sewage and sludges generated by their treatment in sanitary sewage collection, treatment and disposal systems, and other material that is either discarded or is being accumulated, stored or treated prior to being discarded, or has served its original intended use and is generally discarded, including solid, liquid, semisolid or contained gaseous material resulting from industrial, institutional, commercial and agricultural operations, and from community activities.

Solid Waste Collector means any person who collects, transports or disposes of solid wastes for compensation, other than one who removes refuse or solid waste from his own premises.

Solid Waste Disposal site means a location at which solid wastes are disposed of by any approved method.

Source-Separate means the act of separating materials from the Waste Stream—such as Recyclables and Yard Trimmings—for reuse or Recycling instead of disposing the materials as Trash in a landfill.

Special Collection means any additional collection of various items including Unbundled Brush, Household Appliances or items too large to fit in the Town-provided cart as part of the Residential Collection System. Special Collections are requested by the property owner or tenant online or by calling the Department of Public Works.

Town issued yard waste cart is a small (48 gallon) collection cart that has been repurposed for the use of yard waste collection and is clearly marked with a 'YW' or 'Yard Waste'. It is exclusively utilized for the intention of yard waste collections. The circumstance of this cart being utilized can only occur when the residency has at least one 96-gallon blue lid recycling cart for the intended use of recycling.

Trash ("Garbage," "Refuse," "Rubbish") means the materials of the Waste Stream that are disposed of at a landfill instead of Source-Separated for reuse and Recycling, including bulky wastes. Construction and Demolition Debris, Household Hazardous Materials, industrial waste, wastewater sludge, infectious waste and other hazardous waste material are excluded.

Trash Cart means a wheeled container with a watertight lid provided by the Town for the collection of Trash at the Collection Point.

Unbundled Brush means trees, tree branches, shrubbery trimmings and similar plant material not exceeding six (6) feet in length and ten(10) inches in diameter.

Yard Trimmings means decomposable waste materials generated by general residential yard and lawn care and includes leaves, grass trimmings, brush, wood chips, and shrub and tree trimmings.

Yard Trimmings shall not include roots or stumps that exceed 12 inches in diameter nor do Yard Trimmings include any materials resulting from land clearing or development activities.

(Code 1985, § 10-1)

Cross reference— Definitions generally, § 1-2.

Sec. 26-3. - Administration; Enforcement & Penalties—

A. Administration.

(1) This chapter shall be administered by the Director of Public Works or their designee.

B. Enforcement.

(1) Criminal penalty. Any person violating this Ordinance shall be guilty of a misdemeanor punishable by a fine of not to exceed \$500.00 or imprisonment for not more than 30 days, or both. Each violation and each day's violation shall be treated as a separate offense.

(2) Civil penalty. Any person who is found in violation of this Ordinance shall be subject to a civil penalty of not to exceed \$500.00. After issuance of an initial warning, shall be subject to a civil penalty. Each violation and each day's violation shall be treated as a separate offense.

(3) Fees for removal of items that are improperly disposed of may be subject of a miscellaneous bill administered by the Town of Wake Forest.

(4) Any person who does not properly dispose of Solid Waste may be assessed the cost of such disposal.

(5) Other remedies. This Ordinance may be enforced by equitable remedies and any unlawful condition existing in violation of this Ordinance may be the subject of an injunction or order of abatement.

Sec. 26-4. Participation in the Town Residential Collection System

A. The owner or occupant of each single-family and duplex dwelling as defined in Chapter 17 of the Unified Development Ordinance is required to participate in the Town's Residential Collection System. The Town shall collect the Trash, Recyclable Materials, and Yard Trimmings from each dwelling participating in the Town Residential Collection System weekly. The owner or occupant of the dwelling shall pay the fees provided for in Sec 26-5 of this chapter. All participants in the Town Residential Collection System are eligible for one (1) Trash, one (1) Recycling, and one (1) Yard Waste Cart as part of the base Residential Collection System fee. Up to one (1) additional Trash Cart, and/or one (1) Recycling Cart, ~~or Yard Waste Carts~~ (for a total of two (2) may be requested at a charge as set forth in the chapter, for a maximum total of five (5) carts.

1. The Public Works Director or their designee is authorized to make exceptions based on safety or health considerations.

2. Home occupations as defined in Chapter 17 of the Wake Forest Unified Development Ordinance that generate the minimum amount of Solid Waste are eligible to receive Trash, Recycling and Yard Trimmings collection through the Residential Collection System. Home occupations are not eligible for special collections such as bulk and large limb collection.

B. If a Town collection truck enters a private street to collect Trash, Recyclable Materials, or Yard Trimming, the street must be constructed according to Town of Wake Forest Public Works Standards and Specifications and must be at least fourteen (14) feet wide excluding the space taken up by parked cars. Residents on private street that do not meet the Town standards shall bring their Trash, Recyclable Materials, and Yard Trimming to the nearest designated Collection Point accessible to Town collection trucks to be eligible to continue to participate in the Town Residential Collection System.

C. The owners or occupant of each townhome dwelling as defined in the Wake Forest Unified Development Ordinance Chapter 17 will be required to participate in the Residential Collection system, provided:

1. Each dwelling is individually metered for water;
2. There is adequate space so that the collection truck can turn around without backing onto or off of a street;
3. Parking is arranged so that Trash, Recyclable Materials, and Yard Trimmings need not be carried between parked cars;
4. If it is necessary for the collection truck to enter a private street, the street is constructed according to Town Standards and Specifications
5. The street is at least fourteen (14) feet wide excluding the space taken up by parked cars;
6. The Public Works Director or their designee is authorized to establish reasonable procedures that allow for exceptions based on safety or health considerations or a determination that the use of Trash and/or Recycling Carts are not feasible or useable or the townhouse of townhouse development.

D. Any townhome/condominium association, cooperative, etc. or other residential dwelling that is not required to participate in or is exempt from participating in the Wake Forest Residential Collection System shall be treated as Multi-Family property and is subject to Article IV of this Chapter.

Sec. 26-5. - Service fees

- A. The Town may charge fees for collection and disposal of refuse as set out in the list of fees and charges, as amended from time to time, by the Board of Commissioners.
- B. The Town finance director shall have responsibility for billing and collecting the fees due to the town under the provisions of this Chapter and shall have full authority to pursue all available civil remedies against those who fail to make payments required by this Chapter.
- C. Fees for services may be billed each month as a part of the regular utility billing process.
- D. Any property owner, ~~whom~~ who is assessed a fee, may file a notice of exception with the Tax administrator. The notice of exception should include documentation supporting the property owner's reason for the notice of exception.
- E. Residents requiring replacement of a Town-provided cart due to damage caused by the resident or their agent shall be charged a fee of sixty dollars (\$60.00) for the replacement cart.
- F. Effective July 1, 2021, there is a limit on bulk collections imposed at two collections each ~~fiscal~~ ~~calendar~~ year. Each additional request shall result in a fee of (\$50.00) for the disposal of each bulk collection.

(Code 1985, § 10-5)

Sec. 26-6. - Limitation of Service

All refuse not prepared and handled in accordance with the provisions of this chapter shall not be collected by the town or its agents.

(Code 1985, § 10-11)

Sec. 26-7. – Storage, Removal, and Maintenance

Every owner and occupant or other person in control of any building or land in the town, including vacant property, shall keep such building or land in a clean and orderly condition, and shall dispose of Refuse in accordance with the provisions of this chapter.

- A. Storage Generally. No owner, occupant, tenant or lessee of any property may deposit, store or permit to accumulate any Solid Wastes upon his property outside of the dwelling unit, that is not stored or disposed of in a manner that exemplifies good sanitation practices.
- B. Responsibilities of owners and occupants of dwellings required to participate in the Town Residential Collection System (Sec 26-4).
 - a. It shall be the responsibility of the owner, occupant, tenant or lessee of each dwelling required to participate in the Town Residential Collection System to adhere to the following practices:

i. Remove all Solid Wastes from his property before harborage of such waste creates a health hazard. Store materials in a manner that will resist harborage to rodents and vermin and will not create a fire hazard. Regulated refuse under this subsection includes but is not limited to lumber, boxes, barrels, bottles, cans, tires, paper, cardboard, rags, old furniture and other bulky waste, and white goods.

ii. Trash shall be placed at the Collection Point in Town-provided Trash Carts.

iii. Oversized bulky Trash items that are too large to be bagged or placed in a cart such as furniture, mattresses, or box springs may be placed at the Collection Point as long as the item is scheduled for Collection in advance as set forth in Sec. 26.8.

iv. Recyclable Materials shall be placed loose in Town-provided recycling carts, must be separated from Trash and Yard Trimmings and placed at the Collection Point.

v. Large brush and bulky materials collection shall be placed at the Collection Point only when arrangements for collection have been made with the Department of Public Works.

b. The Collection Point must be placed at ground level, within two feet of the curbside and at least three feet away from each other obstacles such as mailboxes, telephone poles, automobiles, bulky waste, trees, etc., or in a location specified by Public Works.

i. Collection Assistance Program- Exemptions to curbside requirements

1. Upon completion of an application for Collection Assistance Program by a resident, including a Physician's Statement and address for the dwelling at which they reside, the following person shall receive assistance for pickup of garbage and recycling only:

a. Residents who have a permanent disability and there is no able-bodied person residing with them who can move the containers to the curb; and

b. Residents who have a temporary disability and there is no able-bodied person residing with them who can move the containers to the curb.

Both the trash and recyclable materials must be serviced from the house ~~in order~~ for the resident to qualify for Collection Assistance Program. Residents who do not have a completed application on file are not eligible. Preparation must be in accordance of this chapter. Collection will not occur on porches, behind fences or gates, in garages, up steps, on decks, or maneuver over terrain that creates topographical problems that make collection unsafe. Keep animals secure or in the dwelling on the day of scheduled collection when Collection Assistance

Program (non-curbside) is provided. The Public Works Director or their designee shall confirm the eligibility of residents requesting service prior to providing service. Residents may be subject to an audit ~~in order~~ to verify eligibility. Service may be revoked if it is determined by the Public Works Director that the resident no longer qualifies. Yard Waste Collection is not included in the program. Enrollment will renew annually pending a successful audit.

c. All Trash, Recyclable Materials, and Yard Trimmings shall be placed at the Collection Point no sooner than 5:00 p.m. the day prior to, nor later than ~~6:00 a.m.~~ 7:00 a.m. of the day of scheduled collection. Any Trash, Recyclable Materials, or Yard Trimmings left uncollected due to late placement at the Collection Point, improper preparation or prohibited materials shall be removed from the Collection Point not later than twenty-four hours after the scheduled collection.

d. Town-provided carts are property of the Town. All carts and Household Containers shall be removed from the Collection Point and returned to their normal storage location within twenty-four (24) hours after the day of scheduled collection. Normal location shall mean a regular place of keeping not in front of the dwelling and/or behind the Front Building Line that faces any Town street, unless there is fencing or landscaping that screens or shields the containers from general view from the street.

e. Maintain carts and Household Containers in a serviceable and sanitary condition. If the Town determines a Household Container to be unserviceable (including, but not limited to, cracked, rusted, dented/damaged), the Town shall inform the owner or occupant by placing a notification tag on the Household Container. If the same Household Container is used in the future, it shall be collected for disposal with the regular Trash or Recyclable Materials. If a Town-provided cart is determined by the Town or owner or occupant to be unserviceable (included, but not limited to, not watertight, no lid, presence of a hole or crack in the body of lid larger than one (1) inch), the Town may repair or replace the cart.

f. Place loose leaves out for collection during the designated Leaf Collection Season in accordance with the Town's published vacuum collection schedule.

g. At occupant's expense, privately dispose of:

i. Building material such as brick, masonry block, rock, dirt, large quantities of drywall, or sand.

ii. Building materials not prepared in accordance with this Code and any building materials resulting from work performed by a person in the course of business

iii. Trees, tree branches, shrubbery or other plant material that exceed six (6) feet in length or ten (10) inches in diameter or that are the result of the clearing of multiple trees from a property

C. Failure to adhere to the storage, removal, and maintenance provisions:

a. The Town may, if the storage, removal and maintenance provisions of Sec. 26-7 are not adhered to, have such storage, removal, and maintenance provision violations corrected by the Town's agents or employees and the cost thereof shall be charged to and paid by the owner or occupant of such property in the same manner as the Solid Waste Fee charge is imposed.

b. In the event that Trash, Recyclable Materials, or Yard Trimmings placed at the Collection Point are not eligible for collection or are improperly prepared for collection and are not removed from the Collection Point in the manner and timeframe specified above, then the Town may cause such to be removed, and a removal fee of three hundred dollars (\$300.00) plus the cost of any applicable disposal charges shall be assessed and added to the next Solid Waste User Fee charge for the property. The Town will not undertake any such removal action until the Town had posted a notice of violation at the Collection Point or dwelling describing the violation(s) and corrective action(s) required, which shall include a period of forty-eight (48) hours to remedy the violation(s). The forty-eight (48) hour period may be waived by the Public Works Director or their designee for reasons of public health or safety or the environment.

D. (Code 1985, § 10-31; Ord. No. 2005-52, 10-18-2005)

Sec. 26-8. – Special Collections

~~E.~~ A. Bulk Collections

a. Collection service for Bulky Waste must be scheduled with the Town before collection can occur. Any person requesting collection service for Bulky Waste must obtain a date for collection from the Town.

b. Bulky Waste shall be placed at the curbside no earlier than the day before the collection day.

c. Bulky Waste must be placed at ground level, within six feet of the curbside and at least three feet away from each other or other obstacles such as mailboxes, telephone poles, automobiles, trees, etc., or in a location specified by the department head. A person should use reasonable care and caution when placing bulky waste and junk along the curbside and should avoid interfering with the access to or denying the use of a sidewalk by others.

d. No collection service for Bulky Waste will be provided for: Apartment complexes, businesses, or any other property that utilizes a dumpster, compactor or similar device for garbage collection purposes. In addition, it is not available for rocks, dirt, building materials, loose leaves, tree stumps, car parts, tires, chemicals or paints.

e. Fees for Service: Two free collections ~~each~~ per calendar year will occur for each account holder by address. Additional collections in a year will result in a \$50 charge.

f. Bulk waste collection does not apply for yard waste, move outs, or collections for evictions or large clean outs.

~~F~~ B. Large Brush Collection

a. Collection service for Large Brush must be scheduled with the Town before collection can occur. Any person requesting collection service for large brush must obtain a date for collection from the Town.

b. Brush shall be placed at the curbside no earlier than the day before the collection day.

c. Brush must be placed at ground level, within six feet of the curbside and at least three feet away from each other or other obstacles such as mailboxes, telephone poles, automobiles, trees, etc., or in a location specified by the department head. A person should use reasonable care and caution when placing brush along the curbside and should avoid interfering with the access to or denying the use of a sidewalk by others.

d. Tree limbs and brush too large for placement into plastic bags or containers shall not be more than ten (10) feet in length nor larger than six (6) inches in diameter. Tree limbs or tree trunks in excess of four inches in diameter shall be cut into sections not to exceed 75 pounds in weight.

Sec. 26-9. – Recyclable Materials

All Recyclable Material should be separated from other solid waste and made available for recycling. Recyclable Material should not be mixed with or disposed of with other solid waste. Recyclable Material should consist of items listed in Section 26.2 of this Chapter

Sec. 26-10 - Trash collection.

Preparation. Small items shall be bagged, bundled and placed in standard refuse containers.

(Code 1985, § 10-13)

Sec. 26-11. – Yard waste collection.

Back yard composting is considered a preferred means of waste reduction in the residential community. Residents are urged to separate compostable materials from their waste streams for composting.

A. *Quantity.* Subject to the availability of equipment and to the provisions of this section, the maximum quantity of yard waste which will be collected per week shall be a combination of biodegradable paper yard waste bags and no more than ten (10) household containers, not to exceed ~~twenty thirty (20) (30)~~ total. Brush items ~~Items~~ not contained in biodegradable paper

yard waste bags or household containers shall be scheduled in advance as outlined in Sec. 26-98.

B. Preparation.

(1) ~~Yard waste shall be placed in clear plastic bags~~ Yard waste shall be placed in biodegradable paper yard waste bags, town issued yard waste carts that are clearly marked with a 'YW' or 'Yard Waste', or reusable Household Containers.

(2) Leaf Collection will occur on a schedule set forth by the Public Works Director. Residents may place leaves, not ~~in containers contained~~, in piles at the back of the curb for collection. Leaves must be free of other yard waste, refuse and debris.

C. Special provisions.

(1) Yard waste shall be kept separate from and shall not be mixed with other refuse.

(2) No stumps or logs shall be collected or disposed of by the town.

(3) Burning of yard waste is regulated by Chapter 16 of this Code.

(Code 1985, § 10-14; Ord. No. 2005-52, 10-18-2005; Ord. No. 2015-34, 12-15-2015)

ARTICLE II. – Litter and Condition of Private Property

Sec. 26-12. - Refuse container on public places.

No refuse container shall be placed or left upon any sidewalk, street or public place in the Town by the owner, manager, agent or lessee of the property, except where specifically permitted by this Chapter.

(Code 1985, § 10-44)

Cross reference— Streets and sidewalks, ch. 28.

Sec. 26-13. - Littering.

It shall be unlawful for any person to throw, drop or deposit or cause to be thrown, dropped or deposited any waste on any street, public right-of-way, public place, catch basin, manhole or other public structure. This section also applies to depositing waste from a vehicle.

Sec. 26-14. - Dumping on private land.

It shall be unlawful for any person to throw, drop or deposit or cause to be thrown, dropped or deposited any waste on any vacant or occupied land in the town. This section does not apply to properly permitted landfills or permitted filling and grading operations.

Sec. 26-15. - Unlawful Littering.

(a) No vehicle shall be driven or moved on any street or road within the town's jurisdiction unless the vehicle is constructed and/or loaded to prevent any of its load from falling, blowing, dropping, sifting, leaking or otherwise escaping therefrom.

~~(e)~~ (b) Violation of this section shall be subject to punishment under Sec. 26-3 of this Code. The operator of any vehicle found to have an unsecured load pursuant to subsection (a), above, shall be presumed to have committed the offense.

(Ord. No. 2007-23, 4-17-2007)

(Code 1985, § 10-47)

Sec. 26-16. - Building Debris.

Building debris shall be collected, removed and disposed of by the builder or, in the event of failure by the builder to dispose of such building debris, the owner of the property shall dispose of such building debris in accordance with applicable provisions of this Code.

(Code 1985, § 10-48)

Cross reference— Buildings and building regulations, ch. 8.

Sec. 26-17. - Restricted collections.

In addition to any other provisions of this chapter restricting waste to be collected, transported or disposed of by the town, the town shall not collect, transport or dispose of the following:

- (1) Industrial wastes.
- (2) Hazardous wastes.
- (3) Vehicle tires.

(Code 1985, § 10-49)

Sec. 26-18. - Unlawful disposal.

It shall be unlawful for any person to deposit any and all refuse originating, transported or collected from locations outside of the corporate limits of the town in or near waste containers for the purpose of disposal, except when approved by the public works director.

(Code 1985, § 10-50)

(Code 1985, § 10-15; Ord. No. 2016-14, 7-19-2016)

Sec. 26-19. - Adequate containers.

Every person producing or having refuse shall provide and keep on the premises or property occupied or used by them sufficient refuse containers or dumpsters to handle all accumulation of refuse in the interval between collections on such premises or property.

(Code 1985, § 10-43)

(Code 1985, § 10-45)

(Code 1985, § 10-46)

(Code 1985, § 10-12; Ord. No. 2005-52, 10-18-2005)

(Code 1985, § 10-2)

Cross reference— Administration, ch. 2.

(Code 1985, § 10-3)

ARTICLE III. - COLLECTION AND DISPOSAL

(Code 1985, § 10-41)

Sec. 26-20. - Private collectors.

No individual, firm or organization shall engage in the business of collecting, transporting or disposing of any waste within the town limits without first obtaining a privilege license to do so from the town.

Licenses may be granted if the Public Works Director finds that the applicant for the license has the adequate equipment, plans and resources to ensure the sanitary collection and disposal of the waste.

(Code 1985, § 10-4)

(Code 1985, § 10-6)

Secs. 26-7—26-35. - Reserved.

Sec. 26-21. - Refuse & Recycling container condition.

Any refuse container that does not conform to the provisions of this chapter, or that has ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof, shall not be used for holding refuse intended for collection, but must be promptly replaced with a proper container.

(Code 1985, § 10-42)

Article IV. - COMMERCIAL AND CERTAIN MULTIFAMILY RESIDENTIAL SERVICE

Sec. 26-22. - Availability.

All multifamily residential (greater than four units total), office, institutional, educational, commercial and industrial uses shall have common collection facilities and collection must be contracted with a private hauler. The following are exceptions to this requirement:

a. Municipal Service Area

- i. Businesses in the Municipal Service Area may use Town-provided dumpsters for trash and recyclable materials in designated areas.
- ii. A sealed trash compactor may not be used to dispose of hazardous waste, fats, oils and grease from nonresidential establishments, bulk items, brush, lawn rakings, non-collectable items, or other refuse
- iii. Collection Schedule, frequency and locations will be determined by the Public Works Director in coordination with Downtown Development.
- iv. Items left outside of designated dumpsters will be subject to penalties as outlined in Sec. 26-4.
- v. Town-provided dumpsters located on private property will be subject to maintenance and service agreements.

(Code 1985, § 10-21)

Sec. 26-23. Requirements for Trash and Recyclable Materials to be Collected

A. All Commercial Establishments and Multi-Family Properties shall provide for the private collection, and disposal of all Trash and Recycling at least weekly, unless given written exemption by the Director of Public Works or their designee, and adhere to the following requirements:

- a. Provide enough Trash Containers for the storage of Trash. Trash Containers shall be appropriately sized and clearly distinguished from Recycling Containers used for Source-

Separated materials through the use of labels or other markings. Trash Containers located on the exterior of a property shall be covered or otherwise secured to prevent the contents from blowing, leaking, or spilling. All Trash Containers shall be emptied frequently enough to prevent their contents from overflowing.

b. Maintain all Trash Containers in a sanitary and serviceable condition, meaning containers must be leak proof and have properly functioning doors and lids.

c. Place exterior containers in enclosure as outlined in Chapter 8 of the Unified Development Ordinance.

Sec. 26-24. - Container maintenance.

Each user required to provide dumpsters shall:

- (1) Keep the dumpsters maintained in a good operating condition;
- (2) Keep the exterior of the dumpsters painted and free from rust and graffiti;
- (3) Ensure that the area around the dumpster is kept free from refuse and litter; and
- (4) Provide adequate access to the dumpster for collection equipment.

(Code 1985, § 10-22)

Sec. 26-25. - Shared container.

With the approval of the Public Works Director, dumpsters may be shared when users are in close proximity to each other, the volume of refuse generated allows sharing or availability of space for placement of a dumpster is restricted.

(Code 1985, § 10-23)

Sec. 26-26. - Restrictions.

No person shall engage in business as a solid waste collector except under a license issued by the county pursuant to this section.

Dumpsters shall be used only for the collection and disposal of refuse defined as Garbage or Trash. It shall be unlawful for anyone to place restricted materials in a dumpster. The following materials shall not be placed in a dumpster:

- (1) All refuse originating, transported or collected from locations outside of the corporate limits of the town.
- (2) Yard waste.
- (3) Dead animals.

(4) Bulky items.

(5) All waste not collected by the town, including, but not limited to, hazardous waste, industrial waste and building debris.

(Code 1985, § 10-24)

Secs. 26-95—26-125. - Reserved.

Sec. 26-27. – Recyclable Collection.

(a) *Frequency of service.* Subject to the limitations of this section as to the quantities of recyclable materials handled and the types of service, and subject to the availability of resources, recyclables material shall be collected weekly.

(b) *Preparation.* Recyclable materials shall be placed in a recyclable container free of food and liquid contamination. Nonrecyclable materials placed in the container shall not be collected.

Sec. 26-28. - Convenience centers.

The town may provide convenience centers for mass collection of recyclable materials. Types of materials collected shall be determined by the public works director based on market demand and statutory requirements. The Public Works Director shall determine location of centers. It will be unlawful to place contaminated or nonrecyclable materials into the containers. Materials should be free of food and liquid contamination prior to placement in the containers.

(Code 1985, § 10-32)

Sec. 26-29. - Commercial collection.

All office, institutional, educational, commercial and industrial uses shall have recyclable collection as mandated by state or local requirements. The town may provide such service when the Public Works Director determines that it is the most efficient and effective means for such collection, and shall determine the method of service.

(1) *Container.* Each user required to provide containers shall:

- a. Keep the container maintained in a good operating condition;
- b. Keep the exterior of the container painted and free from rust and graffiti;
- c. Ensure that the area around the container is kept free from refuse and litter; and
- d. Provide adequate access to the container for collection equipment.

(2) *Shared container.* With the approval of the Public Works Director, containers may be shared when users are in close proximity to each other, the volume of recyclables generated allows sharing or availability of space for placement of containers is restricted.

(3) *Restrictions.* Containers shall be designated for the collection and disposal of recyclable materials only. It shall be unlawful for anyone to place any other refuse or material in such containers.

(Code 1985, § 10-33)



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-393-

Submitted by: Virginia Jones

Submitting Department: Human Resources

Meeting Date: December 21, 2021

SUBJECT

Resolution Recognizing the Retirement of Christopher M. Bass

Recommendation:

Approve/Sign

Item Summary:

ATTACHMENTS

- [Agenda Item Summary - Bass.docx](#)
- [Resolution2021-141APPREC__Chistopher_M._Bass.doc](#)

Resolution Recognizing Christopher M. Bass on his Retirement – (25 yrs.)

Christopher M. Bass is retiring effective January 1, 2022. He started working for the Town on April 15, 1996. He has worked for the Town for over 25 years. He is retiring as a Finance Department/Purchasing Buyer.

RESOLUTION 2021-141

RESOLUTION OF APPRECIATION FOR THE SERVICES OF

Christopher M. Bass

WHEREAS, Christopher M. Bass was hired as a Public Utilities/Electric Meter Reader I effective April 15, 1996; and

WHEREAS, Christopher M. Bass transferred to the Finance Department effective September 1, 1998, as Inventory Clerk/Buyer; and

WHEREAS, Christopher M. Bass's title was changed from Inventory Clerk/Buyer to Senior Inventory Clerk effective July 1, 2003; and

WHEREAS, Christopher M. Bass's title was changed from Senior Inventory Clerk to Buyer effective July 1, 2009; and

WHEREAS, with over 25 years of service to the Town, Christopher M. Bass has served unselfishly in his capacity for the good of the Town of Wake Forest, making sacrifices in personal and family ties; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that Christopher M. Bass is hereby officially commended by this Board on behalf of the citizens of the Town of Wake Forest for valuable and outstanding service rendered to the Town in his official capacity as a Buyer with the Town of Wake Forest.

BE IT FURTHER RESOLVED that this resolution be made a part of the permanent records of the Town of Wake Forest and that a copy of this resolution be presented to Christopher M. Bass.

This the 21st day of December 2021.

ATTEST:

Vivian A. Jones,
Mayor

Theresa L. Savary,
Deputy Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-395-

Submitted by: Allison Snyder

Submitting Department: Administration

Meeting Date: December 21, 2021

SUBJECT

Updates to the Town of Wake Forest Record Retention Policy.

Recommendation:

Approval of updated 2021 Municipal Retention and Disposition Schedule.

Item Summary:

ATTACHMENTS

- [Summary_Consideration of updates to the Town of Wake Forest Record Retention Policy.docx](#)
- [Attachment 1 2021 Records Retention Schedule.pdf](#)
- [Attachment 2 Digital Records Procedure](#)
- [Attachment 3 Resolution adopting the 2021 Municipal Retention and Disposition Schedule](#)

Consideration of updates to the Town of Wake Forest Records Retention Policy

Wake Forest is subject to the requirements of the North Carolina Public Records Act. The Local Government Records Section was created to assist local government agencies in managing public records. On October 1, 2021, an updated Retention Schedule was issued by the State. These schedules are an agreement between the local government agency and the Department of Natural and Cultural Resources serving as the inventory and schedule. Following local approval, procedures and policies will be filed with the State.

The Town of Wake Forest last adopted a municipal retention schedule on August 18, 2009. The 2019 and 2021 updates allow municipalities to 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. As such, both the municipal retention schedule and a Town Manager approved digital records policy are attached.

Attachment 1: Rules of Procedure 2021 Update

Attachment 2: Digital Records Policy

Attachment 3: Resolution adopting the 2021 municipal retention and disposition schedule

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

¹Society 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>30</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 5years after superseded or obsolete. Agency Policy: Destroy in office after <u>6</u>	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.	

* 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	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).	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.	
1.05 	BLUEPRINTS AND SPECIFICATIONS @ Blueprints and specifications of agency owned buildings and facilities. Includes as-built plans and related records concerning approved changes.	a) Transfer as-built drawings to new owner when agency relinquishes ownership of building or facility. b) Retain in office as-built drawings for life of structure and then destroy. c) Destroy in office blueprints, floorplans, and other preliminary design and construction documents when superseded or obsolete.	Confidentiality: G.S. 132-1.7

* 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
1.06	BONDS Records documenting written guarantees from a third party, including bid bonds, payment bonds, performance bonds, and surety bonds. SEE ALSO: Bids for Purchase (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS), and Projects (below).	Destroy in office 5 years after expiration or cancellation. Agency Policy: Destroy in office after <u>6</u>	
1.07	BULLETINS Internal information sharing materials that circulate information within the agency. Also includes memoranda and newsletters.	Destroy in office when superseded or obsolete.	
1.08	BUSINESS CERTIFICATION RECORDS Applications and supporting documentation submitted by businesses to be certified as a Small Business Enterprise (SBE) or other classification.	a) Destroy in office all documentation 3 years after most recent recertification. b) If certification was never issued, destroy in office all documentation when reference value ends.± Agency Policy: Destroy in office after <u>4</u>	
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	CENSUS PROJECT RECORDS Records created to assist the U.S. Census Bureau with the decennial census.	Destroy in office when reference value ends.± Agency Policy: Destroy in office after _____	

* 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
1.12	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.

* 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
1.14	CONSTITUENT COMMENTS, COMPLAINTS, PETITIONS, AND SERVICE REQUESTS @ Records concerning objections, dissatisfaction, or disagreements with actions or positions taken or not taken by the agency. Includes comments and petitions submitted by 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. SEE ALSO: Civil Rights Records (STANDARD 6: LEGAL RECORDS).	a) Transfer records as applicable to Litigation Case Records (STANDARD 6: LEGAL RECORDS). b) Destroy in office comments, complaints, petitions, and requests 1 year after resolution.* c) Destroy in office accommodation requests 2 years after resolution.* Agency Policy: Destroy in office one year after State recommendation.	Authority: 42 USC 12132
1.15	CONSTITUENT SURVEYS Surveys and related records addressing agency services, policies, and other concerns.	Destroy in office when reference value ends.± Agency Policy: Destroy in office after _____	

* 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
1.16	CORRESPONDENCE AND MEMORANDA Administrative and management correspondence/memoranda (including e-mail) written or received by the office concerning agency authority, operating philosophy, purpose, methods, and any other function. For information on handling e-mail and text or instant messages, see ELECTRONIC RECORDS , page A-11. SEE ALSO: Public Bodies: Correspondence (below) and Legal Correspondence (STANDARD 6: LEGAL RECORDS).	a) Transfer correspondence (including e-mail) with historical value to History Records (below), after 3 years. b) Destroy routine administrative correspondence and memoranda after 1 year. c) Destroy in office remaining records after 3 years. <i>Retention Note: The correspondence (including e-mail) of the most senior administrator has historical value and should be retained permanently.</i> Agency Policy: Destroy in office one year after State recommendation.	
1.17	CUSTOMER CALL CENTER RECORDINGS Recordings of calls to customer service centers made for quality assurance and training purposes.	Destroy in office after 30 days.	
1.18	EQUIPMENT AND VEHICLE MAINTENANCE, REPAIR, AND INSPECTION RECORDS Records concerning the maintenance, repair, routine testing, and inspection of agency owned equipment and vehicles. Also includes warranties. SEE ALSO: Grants (below), and System Maintenance Records: Hardware Repair or Service (STANDARD 5: INFORMATION TECHNOLOGY RECORDS).	a) Destroy in office records documenting routine inspections, janitorial cleaning, and routine maintenance of equipment and vehicles after 1 year.* b) Destroy in office records documenting all other maintenance and repairs after 3 years.* c) Destroy in office warranties 1 year after expiration. d) Agency Policy: Destroy in office one year after State recommendation.	

* 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	EQUIPMENT AND VEHICLE REFERENCE RECORDS Includes operation, specification, and technical manuals. Also includes brochures, bulletins, and related documentation.	Destroy in office when superseded or obsolete.	
1.20	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.	a) Destroy in office after 3 years if records are used for allocating costs or determining payment under rental or lease agreements.* b) Destroy in office remaining records after 1 year.	
1.21	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. SEE ALSO: Contracts, Leases, and Agreements (STANDARD 6: LEGAL RECORDS), Property Management Records (below).	a) Destroy in office records documenting system repair and improvement (including plumbing, electrical, fire, and other systems) after 3 years. b) Destroy in office records documenting routine inspections, janitorial cleaning, environmental monitoring, and routine maintenance of facilities after 1 year. c) Destroy in office warranties 1 year after expiration.	
1.22	FORMS AND TEMPLATES Blank forms, templates, and letterhead used to create agency records.	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.

@ 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
1.23	GRANT PROPOSALS Proposals submitted for grants, including applications, correspondence (including e-mail), and other related records.	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 one year after State recommendation.	
1.24	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).	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>	Retention: 09 NCAC 03M .0703 2 CFR 200.333

* 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
1.25	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 one year after State recommendation..	
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.* Agency Policy: Destroy in office one year after State recommendation.	
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 one year after State recommendation.	

* 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
1.30	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 one year after State recommendation.	
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 one year after State recommendation.	Confidentiality: G.S. 132-1.12 G.S. 132-1.13

* 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
1.35	MEMBERSHIP RECORDS Records concerning associations, organizations, groups, etc., with which the agency is involved. Includes records concerning memberships or registrations on behalf of the agency or agency personnel.	Destroy in office when superseded or obsolete.	
1.36	MISCELLANEOUS (NON-BUILDING) APPLICATIONS, LICENSES, AND PERMITS Includes, but not limited to, applications and permits regarding free government-issued business permits, burning, special events, and landscape establishment.	a) Destroy in office 1 year after expiration of license/permit. b) Destroy in office applications for which a license/permit was never issued when reference value ends.± Agency Policy: Destroy in office one year after State recommendation.	
1.37	 OFFICE AND PROPERTY SECURITY RECORDS 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. SEE ALSO: Employee Security Records (STANDARD 8: RISK MANAGEMENT).	a) If the recording necessitates law enforcement action, transfer to the appropriate agency. 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). c) Destroy in office recordings not required to support known investigations or litigation after 30 days. d) Destroy in office remaining records after 1 year.	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.

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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
1.38	ORDINANCES Includes code of ordinances. See the SECURITY PRESERVATION COPIES OF RECORDS section on page A-15 for instructions on imaging.	a) Retain in office official copy permanently. b) Destroy in office ordinance development records when ordinance is no longer in effect. c) Destroy in office additional copies (including tabled or failed ordinances) when reference value ends.± Agency Policy: Destroy in office one year after State recommendation.	
1.39	PEST CONTROL Records concerning pest abatement or eradication programs overseen by the agency. SEE ALSO: Facility Maintenance, Repair, and Inspection Records (above).	Destroy in office after 3 years.*	
1.40	PHONE LOGS Records documenting calls placed and received in the course of conducting agency business. SEE ALSO: Accounts Payable (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS), Voice over Internet Protocol (VoIP) Records (STANDARD 5: INFORMATION TECHNOLOGY RECORDS).	Destroy in office after 1 year. Agency Policy: Destroy in office one year after State recommendation.	

* 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.

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.41	POLICIES AND PROCEDURES 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. 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).	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when superseded or obsolete.	
1.42	POLL LIST/REGISTRATION LIST/ROSTER/ AUTHORIZATION TO VOTE (ATV) @ 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.	Contact State Archives of North Carolina prior to destroying old poll books and voter registration books.	Authority: G.S. 163 Art. 15A G.S. 163-166.7 08 NCAC 10B .0103 52 USC Chap. 205
1.43	PRICE QUOTATIONS	Destroy in office when reference value ends.± Agency Policy: Destroy in office one year after State recommendation.	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.44	PROCLAMATIONS AND ORDERS Proclamations and orders issued by the governing board.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when reference value ends. [±] Agency Policy: Destroy in office one year after State recommendation.	
1.45	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).	a) Retain in office records with historical value permanently. b) Destroy in office remaining records 3 years after completion of project.	
1.46	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).	Destroy in office when superseded or obsolete.	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.47	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. SEE ALSO: Public Bodies: Minutes (below).	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>2 YEARS. STORE DIGITALLY 30 YEARS.</u>	
1.48	PUBLIC BODIES: APPLICATIONS FOR APPOINTMENT Applications and related records received from individuals applying for appointments to serve on public boards, commissions, councils, and committees.	a) Destroy in office records concerning appointed individuals 1 year after expiration of term. b) Destroy in office remaining records when reference value ends.± Agency Policy: Destroy in office <u>one year after expiration of term.</u>	
1.49	PUBLIC BODIES: APPOINTMENT REPORTS Includes annual appointment reports filed with the NC Department of the Secretary of State.	Destroy in office after 2 years.	Authority: G.S. 143-157.1
1.50	PUBLIC BODIES: AUDIO AND VIDEO RECORDINGS OF MEETINGS SEE ALSO: Public Bodies: Minutes (below).	Destroy in office after approval of official written minutes. <i>NOTE: If these serve as the official minutes, as allowed by G.S. 143-318.10(e), their retention should be permanent. These disposition instructions apply to recordings produced solely for the purpose of generating official written minutes.</i>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.51	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.	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.	
1.52	PUBLIC BODIES: MEETING NOTICES Includes notices and regular meeting schedules. SEE ALSO: Affidavits of Publication (STANDARD 6: LEGAL RECORDS), Publicity Records (STANDARD 7: PUBLIC RELATIONS RECORDS).	Destroy in office after 1 year.	
1.53	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. SEE ALSO: Oaths of Office (STANDARD 6: LEGAL RECORDS), Public Bodies: Applications for Appointment (above).	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.	

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

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.56	REBATE PROGRAM RECORDS Applications, receipts, and related records concerning rebate programs sponsored by the agency. These records document programs and incentivized actions that residents may opt into.	a) Destroy in office financial records 3 years after approval.* b) Destroy in office applications 1 year after approval. c) Destroy in office denied applications when reference value ends.± Agency Policy: Destroy in office one year after State recommendation.	
1.57	RECORDS MANAGEMENT Includes correspondence (including e-mail) with state and/or federal agencies with regards to records retention. Also includes records disposition documentation, file plans, and copies of records retention and disposition schedules.	a) Retain in office documentation concerning the final disposition of records permanently. b) Destroy in office remaining records when superseded or obsolete.	
1.58	REFERENCE (READING) FILE 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.	Destroy in office when reference value ends.± Agency Policy: Destroy in office one year after State recommendation.	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.59	REPORTS AND STUDIES @ 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. 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).	a) Retain in office permanently 1 copy of all annual and biennial reports written by the agency. b) Retain in office permanently reports and studies prepared by request of an agency's governing body or a court. c) Destroy in office after 3 years reports prepared monthly, bimonthly, or semi-annually. 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. e) Destroy in office when superseded or obsolete reports required to be submitted to the agency. f) Destroy in office remaining reports and studies when reference value ends.± Agency Policy: Destroy in office one year after State recommendation. <i>Retention Note: Reports and studies listed elsewhere in this schedule should be retained the specified period of time.</i>	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.60	REQUESTS FOR INFORMATION Requests received and responses issued by the agency. SEE ALSO: Public Records Requests (STANDARD 7: PUBLIC RELATIONS RECORDS).	Destroy in office after 1 year after resolution.	
1.61	REQUESTS FOR PROPOSALS (RFP) Proposals submitted by vendors in response to requests from agency. Also includes notices and evaluations produced by the agency. SEE ALSO: Bids for Purchase (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS), Price Quotations (above).	Destroy in office when reference value ends.± Agency Policy: Destroy in office one year after State recommendation.	
1.62	RESOLUTIONS File consists of resolutions indicating date, issues or policy involved, and appropriate signatures. See the SECURITY PRESERVATION COPIES OF RECORDS section on page A-15 for instructions on imaging.	a) Retain in office permanently one copy of final resolution. b) Retain in office permanently resolution development records with historical value. c) Destroy in office additional copies of resolutions (including those tabled or failed) along with all remaining development records when reference value ends.± Agency Policy: Destroy in office one year after State recommendation.	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.63	STAFF MEETINGS FILE 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.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records after 1 year.	
1.64	STRATEGIC PLAN @ 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.	a) Retain in office strategic plans permanently. b) Destroy in office background surveys, studies, and reports 5 years after adoption of plan. c) Destroy in office business plans 2 years after execution of plan. d) Destroy in office remaining records when superseded or obsolete.	
1.65	SURPLUS PROPERTY Inventories and reports of agency property to be surplussed.	Destroy in office 3 years after disposition of property.*	
1.66	TRACKING MATERIALS Records intended to verify the receipt of information, such as certified mail receipts.	Destroy in office when reference value ends.± Agency Policy: Destroy in office one year after State recommendation.	

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ITEM #	STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.67	TRAVEL REQUESTS Requests and authorizations for travel. Includes forms and itineraries. SEE ALSO: Price Quotations (above), Travel Reimbursements (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).	Destroy in office after 1 year.*	
1.68	VEHICLE REGISTRATION CARDS North Carolina registration cards for vehicles in the agency fleet. SEE ALSO: Vehicle Titles (STANDARD 6: LEGAL RECORDS).	Destroy in office when superseded.	
1.69	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.	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). b) Destroy in office remaining records 1 year after work is completed.*	

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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	ACCOUNTS PAYABLE Records concerning the status of accounts in which the agency owes money to firms or individuals. Includes invoices, reimbursements, receipts or bills of sale, check registers, and subsidiary registers. Also includes stop payment notices.	a) Destroy in office 5 years after payment documentation of reimbursement for business expenses to employees. b) Destroy in office all remaining records 3 years after payment.*	Retention: 04 NCAC 24D .0501(a)(3)(I)
2.02	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.	Destroy in office 3 years after collection.*	G.S. 105A

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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.*	

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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

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.12	BOND REGISTER Records of all bonds, notes, and coupons issued by the agency detailing the purpose of issuance, the date of issue, serial numbers (if any), denomination, maturity date, and total principal amount.	Retain in office permanently.	Authority: G.S. 159-130
2.13	BONDS, NOTES, AND COUPONS	Destroy in office 1 year from date of payment.	Authority: G.S. 159-139
2.14	BUDGET ADMINISTRATION RECORDS Records of budget administration. Includes research, correspondence (including e-mail), and other related records.	Destroy in office after 2 years.*	
2.15	BUDGET EXECUTION RECORDS Records of authorizations to move funds between budget codes.	Destroy in office when released from audits.	
2.16	BUDGET REPORTS Includes daily detail reports and monthly budget reports. Also includes contract budget and expenditure reports and summaries of tax allocations. SEE ALSO: Annual Budget (above).	a) Destroy in office daily detail reports after 1 year.* b) Destroy in office remaining reports after 3 years.*	
2.17	BUDGET REQUESTS AND WORKING PAPERS Includes budget requests, cost estimates, expenditures, program requests, salary and wage lists, correspondence (including e-mail), and related records.	Destroy in office after 3 years.*	Authority: G.S. 159-10

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

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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 one year after State recommendation.	

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.27	GRANTS: FINANCIAL @ Records concerning approved federal, state, and private grants received or issued by the agency. Includes all relevant accounting, purchasing, payroll, and other financial records. SEE ALSO: Grants (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	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. 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 or to grants not funded 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>	Retention: 09 NCAC 03M .0703 2 CFR 200.333
2.28	INVESTMENTS Includes fund information, portfolio listings and reports, balance sheets, exchange or consent instructions, broker confirmations, notices, and other documentation related to agency investments. Also includes transaction schedules for projecting revenue on investments as well as performance investment reports issued by broker or investment firm.	a) Destroy in office transaction schedules after 2 years.* b) Destroy in office performance investment reports when reference value ends.± c) Agency Policy: Destroy in office one year after State recommendation. d) Destroy in office all remaining records after 3 years.*	Authority: G.S. 159-30

* 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 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)

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.33 	PAYROLL AND EARNINGS RECORDS Records containing information such as the name, Social Security number, number of hours worked, compensation rate, deductions, and total wages paid each employee per payroll period. Also includes 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. 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).	a) Destroy in office 30 years from date of separation records necessary for retirement or similar benefits verification. b) Destroy in office remaining records after 5 years.*	Authority: 29 CFR 516.30(a) Confidentiality: G.S. 132-1.10 G.S. 115C Art. 21A G.S. 122C-158 G.S. 130A-45.9 G.S. 153A-98 G.S. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1 Retention: 04 NCAC 24D .0501(a) 29 CFR 516.5(a) 29 CFR 1627.3(a)

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
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.*	

* 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 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.38	REQUISITIONS Requests for payment or to acquire goods or services. SEE ALSO: Inventories (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	Destroy in office after 1 year.*	
2.39	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.	a) Destroy in office after 3 years records documenting the awarding of scholarships. 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.	
2.40	SHIFT PREMIUM PAY Authorizations and other related records concerning employees receiving shift premium pay.	Destroy in office after 5 years.*	Retention: 04 NCAC 24D .0501(a)
2.41	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.	Destroy in office 3 years after payment.*	

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
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)

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ITEM #	STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
2.45	TRAVEL REIMBURSEMENTS Includes requests and authorizations for reimbursement for travel and related expenses. SEE ALSO: Grants: Financial (above), Travel Requests (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	Destroy in office after 5 years.*	Retention: 04 NCAC 24D .0501(a)
2.46 	VENDORS Files maintained on specific vendors authorized or debarred from doing business with the agency. Includes name and address, correspondence (including e-mail), and other related records.	Destroy in office when superseded or obsolete.	

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STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS

Official records received and created by agency geographic information system programs. See G.S. 132-10 for information about providing public access to GIS databases.

ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.01	GEOGRAPHIC INFORMATION SYSTEM (GIS) CORE DATA 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.	Retain in office parcel, boundary, zoning, and orthoimagery layers (with accompanying data sets) permanently. <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>	
3.02	GEOGRAPHIC INFORMATION SYSTEM (GIS) DATA DOCUMENTATION (METADATA) 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.	Destroy in office when the system is discontinued or when system data has been transferred to a new operating environment (platform).	

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.03	GEOGRAPHIC INFORMATION SYSTEM (GIS) INTERNAL STANDARDS AND PROCEDURES 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.	Retain in office permanently.	
3.04	GEOGRAPHIC INFORMATION SYSTEM (GIS) MONITORING RECORDS Includes system security, quality assurance, transaction tracking, and other related activity monitoring records.	Destroy in office after 1 year.	
3.05	GEOGRAPHIC INFORMATION SYSTEM (GIS) OPERATIONAL RECORDS Includes user guides, system flowcharts, job or workflow records, system specifications, and similar documentation.	Destroy in office when the system is discontinued or when system data has been transferred to a new operating environment (platform).	
3.06	GEOGRAPHIC INFORMATION SYSTEM (GIS) PROJECT RECORDS	a) Retain in office GIS datasets and accompanying documentation (metadata) with historical and/or legal value permanently. b) Destroy in office remaining items when reference value ends.± Agency Policy: Destroy in office after <u>10 years</u>	

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.07	LAYERS: ADDRESS POINTS See also GEOSPATIAL RECORDS , page A-13.	Paper: Retain in office permanently. GIS dataset: Create a snapshot of dataset annually. To maintain permanently, <i>Either:</i> Transfer snapshot to NOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council . <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 .	
3.08	LAYERS: CORPORATE LIMITS See also GEOSPATIAL RECORDS , page A-13.	Paper: Retain in office permanently. GIS dataset: Create a snapshot of dataset annually. To maintain permanently, <i>Either:</i> Transfer snapshot to NOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council . <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 .	

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.09	LAYERS: EXTRATERRITORIAL JURISDICTIONS See also GEOSPATIAL RECORDS , page A-13.	Paper: Retain in office permanently. GIS dataset: Create a snapshot of dataset annually. To maintain permanently, <i>Either:</i> Transfer snapshot to NOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council . <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 .	
3.10	LAYERS: ORTHOIMAGERY See also GEOSPATIAL RECORDS , page A-13.	Create a snapshot of dataset when created. To maintain permanently, <i>Either:</i> Transfer snapshot to NOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council . <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 .	

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.11	LAYERS: STREET CENTERLINE See also GEOSPATIAL RECORDS , page A-13.	Paper: Retain in office permanently. GIS dataset: Create a snapshot of dataset annually. To maintain permanently, <i>Either:</i> Transfer snapshot to NOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council . <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 .	
3.12	MAPPING PROJECT RECORDS Includes contract maps and all deliverable products for aerial photography, orthophotography, cartographic, cadastral, and digital mapping projects. See also GEOSPATIAL RECORDS , page A-13.	Paper: Retain in office permanently. GIS dataset: Create a snapshot of dataset annually. To maintain permanently, <i>Either:</i> Transfer snapshot to NOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council . <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 .	

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.13	MAPS: PARCEL Maps, including cadastral maps, and surveys of boundaries and measurements of each parcel, and information about encroachments, right-of-ways, and structures. See also GEOSPATIAL RECORDS , page A-13, and Property Management Records (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	Paper: Destroy in office upon State Archives approval. GIS dataset: Create a snapshot of dataset quarterly. To maintain permanently, <i>Either:</i> Transfer snapshot to NOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council . <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 .	
3.14	MAPS: PARKS 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. See also GEOSPATIAL RECORDS , page A-13.	Paper: Retain in office permanently. GIS dataset: Create a snapshot of dataset annually. To maintain permanently, <i>Either:</i> Transfer snapshot to NOneMap according to established procedures, complying with standards and procedures adopted by the North Carolina Geographic Information Coordinating Council . <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 .	

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ITEM #	STANDARD 3: GEOGRAPHIC INFORMATION SYSTEM (GIS) RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
3.15	MAPS: ALL OTHER @ Includes field maps, soil, topographic, sales, subdivision plats, right-of-way, sectional, highway, etc. Also includes paper maps.	a) Retain in office maps, including GIS datasets and accompanying documentation (metadata), with historical and/or legal value permanently. b) Destroy in office remaining items when reference value ends.± <i>Retention note: Contact the State Archives of North Carolina before destroying any tax maps, watershed maps, or zoning maps.</i> Agency Policy: Destroy in office after <u>10 years</u>	

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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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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

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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)

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.07	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).	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.	Retention: 29 CFR 1627.3(b)(2)
4.08	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. SEE ALSO: Asbestos Training (above), Hazardous Materials Training Records (below).	Destroy in office after 3 years.	Retention: 29 CFR 1910.1030(h)(2)(ii)
4.09	DIRECTORIES, ROSTERS, OR INDICES Includes records listing employees, their job titles, work locations, phone numbers, e-mail addresses, and similar information.	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.

@ 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
4.10	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.	a) Transfer original forms to Local Government Employees' Retirement System (LERS) or Teachers' and State Employees' Retirement System (TSERS) for action when received. b) Destroy in office remaining records after 3 years.	
4.11	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.	a) Transfer records as applicable to Personnel Records (Official Copy) (below). b) Destroy in office all remaining records 2 years after resolution of all actions.	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 Retention: 29 CFR 1602.31 Subject to the public information provision delineated in the above authorities.

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.12	DUAL EMPLOYMENT Records concerning employees' requests and authorizations to accept employment with another local government agency. SEE ALSO: Secondary Employment (below).	a) Destroy in office approved requests and related records 1 year after employee terminates additional employment. b) Destroy in office denied requests and related records after 6 months.	
4.13	 EDUCATIONAL LEAVE AND REIMBURSEMENT Includes records requesting educational leave and tuition assistance, reimbursements, and other related records. SEE ALSO: Leave Records (below).	a) Transfer records documenting approved leave requests to Personnel Records (Official Copy) (below). b) Destroy in office records concerning denied requests 6 months after denial.* c) Destroy in office records concerning approved tuition reimbursements 3 years after reimbursement.*	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
4.14	 EMPLOYEE ASSISTANCE PROGRAMS Records documenting assistance and counseling opportunities. Includes requests for information, referrals, forms, releases, correspondence, and other related records.	Destroy in office after 3 years.	Confidentiality: G.S. 115C Art. 21A G.S. 122C-158 G.S. 130A-45.9 G.S. 153A-98 G.S. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1

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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)

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.17 	EXIT INTERVIEW RECORDS Includes feedback from employees planning to separate from the agency.	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 	FAMILY MEDICAL LEAVE ACT (FMLA) RECORDS Records concerning leave taken, premium payments, employer notice, medical examinations considered in connection with personnel action, disputes with employees over FMLA, and other related records. SEE ALSO: Leave Records (below).	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 	GRIEVANCES Includes initial complaint by employee, investigation, action, summary, and disposition. SEE ALSO: Disciplinary Actions (above), Personnel Records (Official Copy) (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
4.20	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. SEE ALSO: Asbestos Training (above), Bloodborne Pathogen Training (above).	Destroy in office after 5 years.	Authority: 29 CFR 1910.120(p)(8)(iii) 10A NCAC 15
4.21	INTERNSHIP PROGRAM Records concerning interns and students who work for the agency.	Destroy in office after 2 years.	
4.22	LAW ENFORCEMENT TRAINING Records concerning internal training for law enforcement personnel.	Retain in office permanently.	

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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)

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.25	MILITARY LEAVE Records concerning military leave, as established by the Uniformed Services Employment and Reemployment Rights Act (USERRA). SEE ALSO: Leave Records (above).	Destroy in office 3 years after leave ends or employee separates from agency.*	Authority: 5 CFR 1208
4.26	 PERFORMANCE REVIEWS Information used to establish employees' goals and primary tasks. Records used to evaluate each employee's work performance. SEE ALSO: Personnel Records (Official Copy) (below).	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	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.	Transfer records to Personnel Records (Official Copy) (below).	Subject to the public information provision delineated in relevant General Statutes.

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.28 	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. 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. SEE ALSO: Medical Records (above), Seasonal and Contract Worker Records (below).	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. b) Destroy in office information necessary to verify benefits 30 years after date of separation. c) Destroy in office remaining records when individual retention periods are reached as noted in individual items in this Records Retention and Disposition Schedule.	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 	PERSONNEL RECORDS (SUPERVISOR COPY) Personnel jacket that is often maintained by supervisors.	a) Transfer records as applicable to Personnel Records (Official Copy) (above). b) Destroy in office remaining records when reference value ends.± Agency Policy: 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

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.30	POLICIES AND PROCEDURES (PERSONNEL) Official internal agency personnel policies and procedures. Also includes agreements and authorizations required of employees, orientation materials, and informational data. SEE ALSO: Civil Rights Records (STANDARD 6: LEGAL RECORDS), and Workers' Compensation Program Administration (below).	a) Retain in office internal agency personnel policies and procedures permanently. b) Destroy in office remaining records when superseded or obsolete.	
4.31	 POLYGRAPH RECORDS Includes statements informing employee of the time, place, and reasons for the test; copy of notice sent to examiner identifying employee to be tested; and copies of opinions, reports, or similar records generated by the examiner and provided to the agency.	Destroy in office 3 years from the date the test was given, or from the date the test was requested if no examination was given.	Confidentiality: G.S. 115C Art. 21A G.S. 122C-158 G.S. 130A-45.9 G.S. 153A-98 G.S. 160A-168 G.S. 161E-257.2 G.S. 162A-6.1 Retention: 29 CFR 801.30

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.32	POSITION CLASSIFICATION, CONTROL, AND HISTORY Records concerning personnel actions and position control, status of each established permanent, temporary full-time, or part-time position, and other related topics. Also includes listings providing classification, titles, and position numbers. SEE ALSO: Position Descriptions (below).	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when superseded or obsolete.	
4.33	POSITION DESCRIPTIONS Includes information on job title, grade, duties, agency assigned, and responsibilities.	Destroy in office 2 years after superseded.	Retention: 29 CFR 1620.32
4.34	POSITION EVALUATIONS Forms used to evaluate the primary purpose of a position.	Destroy in office after 1 year.	
4.35	RECRUITMENT RECORDS Includes ads and notices of overtime, promotion, and training. Also includes employment listings.	Destroy in office 1 year from date of record.	Retention: 29 CFR 1627.3(b)

4: HR

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.36	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). SEE ALSO: Payroll and Earnings Records; Payroll Deduction Records (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).	a) Destroy in office descriptive information about retirement plans 1 year after plan is terminated. b) Destroy in office records concerning employer-sponsored retirement plans 7 years after payment.* c) Transfer Local Governmental Employees' Retirement System (LGERS) forms to Department of State Treasurer. d) Transfer applicable records to Personnel Records (Official Copy) (above).	Retention: 29 CFR 1627.3(b)(2)
4.37	 SEASONAL AND CONTRACT WORKER RECORDS Records concerning seasonal or contractual employees who are not provided with or eligible for benefits. SEE ALSO: Personnel Records (Official Copy) (above).	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	SECONDARY EMPLOYMENT Records concerning employees' requests and authorizations to accept employment with a private entity. SEE ALSO: Dual Employment (above.)	a) Destroy in office approved requests and related records 1 year after employee terminates outside employment. b) Destroy in office denied requests and related records after 6 months.	

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.39	SERVICE AWARDS AND COMMENDATIONS Includes award and selection committee reports, nominations, selection criteria, and similar administrative records relating to employee recognition or incentive programs. SEE ALSO: Personnel Records (Official Copy) (above).	Destroy in office 2 years from date of record creation or the personnel action involved.	
4.40	SUGGESTIONS AND SURVEYS Recommendations and feedback submitted by agency employees.	Destroy in office after 1 year.	
4.41	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. 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).	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. b) Destroy in office certifications and other qualifications 5 years after expiration or employee separation. c) Destroy in office general training materials when superseded or obsolete. d) Destroy in office remaining employee-specific records after 1 year.	Retention: 29 CFR 1627.3(b)(1)(iv)

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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.	

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ITEM #	STANDARD 4: HUMAN RESOURCES RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
4.47	WORK SCHEDULES AND ASSIGNMENTS Records concerning work, duty, shift, crew, or case schedules, rosters, or assignments.	Destroy in office after 1 year.	
4.48	WORKERS' COMPENSATION PROGRAM ADMINISTRATION Includes program policies, guidelines, and related administrative documentation.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when superseded or obsolete.	
4.49	 WORKERS' COMPENSATION PROGRAM CLAIMS 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. <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>	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)

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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.	

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ITEM #	STANDARD 5: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
5.04	DATA MIGRATION RECORDS Technical records documenting data migrations. <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>	Destroy in office 1 year after completion of data migration.	
5.05	DATA WAREHOUSES Federated data gathered by the agency from other sources for the purposes of comparison and distribution. SEE ALSO: Collected Data (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	Destroy in office when superseded or obsolete.	Maintain confidentiality consistent with any restrictions placed on the data provider.
5.06	DIGITIZATION AND SCANNING RECORDS Records concerning data entry and imaging operations. Includes quality control records. See also REQUEST FOR DISPOSAL OF ORIGINAL RECORDS DUPLICATED BY ELECTRONIC MEANS , page A-21.	Destroy in office 10 days after digitization. <i>Note: The digital surrogate becomes the record copy and must be retained according to the disposition instructions for that record type.</i>	
5.07 	ELECTRONIC RECORDS POLICIES AND PROCEDURES Includes procedural manuals as well as an Electronic Records and Imaging Policy and a Security Backup Policy.	Destroy in office 3 years after superseded or obsolete.	Confidentiality: G.S. 132-1.7(b) G.S. 132-6.1(c)

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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)

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ITEM #	STANDARD 5: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
5.11	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. SEE ALSO: Projects (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	a) Retain in office permanently records with historical value. b) Destroy in office remaining records 3 years after completion of project.	
5.12	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.	Destroy in office 1 year after software is superseded or obsolete.	
5.13	SYSTEM ACCESS RECORDS Records documenting access requests and authorizations, system access logs, and other related records.	Destroy in office 1 year after superseded or obsolete.	
5.14	 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.	Destroy in office 3 years after superseded or obsolete.	Confidentiality: G.S. 132-1.1(g) G.S. 132-6.1(c)

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ITEM #	STANDARD 5: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
5.15	SYSTEM MAINTENANCE RECORDS: HARDWARE REPAIR OR SERVICE Records documenting inspections, maintenance, and repairs of agency computer systems that are owned or leased. Includes computer equipment inventories and service records. SEE ALSO: Equipment and Vehicle Maintenance, Repair, and Inspection Records (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	a) Destroy in office records documenting routine inspections and maintenance of equipment after 1 year. b) Destroy records documenting all other equipment maintenance and repairs upon the final disposition of the equipment.	
5.16	SYSTEM MAINTENANCE RECORDS: RECORDS BACKUPS Records documenting regular or essential system backups. Includes backup tape inventories, relevant correspondence (including e-mail), and related documentation. 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.	Destroy in office in accordance with your office's established, regular backup plan and procedures.± Agency Policy: Destroy in office after <u>10 years</u>	
5.17	TECHNICAL PROGRAM DOCUMENTATION Records concerning program code, program flowcharts, program maintenance logs, systems change notices, and other related records that document modifications to computer programs.	Destroy in office 1 year after superseded or obsolete.	

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ITEM #	STANDARD 5: INFORMATION TECHNOLOGY RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
5.18	VOICE OVER INTERNET PROTOCOL (VoIP) RECORDS Records concerning line registrations, calls logs, and voicemail records.	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.	
5.19	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. SEE ALSO: Website (Electronic) (STANDARD 7: PUBLIC RELATIONS RECORDS).	Destroy in office when superseded or obsolete.	

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	AFFIDAVITS OF PUBLICATION Proof of publication provided by newspapers regarding publication of ordinances, public hearings, bid solicitations, payment of bills, public sales, etc. SEE ALSO: Public Bodies: Meeting Notices (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS).	a) Retain in office permanently if record provides sole evidence of publication. b) Destroy in office remaining records after 3 years.*	Authority: G.S. 1-600
6.02	ANNEXATION RECORDS Records concerning annexation of property into the city. Includes petitions, reports, correspondence (including e-mail), maps, ordinances, and public hearings.	a) Destroy in office withdrawn petitions after 1 year. b) Retain remaining records in office permanently. <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>	
6.03	AUTHENTICATIONS Certificates of authentication issued by the agency.	Retain in office permanently.	

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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
6.04	CIVIL RIGHTS CASE RECORDS Records concerning discrimination complaints by employees or former employees and employee requests for reasonable accommodation. Includes equal opportunity (EO) complaints. SEE ALSO: Constituent Comments, Complaints, Petitions, and Service Requests (STANDARD 1: ADMINISTRATION AND MANAGEMENT RECORDS), Personnel Records (Official Copy) (STANDARD 4: HUMAN RESOURCES RECORDS).	a) Destroy in office requests for reasonable accommodation 2 years after they become obsolete. b) Destroy in office discrimination complaints 1 year after final disposition of the charge or the action.* <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>	Retention: 29 CFR 1602.14 29 CFR 1602.31

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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
6.05	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. 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).	Destroy in office 3 years after superseded or obsolete.	Authority: 29 CFR 1602.1 29 CFR 1602.7 29 CFR 1608.4 Retention: 29 CFR 1602.30 29 CFR 1602.32 34 CFR 104.6(c)(2)
6.06	CONDEMNATION RECORDS Settled and pending condemnation cases. SEE ALSO: Accounts Payable (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS) for disposition of financial records.	Retain in office permanently.	

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ITEM #	STANDARD 6: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
6.07	CONFLICT OF INTEREST AND CONFLICT OF COMMITMENT DISCLOSURE STATEMENTS Completed by the elected agency officials as well as designated staff members in order to disclose an official's status or ownership interests.	Destroy in office 1 year after completion of term or separation.	
6.08	CONTRACTS, LEASES, AND AGREEMENTS[@] Contracts and agreements for construction, equipment, property, supplies, special programs, and projects. Includes franchise agreements, hold harmless agreements, good faith effort documentation, contractor compliance monitoring, leases, and memoranda of understanding. SEE ALSO: Software License and Copyright Provisions Records (STANDARD 5: INFORMATION TECHNOLOGY RECORDS).	a) Retain in office contracts and agreements with historical value permanently. b) Destroy in office sealed contract records 10 years after expiration of contract.* c) Destroy in office all records related to capital improvement contracts and business associate agreements 6 years after completion, termination, or expiration.* 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.* e) Destroy in office all other contracts and agreements 3 years after completion, termination, or expiration.*	Retention: G.S. 1-47(2) G.S. 1-50(a)(5) 45 CFR 164.316 G.S. 1-52
6.09	DECLARATORY RULINGS Records concerning declaratory rulings issued by the agency to interpret statutes or rules as applied to a specified set of facts.	Retain in office permanently.	

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ITEM #	STANDARD 6: LEGAL RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
6.10	DELEGATION OF AUTHORITY RECORDS Records documenting delegations of power to authorize agency business. Includes signature authorities and powers of attorney.	Destroy in office 1 year after superseded or obsolete.	
6.11	EASEMENTS AND RIGHT-OF-WAY AGREEMENTS Granted to the agency. 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).	Destroy in office 10 years after expiration of agreement.	
6.12	ENCROACHMENTS Records concerning agreements granted by or to the agency. Also includes maps or drawings detailing construction plans attached to agreements.	a) Retain in office permanently records concerning agreements granted by outside entities to the agency. b) Destroy in office when superseded or obsolete records concerning agreements granted to utilities, businesses, and private residents to encroach upon agency property.	
6.13	EXPUNCTIONS Expunction orders received by local agencies.	Destroy in office when record is expunged.	

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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)

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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.	

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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

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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	AGENCY PUBLICATIONS Publications created at agency expense. Also includes correspondence and other related records regarding the design and creation of agency publications.	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>6 years</u>	
7.02	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).	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>5 years</u>	
7.03	COMMUNITY AWARDS @ Records concerning awards by the agency recognizing community contributions.	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>5 years</u>	

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ITEM #	STANDARD 7: PUBLIC RELATIONS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
7.04	CONFERENCES AND WORKSHOPS @ Records concerning conferences and workshops conducted by agency employees. Includes slides, charts, transparencies, handouts, and other related records used in presentations. SEE ALSO: Training and Educational Records (STANDARD 4: HUMAN RESOURCES RECORDS).	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when superseded or obsolete.	
7.05	EDUCATIONAL MATERIALS Materials produced for usage by teachers or tour groups. Includes lesson plans, activities, and other related records.	Destroy in office when superseded or obsolete.	
7.06	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. SEE ALSO: Donations and Solicitations (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when superseded or obsolete.	

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>5 years</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	PUBLIC RECORDS REQUESTS Formal requests submitted by persons seeking access to agency records along with documentation of agency response.	Destroy in office 2 years after resolution.* <i>Note: These disposition instructions apply only to the request, internal agency records related to searching for and preparing responsive records, and communication 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>	
7.12	PUBLICITY RECORDS @ Records concerning overall public relations of agency. Includes advertisements, announcements, correspondence (including e-mail), photographic materials, news and press releases, and other related records.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when superseded or obsolete.*	
7.13	SOCIAL MEDIA SEE ALSO: Website (Electronic) (below).	See APPENDIX (page A-12) for guidance in handling social media.	
7.14	SPEECHES Speeches made by agency officials.	a) Retain in office records with historical value permanently. b) Destroy in office remaining records when reference value ends.± Agency Policy: Destroy in office after 10 years. Digitally retain permanently.	

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ITEM #	STANDARD 7: PUBLIC RELATIONS RECORDS		
	RECORDS SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
7.15	WEBSITE (ELECTRONIC) Records created and maintained in paper and electronic formats concerning the creation and maintenance of the agency's presence on the World Wide Web. Includes correspondence (including e-mail), procedures, instructions, website designs, HTML/XHTML, or other web-based file formats, and other related records. SEE ALSO: Web Management and Operations Records: Structure (STANDARD 5: INFORMATION TECHNOLOGY RECORDS).	a) Capture website annually or whenever a major revision in design and/or content has taken place, whichever occurs first. Retain captured content in office permanently. Can be maintained as website snapshots or via Web crawler. b) Destroy in office remaining records when superseded or obsolete.	

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	ACCIDENT/INCIDENT REPORTS (CUSTOMER AND EMPLOYEE) SEE ALSO: Workers' Compensation Program Claims (STANDARD 4: HUMAN RESOURCES RECORDS).	a) Transfer records resulting in workers' compensation to Workers' Compensation Program Claims (STANDARD 4: HUMAN RESOURCES RECORDS). b) Destroy in office remaining employee claims 3 years after settlement or denial of claim.* c) Destroy in office adult non-employee reports 3 years after settlement or denial of claim.* d) Destroy in office reports that do not result in claims or official action after 3 years. e) Destroy in office reports of minors after minor has reached age of 21.	
8.02	DECLARATIONS AND TERMINATIONS OF STATES OF EMERGENCY	Retain in office permanently.	Authority: G.S. 166A-19.22

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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.	

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

* 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
8.11	HAZARDOUS MATERIALS MANAGEMENT Records documenting agency efforts to prevent and mitigate exposure to hazardous materials. Includes risk assessments, management plans, and abatement/removal records. SEE ALSO: Safety Data Sheets (below). <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>	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.	Retention: 29 CFR 1910.1001(j)(3)(ii)

* 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
8.12	INSURANCE POLICIES Records concerning automobile, theft, fire, and all other insurance policies purchased by agency. Also includes insurance audits, claims reports, surveys, endorsements, certificates of insurance, and waivers.	a) Destroy in office records concerning automobile and other liability insurance policies 10 years after superseded or obsolete.* b) Destroy in office certificates of insurance after 1 year. c) Destroy in office self-insurer certifications 6 years from date of termination of policy or settlement of all claims. d) Destroy in office remaining records after 1 year after superseded or obsolete.	
8.13	LOSS CONTROL INSPECTION REPORTS Self-inspections to identify potential liabilities or hazards that may exist in agency owned buildings or property.	Destroy in office when superseded or obsolete.	
8.14	LOST, STOLEN, OR DAMAGED PROPERTY REPORTS Includes reports of property lost or stolen at agency. Also includes reports and employee narratives of vandalism to agency property.	Destroy in office after 2 years.*	
8.15	NATIONAL FLOOD INSURANCE PROGRAM RECORDS 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.	a) Retain in office permanently floodplain management ordinances. b) Destroy in office copies of flood insurance rate maps, elevation certificates, and elevation information 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.

@ 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	OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) Records concerning injury or illness, extent and outcomes, summary totals for calendar year, and OSHA forms. Includes ergonomic assessments for employees.	Destroy in office after 5 years.	Retention: 29 CFR 1904.33 29 CFR 1904.44
8.17	SAFETY DATA SHEETS Forms supplied to agencies from manufacturers and distributors of hazardous materials for materials held by the agency.	Destroy in office 30 years after materials have been disposed of according to manufacturer's instructions. <i>Retention Note: A data sheet for a mixture may be discarded if the new data sheet includes the same hazardous chemicals as the original formulation. If the formulation is different, both data sheets must be retained for 30 years. Data sheets may also be discarded if some other record identifying the substances used, where they were used, and when they were used is retained the required 30-year period.</i>	Retention: 29 CFR 1910.1020(d)(1)(ii)(B)

* 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

* 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 I 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>).



Destructions Log

County/Municipality					
Division		Section		Branch	
Location(s) of Records					

[illegible]

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
State Archives of North Carolina

Date



Request for Disposal of Original Records Duplicated by Electronic Means

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

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

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

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

Requested by:

Signature

Title

Date

Approved by:

Signature

Requestor's Supervisor

Date

Concurred by:

Signature

Assistant Records Administrator
State Archives of North Carolina

Date



File Plan

County/Municipality					
Division		Section		Branch	

[illegible]

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 Project Records – Core	Local Government Agencies Program Schedule
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 Illegal Dumping File Violations: Building and Housing Violations: Solid Waste Management Complaints (Law Enforcement)	Local Government Agencies Program Schedule
	Complaints	County Sheriff's Office
	Complaints: All Service Areas	County Social Services Agencies Schedule
	Animal Complaints	Local Health Departments Schedule
	Complaints File	LME Schedule
	Complaints File	LME-MCO Schedule
	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 Clinical Laboratory Records: Instrument Maintenance Records Cytology Records: Instrument Maintenance Records File Instrument Maintenance File	Public Hospitals Schedule

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 Health Departments Schedule

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

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Local General Schedule Records Series	Related Records Series	Local Program Schedule
Reports and Studies (cont.)	Daily Store Reports Monthly Law Enforcement Activity Reports Monthly Operating Report to Board Receiving Report Sales Reports Stock Difference Reports Weekly Warehouse Reports	Alcoholic Beverage Control Boards Schedule
	Campaign Contribution and Expenditure Reports Ballot Reports State Board of Elections Correspondence and Reports Voter Registration Lists and Reports	County Board of Elections Schedule
	Alarm Call Reports Arrest Reports Detention Facility Incident Reports DWI Reports Incident Response Reports Inmate Death Reports Traffic Accident Reports	County Sheriff's Office
	Program Time and Activity Reports Medicare Disbursement Reports Communicable Disease Reports Test Reports Adverse Drug Reaction Reports Intravenous Hood Performance Reports Medication Storage Inspection Reports	Local Health Departments Schedule
	Medicare Disbursement Reports	LME Schedule LME-MCO Schedule
	Admission/Discharge/Transfer Reports Communicable Disease Reports Call-In Reports Adverse Drug Reaction Reports Intravenous Hood Performance Reports Medication Storage Inspection Reports	Public Hospitals Schedule
	(continued on following page)	

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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Digital Records Procedures

Wake Forest, North Carolina

 TOWN of WAKE FOREST	Policy Subject Records Management and Image Scanning Policy	Revision 1
	Department Administration Kip Padgett, Town Manager	Effective Date December 1, 2021

**SIGNATURE PAGE**

The North Carolina Department of Natural and Cultural Resources (NDNCR) requires that any agency that images its records as part of its records retention practices as well as maintains electronic records which have retention periods of ten or more years to adopt electronic records and image policies. The policy incorporates NCDNCR's Sample Electronic Records Imaging Policy for Use by Local, and State Agencies. Complying with this policy will increase the reliability and accuracy of records stored in information technology systems and will ensure that they remain accessible over time.

This policy also serves to protect those records digitized by the Town's imaging system, which reduces required storage space for original documents.

Subject: Wake Forest Records
Effective date: December 2021

County/Municipality/Agency: Municipality
Name of Office: Wake Forest Town Hall
Office Address: 301 S Brooks Street, Wake Forest NC 27587
Phone: 919-435-9400 Fax: _____ Email: tsavary@wakeforestnc.gov



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1. Definitions

- A. Administrative Records: Institutional data that is meant for a limited distribution; available only to employees of the Town that need the data to support their work. This data derives its value for the Town in part from not being publicly disclosed.
- B. Public Record: Under State law public records are documents, maps, photographs, recordings, and other items in various media that are made or received in connection with the transaction of public business.
- C. Essential Record- Records needed for emergency management and to continue operational responsibilities
- D. ECM- Enterprise Content Management System. In this case, Laserfiche.
- E. Imaging- a process by which a document (primarily on paper, although any medium can be used) is converted from a human-readable format to a computer-readable digital image file (archives.gov)
- F. Instruction Manual- Department specific rules and procedures as to how and where files will be saved and stored.
- G. Laserfiche: Refers to the application and server software package purchased by the Town for the purpose of digital record archiving and is the only approved method to meet the records retention procedures for the Town.
- H. New World Systems- Refers to the Town's operations management application, which encompasses most Town departmental operations. This system provides access to archived documents directly through the document's associated record(s).
- I. Metadata: All imaged records must be indexed in order to facilitate retrieval. This index should capture the content, structure, and context of the imaged records. This index will be development by IT.
- J. NCDNCR- North Carolina Department of Natural and Cultural Resources
- K. Non-Record: Does not meet the definition of a record such as a blank form, form letters or items not circulated for approval
- L. Public Records: Institutional data that is meant for all employees and in some cases wide and open distribution to the public at large. This institutional data does not contain confidential information.
- M. Retention Period- The life cycle that identifies the duration of time a record will be kept. Retention periods for the Town of Wake Forest are approved by the BOC and filed with NCDNCR.
- N. Records Appraisal- Distinguish records of continuing value from those of no further value.
- O. Regulated or Confidential Records: Data that is governed by privacy or information protection mandates required by law, regulation, contract, binding agreement, or industry requirements.



2. Overview

A. Overview

The records covered by this policy are in the custody of the Town of Wake Forest for delivering services and documenting Town operations. This electronic records policy reflects guidelines established in the North Carolina Department of Natural and Cultural Resources (NCDNCR) publication [*Guidelines for Managing Trustworthy Digital Public Records*](#). Records may be stored by electronic or non-electronic means. All public records as defined by [North Carolina G.S. § 132-1](#) are covered by this policy. As described further in this policy, per NCDNCR, the Town will follow proper disposal of public records at the end of their retention periods using approved disposal methods ([NCAC 04M.0510](#)). In general, the Town keeps records one year longer than the official disposal and retention schedule.

The Town has implemented a full-featured electronic content management system (ECM). This system enables the Town to scan or image original paper documents in-house without having to pay an outside provider to perform such work, reduces required storage space for original documents and provides instant access to documents as needed. The Town's ECM is operated by IT and Laserfiche. The Town's operations management system New World (NWS), policy management system (PowerDMS), and server management (Sharepoint) also support the archiving and attaching of specific imaged records and can be used in conjunction or as an alternative to the ECM.

This policy also provides guidance in meeting document retention guidelines for the destruction of original documents and retention of digital documents.

B. Goals of the Policy & Procedures

The intent of this policy is to create an effective records management program. Goals include to preserve the integrity of and accessibility to public records, reduce paper copies where feasible, save money, time, and space by preventing the creation of unnecessary records, removing inactive records from crowded office spaces and servers, and ensuring that records are well organized and easily accessible. Most importantly, this policy organizes how permanent records are filed, named, maintained, and disposed.

C. Scope

The scope of this policy includes all personnel who are responsible for managing departmental and Town records. All departments are eligible to use the Town's ECM but must adhere to this policy. The policy and procedures serve as basic documentation of the procedures followed by the Town in imaging, indexing, backing up, and purging electronic records in accordance with the disposition schedule, and in managing the original paper record, if applicable.

D. Reevaluation of Record Management and Imaging Procedures

This policy will supersede any electronic records system policy previously adopted. This policy will be reevaluated at a minimum of every three years, or upon the implementation of a new information technology system and will be updated as required. A copy of this policy will remain on file at the Department of Natural and Cultural Resources.



3. Municipal Records Retention and Disposal

These procedures help us maintain useful records and to dispose of them after their purpose has been served. It is important to note that only a small percentage of records, generally ten percent or less, possess lasting value. Most records should be kept on the Town servers (Sharepoint) and can be disposed of at will. Permanent records should be kept in the ECM.

A. Defining what Records are included.

These procedures apply to all public records as defined by [North Carolina. G.S.132.1](#) in addition to other statutes and regulations, regardless of format, that are in the custody of the Town of Wake Forest and are maintained for the benefit of the Town. This includes permanent, and non-permanent records, and confidential and non-confidential records. These classifications may warrant different treatment when processing the records. Each Department is responsible for developing department specific instruction manuals to further define how particular records will be managed and saved.

B. NCDNCR Involvement

The Town has entered into an agreement with NCDNCR for both a Municipal Records Retention and Disposition Schedule affecting all records created within the Town. The schedule sets the minimum retention periods for which all records must be maintained. A copy of the schedule is kept in the Town Clerk's Office.

C. Original Document Retention

The Town has adopted the NCDNCR retention and disposal schedule. In general, documents are kept one year longer than listed in the schedule.

D. Original Document Disposal

There are two types of documents for official documents. Original digital copies and original paper documents.

1. Original digital files will be retained until its retention period has lapsed. Departments using ECM, that have created a digital copy in addition to an original paper file, and wish to destroy the original copies prior to meeting the document retention guidelines as listed by NCDNR will be required to complete the duplication disposal form as shown in Appendix D.
2. Original paper documents that have been approved for duplication can be destroyed immediately. The date of destruction will be considered the same date that the original (paper) document is destroyed. Until original records are destroyed, records are still public records and must be produced in response to a records request. Original paper documents designated as permanent will not be destroyed. A digital duplicate may be kept for ease of access and reference. Any department with questions on managing permanent records should be sent to the Town Clerk's office.

E. Damaged Original Documents

4. Responsible Parties

The following section describes the responsibilities of Department Directors, Records Managers, Record Creators, Town Clerk and the IT Department. Each department that chooses to store records only by electronic means must submit the process that will be used for creation to the Town Clerk's Office for final approval. The process must include information on how the records will be indexed, which system



or systems will be used (Sharepoint, New World, IDT, Laserfiche, etc.), to ensure simple and timely retrieval for business and public records request needs. In addition, the process must describe the security measures to protect sensitive data.

Department Directors

Responsibilities include:

1. Assigning Sharepoint Access
2. Reviewing ECM Access with the IT Department
3. Understanding and implementing this policy
4. Reviewing Department Instruction Manuals
5. Checking in with assigned Records Managers on Instruction Manual updates and audits

Records Managers

Responsibilities include:

- Conducting a records inventory- The records inventory will provide most of the information necessary to appraise the records to establish if and when the records retention and disposition schedule should be unique to the Town of Wake Forest and differ from the state. The appraisal should involve determining the function and purpose, the informational content, the use, and the uniqueness of the record.
- Writing and implementing a department instruction manual
- Reviewing quality of records for legibility, accuracy, and completeness.
- Ensuring records are produced or reproduced as part of a regularly conducted activity.
- Ensuring records conform to NCDNCR guidance regarding file formats, file naming, and if applicable, digital preservation guidance produced by NCDNCR.
- Detailed, documented procedures are in place and followed when the records are created, copied, modified, or duplicated.
- Details of the training received are adequately documented through written policies and procedures.

Records Creators

Responsibilities include:

1. Attending and signing off on training conducted by IT staff.
2. Creating passwords for computers that are long, complex, and frequently changed.
3. Creating and managing electronic records in their purview in accordance with the policies and other guidance issued by the NCDNCR and complying with all IT security policies.
 - In the Town, all policies are signed in PowerDMS
4. Reviewing system records annually and purging records in accordance with the retention schedule
 - Each Department should provide which month of the year they will annually review and dispose of items through the Clerk's Office
5. Guaranteeing that records, regardless of format, be retained for the period of time required by local records retention schedules.



6. For Record Creators using the ECM carrying out day-to-day processes associated with the agency's imaging program, including:
 - Designating records to be entered into the imaging system.
 - Noting confidential information or otherwise protected records and fields
 - Removing transitory records from the scanning queue
 - Completing indexing guide form for each record being scanned
 - Reviewing images and indexing for quality assurance
 - Naming and storing the scanned images in designated folders.
 - Once approved, destroying or otherwise disposing of original records in accordance with guidance issued by the NCDNCR

IT Department

Responsibilities include:

1. Installing and maintaining equipment and software
2. Configuring the system according to agency needs, including creating and testing applications and indexes.
3. Controlling permission rights
4. Maintaining documentation of system hardware and software
5. Establishing audit trails that document actions taken on records stored by the information technology system.
6. Providing backups for system records and recovering deleted imaged records when necessary
7. Completing a disaster recovery backup at least once every two years
8. Establishing and providing training on equipment and software, documenting such training, and providing remedial training as needed.
9. Creating and updating detailed procedural manuals describing the imaging process and equipment
10. Conducting any necessary batch conversions or batch renaming of imaged records

5. Availability of System and Records for Outside Inspection

Security to the Town's ECM, PowerDMS, and NWS for document viewing is controlled by access rights. These rights are managed by the IT Department and are dictated by department heads or Town Clerk's office. IT and the department head review the permissions for each person. In the event a person leaves, IT and the department head verify the permissions on file so that all accounts are secured. When a new team member is onboarding into the vacated position, both IT and department head should know which programs to activate for the new person. The rights management prevents unauthorized viewing of imaged documents.

Departments should always consult with the Town Clerk and Town Attorney when receiving a request for electronic records. Confidential data should be redacted through the method of printing a record and striking through sensitive information, or by using redaction tools that work in the native file format for the electronic record that has been retrieved.

6. Maintenance of Trustworthy Electronic Records

The following section should provide context on how to continually manage and organize files. This section defines active versus inactive records, how to name files, filing systems, and contains a series of questions to ask on a weekly basis to ensure adherence to this policy.



- Active records
 - Active records are those that are referred to at least once per month per file drawer or file folder. Correspondence generally comprises the majority of active records in an office. Effective management of active files and an efficient filing system will reduce the amount of space required for the maintenance of these records.
 - Create letters and memoranda when needed to convey information or to create a tangible record.
 - When written record is not needed, rely on face-to-face conversation or the telephone.
 - Produce only as many copies as needed to ensure quick and accurate paper filing.
- Inactive records
 - Inactive records referred to less than once per month per file drawer or file folder and may not need to be maintained in the office of origin.
 - Review records with Clerks Office or Records Manager to identify archival records.
 - Transfer any record of an historical nature that should be retained forever to the Records Manager for permanent storage in the associated ECM.
 - Inactive records that need to be retained may be scanned.
 - Each department is responsible for storing these files and providing an inventory to the Clerks Office listing the type of records, storage locations and retention schedules.
- Filing Systems
 - The purpose of a filing system is to make it easier to retrieve information, and to easily dispose of it when it is no longer needed.
 - The filing system in each department should be known by all employees who normally access files.
 - The filing system should relate closely to the Town's retentions schedule so that records can be easily transferred from active to inactive storage if necessary.
- Verification of Digital Records
 - Certification of records usually occurs if documents are used in a court proceeding. The filed records retention schedule with NCDNCR will note if the official record is the paper or digital version.
- **File Naming**
 - All platforms used by the agency to create and manage electronic records, including e-mail clients, social media platforms, and cloud computing platforms, conform with all North Carolina Department of Natural and Cultural Resources policies and all applicable IT security policies. Electronic files are named in accordance with the [Best Practices for File Naming](#) published by the Department of Natural and Cultural Resources. A file naming convention can help the user determine which files are relevant to their search. A good file naming convention can help a user know the content of a document without opening it. A uniform process will ensure consistent understanding. A file naming convention applies to all file types but does not apply to folders containing files.
 - Rule 1: Include at minimum and in order, the date, subject, status of the file.
 - Rule 2: Avoid using special characters such as (\: *?"<>|}{



- Rule 3: Use underscores instead of periods or spaces
- Rule 4: Err on the side of brevity.

Electronic files are saved in formats that comply with NCDNCR's [*File Format Guidelines for Management and Long-Term Retention of Electronic Records*](#). File formats used by the agency are identified as standard by DNCR and are well-supported, backwards compatible, and have robust metadata support.

- [Questions to Ask Daily](#)
 - Are all official documents documented, fully and completely, and done so in a manner that reflects professionalism for the government and for yourself?
 - Have you saved all records/files/information in accordance with a formal, approved file plan, developed in a manner that is fully customized to the needs of your department?
 - Have you followed the file naming structure?
 - Have you followed the records retention schedule?
 - Have you assigned metadata if appropriate?
 - Have you discarded duplicates, drafts/working papers daily, as soon as they are no longer useful?
 - Deleted email of transitory value?
 - Saved email of routine or long-term business value to managed repositories in which their retention requirements can be satisfied?
 - Filed any emails related to legal cases?
 - Scanned paper documents that should be filed in the ECM?
 - Saved/stored all vital, mission-critical records solely to repositories that are fully backed up, secure and protected against the risk of loss or inadvertent disposal from disaster or other causes?

Files to be Maintained in a Secure Environment

Security of the system and the records it holds is maintained in the following ways:

- Access rights are managed by the IT department and are assigned by a supervising authority to prevent unauthorized viewing of documents.
- Data creators must organize and name file systems in such a way to identify confidentiality of the documents.
- Folders with confidential information are restricted, and access rights to confidential data are carefully managed. Confidential material is redacted by the appropriate Department Director before it is shared or otherwise made available.
- Physical access to computers, disks, and external hard drives is restricted.
- All system passwords and operating procedure manuals are kept in secure off-site storage.



Associated and Linked with Appropriate Metadata

Metadata is maintained alongside the record. At a minimum, metadata retained includes file creator, date created, title (stored as the file name), and when appropriate, cell formulae and e-mail header information. Employees are not instructed to create metadata other than metadata that is essential for a file's current use and/or retention.

Stored on Media that are Regularly Assessed and Refreshed

Data is converted to new usable file types as old ones become obsolete. The following steps are taken to ensure the continued accessibility of records kept in electronic formats:

- Data is audited and assessed annually. If there is evidence of file corruption, data should be migrated to new media.
- Records are periodically verified through hash algorithms. This is required before and after transfer to new media to ensure the records were not altered.
- Media is refreshed every three to five years. The agency documents when and how records are transferred from one storage medium to another. Once the new media has been sampled to assure the quality of the transfer, the original media may be destroyed according to the guidelines of 07 NCAC 04M .0510.
- Records are periodically migrated to new file types, particularly when a new information technology system requires that they be brought forward in order to render the file properly.
- Metadata is maintained during transfers and migrations.
- Storage media are maintained in a manner and in an environment that promotes bit-level preservation. Humidity does not exceed 50% and should not fall below 30%. Room temperature is set between 65° F to 75° F. The agency adheres to the media manufacturer's recommendations for specific environmental conditions in which the media should be stored.
- Whatever media is used to store data is clearly labeled with enough information that its contents can be determined (e.g., optical media should have a physical label; data stored on a server should be indexed).
 - At a minimum, it should display the name of the department responsible for the data, the file title, the disposition date or permanent status of the record. We may need to add the classification: public or confidential.

7. Training & Audits

Training Programs

The Clerk's Office will conduct training for system use and electronic records management, using material published by the NCDNCR when appropriate. All employees will be made aware of system procedures and policies and trained on them; employees will acknowledge by initialization or signature that they are aware of the policies and have received training on them. When appropriate, employees will also attend trainings offered by the NCDNCR on the maintenance of electronic records.

Documentation will be maintained for the distribution of written procedures, attendance of individuals at training sessions and refresher training programs, and other relevant information.



Audit Trails

At a minimum, the IT department will maintain documentation on who has read and/or write permission to files maintained by the agency. Ideally, a log of activities on the system is maintained, which shows who accessed the system, how and by whom records were created and modified, and whether standard procedures were followed.

Audits

Audits are designed to evaluate the process or system's accuracy, timeliness, adequacy of procedures, training provided, and the existence of audit trails. Internal audits are conducted regularly by agency IT staff, every time this policy is updated (at a minimum of every three years).

8. Documentation of Information Technology System

This section describes how the overall IT System works and how it is utilized to integrated with records retention.

System Design

The Town maintains documentation that describes system procedures, practices, and workflows. This documentation also identifies system software and hardware and captures the system environment in terms of the organizational structure, functions and responsibilities, and system processes. It explains how the system operates from a functional user and data processing point of view. Documentation is reviewed and updated by IT staff every time this policy is updated or upon implementation of a new information technology system.

Retention of System Documentation

One set of all system documentation will be maintained during the period for which the records produced by the process or system could likely be subject to court review and until all data created by every system instance has been destroyed or transferred to a new operating environment. All such documentation is listed in the Towns records retention schedule.

Training

Only designated staff that have been formally trained by IT staff and have signed off on training documentation on the use of the imaging software and equipment will be allowed to scan records. Components of the training will include basic techniques for image capture, indexing, quality control, security configuration, auditing, use of equipment, and general system maintenance. Permissions to image and index records will not be assigned until the user has been trained. If a user improperly indexes or scans a document, an auditor will address this occurrence with the user, and remedial training will be required.

Retention of Original and Duplicate Records

To obtain permission to destroy original records following imaging, this agency will complete [Appendix D](#). For each records series identified for scanning, the NCDNCR must approve the destruction of the original records. Permanent records may be imaged for ease of access, but the original documents may not be destroyed unless an analog copy exists prior to the records' destruction.



Destruction of original records is allowed only after quality assurance has been conducted on the imaged records, necessary corrections have been made, the electronic records system is audited for accuracy, and the destruction of records has been approved.

If digital images replace the original records and assume all legal authorities, these scanned records will be considered the record copy and must be maintained for the specified retention period defined in the appropriate records retention and disposition schedule. The retention period is considered to have begun when the original document was created, not when the electronic version was produced. Any hard copy generated from the imaged records will be considered the agency's duplicate "working" record or reference copy.

Security and Disaster Backup and Restoration

The agency has a disaster recovery plan for its electronic data in place, which includes contact information for data recovery vendors and information about backups of all data. Security backups to protect against data loss are generated for all but the most transitory of files. Routine backups are conducted **monthly** are stored in secure off-site storage on Town servers. Imaged documents will be synchronized to a secured offsite location upon document changes or upon document scanning.

Vendor-Provided Services/Hosted Solutions

As the Town utilizes Contractors services to establish and maintain the ECM, the terms of the service level agreement with the ECM detail:

- File formats
- Plan for converting files to a new format.
- File naming practices
- Access rights/security mechanisms
- Backups (specify frequency and location)
- Mechanism for destructions
- Audits (data should be audited at least annually to test accessibility and assess need for refresh or migration)
- Frequency of refreshing of media (should be at least every 3-5 years)
- Frequency of checksum validation (should be at least at every migration)
- Environmental conditions where media is stored (humidity 30-50%, temperature 65-75°F)
- Training program
- Disaster recovery procedures
- System documentation/procedural manual – a copy should be provided to the agency that specifies what hardware and software are provided by the vendor.
- System for indexing records
- Quality control procedures
- Mechanism for document production due to litigation, audit, or public records request
- Mechanism for avoiding spoliation of evidence.
- Costs for:
 - Uploading records
 - Downloading records



- Migrating records
 - Service termination
 - Proprietary software necessary to access records (if applicable)
- Performance/availability (e.g., planned and unplanned downtime)
- Ownership of data
- Procedure for exporting records (including images as well as metadata) at end of contract period and/or when vendor ceases operation.
 - Contracts should be reviewed for arbitration clause

9. Compliance and Electronic Records Self-Warranty

The completion of this form by all signing employees signals that all employees will adhere to the rules set forth in this policy. Furthermore, this section is to be used as a self-evaluation tool to ensure that electronic records produced by the agency are created, reproduced, and otherwise managed in accordance with guidelines for electronic public records published by the North Carolina Department of Natural and Cultural Resources.

Each signatory should initial each element for certification, print his/her name on the Approved by line, fill in the job title, and sign and date the form.



10. Appendix A- Electronic and Digital Imaging Procedures Manual

The Town should maintain a copy of a detailed service level agreement with the ECM and ensure it is maintained.

Shared Drive Management

Employees use shared storage for collaboration and access. Procedures for the use of this shared storage comply with NCDNCR's guidance document [Global Shared Storage Guidelines](#).

ECM Management

The Records Manager for each Department and the Information Technology (IT) Department are responsible for preparing and updating detailed procedures that describe the process to create and manage imaged electronic records. This documentation will include a description of the system hardware and software utilized in the Town for imaged electronic records.

The initial 2021 rollout of the digital imaging system will be managed by IT through a Contractor at an offsite location. IT will meet with each Department and then separately with each Records Manager. Prior to delivering paper documents to IT, Records Managers should divide documents into two groups. The first, should be any document needing to be kept over five years and that will need to be saved into the ECM. The second, should be any document that will be stored on the Town's server.

Following the initial digitization, scanning workstations will be set up throughout Town facilities. Each scanning station will have, at a minimum, the following hardware and software, otherwise directed by IT.

- Document/image scanners authorized by IT.
- Access to ECM Software which includes:
 - PowerDMS
 - Laserfiche
 - IDT
 - New World (NWS)
- Access to Town's Servers

To ensure documents are handled consistently, each Department is required to have an instruction manual. All instruction manuals will be maintained by each Records Manager, describing in detail the steps required in the scanning process. The manual will also define:

- Where and how documents are saved.
- The resolution of scanned images, as well as any compression standard used.
- The file formats of scanned images
- The file naming conventions used for scanned images.
- Whether batch conversion or batch file re-naming will be necessary, and what tool is used for such conversions.



- Whether any image enhancement techniques should be conducted after imaging

Training

Only designated staff (Department Records Managers) that have been formally trained by IT staff and have signed off on training documentation on the use of the image software and equipment will be allowed to scan records. Components of the training will include basic techniques for image capture, indexing, quality control, security configuration, use of equipment and whether to save the document on the Town server or in the designated ECM. Permissions to image and index records will not be assigned until the user has been trained.

Indexing and Metadata

All imaged records must be indexed in order to facilitate efficient retrieval, ease of use, and up-to-date information. This index should capture the content, structure, and context of the imaged records and will be developed by IT staff prior to implementation of any imaging system, or changes connected to existing systems. At minimum, metadata retained includes file creator, date created, title (stored as the file name), and when appropriate, e-mail header information. Employees are not instructed to create metadata other than metadata that is essential for a file's current use and/or retention.

Auditing and Audit Trails

Records managers will conduct a quality control audit following the imaging of a record to ensure that the following features of the imaged record are legible:

- Individual letters, numbers and symbols
- Combinations of letters, sentences, and signatures or other graphics
- Confirm colors, shapes and texture are clear and clearly legible.
- Confirm quality control results with Town Clerks Office

If audit results in issues, the records manager should work with the Clerk's Office and IT to determine best course of achieving accuracy.

Audit trails are built into the ECM Laserfiche that will document who creates, duplicates, modifies or otherwise accesses records and what procedures were taken. Audit trails include the success of failure, date, time and user of the following events:

- Add/Edit Document
- Copy Document
- Copy pages.
- Create document/folder.
- Delete Entry
- Delete Pages
- Edit image.
- Export Document



- Log in/out.
- Move document.
- Print document.

Access to documents and imaging system will be managed by Records Managers in coordination with IT. If Departments determine audit trails are needed in other ECMs, the process should be detailed in the Department Instruction Manual.

File naming

A file naming convention can help the user determine which files are relevant to their search. A good file naming convention can help a user know the content of a document without opening it. A uniform process will ensure consistent understanding. A file naming convention applies to all file types but does not apply to folders containing files.

- Rule 1: Include at minimum and in order, the date YYYYMM, subject, status of the file.
- Rule 2: Avoid using special characters such as (\/: *?"<>|}{
- Rule 3: Use underscores instead of periods or spaces
- Rule 4: Err on the side of brevity.

File Formats

When developing Department Instruction Manuals and discussing auditing procedures, it is important to think about the subject matter of the document as it is referenced in the Retention Schedule and type of document itself. The chart below references popular types of documents and the recommendations from the State on retention. For example, if there are construction documents that are needed to be kept in perpetuity that obtained as a .dwg file, it is recommended prior to saving in the ECM to convert to a .dxf file.

Type of Record	Recommended for long-term retention	Acceptable for long-term retention	Not recommended for long-term retention
Word Processing Documents	PDF/A-1, OpenDocument Text (.odt)	Word Document (.doc) XML Document (.docx) Rich Text Format (.rtf)	Word Perfect
Plain text Documents	Comma-Separated file (.csv) Tab-delimited file (.txt)	Other delimited text files where the delimiting character is not present in the data	
Spreadsheets	Comma-separated file (.csv) Tab-delimited file PDF/A-1	Excel Spreadsheet (.xls) Excel XML Spreadsheet (.xlsx) Other delimited text files where the	



		delimiting character is not present in the data	
Audio	Broadcast WAVE (.wav)	AIFF MIDI WMA MPEG3 MP4	Audio CD DVD
Digital Video	AVI, full frame	MPEG WMV MPEG4,2	Blu-Ray VHS VDV DV Cam
Raster Images	TIFF JPG	JPEG PNG PDF/A GIF	Adobe CD DVD
Vector Images	Vector Graphics AutoCad dxf PDF	AutoCad dwg	Adobe
Databases	Specific Databases	Microsoft Access	
Presentation	PDF/A		Microsoft Powerpoint

11. Appendix B- Department Records Managers

Records Managers by Department		
Department	Records Manager	Backup
Administration	Deputy Town Clerk	Executive Assistant
Communications	Communications Director	Outreach Coordinator
Downtown Development	Downtown Development Manager	Downtown Development Specialist
Economic Development	Economic Development Director	TBD
Engineering	Stormwater Engineer	Environmental Engineer
Financial Services	Office Assistant	Chief Financial Officer
Fire	Fire Chief	Captain
Human Resources	Senior Human Resources Consultant	Human Resources Consultant
Inspections/Public Facilities	Inspections & Facilities Director	Facilities Manager
IT	CIO	CTO
PRCR	Office Assistant	PRCR Director
Planning	Assistant Director	Office Assistant
Police	Office Assistant	Office Assistant
Power	Power Administrative Specialist	Electric Manager
Public Works	Public Works Administrative Specialist	Public Works Director
Renaissance Center	Renaissance Center Manager	Renaissance Center Specialist



12. Appendix C- Electronic and Digital Imaging Sign-Off Page

Note: The official Records Manager who creates, copies, modifies, or duplicates records receives formal training on detailed system procedures prior to records preparation and retention schedules. Training will be provided on the use of the imaging station, software, how and where to save files, metadata and other details. Employees will sign this manual in Power DMS after receiving training. After receiving records training, individuals promise to:

- keep track of records created or duplicated by electronic means in their respective departments and to ensure that they are prepared in accordance with this policy.
- Review records for legibility, accuracy and completeness.
- To only use scanners and systems approved by IT.
- Records and associated retentions schedules conform to NCDNCR guidance regarding file formats and file naming (see Appendix A)
- Prior to destruction of original documents, individuals will fill out a request for disposal of original records duplicated by electronic means and send to the Clerks Office for NCDNCR approval. Once approval has been received, the original records can be destroyed (see Appendix D).

Clarification of Paper vs Electronic Original Documents

NCDNCR recommends redundancy for official records. As a reminder, only a small percentage of the Town's work product needs to be kept in perpetuity.

- Digital images of scanned records are maintained for the specified retention periods according to the records retention and disposition schedule. The retention period is considered to have begun when the original document was created, not when the document was made or transitioned to digital.
- Any permanent records maintained in electronic form also must exist as a paper or microfilm preservation duplicate copy to meet NCDNCR standards.

13. Appendix D- Disposal of Original Records Duplicated by Electronic Means

This form is used to request approval from the NCDNCR to dispose of **non-permanent** paper records that have been scanned, entered, or otherwise duplicated through digital imaging or other conversion to a digital environment. This form does not apply to records that have been microfilmed or photocopied.



Request for Disposal of Original Records Duplicated by Electronic Means

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

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

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

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

Requested by:

Signature	Title	Date
-----------	-------	------

Approved by:

Signature	Requestor's Supervisor	Date
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Concurred by:

Signature	Assistant Records Administrator State Archives of North Carolina	Date
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DIVISION OF ARCHIVES AND RECORDS — GOVERNMENT RECORDS SECTION

MAILING ADDRESS:
4615 Mail Service Center
Raleigh, N.C. 27699-4615

<http://archives.ncdcr.gov>
Telephone (919) 814-6900
Facsimile (919) 715-3627
State Courier 51-81-20

LOCATION:
215 N. Blount Street
Raleigh, N.C. 27601-2823

A RESOLUTION ADOPTING THE 2021 MUNICIPAL RETENTION AND DISPOSITION SCHEDULE (2021-XXX)

WHEREAS, North Carolina General Statute § 132-1 defines public records as documents, maps, photographs, recordings, and other items in various media that are made or received in connection with the transaction of public business; and

WHEREAS, North Carolina General Statute § 121-5 prohibits disposal of any public record without the consent of the North Carolina Department of Natural and Cultural Resources; and

WHEREAS, the Department of Natural and Cultural Resources' Municipal Records Retention and Disposition Schedule identifies how long certain records must be retained in accordance with state and federal laws, rules, and regulations; and

WHEREAS, municipalities that adopt the Municipal Records Retention and Disposition Schedule, may lawfully dispose of certain records at the end of those records' retention periods, so long as those records are not needed for audit or legal purposes or in support of Town business; and

WHEREAS, the Town of Wake Forest currently manages records under a version of the Schedule adopted by Town Board of Commissioners on August 18th, 2009 and

WHEREAS, the Department of Natural and Cultural Resources has issued an updated Schedule which updates the following listed records: Administration and Management, Budget, Fiscal, and Payroll, Geographic Information Systems, Human Resources, Information Technology, Legal, Public Relations, Risk Management, and Workforce Development Records. The updated schedule also states that "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."

WHEREAS, administrative values have been determined by Wake Forest staff and inserted into the Municipal Records Retention and Disposition Schedule, as amended, where applicable. In general, the Town adopts the States Schedule plus one additional year.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Wake Forest that the Council adopts the 2021 Municipal Records Retention and Disposition Schedule, including the added locally-defined administrative values of records as presented in the December 7th meeting materials, and that this Schedule supersedes the Schedule adopted by the Town Board in 2009.

Approved this 21st day of DECEMBER, 2021.

Moved by: _____

Seconded: _____

Mayor: _____

ATTEST:

Town Clerk

SEAL



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-396-

Submitted by: Allison Snyder

Submitting Department: Administration

Meeting Date: December 21, 2021

SUBJECT

Updates to the Town of Wake Forest Board of Commissioners Rules of Procedure.

Recommendation:

Approval of updates to the Town of Wake Forest Board of Commissioners Rules of Procedure.

Item Summary:

ATTACHMENTS

- [Summary - Resolution to update Rules of Procedure 2021.docx](#)
- [Attachment 1 Rules of Procedure 2021 Update.pdf](#)

Resolution to Approve updates to the Town of Wake Forest Board of Commissioners Rules of Procedure

Recent changes to North Carolina General Statute 160D and modifying the start time of our regular board meetings from 7:00 p.m. to 6:00 p.m. necessitated updates to our Rules of Procedure. Last updates were adopted in 2017.

Attachment 1: Rules of Procedure 2021 Update

RESOLUTION 2021-370

APPROVAL OF REVISED RULES OF PROCEDURE

WHEREAS, The Board of Commissioners operate under adopted rules of procedure; and

WHEREAS, the rules were revised October 17, 2017, due to changes in state law and to conform to current practices.

WHEREAS, these rules have been revised again in December 2021 due to changes in state law and to conform to current practices and were presented to the Board of Commissioners on December 7th, 2021.

WHEREAS, in case of conflict, the following documents supersede each other in accordance with the following respective hierarchy: State Legislation, Wake Forest Code of Ordinances, Robert's Rules of Order Newly Revised, and then any subsequent handbooks or internal procedures.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest that the attached revised rules of procedure are hereby adopted.

Adopted this 21st day of December 2021.

Moved by: _____

Seconded by: _____

Mayor. _____

ATTEST:

Town Clerk

THIS IS AN ANNOTATED VERSION OF THE TOWN OF WAKE FOREST MEETING PROCEDURES. ANNOTATIONS ARE TO TREY ALLEN'S SUGGESTED RULES OF PROCEDURE FOR A CITY COUNCIL. FOURTH EDITION. UNC SCHOOL OF GOVERNMENT ("Suggested Rules")

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Reference to Robert's Rules of Order Newly Revised ("RONR")

Appendix: Table of Permitted Procedural Motions in Order of Precedence

Preamble

The Town of Wake Forest Meeting Procedures set forth the rules for calling, conducting and memorializing meetings of the Town of Wake Forest Board of Commissioners (the "Board") as well as the procedures for actions during such meetings. These procedures are designed to promote transparency and efficiency throughout Board Meetings. They contain explanatory annotations with references to the North Carolina General Statutes, the Town's Charter, and secondary resources which inform the policy behind these procedures. Where possible, the annotations indicate where these procedures deviate from the Suggested Rules.

1. Regular Meetings

(a) *Regular Meeting Schedule.* Unless otherwise determined by the Board, the Board shall hold a regular meeting on the third Tuesday of each month, except that if a regular meeting day is a legal holiday, the meeting shall be held on the next business day. The meeting shall be held at the Town Hall and shall begin at ~~7:00 PM~~ 6:00 PM. A copy of the Board's current meeting schedule shall be filed with the town clerk.

(b) *Change to Meeting Schedule.* Notwithstanding paragraph (a) of this rule, the Board may amend its regular meeting schedule to add or delete meetings or to change the date, time, or location of one or more meetings on the schedule. The amended schedule shall be filed with the town clerk at least seven (7) calendar days before the day of the first meeting held pursuant to the revised schedule.

N.C.G.S. §160A-71 allows the Board to fix a time and place for regular meeting; Charter, Art. III, Sec. 3.5, requires the Board to meet once per month. N.C.G.S. §143-318.12(a) requires the Board's schedule of regular meetings to be kept on file with the town clerk.

ANNOTATION: This tracks the language recommended by Suggested Rules p. 6 (Rule 9, with a few exceptions. For example, this Rule includes the opening proviso: "Unless otherwise determined by the Board, " which is ambiguous as it is unclear whether it (1) merely allows the Board to determine a different date for the regular monthly meeting or (2) allows the Board to determine not to hold a meeting. The second interpretation would be problematic because the Charter requires the Board to hold a regular meeting each month. The Suggested Rules also require listing the calendar of regular meetings on the Town's website if such website is managed by at least one Town employee.

2. Special, Emergency, and Adjourned Meetings

(a) *Special Meetings.* The mayor, the mayor pro tempore, or any two members of the Board may at any time call a special Board meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. At least 48 hours before a special meeting called in this manner, written notice of the meeting stating its time and place and the subjects to be considered shall be (a) delivered to the mayor and each Board member either in

person or via e-mail (to his or her Town e-mail address) or left at his or her usual dwelling place; (b) posted on the Board's principal bulletin board, or if none, at the door of the Board's usual meeting room; and (c) mailed, e-mailed, or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the town clerk. Only those items of business specified in the notice may be transacted at a special meeting called in this manner, unless all members are present or have signed a written waiver of notice.

A special meeting may also be called or scheduled by vote of the Board in open session during another duly called meeting. The motion or resolution calling or scheduling the special meeting shall specify its time, place, and purpose. At least 48 hours before a special meeting called in this manner, notice of the time, place, and purpose of the meeting shall be (a) posted on the Board's principal bulletin board, or if none, at the door of the Board's usual meeting room; and (b) mailed, e-mailed, or delivered to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the town clerk. Such notice shall also be mailed, e-mailed, or delivered at least 48 hours before the meeting to each Board member not present at the meeting at which the special meeting was called or scheduled, and to the mayor if he or she was not present at that meeting.

Any notice required to be posted on the Board's principal bulletin board or at the door of the Board's usual meeting room shall be posted on the door of the building or on the building in an area accessible to the public if the building containing the principal bulletin board or usual meeting room is closed to the public continuously for 48 hours before the time of the meeting. The town shall post notice of any meeting held in accordance with this Rule 2(a) prior to the scheduled time of that meeting.

(b) *Emergency Meetings.* The mayor, the mayor pro tempore, or any two members of the Board may at any time call an emergency Board meeting by signing a written notice stating the time and place of the meeting and the subjects to be considered. The notice shall be delivered to the mayor and each Board member or left at his or her usual dwelling place at least six hours before the meeting. Notice of the meeting shall be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written emergency meeting notice request, which includes the newspaper's, wire service's, or station's telephone number, with the town clerk. This notice shall be given either by e-mail, by telephone or by the same method used to notify the mayor and the Board members, and shall be given at the expense of the party notified.

Emergency meetings may only be called because of generally unexpected circumstances that require immediate consideration by the town Board. Only business connected with the emergency may be considered at an emergency meeting.

(c) *Adjourned Meetings.* A properly called regular, special, or emergency meeting may be adjourned by a procedural motion made and adopted as provided in Rule 16 Procedural Motions in open session during the regular, special, or emergency meeting. No further notice need be given of an adjourned session of a properly called regular, special, or emergency meeting, if the time and place at which the meeting is to be continued is announced in open session.

**N.C.G.S. §160A-71 and 143-318.12(b); Charter Art. III, Sec. 3.5.;
Ordinances, Chap. 2, Art. II, Division 2.**

ANNOTATION: Subpart (a) addressing Special Meetings generally tracks the language of Suggested Rules pp. 6-7 (Rule 10) with some exceptions. For example, this Rule tracks the statutory language of N.C.G.S. § 160A-71 as to who may call a special meeting. The first paragraph of this Rule includes a limitation on what may be discussed at a special meeting, which is included as a separate paragraph in Suggested Rules p. 7 (Rule 10(d)). This Rule omits a provision included in Suggested Rules p. 7 requiring a good faith basis for immediate action on any business not covered by special meeting notice, which such omission allows for greater flexibility for the Board to conduct business.

Subpart (b) addressing Emergency Meetings generally tracks Suggested Rules pp. 7-8 (Rule 11). This subpart, however, contains more specific notice provisions than included in Suggested Rules (i.e. requiring notice to the media via telephone) in order to promote transparency around calling of Emergency Meetings.

Subpart (c) addresses adjourned meetings. This subpart differs from Suggested Rules pp. 8-9 by allowing such a motion even if the motion does not include a time and place to reconvene. The rule seems to contemplate in such an event, proper notice would still have to be given. Suggested Rules pp. 8-9 provides such a motion shall include a time and place to reconvene. This Rule also does not contemplate a separate "recess" procedure (see Suggested Rules pp. 8-9 (Rule 12)).

The Suggested Rules for special and emergency meetings also recommends posting notice of such meetings on the Town's website if such website is maintained by at least one Town employee.

3. Organizational Meeting

On the date and at the time of the first regular meeting following a general election in which Board members are elected, or at an earlier date, if any, set by the incumbent Board, the newly elected members shall take and subscribe the oath of office. Unless postponed to a time certain, the Board shall at the same meeting, elect a mayor pro tempore. This organizational meeting shall not be held before the municipal election results are officially determined, certified, and published in accordance with Subchapter IX of Chapter 163 of the North Carolina General Statutes.

N.C.G.S. §160A-68; Charter Art. m, Sec. 3.4.

ANNOTATION: This Rule differs somewhat from Rule 8 in the Suggested Rules pp 5-6. This Rule requires the Organizational Meeting not be held until the election results are determined, certified, and published which is consistent with the statutory language. The Suggested Rules also ,reference a specific requirements for the oath of office to be taken as well as the nomination and voting procedure to elect chairpersons, which our Rules do not include. See Suggested Rules pp 5-6).

4. Agenda

The Board shall develop a preliminary agenda for the next regular business meeting at the Board's work session held on the first Tuesday of each month. The town clerk shall prepare and distribute the agenda for each regular business meeting. Except for emergency and other time-sensitive matters, a request to have an item of business placed on the agenda must be received by the town clerk before the commencement of the work session. A Board member may have an item placed on the proposed agenda at or following the work session if at least two other Board members agree. The Town Manager may place an emergency or time-sensitive item on the proposed agenda at or following the work session, in his or her discretion, no later than twenty-four (24) hours prior to the next regular business meeting. A copy of all proposed ordinances shall be attached to the final agenda. An agenda package shall be prepared that includes, for each item of business placed on the proposed agenda, as much background information on the subject as is available and feasible to reproduce. Each Board member shall receive a copy of the proposed agenda and the agenda package, and it shall be available for public inspection and distribution or copying when it is distributed to the Board members.

N.C.G.S. §160A-71(c).

As its first order of business at each meeting, the Board shall adopt the agenda prepared and finalized in advance of that regular business meeting. Additional items shall not be added to the agenda unless such item is an emergency or is particularly time- or deadline-sensitive. Such items will only be added at the discretion of the Town Manager or by the majority vote of the Board. Additionally, the Board may not add items to the proposed agenda stated in the notice of a special meeting called by the mayor, mayor pro tempore, or two Board members, unless all members are present, or those who are absent sign a written waiver of notice, and only business connected with the emergency may be considered at an emergency meeting.

N.C.G.S. §160A-71; NOTE: This procedure was specifically adopted by the Board and is not addressed in the ordinances.

The Board shall not deliberate, vote, or otherwise take action on any matter by reference to a letter, number or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the Board to understand what is being deliberated, voted, or acted on. The Board may, however, deliberate, vote, or otherwise take action by reference to an agenda, if copies of the agenda, sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on, are available for public inspection at the meeting. For example, the town clerk or the town manager may propose a consent agenda. A consent agenda shall contain a group of items to be passed on a single motion and vote. These

matters are generally of a routine nature. No debate is allowed on any item included on the consent agenda. If a Board member or any other person requests a separate consideration of an item on the consent agenda, that item shall be removed from the consent agenda and considered as a regular business item. A copy of the consent agenda will be available for inspection at the meeting.

N.C.G.S. §143-318.13(c).

ANNOTATION: The Suggested Rule 13 governing the Agenda is found at Suggested Rules pp. 9-11. The existing Rule differs from the Suggested Rule 13 as the Town has set forth its own specific procedure for approval of the Agenda during an earlier Work Session meeting. The final paragraph of the Rule incorporates Open Meeting Requirements.

5. **Public Address to the Board**

The Board shall provide at least one period for public comment per month at the Board's regular meeting. **[NOTE: The Board may adopt reasonable rules governing the conduct of the public comment period, including, but not limited to, rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing.]**

The Board suggests that any individual or group who wishes to address the Board should request in writing that the town clerk include the requested item on the agenda. The Board shall determine when it adopts its agenda for the meeting whether the requested item will be included on the agenda. Regardless of whether a requested item was included as a separate agenda item, any individual or group may speak during the public comment period in accordance with this Rule 5.

N.C.G.S § 160A-81.1.

ANNOTATION: This Rule deviates from Suggested Rules pp. 22-23 to reflect that the Town Charter requires at least monthly meetings of the Board. The Suggested Rules p. 23 (Rule 37(c)) include a prohibition on content-based restrictions so long as the comments pertain to the subjects within the Board's real or apparent jurisdiction. School of Government commentary interprets statutory guidelines and relevant caselaw on public addresses in a way that would allow the Board and its presiding officer to limit public address to matters that are germane to the work of the Board but with the caveat that such addresses should not otherwise be prohibited or limited based on content or the viewpoint of the speaker.

6. Order of Business

Items shall be placed on the agenda according to the Order of Business. The Order of Business for each regular meeting shall be as follows:

Adoption of agenda,
Approval of minutes,
Presentations/public comment,
Public hearings,
Consent agenda,
Legislative items,
Departmental items,
Other business,
Closed session,
Adjournment - *Note, however, that adjournment is not an action authorized by statute to be taken during a closed session.*

By general consent of the Board, items may be considered out of order.

Ordinances, Chap. 2, Art. II, Sec. 2-58.

ANNOTATION: *This Rule generally tracks Suggested Rules p. 11 (Rule 16), with provisions made for items specific to the Town's Board of Commissioners' Meetings as contained in Ordinance Section 2-58.*

7. Presiding Officer

The mayor shall preside at meetings of the Board unless he or she becomes actively engaged in debate on a particular proposal, in which case he or she shall designate another Board member to preside over the debate. The mayor shall resume presiding as soon as action on the matter is concluded.

ANNOTATION: *This Rule provides a simplified version of Suggested Rule 17-20, Suggested Rules pp. 11-13. Suggested Rules 17-20 provide more description of the role of the chair (mayor)/vice-chair in parliamentary procedure as well as instances of unavailability.*

8. Action by the Board

The Board shall proceed by motion. Any member may make a motion.

Ordinances, Chap. 2, Art. II, Sec. 2-58.

ANNOTATION: *See Suggested Rules p. 13. This Rule generally tracks the Suggested Rule.*

9. Second Required

A motion shall require a second.

Ordinances, Chap. 2, Art. II, Sec. 2-58.

**** ANNOTATION: This may be a point of emphasis for the Board. Suggested Rule 22, Suggested Rules p. 13 states a Motion does not require a second. The existing Town Ordinance Section 2-58 however does require a second. Thus any revision to this Rule will require amendment of the Town's Ordinance. ****

10. One Motion at a Time

A member may make only one motion at a time.

ANNOTATION: Suggested Rule 23, Suggested Rules p 13.

11. Substantive Motions

A substantive motion is out of order while another substantive motion is pending.

Ordinances, Chap. 2, Art. II, Sec. 2-61.

ANNOTATION: Suggested Rule 30, Suggested Rules p 13.

12. Adoption by Majority Vote

Generally, all matters to be voted on shall be decided by a majority of those present and voting, a quorum being present, unless otherwise required by these rules or the laws of North Carolina. The affirmative vote of a majority of members elected to the Board not excused from voting on the question at issue shall be required to adopt any ordinance or any resolution or motion having the effect of any ordinance. Except for the approval of minutes, all action by the Board taken pursuant to Rules 8 and 9 and adopted pursuant to this Rule 12 shall be evidenced by resolution of the Board or by ordinance.

Charter, Art. III, Sec. 3.6(b).

ANNOTATION: This Rule is generally consistent with Suggested Rule 26, Suggested Rules p. 14. This Rule, however, gives more definition to what constitutes a majority consistent the requirements of the Town Charter.

The issue of what constitutes a quorum also warrants emphasizing as it relates to the application of this Rule. See Rule 22 and annotations below.

NCGS 160A-75 contemplates two (2) circumstances when a Board member is "excused from voting": first, when a member has been excused by a majority of the remaining

Board present at said meeting from a meeting at which he or she is present, and, second, if the Board is voting "upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234, 160D-1-9

13. Voting by Written Ballot

The Board may choose by majority vote to use written ballots in voting on a motion. Such ballots shall be signed, and the minutes of the Board shall show the vote of each member voting. The ballots shall be available for public inspection in the office of the town clerk immediately following the meeting at which the vote took place and until the minutes of that meeting are approved, at which time the ballots may be destroyed.

N.C.G.S. §143-318.13(b).

ANNOTATION: Suggested Rule 29, Suggested Rules PP. 15-16.

14. Debate

The mayor or presiding officer shall state the motion, then open the floor to debate and shall direct the debate according to the following general principles:

- (a) The introducer (the member who makes the motion) is entitled to speak first;
- (b) A member who has not spoken on the issue shall be recognized before someone who has already spoken;
- (c) To the extent possible, the debate shall alternate between opponents and proponents of the measure.

ANNOTATION: Suggested Rule 25, Suggested Rules p 14.

15. Ratification of Actions

To the extent permitted by law, the Board may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.

ANNOTATION: Ratification process (except in specific context of ratification of contracts, see Suggested Rules p. 21 (Rule 35)) is not addressed in the Suggested Rules.

16. Procedural Motions

In addition to substantive proposals, the following procedural motions, and no others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption.

ANNOTATION: See *Suggested Rule 31, Suggested Rules pp. 16-19*. Note: *Suggested Rules* provides a more formal and comprehensive approach to Procedural Motions practice including permitting additional Procedural Motions not included herein.

See RONR

In order of priority (if applicable), the procedural motions are:

(a) *To Adjourn.* A motion to adjourn is always in order and will be decided without debate. A motion to adjourn to a time and place certain shall also comply with the requirements of Rule 2(c).

Ordinances, Chap. 2, Art. II, Sec. 2-62.

ANNOTATION: See *Suggested Rules p 17*. Note the current rule differs from the *Suggested Rules* in that under the current rule a Motion to Adjourn is always in order unlike under the *Suggested Rules*.

(b) *To Take a Brief Recess.*

ANNOTATION: See *Suggested Rules p 17*.

(c) *Call to Follow the Agenda.*

The motion must be made at the first reasonable opportunity, or the right to make it is waived for the out-of-order item in question.

ANNOTATION: See *Suggested Rules p 17*.

(d) *Call of the Previous Question.* The motion is not in order until there have been at least 20 minutes of debate, and every member has had an opportunity to speak once.

Ordinances, Chap. 2, Art. II, Sec. 2-60.

ANNOTATION: See *Suggested Rules p 17 (Motion 9)*. Note under the current rules, this Motion is higher in priority than under *the Suggested Rules*.

(e) *To Suspend the Rules.* The motion requires for adoption a vote equal to two-thirds of the actual membership of the Board, excluding the mayor and vacant seats. The Board may not suspend provisions of the rules that state requirements imposed by law on the Board.

ANNOTATION: See *Suggested Rules p 17*.

(t) *To Defer Consideration (To Lay on the Table).* A substantive motion the consideration of which has been deferred expires 100 days thereafter unless a motion to revive consideration is adopted.

ANNOTATION: See Suggested Rules p 17. Note Suggested Rules includes additional language making clear a new substantive motion with the same effect may not be considered and makes clear action must be taken to revive the substantive motion.

(g) *To Postpone to a Certain Time or Day.*

Ordinances, Chap. 2, Art. II, Sec. 2-61.

ANNOTATION: See Suggested Rules p 18.

(h) *To Postpone Indefinitely.*

Ordinances, Chap. 2, Art. II, Sec. 2-61.

ANNOTATION: This motion is not contained in Suggested Rules.

(i) *To Refer to a Committee.* Sixty days or more after a motion has been referred to a committee, the introducer may compel consideration of the measure by the entire Board, whether or not the committee has reported the matter to the Board.

Ordinances, Chap. 2, Art. II, Sec. 2-61.

ANNOTATION: See Suggested Rules p 18.

(j) *To Amend.* An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the amended motion has the same effect as rejection of the original motion.

A motion may be amended, and that amendment may be amended, but no further amendments may be made.

Any amendment to a proposed ordinance shall be reduced to writing before the vote on the amendment.

Ordinances, Chap. 2, Art. II, Sec. 2-61.

ANNOTATION: See Suggested Rules p 17.

(k) *To Strike Out or Insert.*

Ordinances, Chap. 2, Art. II, Sec. 2-61.

ANNOTATION: This motion is not contained in Suggested Rules. It is unclear how this Motion differs from a Motion to Amend; however, this Motion is currently specifically referenced in the Town Ordinance.

(l) *To Divide a Complex Motion and Consider it by Paragraph.*

Ordinances, Chap. 2, Art. II, Sec. 2-61.

ANNOTATION: See Suggested Rules p 17. Note this Motion is lower in priority than in Suggested Rules. The Suggested Rules also require the member making the motion must specify how the complex motion is to be divided.

(m) *To Revive Consideration.* The motion is in order any time within 100 days after the day of a vote to defer consideration pursuant to a motion properly taken under Rule 16(f). A substantive motion on which consideration has been deferred expires 100 days after the deferral unless a motion to revive consideration is adopted.

ANNOTATION: See Suggested Rules p 18.

(n) *To Reconsider.* The motion must be made by a member who voted with the prevailing side, and only at the meeting during which the original vote was taken, including any continuation of that meeting through adjournment to a time and place certain. The motion cannot interrupt deliberation on a pending matter, but is in order at any time before final adjournment of the meeting.

ANNOTATION: See Suggested Rules p 18.

(o) *To Rescind or Repeal.* The motion is not in order if rescission or repeal of an action is forbidden by law.

ANNOTATION: See Suggested Rules p 19.

(p) *To Prevent Reconsideration for Six Months.* The motion shall be in order immediately following the defeat of a substantive motion and at no other time. The motion requires for adoption a vote equal to two-thirds of the actual membership of the Board excluding the mayor and vacant seats. If adopted, the restriction imposed by the motion remains in effect for six months or until the next organizational meeting of the Board, whichever occurs first.

ANNOTATION: See Suggested Rules p 19.

17. Propriety of Motion

When a question is under consideration by the Board, no motion (other than a motion to adjourn, which always is in order) shall be entertained except to:

- (a) Defer consideration (Lay on the table);
- (b) Postpone to a time certain;
- (c) Postpone indefinitely;
- (d) Refer to a committee;
- (e) Amend;
- (f) Strike out or insert;
- (g) Divide.

Motions for any of the purposes listed in subsections (a) through (g) above have precedence in the order named.

Ordinances, Chap. 2, Art. II, Sec. 2-61 and Sec. 2-62.

ANNOTATION: This Rule tracks the requirements of the Town Ordinance directly on point. This rule does not appear separately in Suggested Rules, but is encompassed in the discussion of each procedural motion, see Suggested Rules pp. 16-19.

18. Renewal of Motion

A motion that is defeated may be renewed at any later meeting unless a motion to prevent reconsideration has been adopted.

*ANNOTATION: This motion is not contained in Suggested Rules. See **RONR 38**. This Motion is the procedural mechanism by which any motion that has been defeated, postponed, tabled or left for reconsideration until the next scheduled session of the Board is brought back to the consideration of the Board.*

19. Withdrawal of Motion

A motion may be withdrawn by the introducer at any time before a vote.

ANNOTATION: See Suggested Rules p 13 (Rule 24). Under the Suggested Rules amendment of the motion also forecloses its withdrawal.

20. Duty to Vote

Every member must vote unless excused by the remaining members according to law. A member who wishes to be excused from voting shall so inform the mayor, who shall take a vote of the remaining members. No member shall be excused from voting except upon matters involving the consideration of his or her own financial interest or official conduct. Additionally, when the Board is acting in a quasi-judicial capacity, no Board member shall participate in a manner that would violate an affected person's constitutional rights to an impartial decision maker. Impermissible conflicts that could jeopardize an affected person's constitutional rights include, but are not limited to, a member having a fixed opinion prior to hearing the matter, which opinion is not susceptible to change; undisclosed ex parte communications; a close familial, business, or other associational relationship with an affected person; or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection. In all cases other than those set forth in this Rule 20, a failure to vote by a member who is physically present in the Board chamber, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote. A member's unexcused failure to vote shall not be recorded as an affirmative vote if the

motion concerns a proposal to amend, supplement, or repeal a zoning ordinance. Instead, the member's unexcused failure to vote shall be recorded as an abstention.

N.C.G.S. §160A-75 and 160D-1-9 Charter, Art. III, Sec. 3.6(b).

ANNOTATION: See Suggested Rules pp 14-15 (Rule 19). This rule provides greater guidance than the Suggested Rules as to what may constitute grounds for recusal under North Carolina law incorporating principles from the statutory language. The final sentence has been added to track modifications to N.C.G.S. §160A-75, specifically to reflect a policy decision by the North Carolina General Assembly to allow abstentions when voting to amend or repeal zoning ordinances.

21. **Closed Sessions**

The Board may hold closed sessions as provided by law. The Board shall only commence a closed session after a motion to go into closed session has been made and adopted during an open meeting. The motion shall state the purpose of the closed session. If the motion is based on G.S. 143-318.1 l(a)(1) (closed session to prevent the disclosure of privileged or confidential information or information that is not considered a public record), it must also state the name or citation of the law that renders the information to be discussed privileged or confidential. If the motion is based on G.S. 143-318.1 l(a)(3) (consultation with attorney; handling or settlement of claims, judicial actions, or administrative procedures), it must identify the parties in any existing lawsuits concerning which the public body expects to receive advice during the closed session. The motion to go into closed session must be approved by the vote of a majority of those present and voting. The Board shall terminate the closed session by a majority vote.

Only those actions authorized by statute may be taken in closed session. A motion to adjourn or recess shall not be in order during a closed session.

N.C.G.S. §143-318.11.

ANNOTATION: See Suggested Rules p 2-3.

22. **Quorum**

A majority of the actual membership of the Board, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by majority vote of the remaining members present shall be counted as present for purposes of determining whether or not a quorum is present.

N.C.G.S. §160A-74; Charter Art. III, Sec. 3.6(a); Ordinances, Chap. 2, Art. II, Sec. 2-59.

ANNOTATION: See Suggested Rules p 1.

*****NOTE: The Town Charter defines Quorum as: "A majority of the members elected to the Board of Commissioners shall constitute a quorum/or the conduct of business, but a less number may adjourn from time to time and compel attendance of the absent members in such manner as may be prescribed by ordinance." Charter Art. IIL Sec. 3.6.*

Town Ordinance defines Quorum as: "A majority of the total members of the Board of Commissioners shall constitute a quorum." Ordinance Sec 2-59.

North Carolina statute defines Quorum as: "A majority of the actual membership of the council plus the mayor, excluding vacant seats, shall constitute a quorum." G.S. 160A-74

*Notwithstanding the apparent conflict between the Town Charter definition of "Quorum" and the General Assembly's definition of "Quorum", the Town Charter was enacted by the General Assembly and, therefore, controls in this circumstance. *****

23. Quorum at Public Hearings.

A quorum of the Board shall be required at all public hearings required by state law. If a quorum is not present at such a hearing, the hearing shall be continued until the next regular Board meeting without further advertisement.

N.C.G.S. §160A-81; Ordinances, Chap. 2, Art. II, Sec. 2-59.

ANNOTATION: This rule does not appear in Suggested Rules.

24. Minutes for Closed Sessions

When the Board meets in closed session, it shall keep a general account of the closed session so that a person not in attendance would have a reasonable understanding of what transpired. Such accounts may be a written narrative, or video or audio recordings. Minutes and accounts of closed sessions may be sealed by action of the Board. Such sealed minutes or accounts may be withheld from public inspection so long as public inspection would frustrate the purpose of the closed session. The minutes or accounts will remain sealed until further action of the Board.

N.C.G.S. §160A-72 and 143-318.to(e).

ANNOTATION: See Suggested Rules p. 4 (Rule 6).

25. Reference to Robert's Rules of Order Newly Revised

To the extent not provided for in these rules, and to the extent it does not conflict with North Carolina law or with the spirit of these rules, the Board shall refer to Robert's Rules of Order Newly Revised, to answer unresolved procedural questions.

ANNOTATION: See Suggested Rules p 25 (Rule 41).

APPENDIX

Permitted Procedural Motions in Order of Precedence¹

<u>Motion</u>	<u>Vote Required²</u>	<u>Special Requirements</u>
(a) To Adjourn	Majority	Motion to adjourn is always in order (except that it is out of order in closed session) and will be decided without debate. Motion to adjourn to a time and place certain must also comply with Rule 2(c). <u>ANNOTATION: See Suggested Rules p17.</u>
(b) To Take a Brief Recess	Majority	None. <u>ANNOTATION: See Suggested Rules p 17.</u>
(c) Call to Follow the Agenda	Majority	Must be made at first reasonable opportunity, or the right to make it is waived for the out-of-order item in question. <u>ANNOTATION: See Suggested Rules p 17.</u>
(d) Call of the Previous Question	Majority	Not in order until there have been at least 20 minutes of debate, and every member has had an opportunity to speak once. <u>ANNOTATION: See Suggested Rules p 17.</u>
(e) To Suspend the Rules	Two-Thirds	The Board may not suspend provisions of the rules that state requirements imposed by law on the Board. <u>ANNOTATION: See Suggested Rules p 17.</u>

¹ Under these rules all procedural motions are debatable (other than a motion to adjourn) and all require a second. All may be amended, subject to the stated limitations on motions to amend (Motion (j)). Except where indicated otherwise, procedural motions may interrupt deliberations on a pending substantive matter.

² The required vote for adoption of a procedural motion is generally a majority of the votes cast, a quorum being present. In a few cases, the required vote is a vote equal to two-thirds of the actual membership of the Board, excluding the mayor and vacant seats.

Motion	Vote Required	Special Requirements
(f) To Defer Consideration {To Lay on the Table}	Majority	A substantive motion the consideration of which has been deferred expires 100 days thereafter unless a motion to revive consideration (Motion (m)) is adopted. <i>ANNOTATION: See <u>Suggested Rules p 17</u>.</i> CAUTION: Do not confuse with Motion (g).
(g) To Postpone to a Certain Time or Day	Majority	None. <i>ANNOTATION: See <u>Suggested Rules J!</u> 18.</i> CAUTION: Do not confuse with Motion (f).
(h) To Postpone Indefinitely	Majority	None. CAUTION: Do not confuse with Motion (f).
(i) To Refer to a Committee	Majority	Sixty days or more after a motion is referred to a committee, the introducer may compel consideration of the measure by the Board, regardless of whether the committee has reported the matter to the Board. <i>ANNOTATION: See <u>Suggested Rules p 18</u>.</i>
(j) To Amend	Majority	Amendments must be pertinent to the subject matter of the motion being amended. An amendment is improper if adoption of the amendment has the same effect as rejection of the original motion. A motion may be amended, and that amendment may be amended, but no further amendments may be made. An amendment to a proposed ordinance must be reduced to writing before the vote on the amendment. <i>ANNOTATION: See <u>Suggested Rules p 18</u>.</i>
(k) To Strike Out or Insert	Majority	None
(1) To Divide a Complex Motion and Consider it by Paragraph	Majority	None <i>ANNOTATION: See <u>Suggested Rules p 17</u>.</i>

<u>Motion</u>	<u>Vote Required</u>	<u>Special Requirements</u>
(m) To Revive Consideration	Majority	In order at any time within 100 days after the day of a vote to defer consideration (Motion (t)). Failure to adopt Motion (m) within the 100-day period results in expiration of the deferred substantive motion. <u>ANNOTATION: See Suggested Rules p 18.</u>
(n) To Reconsider	Majority	Must be made by a member who voted with the prevailing side. May only be made at the meeting at which the original vote was taken, including any continuation of that meeting through adjournment to a time and place certain. Cannot interrupt deliberation on a pending matter, but is in order at any before final adjournment of the meeting. <u>ANNOTATION: See Suggested Rules p 18.</u>
(o) To Rescind or Repeal	Majority	Not in order if rescission or repeal of an action is forbidden by law. <u>ANNOTATION: See Suggested Rules p 19.</u>
(p) To Prevent Reconsideration for Six Months	Two-Thirds	In order immediately following defeat of a substantive motion and at no other time. If adopted, the restriction imposed by the motion remains in effect for six months or until the next organizational meeting of the Board, whichever occurs first. <u>ANNOTATION: See Suggested Rules p 19.</u>

<u>Motion</u>	<u>Vote Required</u>	<u>Special Requirements</u>
(q) To Close a Meeting (To Enter into Closed Session)	Majority	The motion shall state the purpose of the closed session. If the motion is based on G.S. 143-318.11(a)(1) (closed session to prevent the disclosure of privileged or confidential information or information that is not considered a public record), it must also state the name or citation of the law that renders the information to be discussed privileged or confidential. If the motion is based on G.S. 143-318.11(a)(3) (consultation with attorney; handling or settlement of claims, judicial actions, or administrative procedures), it must identify the parties in any existing lawsuits concerning which the public body expects to receive advice during the closed session. The Board shall terminate the closed session by a majority vote. <u>ANNOTATION:</u> See <u>Suggested Rules p 17</u> <i>(NOTE: a motion to adjourn may be made to <u>enter into</u> a closed session.</i> <u>CAUTION:</u> A motion to adjourn is not in order during a closed session. The closed session should be terminated by a majority vote and a motion to adjourn made thereafter in open session.



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-397-

Submitted by: Allison Snyder

Submitting Department: Administration

Meeting Date: December 21, 2021

SUBJECT

Updates to the Code of Ethics

Recommendation:

Approval of Code of Ethics Policy updates. Recent changes to North Carolina General Statute 160D necessitated updates for all boards.

Item Summary:

ATTACHMENTS

- [Summary - Resolution to Approve and Adopt a Code of Ethics for Advisory Boards.docx](#)
- [Attachment 1 Code of Ethics for Advisory Board Members 2021 Update.pdf](#)

Resolution to Approve updates to the Code of Ethics for Members of the Advisory Boards, Committees, Commissions, and Board of Commissioners of the Town of Wake Forest

Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a code of ethics and, pursuant to Section 160A-86. The most recent update to the policy occurred in 2019. Staff has amended the policy and requests approval of the updates. Recent changes to North Carolina General Statute 160D necessitated updates for all boards.

Attachment 1: Code of Ethics for Advisory Board Members 2021 Update



TOWN of WAKE FOREST

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www.wakeforestnc.gov

Code of Ethics for Members of Advisory Boards, Committees, & Commissions of the Town of Wake Forest, North Carolina

PREAMBLE Resolution 2021-369

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a code of ethics and, pursuant to Section 160A-86, the Town of Wake Forest Board of Commissioners has previously adopted a Code of Ethics for the Mayor and Board of Commissioners, and

WHEREAS, it is appropriate that members of Town boards, committees, and commissions, as well as Mayoral and Board of Commissioners appointees to non-Town bodies (hereinafter "Advisory Board Members"), also adhere to a Code of Ethics.

WHEREAS the Code of Ethics for Advisory Board Members was adopted in January 2019, and recent changes to North Carolina General Statute §160D has necessitated updates for all advisory boards.

WHEREAS the sections describing the Planning Board, Historic Preservation Commission and Board of Adjustment listed in the January 2019 policy have been removed and included in Board Specific Handbooks.

WHEREAS, ethics addresses the fundamental premise of our duty as public stewards. The Code of Ethics defines a foundation of behavior for all Wake Forest advisory board members to uphold the trust of the residents of this Town.

NOW THEREFORE, in that proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government, we the Board of Commissioners do hereby adopt the following General Principles and Code of Ethics to guide Advisory Boards members in their lawful decision-making.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest that the attached Code of Ethics are hereby adopted.

Adopted this 21st day of December 2021.

Moved by:_____

Seconded by: _____

Mayor: _____

ATTEST:

Interim Town Clerk

General Principles Underlying the Code of Ethics

- A. North Carolina's local government ethics act, requires governing board members to receive a minimum of two clock-hours of ethics training within 12 months of each election or re-election to office (160A-87). Appointed and re-appointed advisory board members will be subject to ethics training at the request of their staff liaison. The Clerk will maintain a record verifying receipt.
- B. The stability and proper operation of democratic representative government depend upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the Governing Body upon their appointed advisory board members.
- C. Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- D. Advisory board members must be able to act in a manner that maintains their integrity and independence yet are responsive to the interests and needs of those they represent.
- E. Advisory board members should conduct the affairs of the board in an open and public manner.
- F. Advisory board members must always remain aware that they may, at various times, play different roles:
 - a. As advisors, who balance the public interest and private rights in considering and recommending, among other things, ordinances, policies, and decisions, and
 - b. As decision-makers, who arrive at fair and impartial determinations.
- G. Advisory board members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
- H. Advisory board members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of the Mayor and Board Members and the citizens of the Town of Wake Forest. Each advisory board member must find within his or her own conscience the touchstone by which to determine what conduct is appropriate. The use of public office for private gain is prohibited.

Code of Ethics

The purpose of this Code of Ethics is to establish guidelines to help determine what conduct is appropriate. It should not be considered a substitute for the law or for a board member's best judgement.

Section 1: Definitions

I. *Definitions.* For the purpose of these guidelines, the following definitions should be used:

- 1) *“Financial Interest”* means any pecuniary benefit accruing to the advisory board member.

~~*“Close personal relations”* means a relationship involving an advisory board member’s spouse, parent, child (including stepchild) or sibling and includes the advisory board member’s in-laws.~~
- 2) *“Familial Relationship”* means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships. (160D-109(f)).
- 3) *“Close business relations”* means a relationship involving some person or entity with which the advisory board member is associated for business purposes, and includes the advisory board member’s employer, partner, co-owner, and a client for whom the advisory board member is presently working or regularly does work.
- 4) *Financial interest in the matter.* That appointed advisory board members refrain from publicly advocating for or against, discussing, debating or voting on advisory decision that are or will be before their advisory board, when they have a direct and identifiable financial interest in the matter before the advisory board. ~~If the financial interest is very small and is shared by others in similar situations, or if the impact for the decision on the advisory board member is remote or speculative, then the advisory board member may disclose that interest and shall discuss, debate and vote after such public disclosure.~~
- 5) *Close personal or business relations with party.* That appointed advisory board members refrain from advocating for or against, discussing, debating and voting on advisory decisions, which are or will be before their advisory board, when they have close personal or business relations with any party in the matter.
- 6) *No appearance of impropriety.* That appointed advisory board members conduct themselves in a manner that does not raise a reasonable perception or belief that there is a conflict of interest or an abuse of their position (“appearance of impropriety”). Complying with this requirement may require that an advisory board member refrain from advocating, discussing, debating and voting even if they have no direct and identifiable financial interest or close personal or business relation in the matter. For instance, an advisory board member should not publicly lobby or advocate concerning a matter that will come before their advisory board nor should an advisory board member use, for their own financial interest, information obtained because of their position on the advisory board before such information is generally available to the public. Advisory board members should not do business with the Town other than the type of business that might be engaged in by a citizen of the Town, such as obtaining

permits and permissions. In some cases, the appearance of impropriety may be adequately dispelled with disclosure and explanation of the perceived impropriety.

~~J. Planning, Board of Adjustment and Historic Preservation Commission advisory board members must be able to act in a manner that maintains their integrity and independence yet is responsive to the interests and needs of those they represent. Planning and Board of Adjustment advisory board members shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.~~

~~K. Planning Board members must always remain aware that at various times they play different roles:~~

- ~~1) As advocative advisers who strive to make recommendations that advance the goals and policies of the Wake Forest Community Plan.~~
- ~~2) As advisors on legislative matters who balance the public interest and private rights in making recommendations to the Board of Commissioners.~~
- ~~3) As advisors on decisions who arrive at fair and impartial administrative recommendations and provide a preliminary forum for review of quasi-judicial decisions.~~

~~L. Planning Board members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.~~

~~M. Planning and Board of Adjustment members with any financial interest, or who have any conflicting interest, shall be held to these guidelines:~~

- ~~1) The Board of Adjustment and Historic Preservation Commission exercise quasi-judicial functions. For “quasi-judicial” decisions, the law requires all the elements of a fair trial, including an impartial decision maker. Therefore, the conflict of interest standard for the Board of Adjustment and Historic Preservation Commission member when making quasi-judicial decisions is higher than that for other advisory boards and is established by state law. At a minimum:~~

- ~~i. A member of any advisory board exercising quasi-judicial functions shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons’ constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a~~

~~financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.~~

Section 2: Advisory Board Etiquette

- A. During public meetings, advisory board members shall conduct themselves with professionalism and show courtesy to fellow advisory board members, other town representatives and the public.
- B. An advisory board member shall approach disagreements in a positive fashion, and refrain from personal criticisms of meeting participants and other town representatives.
- C. Once a majority of any advisory board reaches a decision, the minority shall respect and honor the decision.
- D. A public servant shall not solicit or accept a gift or loan of money, compensation, goods, services, or other things of value which would tend to influence the manner in which the officer performs his or her official duties,
- E. If an advisory board member believes that his or her actions, while legal and ethical, may be misunderstood, the member should seek the advice of the ~~Town Attorney~~ staff liaison and should consider publicly disclosing the facts of the situation and the steps taken to resolve it.
- F. Advisory board members should be willing to bear their fair share of the body's workload. To the extent appropriate, they should be willing to put the Town's interests ahead of their own.

Section 3: Enforcement and Administration

All advisory board members are subject to the Town ethics policy. The Planning Board, Board of Adjustment, Historic Preservation Commission, and the Board of Commissioners have supplementary governance policies related to ethics, enforcement, and administration of board duties. Sanctions and investigations will be administered by the Town Attorney staff liaison, or Board of Commissioners, as appropriate, depending on the type of board and alleged allegation.

Any individual who believes that a violation exists as prohibited by this policy shall submit a signed formal complaint to the Town Attorney. The Town Attorney shall investigate and report their findings to the Board of Commissioners and Town Manager, with a copy to the complainant. The Board of Commissioners may impose any one or more of the following sanctions on appointed members for violations of the ethical standards:

- A. Written warnings or reprimands;
- B. Termination of appointment;
- C. Adoption of a Resolution of Censure;
- D. Any other lawful sanction.

Section 4: Communications & Social Media Guidelines

Close working relationships between the Board of Commissioners and advisory board members are essential to fulfilling public responsibilities. For this and similar reasons, advisory board members shall also be mindful of the following:

- A. For all advisory boards, any contact with the media in an official capacity should be reported to the Town's Communications & Public Affairs Director and conducted in accordance with information set forth by Town policies and procedures.
- B. Advisory board members using social media should be especially mindful of their connection to town government and conduct themselves as a representative of the Town of Wake Forest. Therefore, advisory board members are urged to use discretion whenever posting or commenting. Once comments or posts are made, they can be seen by anyone and may not be able to be recanted.
- C. In addition, advisory board members should agree to the following before posting or commenting:
 - 1) As a Wake Forest advisory board member, take your role and responsibilities as an advisory board member very seriously. Take care to ensure that you are always representing the interests of the Town of Wake Forest in a professional and respectful manner.
 - 2) A Wake Forest advisory board member shall not represent his or her individual (personal) opinion as that of the Town of Wake Forest.
 - 3) Refrain from using social media accounts to communicate with Town employees about Town-related matters as this creates a public record on employees' personal accounts that must be retained per North Carolina Public Records law, NC Gen. Stat. Section 132-1 *et seq.*
- D. Do not speculate. Do not repeat rumors. If you do not know it to be true, do not say it.
- E. Set an appropriate example for addressing Town-related issues or concerns. If you are aware of an issue, problem or situation the Town should possibly address or improve, do not post it on social media. Instead, be an agent for positive change by informing your advisory board liaison and/or contacting the appropriate department. Also, direct other posters with Town-related issues and concerns to appropriate Town resources and/or staff.
- F. Do not try to be first to share with the public. If you know of something that should be used in a news release, or on the Town's other sites, contact the Communications & Public Affairs Director.
- G. Think About Consequences: You are sharing information publicly. Are you willing to back it up?

- H. Celebrate the Town's accomplishments by "liking" positive stories and posting encouraging comments. Also, share these posts with your "friends."

The Wake Forest Board of Commissioners acknowledges and appreciates the freedom of speech rights to which all advisory board members are entitled. The Board of Commissioners members acknowledge the importance of maintaining a relationship of mutual trust and respect for one another, particularly as such applies to the fulfillment of their use of social media.

ACKNOWLEDGEMENT OF RECEIPT OF Code of Ethics for Members of Advisory Boards, Committees, and Commissions of the Town of Wake Forest, North Carolina

On the date written below, I received the "Code of Ethics for Members of Advisory Boards, Committees, and Commissions of the Town of Wake Forest, North Carolina" I acknowledge this policy contains basic information related to serving as a volunteer on an advisory board or commission.

I understand that I am responsible for reviewing the contents of this policy and asking questions if I do not understand any part of it.

DATE: _____

PRINTED NAME: _____

IDENTIFY SPECIFIC ADVISORY BOARD OR COMMISSION:

SIGNATURE: _____

(A signed copy of this form will be maintained in the Town Clerk's Office with the application once appointed to serve.)



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-398-

Submitted by: Cathi Pope

Submitting Department: Administration

Meeting Date: December 21, 2021

SUBJECT

Approval of Appointments to Citizen Advisory Boards.

Recommendation:

Item Summary:

ATTACHMENTS

- [RESOLUTION2021-148_Adv_Board_Appts-HPC.docx](#)
- [RESOLUTION2021-149_Adv_Board_Appts-HRC.docx](#)
- [RESOLUTION2021-150_Adv_Board_Appts-PAC.docx](#)
- [RESOLUTION2021-151_Adv_Board_Appts-PRCR.docx](#)
- [RESOLUTION2021-152_Adv_Board_Appts-TAB.docx](#)
- [RESOLUTION2021-153_Adv_Board_Appts-UFB.docx](#)

RESOLUTION 2021 - 148

**ADVISORY BOARD/COMMISSION APPOINTMENTS
FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA**

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the following citizen advisory boards:

Historic Preservation Commission

David Bennett

(January 2022 – December 2024)

Andrea Radford

(January 2022 – December 2024)

Duly resolved this 21st day of December 2021.

ATTEST:

Vivian A. Jones
Mayor

Sherry L. Scoggins, MMC
Interim Town Clerk

RESOLUTION 2021 - 149

**ADVISORY BOARD/COMMISSION APPOINTMENTS
FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA**

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the following citizen advisory boards:

Human Relations Council

Steven Schlossberg

(January 2022 – December 2024)

Chris Shallenberg

(January 2022 – December 2024)

Kasonna Kennedy

(January 2022 – December 2024)

Patti Greber

(January 2022 – December 2022)

Duly resolved this 21st day of December 2021.

ATTEST:

Vivian A. Jones
Mayor

Sherry L. Scoggins, MMC
Interim Town Clerk

RESOLUTION 2021 - 150

**ADVISORY BOARD/COMMISSION APPOINTMENTS
FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA**

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the following citizen advisory boards:

Public Art Commission

Charles Cameron

(January 2022 – December 2024)

Elizabeth Hayes

(January 2022 – December 2024)

Delphine Peller

(January 2022 – December 2024)

Mary Petretich

(January 2022 – December 2022)

Duly resolved this 21st day of December 2021.

ATTEST:

Vivian A. Jones
Mayor

Sherry L. Scoggins, MMC
Interim Town Clerk

RESOLUTION 2021 - 151

**ADVISORY BOARD/COMMISSION APPOINTMENTS
FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA**

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the following citizen advisory boards:

Parks, Recreation & Cultural Resources Advisory Board

Sandy Thomason

(January 2022 – December 2024)

Travis Formyduval

(January 2022 – December 2024)

Duly resolved this 21st day of December 2021.

ATTEST:

Vivian A. Jones
Mayor

Sherry L. Scoggins, MMC
Interim Town Clerk

RESOLUTION 2021 - 152

**ADVISORY BOARD/COMMISSION APPOINTMENTS
FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA**

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the following citizen advisory boards:

Technology Advisory Board

Michael Faas

(January 2022 – December 2024)

Ryan Holbrook

(January 2022 – December 2024)

Alexis Nelson

(January 2022 – December 2024)

Duly resolved this 21st day of December 2021.

ATTEST:

Vivian A. Jones
Mayor

Sherry L. Scoggins, MMC
Interim Town Clerk

RESOLUTION 2021 - 153

**ADVISORY BOARD/COMMISSION APPOINTMENTS
FOR THE TOWN OF WAKE FOREST, NORTH CAROLINA**

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Wake Forest, North Carolina, that the following persons be appointed to the following citizen advisory boards:

Urban Forestry Board

Shawn Hagen

(January 2022 – December 2024)

Rand Mathews

(January 2022 – December 2024)

Sandra Watson

(January 2022 – December 2024)

Duly resolved this 21st day of December 2021.

ATTEST:

Vivian A. Jones
Mayor

Sherry L. Scoggins, MMC
Interim Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-405-

Submitted by: Kip Padgett

Submitting Department: Administration

Meeting Date: December 21, 2021

SUBJECT

Consideration of an Ordinance Encouraging Minority Business Participation in Projects Involving Reimbursement Agreements

Recommendation:

Item Summary:

ATTACHMENTS

-



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-382-

Submitted by: Patrick Reidy

Submitting Department: Planning

Meeting Date: December 21, 2021

SUBJECT

Consideration of Action on LEGISLATIVE CASE RZ-19-10, Star Road PUD: Request filed by Site Property Development, LLC to rezone from the existing Highway Business (HB) to Planned Unit Development District (PUD) for 33.9± acres located at 0 Star Road being Wake County Tax PINs: 1739653709, 1739750868, and 1739558441 and adjacent right-of-way to centerline.

Recommendation:

Motion to approve, approve with conditions offered by the applicant, denial, or continue to next month for further consideration

Item Summary:

ATTACHMENTS

- [122121 BOC Agenda Summary RZ-19-10.pdf](#)
- [RZ-19-10 Staff Report - BOC Action.pdf](#)
- [Attachment A – Neighborhood Meeting Information.pdf](#)
- [Attachment B – Application.pdf](#)
- [Attachment C – Maps.pdf](#)
- [Attachment D- Plan Consistency Matrix.pdf](#)
- [Attachment E - S-Line Rail Map.pdf](#)
- [Attachment F - Traffic Impact Analysis Executive Summary, NCDOT Review Report, and Town of Wake Forest Approval Letter.pdf](#)
- [Attachment G – Star Road PUD Concept Plan.pdf](#)
- [Attachment H – Star Road PUD Intent and Compatibility Statement.pdf](#)
- [Attachment I - Resolution for Denial RZ-19-10 Star Road PUD.docx](#)
- [Attachment J - Star Road PUD Request for New Hearing.pdf](#)
- [Exhibit 1 - Planning Board Written Recommendation.pdf](#)
- [Exhibit 2 - Inconsistency Statement for Disapproval RZ-19-10 Star Road PUD.pdf](#)

Agenda Item: Consideration of Action on LEGISLATIVE CASE RZ-19-10, Star Road PUD: Request filed by Site Property Development, LLC to rezone from the existing Highway Business (HB) to Planned Unit Development District (PUD) for 33.9± acres located at 0 Star Road being Wake County Tax PINs: 1739653709, 1739750868, and 1739558441 and adjacent right-of-way to centerline.

Summary: At their December 7, 2021 meeting, the Planning Board voted 6-0 to find the request inconsistent with the Community Plan and recommended denial of the zoning map amendment (rezoning).

Per UDO Section 15.14.2.E.2, when the Planning Board makes a negative recommendation, the petitioner has the ability to request a public hearing within 45 days of the Planning Board's decision to be held by the Board of Commissioners.

UDO Section 15.14.2.E.2 also specifies that a ¾ majority vote by the Board of Commissioners is required when the Planning Board makes a recommendation of denial.

On December 14, 2021, the applicant requested a new public hearing be held by the Board of Commissioners, pursuant to Section 15.14.2.E.2 of the 2019 UDO. See Attachment J. The request is at the discretion of the Board of Commissioners. The Board of Commissioners can take one of the following actions:

- Option 1: Approve the request for a new public hearing and set the public hearing for February 15, 2021;
- Option 2: Deny the request for a new public hearing and recommend denial of the request due to inconsistency with the UDO and Community Plan, which is not in the public's interest, or
- Option 3: Deny the request for a new public hearing and recommend approval of the request that is inconsistent with the Community Plan, but in the public's interest. If this option is selected, the Board of Commissioners must state why the request is in the public's interest.

Attachments: See Staff Report



Staff Report

Case RZ-19-10: Star Road Planned Unit Development (PUD)

Meeting Date	December 21, 2021
Requested Actions	Consideration of the Following Items related to the Zoning Map Amendment request. 1. Act on Plan Consistency Statement 2. Amend the Town of Wake Forest Zoning Map from Highway Business (HB) to Planned Unit Development (PUD)
Case Manager	Patrick Reidy, Senior Planner
Planning Board Recommendation	The Planning Board voted unanimously to recommend disapproval of the proposed Zoning Map Amendment to the Board of Commissioners on December 7, 2021 (Exhibit 1).

PUBLIC MEETINGS

Neighborhood Meeting	Joint Public Hearing
November 10, 2021 (See Attachment A)	December 7, 2021

CASE INFORMATION

Applicant	Site Property Development, LLC C/O Chuck Walker 8431 Bandford Way, Suite 101 Raleigh, NC 27615
Property Owner	La Scala Associates LLC 847 Wake Forest Business Park, Suite 101 Wake Forest, NC 27587
Location	East of Star Road and west and the railroad (future S-line) Address: 0 Star Road PINS: 1739653709, 1739750868, and 1739558441
Gross Acreage	33.9 ± acres (includes 0.4 acres of Star Road right-of-way)

Zoning	Existing: Highway Business (HB) and Special Highway Overlay-1 (SHO-1) Proposed: Planned Unit Development (PUD)
Growth Strategies Map	Existing: Highway Corridor Zone Proposed: Highway Corridor Zone and General Urban
Land Use	Vacant
Corporate Limits	The proposed PUD is in the Town's extra-territorial jurisdiction
<i>See Attachment B for a copy of the application and Attachment C for Aerial, Zoning, Community Plan Maps</i>	

SURROUNDING LAND USES AND ZONING

	Land Use	Zoning
North	- Utilities – Class 2 (City of Raleigh North Operations Yard) - Dwelling - Multi-family (under construction)	- Highway District (HB) - Conditional Use General Residential 10 (CU GR 10)
South	Vacant	Highway Business (HB)
East	- Single Family Dwelling (Heartsfield – Local Landmark) - Industrial (Merritt Business Park)	- Rural Holding District (RD) - Light Industrial (LI)
West	- Capital Boulevard - Star Road	N/A
The proposed zoning map amendment is generally incompatible with the surrounding land uses and zoning, except for the multifamily development under construction		

ZONING CASE HISTORY

The proposed PUD was zoned Highway Business prior to the town wide rezoning in 2013.

PLANNED UNIT DEVELOPMENT (PUD) ANALYSIS

Proposed Use	Required: Permitted uses in a PUD district may include any uses specified as permitted in Section 2.3.3 Use Table. Proposed: POD 1 (Commercial): 20,000-60,000 square feet (See Page 2 of Attachment H) ATM
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	• Amusements, Indoor • Banks, Credit Unions, Financial Services • Bar/Tavern • Business Support Services • Child/Adult Daycare • Dry Cleaning & Laundry Services • General Commercial • Medical Clinic • Light Manufacturing Workshops • Personal Services • Post Office • Professional Services • Recreation Facilities, Indoor • Restaurant • Studio – Art, dance, martial arts, music POD 2 (Residential): 7 units/acre maximum or 211 units • Dwelling - Townhome Summary: Per the UDO, a PUD is designed to promote a compatible mix of uses to instigate an integrated and sustainable development consistent with the Town's unique character. The PUD is not intended for use with subdivisions or developments which can be developed under the strict application of the minimum standards of the UDO. The proposed PUD does not result in a unique, high-quality development nor does it promote a mix of uses. Therefore, the proposed PUD does not comply with the purpose of the PUD District in the UDO.
Density	Required: No minimum or maximum gross density requirement. Proposed: POD 1 (Commercial): N/A POD 2 (Residential): 7 units/acre maximum Summary: There is not a minimum or maximum gross density requirement. Therefore, the proposed PUD (Attachment H) complies with the density requirement in the UDO.
Dimensional Standards	Required: Section 2.7 of the UDO permits variable dimensional standards. Proposed: See the Proposed Modifications of Standards Section of the Staff Report. Summary: A PUD permits variable dimensional standards; therefore, the proposed PUD (Attachment H) complies with Section 2.7 of the UDO.

Open Space	Required: 15% (5.03 acres) Proposed: 20.9% (7.07 acres) Summary: The proposed PUD complies with the minimum open space percentage requirement in the UDO. However, the opens space provided does not contribute to the required uniqueness and high-quality PUD requirement in the UDO since most of the open space includes stream buffers (required by state law), stormwater ponds (required by law), street yard buffers, and perimeter buffers found in conventional commercial and residential development. See Sheet C-6 in Attachment G.
Park Space	Required: 2% (0.67 acres) Proposed: 2% (0.68 acres) Summary: In a PUD, 25% of the required park space shall be active. No active park space is proposed in Attachment G or Attachment H. Therefore, the proposed PUD does not comply with the minimum open space percentage requirement in the UDO.
Tree Preservation	Required: Comply with Chapter 8: Tree Protection, including the minimum tree canopy requirements of 1 canopy tree per 10,000 sf of parcel area and specimen/historic tree standards. Proposed: The proposed PUD (Attachment G and Attachment H) does not provide information regarding existing specimen trees, tree preservation, or tree replacement. Summary: The proposed PUD does not comply with the tree protection requirements in the UDO.
Landscape Buffers	Required: Comply with Chapter 8: Buffers and Landscaping. Based on the buffer yard requirements of Section 8.5.2, no buffers are required in a PUD and it is up to the applicant to proposed necessary buffers. Proposed: The proposed PUD provides buffers along the street yard adjacent to Star Road and buffers around the northern, eastern, and part of the southern property lines. A buffer is also provided between POD 1 and POD 2. No buffering is proposed along the overhead transmission line along the southern property line. (See Sheet C-4 in Attachment G). Summary: The proposed PUD complies with the buffer and landscaping requirements in the UDO.

Transportation Impact Analysis (TIA)	Required: Provide a TIA that complies with Section 6.11 of the UDO. Provided: A TIA performed by Ramey-Kemp & Associated, Inc that complies with the UDO was provided. See Attachment F. Summary: Improvements recommended to mitigate the impact of the development are: • Convert Montys Lane and Height Lane approaches to left-in/right-in/right-out to restrict side street approaches to right-turn only. • Construct a northern U-Turn location for Height Lane with a minimum of 200 feet full-width storage and appropriate taper. • Restripe intersection to accommodate the turning radius of southbound U-turn for truck traffic. • Construct westbound approach with one ingress lane and egress lane. • Provide stop control for westbound approach. Improvements recommended in the TIA are not included in Attachment G or Attachment H; therefore, the proposed PUD does not comply with the TIA requirements in the UDO.
Roadway Infrastructure	Required: Provide local roads designed as a 51' right-of-way with sidewalks, curb and gutter, and street trees. The 2010 Transportation Plan designates Star Road as a local road and to provide curb and gutter, sidewalks, and street trees. Proposed: See Sheet C-4 in Attachment G for the internal streets. No improvements along Star Road are shown on PUD Concept Plan. The plan also shows a cul-de-sac within the overhead transmission line easement but has not provided any indication from the utility provider that the cul-de-sac is acceptable. It is possible that townhome units could be proposed within the easement, which is unlikely to be approved by the utility provider. Summary: Stub roads and improvements to Star Road are not provided as required by the UDO in Attachment G. Therefore, the PUD does not comply with the roadway infrastructure requirements in the UDO or the 2010 Transportation Plan.
Rail Infrastructure	Required: Reserve right-of-way for the future S-line. Proposed: No additional right-of-way reservation required. Summary: The proposed PUD (Attachment G) is consistent with the future S-line corridor. See Attachment E.

Water and Sewer Infrastructure	Required: Include a proposed water and wastewater plan. Proposed: See Sheet C-5 in Attachment G. Summary: The PUD (Attachment G) will extend water and sewer services per City of Raleigh requirements to and throughout the site which complies with the PUD requirements in the UDO.
Natural Resources and Environmental Protection	Required: Demonstrate compliance with the current regulatory standards of the UDO related to Erosion and Sedimentation Control Regulations; Flood Damage Prevention; Water Supply Watershed Protection Regulations; and Watercourse (Riparian Buffer Areas). Proposed: Attachment G shows a Neuse Riparian Buffer, but does not show wetland buffers or stormwater control measures. Summary: Not enough information was provided in Exhibits 1 and 2 to determine compliance with the natural resource and environmental protection standards set forth in the UDO. Therefore, the proposed PUD (Attachment G) does not comply with the Natural Resources and Environmental Protection requirements in the UDO.
Architecture	Required: Architectural and design criteria that provide higher quality than routine developments, high-quality community amenities, and are to include typical architectural elevations for the townhomes. Proposed: See Page 4 of Attachment H. Summary: The proposed architectural standards in Attachment H do not ensure high quality community amenities and no architectural elevations representative of the residential structures were provided. Therefore, the proposed PUD does not comply with the minimum architectural requirements in the UDO.

PROPOSED MODIFICATIONS OF STANDARDS

Section 2.2.5 Base Dimensional Standards: POD 1 (Commercial)

	Proposed	Existing (Highway Business)
Development Standards		
District/Development Area (min)	N/A	N/A
Development/District Exterior Setback/Buffer	N/A	N/A

Section 2.2.5 Base Dimensional Standards: POD 1 (Commercial)

	Proposed	Existing (Highway Business)
Building Floor Area (max)	60,000 sf	100,000 sf (may exceed max with SUP)
Building Floor Area (min)*	20,000 sf	N/A
Development Floor Area (max)	N/A	N/A
Lot Standards		
Lot Area (min)	20,000 sf	20,000 sf
Lot Width at Front Setback (min)	150 ft	150 ft
Principal Buildings		
Principal Front Setback (min)	30 ft	30 ft
Street Side/Secondary Front Setback (min)	20 ft	30 ft
Side Setback (min)	10 ft	10 ft
Rear Setback (min)	30 ft	30 ft
Accessory Structures		
Side Setback (min)	10 ft	10 ft
Rear Setback (min)	10 ft	10 ft
Parking Configuration		
Parking Location	Location C	Unrestricted
Specific Restrictions	N/A	Parking in first 10 ft of Front Yard Setback not permitted
Building Height		
Principal Building (max)	3 stories	3 stories
Accessory Structure (max)	2 stories	2 stories

Section 2.2.5 Base Dimensional Standards: POD 1 (Commercial)

	Proposed	Existing (Highway Business)
Additional Height Permitted w/ Additional Setback (Subject to SUP)	N/A	90 ft height permitted in US-1 Corridor Area
*At least two (2) office buildings, or 20,000 SF of building floor area, shall be constructed prior to the 100th townhome Certificate of Occupancy (CO).		

Section 2.2.5 Base Dimensional Standards: POD 2 (Residential)

	Proposed	Existing (Highway Business)
Development Standards		
District/Development Area (min)	N/A	N/A
Development/District Exterior Setback/Buffer	N/A	N/A
Density (max)	7 units/acre	N/A
Building Floor Area (max)	N/A	100,000 sf (may exceed max with SUP)
Building Floor Area (min)	N/A	N/A
Development Floor Area (max)	N/A	N/A
Townhome Lot Standards		
Lot Area (min)	1,400 sf	20,000 sf
Lot Width at Front Setback (min)	18 ft	150 ft
Principal Buildings		
Principal Front Setback (min)	12 ft (max)	30 ft
Street Side/Secondary Front Setback (min)	12 ft	30 ft
Side (from adjacent lot) Setback (min)⁺	0 or 5 ft	10 ft

Section 2.2.5 Base Dimensional Standards: POD 2 (Residential)

	Proposed	Existing (Highway Busines)
Rear Setback (min)	18 ft	30 ft
Rear Garage Setback from Alley (min)	18 ft	N/A
Accessory Structures		
Side Setback (min)	10 ft	10 ft
Rear Setback (min)	10 ft	10 ft
Other Standards	N/A	See UDO Section 4.6
Parking Configuration		
Parking Location	Location B	Unrestricted
Specific Restrictions	N/A	Parking in first 10 ft of Front Yard Setback not permitted
Bulding Height		
Principal Building (max)	3 stories	3 stories
Accessory Structure (max)	2 stories	2 stories
Additional Height Permitted w/ Additional Setback (Subject to SUP)	N/A	90 ft height permitted in US-1 Corridor Area
*0 FT applies to interior townhome units and 5 FT applies to exterior townhome units such that the minimum space between exterior units is 10 FT.		

COMPREHENSIVE PLAN CONSISTENCY

Community Plan (2009)	The proposed zoning map amendment request is generally inconsistent with the adopted Community Plan.
Transportation Plan (2010)	The proposed zoning map amendment request is generally consistent with the Transportation Plan. The application was accepted for review on July 2, 2019, which is prior to the adoption of the 2019 Comprehensive Transportation Plan (CTP). Therefore, the 2019 CTP is not applicable.

Historic Preservation Plan (2012)	The Historic Preservation Plan is not applicable to the zoning map amendment request.
Northeast Neighborhood Plan (2007)	The Northeast Neighborhood Plan is not applicable to the zoning map amendment request.
Parks, Recreation, and Cultural Resources Master Plan (2015)	The Parks, Recreation, and Cultural Resources Master Plan is not applicable to the zoning map amendment request.
Public Art Vision Plan (2009)	The Public Art Vision Plan is not applicable to the zoning map amendment request.
Renaissance Plan (2017)	The Renaissance Plan is not applicable to the zoning map amendment request.
<i>See Attachment D for detailed Plan Consistency Analysis and each adopted Plan for full policy guidance.</i>	

STAFF RECOMMENDATION

The zoning map amendment request is generally **Inconsistent** with the relevant policies in the Comprehensive Plan, and **Denial** of the zoning map amendment request is reasonable and in the public interest for the following reasons.

- The Community Plan's Growth Strategies Map identifies the property as Highway Corridor Zone. The existing Highway Business Zoning District is appropriate for this corridor.
- The Community Plan's Neighborhood Planning Areas Map identifies this property as a non-residential planning area. The existing Highway Business Zoning District is the appropriate zoning for a non-residential planning area.
- Converting commercially zoned land to residential development is inconsistent with a Community Plan Policy related to *Paying for Growth* since converting limited commercially zoned land to residential does not seek to balance residential and non-residential development in order to foster a favorable service-cost to revenue-generated tax base.
- The proposed PUD does not result in a unique, high-quality development.
- Improvements to Star Road are not provided as required by the UDO in Attachment G.
- The open space provided does not contribute to the required uniqueness and high-quality PUD requirement in the UDO since most of the open space includes stream buffers (required by state law), stormwater ponds (required by law), street yard buffers, and perimeter buffers found in conventional commercial and residential development.
- No active park spaces have been shown, which is a requirement of a PUD.
- Residential elevations, which is required as part of a proposed PUD application, have not been provided.
- The proposed PUD does not comply with the tree protection requirements in the UDO.

- Road improvements recommended in the TIA are not included in Attachment G or Attachment H.
- The proposed PUD (Attachment G) does not comply with the Natural Resources and Environmental Protection requirements in the UDO.
- The Community Plan states that that new infrastructure costs should primarily be born by those creating the demand, and this proposed PUD does not include TIA recommended improvements or improvements to Star Road.

ATTACHMENTS

Attachment A:	Neighborhood Meeting Information
Attachment B:	Application
Attachment C:	Aerial, Zoning, and Community Plan Maps
Attachment D:	Plan Consistency Analysis
Attachment E:	S-Line Rail Map
Attachment F:	Traffic Impact Analysis Executive Summary, NCDOT Review Report, and Town of Wake Forest Approval Letter
Attachment G:	Proposed Star Road PUD Concept Plan
Attachment H:	Star Road PUD Intent and Compatibility Statement
Attachment I:	Resolution for Denial
Attachment J:	Star Road PUD Request for New Hearing

EXHIBITS

Exhibit 1:	Planning Board Written Recommendation
Exhibit 2:	Proposed Inconsistency Statement

Star Road PUD Neighborhood Meeting Summary

On Wednesday, November 10, 2021, a neighborhood meeting was held to inform neighbors of the proposed Star Road Planned Unit Development (PUD) project and to gain their feedback for consideration in development of the PUD concept plans. The notification sent to the neighbors is attached along with the list of neighbors notified. The neighbors that attended the meeting are shown on the attached attendees list. The attendees that represented the development team included Jon Frazier, FLM Engineering, and Chuck Walker, Entitlement Preservation Group.

Following a brief presentation by the development team, the neighbors in attendance were invited to ask questions and share concerns. Below is a list of the questions, comments, and concerns raised along with answers provided by the development team. The questions and answers are listed by attendee in alphabetical order and summarized for brevity.

Jim Cook

Q1: What is the anticipated timing of the project?

A: If the PUD is approved, the timing to get through subsequent master plans and construction for development is approximately one year.

Q2: Describe the Type A buffer that is proposed adjacent to the Cook property.

A: The development team showed and described the Type A, Option 3 buffer from the Town of Wake Forest UDO.

Q3: What is the anticipated height of the townhomes?

A: The PUD sets a maximum height of three stories, and the development team noted that a three-story townhome is usually about 35 feet tall.

Q4: Have there been any discussions about high-speed rail as part of this project?

A: There have been no discussion regarding high-speed rail as part of this project.

Q5: Who are the developers for the project?

A: The development team noted that the developers are Jim Allen of The Jim Allen Group and Mike Jordan of JordanBuilt Homes, who are both local developers.

Q6: What is the target number of units and anticipated selling price for the townhomes?

A: The PUD sets the maximum density for the townhomes at seven units per acre, so at approximately 30 acres, there could be up to about 210 townhomes. Regarding selling price, it is difficult to anticipate a price due to the fluctuations in building material costs.

FLMENGINEERING

October 28, 2021

**Reference: Star Road Planned Unit Development (PUD)
Neighborhood Meeting Notification**

Dear Neighbor:

We are writing to notify you of a neighborhood meeting to discuss the proposed Planned Unit Development (PUD) project located on Star Road (Wake County PINs 1739-65-3709, 1739-75-0868 and 1739-55-8441). The attached land use map has been submitted to the Town of Wake Forest and is currently under review by town staff.

Per town requirements, we are notifying neighbors within 500' of the property. Due to the ongoing COVID-19 pandemic closures and guidelines, the meeting will be virtual and will be held on Wednesday, November 10, 2021 at 6:00 PM. The virtual meeting link and alternate telephone call-in information are listed below.

For Virtual Meeting Access (Microsoft Teams):

Enter <https://bit.ly/3mdqTlp>, into the web browser of your choice.

Please note, for virtual meeting access, your computer must include a microphone and speakers.

For Access via Telephone (Voice Only):

Telephone Number: 919.999.3953
Conference ID Code: 181 549 531#

We look forward to your attendance.

Sincerely,



Jon D. Frazier, PE, LEED AP
Principal
919.610.1051
jfrazier@flmengineering.com

DEVELOPMENT NAME: STAR ROAD PUD
SITE ADDRESS: STAR ROAD, WAKE FOREST, NC
PIN NUMBER(S): 1739-65-3709, 1739-75-0868 AND 1739-55-8441
TOTAL ACREAGE: 33.5 AC
EXISTING USE: VACANT
PROPOSED USE: OFFICE AND TOWNHOMES
JURISDICTION: TOWN OF WAKE FOREST (ETJ ANNEXATION REQUIRED PRIOR TO CONSTRUCTION DRAWINGS)
CURRENT ZONING DISTRICT: HIGHWAY BUSINESS
PROPOSED ZONING DISTRICT: PLANNED UNIT DEVELOPMENT (PUD)
POD 1 PROPOSED MAX. OFFICE/COMMERCIAL SQUARE FOOTAGE: 60,000 SF
POD 2 PROPOSED MAX. DENSITY: 7 UNITS/ACRE
MINIMUM PARK SPACE REQUIRED: 29.185 SF / 0.67 AC (2%)
MINIMUM OPEN SPACE REQUIRED: 218.89 SF / 5.03 AC (15%)
MAXIMUM IMPERVIOUS COVERAGE: 1,021,480 SF / 23.45 AC (70%)

_____	EX. PROPERTY LINE
_____	EX. RIGHT-OF-WAY
_____	EX. ADJACENT OWNERS
_____	EX. EASEMENT
_____	EX. ROAD CENTERLINE
_____	EX. CHANNEL/STREAM
_____	EX. STREAM BUFFER
_____ OHW _____ OHW _____	EX. OVERHEAD ELECTRIC LINE
_____ SD _____ SD _____	EX. STORM SEWER
_____ W _____ W _____	EX. WATER LINE
_____ SS _____ SS _____	EX. SANITARY SEWER

PROP. POD 1

PROP. POD 2

OWNER: FOREST GREENERY
GROUP LLC
PIN: 1739-76-0570
ZONING: CU GR10
USE: VACANT

OWNER: COOKE, J DAVID
COOKE, MARY O
PIN: 1739-77-6074
ZONING: RD
USE: SINGLE-FAMILY
RESIDENTIAL

POD 2
AREA: 30.2 AC
USE: TOWNHOMES
MAX. DENSITY: 7 UNITS/AC

POD 1
AREA: 3.3 AC
USE: MAX. 60,000 SF
OFFICE/COMMERCIAL

OWNER: PURYEAR INVESTMENTS, LLC
PIN: 1739-65-4232
ZONING: HB
USE: VACANT

OWNER: LA SCALA
ASSOC LLC
PIN: 1739-55-8056
ZONING: HB
USE: VACANT

OWNER: MERRITT-WF1 LLC
PIN: 1739-84-0297
ZONING: LI
USE: VACANT

EX. 180' CP&L ESMT.

RECOMMENDATION FOR APPROVAL
BY THE WAKE FOREST
PLANNING BOARD

DATE _____

APPROVAL BY THE
WAKE FOREST BOARD OF
COMMISSIONERS

DATE _____

REVISION HISTORY			
REV #	DESCRIPTION	DATE	BY
1	TOWF COMMENTS	4/24/2020	FLM
2	TOWF COMMENTS	3/8/2021	FLM
3	TOWF COMMENTS	8/10/2021	FLM
4	TOWF COMMENTS	9/30/2021	FLM

ORIGINAL PLAN SIZE: 24" X 36"

**PRELIMINARY
PLANS**
DO NOT USE FOR CONSTRUCTION

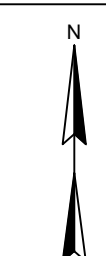
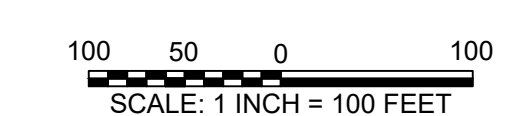


Diagram showing a scale bar labeled "0" and "1\".

PUD CONCEPT PLANS
R7-19-10

STAR RD
WAKE FOREST, NC

SITE PROPERTY
DEVELOPMENT LLC

DATE:	07-01-2019
SCALE:	AS SHOWN
DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	19024

LAND USE MAP

C-3

Neighborhood Meeting Notification List				
PIN	Owner	Mail Address 1	Mail Address 2	Mail Address 3
1739740366	5228 UNICON DRIVE LLC	701 FINGER LAKES DR	WAKE FOREST NC 27587-9571	
1739758675	CHAMPION, REGINALD E CHAMPION, DEBORAH O	1025 GREENHOW LN	WAKE FOREST NC 27587-9351	
1739661393	CITY OF RALEIGH	PO BOX 590	RALEIGH NC 27602-0590	
1739776074	COOKE, JAMES DAVID JR	9737 LIGON MILL RD	WAKE FOREST NC 27587-4926	
1739465393	CROSSROADS HOLDINGS, LLC	PO BOX 911	HENDERSON NC 27536-0911	
1739662623	FOREST GREENERY GROUP LLC	500 AVENUE P	NEWARK NJ 07105-4802	
1739456108	HANSON AGGREGATES SOUTHEAST LLC	MARVIN F POER AND COMPANY-SPS RE	3520 PIEDMONT RD NE STE 410	ATLANTA GA 30305-1512
1739668930	HAWTHORNE AT WAKEFIELD APARTMENTS LLC	806 GREEN VALLEY RD STE 311	GREENSBORO NC 27408-7076	
1739757767	KEITH, MATTHEW J	1029 GREENHOW LN	WAKE FOREST NC 27587-9351	
1739556212	LA SCALA ASSOC LLC	STE 101	847 WAKE FOREST BUSINESS PARK	WAKE FOREST NC 27587-6576
1739640646	LIVING WORD FAMILY CHURCH INC	PO BOX 61129	RALEIGH NC 27661-1129	
1739840297	MERRITT-WF1 LLC	2066 LORD BALTIMORE DR	BALTIMORE MD 21244-2501	
1739654232	PURYEAR INVESTMENTS, LLC	5844 LEASE LN	RALEIGH NC 27617-4708	
1739459700	REIDSVILLE CENTRE LLC	PO BOX 804	KURE BEACH NC 28449-0804	
1739758878	WARD, JUSTIN WOOD, NICOLE	1031 GREENHOW LN	WAKE FOREST NC 27587-9351	

Star Road PUD

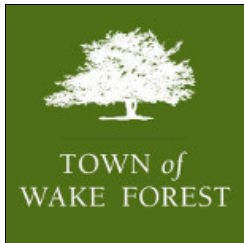
Neighborhood Meeting Attendees

Mary Cook and Family (Jim Cook, John Cook, and Sydney Cook)

9737 Ligon Mill Road

Ekatrina Cady (Seller)

847 Wake Forest Business Park, Suite 101



2.50) Conditional District Rezoning (Prior to July 1, 2021)

Conditional District Rezoning

Town of Wake Forest, NC

301 S. Brooks St.

Wake Forest, NC 27587-2932

TEL (919) 435-9510 | FAX (919) 435-9539

Project Overview

#293397

Project Title: Star Rd PUD

Jurisdiction: Town of Wake Forest (Wake County)

Application Type: 2.50) Conditional District Rezoning (Prior to July 1, 2021)

State: NC

Workflow: Conditional District Rezoning

County: Wake

Submittal Requirements

A submittal checklist is available to view additional documents which are required to be submitted with this application. After answering the application questions, you will be asked to upload the required documents.

[VIEW CONDITIONAL DISTRICT REZONING
SUBMITTAL CHECKLIST](#)

Missing items will result in the application being declined and returned to the applicant to resubmit. A revised and complete application including all missing items must be received or the application will not be deemed complete and routed for review.

Please confirm you have reviewed the associated submitted checklist for this permit and confirm you will submit all documents required on the submittal checklist:

Pre-Application Meeting

Has a pre-application conference been held?: Yes

This type of project requires a pre-application conference be completed prior to official submittal. Please return to the home screen and select **Pre-Application Conference** from the application type drop down list in order to schedule your required meeting.

Pre-Application Conference Date and Time: 03/25/2019 2:30 PM **Staff Member Met With:** Jennifer Currin

Project Tracking ID: RZ-19-10

Project Location

Project Address or PIN:

- 0 STAR RD (Unverified)
- 1739-65-3709, 1739-75-0868 AND 1739-55-8441 (Unverified)

Tax PIN: 1739-65-3709, 1739-75-0868 AND 1739-55-8441 (Unverified)

GIS Verified Fields

Corporate Limits:
GIS Acreage:
Floodplain (WAKE):

Zoning:
Land Use:
Floodplain (FRANKLIN):

Zoning Information

Currently a Conditional District?: No

Currently a Conditional Use?: No

Is there an existing Special Use Permit for the Property?:

Related Town of Wake Forest Case Numbers: RZ-19-10

Current Zoning Overlay: NA, Not Applicable to this Project

i If the request is to a Conditional District (CD), this application should be accompanied by a master plan that includes land use, existing conditions, buildings, lots, etc. per Chapter 15 of the UDO. In addition, please provide a narrative of the proposed use and list any proposed conditions.

Proposed Conditional Zoning District: PUD, Planned Unit Development

Proposed Land Use: The Star Road PUD will be a compatible mix of non-residential and residential uses that will encourage connectivity between the uses, sensitivity to natural resources, and efficient provision of infrastructure and utilities.

The non-residential use will consist of up to 70,000 square feet of office on approximately 4.05 acres along Star Road and the US-1 frontage. The residential use will consist of affordable townhomes on the remaining 29.45 acres with a maximum density of six units per acre.

Proposed Number of Lots:

Number of Buildings:

Number of Single-Family Lots:

Number of Townhome Lots:

Number of Multi-Family Units:

Number of Stories:

Square Footage of All Buildings (non-residential):

Project Contacts

Please enter all project contacts related to your application.

This is an important step to ensure all members of the applicant team receive email notifications associated with the project which may include comments, requested revisions, scheduled meetings or hearings, and final decisions. This also informs Town staff of the team members assigned role with the project.

Project Contact - Applicant

Chuck Walker

8431 Bandford Way, Suite 101
Raleigh, NC 27615
P:9196259760
cwalker@epgrouponline.com

Project Contact - Developer

Chuck Walker

8431 Bandford Way, Suite 101
Raleigh, NC 27615
P:9196259760
cwalker@epgrouponline.com

Project Contact - Property Owner

La Scala Associates LLC N/A

847 WAKE FOREST BUSINESS PARK, SUITE 101
Wake Forest, NC 27587
P:9196101051
unknown@gmail.com

Project Contact - Engineer

Jon Frazier
FLM Engineering, Inc
PO Box 91727
Raleigh, NC 27675
P:9196101051
jfrazier@flmengineering.com

AGENT AUTHORIZATION FORM:

Application #: _____

Submittal Date: July 1, 2019

La Scala Associates LLC is the owner of the property for which the attached application is being submitted.

The property is located at: 0 Star Road, Wake Forest, NC 27587 (Wake County PINs: 1739-65-3709, 1739-75-0868 and 1739-55-8441

The agent for this project is: Chuck Walker, Site Property Development, LLC

_____ I am the owner of the property and will be acting as my own agent.

Name: Chuck Walker

Address: 8341 Bandford Way, Suite 101, Raleigh, NC 27615

Telephone Number: (919) 625 - 9760

Fax: _____

Email Address: cwalker@epgrouponline.com

Signature(s) of Owner(s):

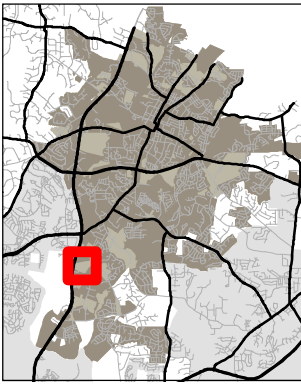
Ekaterra Cary
Administrator of
Daryl W Cary Estate

Print or type name(s):

EKATERA CARY

Attach additional sheets if there are additional owners.

***Owner of record as shown on the latest equalized assessment rolls of Wake County. (An option to purchase does not constitute ownership). If ownership has been recently transferred, a copy of the deed must accompany this authorization.**



11/16/2021



TOWN of
WAKE FOREST

**RZ-19-10 STAR ROAD (PUD)
HB To PUD**

PIN(S): 1739653709, 1739750868 & 1739558441

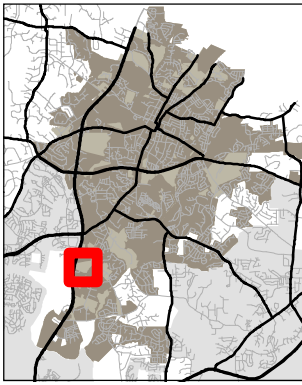


Subject Area

Please note that this map is intended for illustrative purposes only.
For specific inquiries regarding zoning boundaries, contact the
Town Wake Forest Planning Department at 919-435-9510.

0 500 1,000 1,500 Feet

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W 277

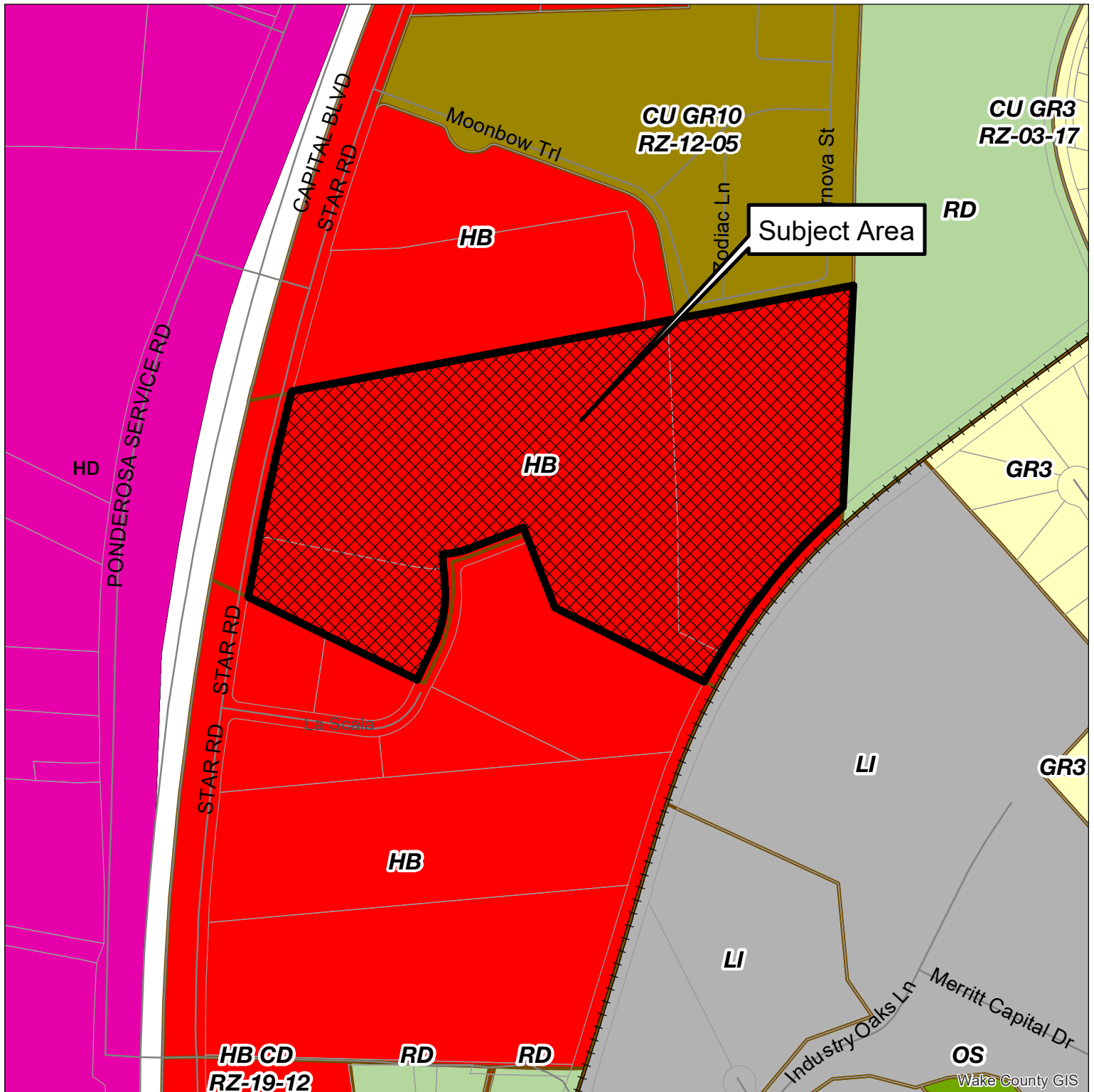


TOWN of
WAKE FOREST

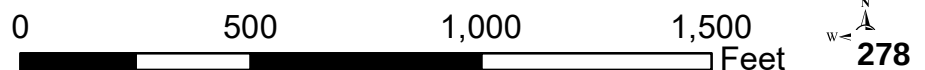
**RZ-19-10 STAR ROAD (PUD)
HB To PUD**

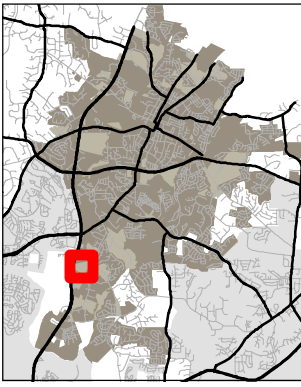
PIN(S): 1739653709, 1739750868 & 1739558441

11/16/2021



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Town Wake Forest Planning Department at 919-435-9510.





Community Plan Zones

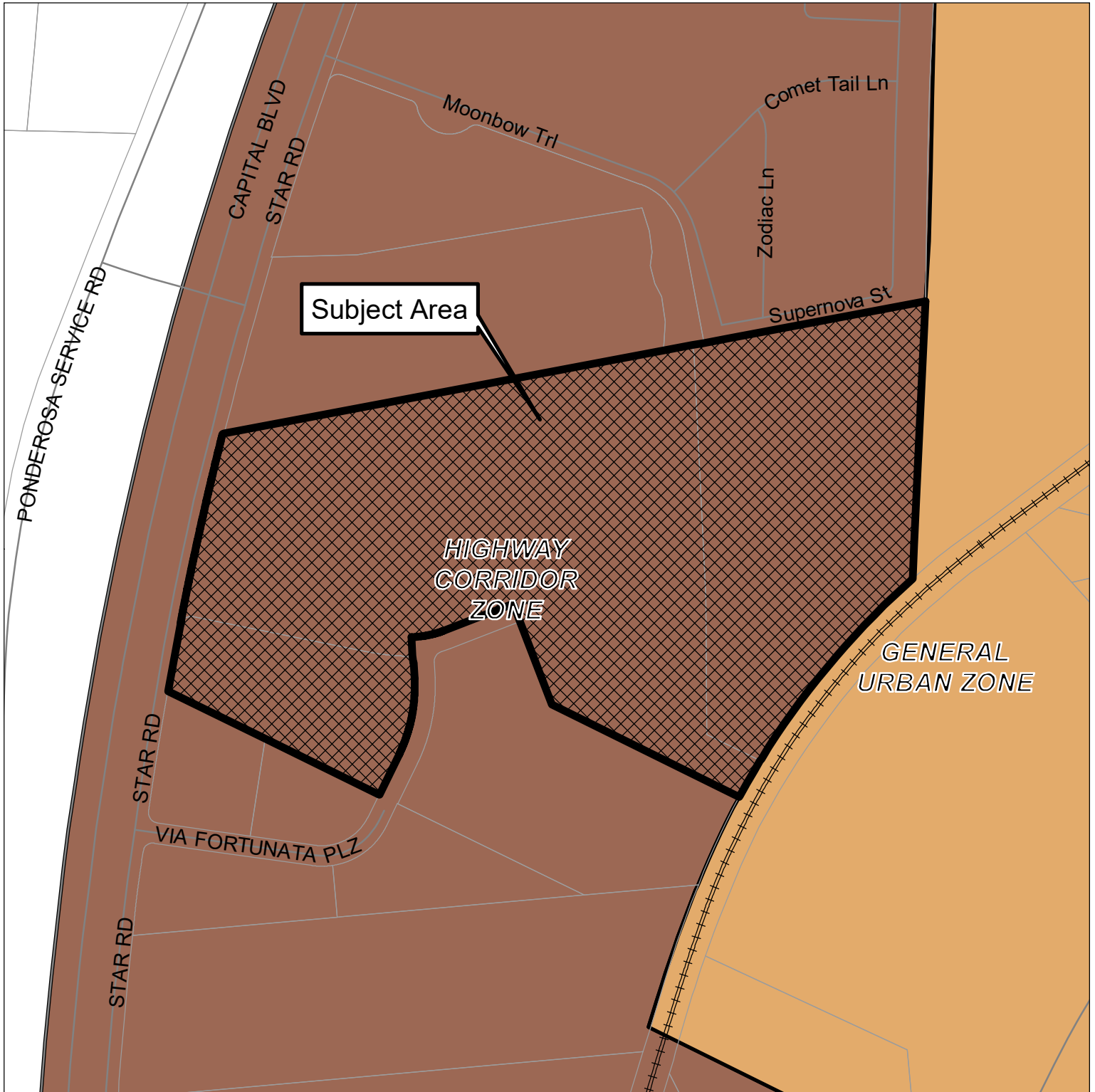


TOWN of
WAKE FOREST

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HB To PUD**

PIN(S): 1739653709, 1739750868 & 1739558441

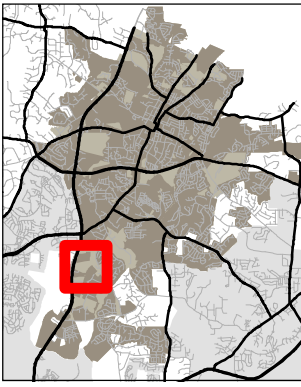
11/16/2021



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Miles

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W 279



Neighborhood Planning Areas

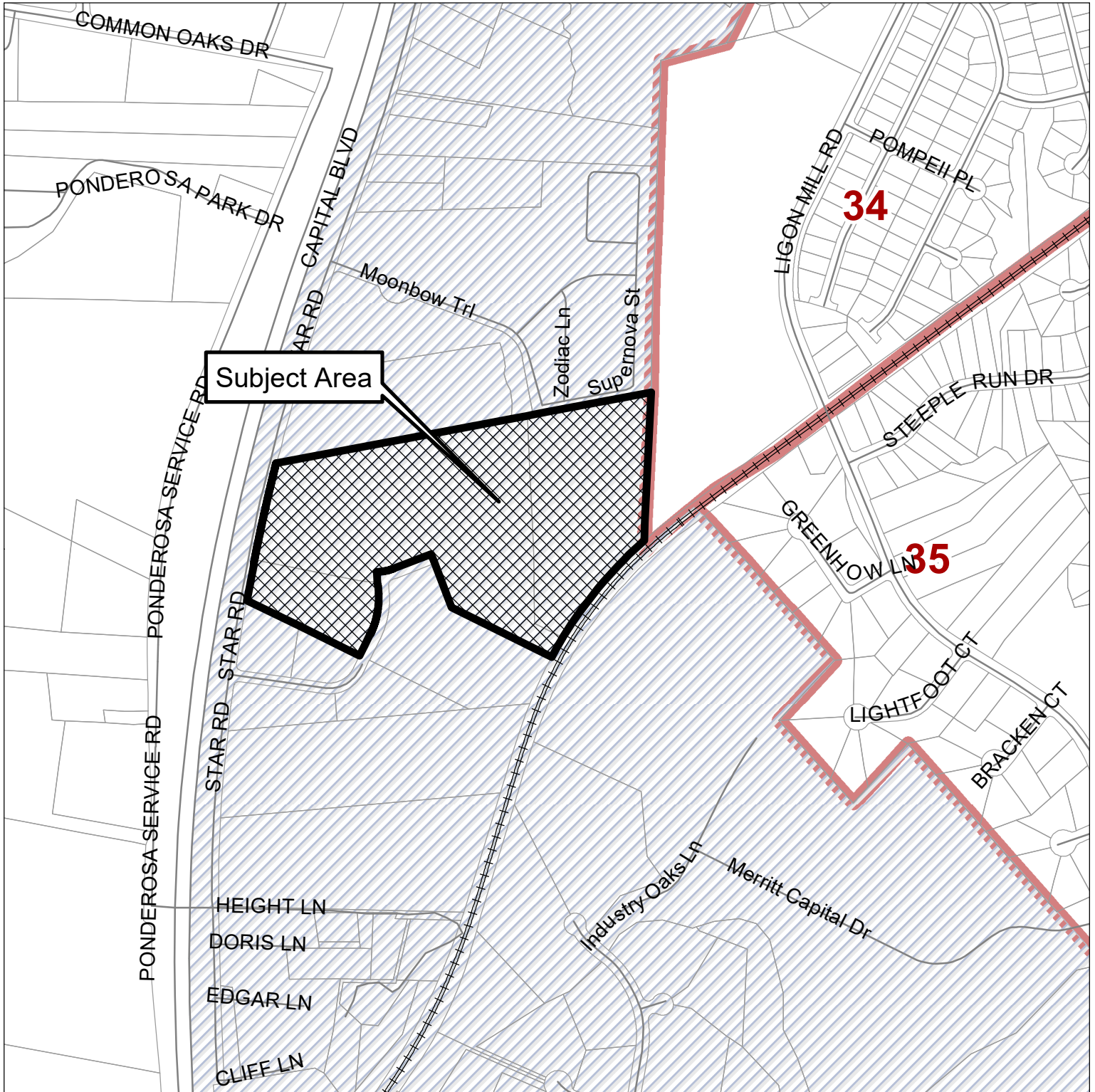


TOWN of
WAKE FOREST

**RZ-19-10 STAR ROAD (PUD)
HB To PUD**

PIN(S): 1739653709, 1739750868 & 1739558441

11/16/2021



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Town Wake Forest Planning Department at 919-435-9510.

0 0.25
Miles

N
W 280

Community Plan Consistency Grid				
GENERAL POLICY RECOMMENDATIONS		YES	NO	NA
GPR-1	Develop complete neighborhoods built around gathering spaces with a mix of housing types, lot sizes, and integrated commercial uses versus monolithic subdivisions			
GPR-2	Appropriately transition large-scale commercial, institutional, and industrial uses into surrounding neighborhoods			
GPR-3	Integrate alternative modes of transportation, such as transit and biking, into development			
GPR-4	Carefully configure street patterns to allow for multiple outlets from neighborhoods, and to continue the policy of providing for connections between neighborhoods, without encouraging through traffic			
GPR-5	Require sidewalks, bikeways and greenways as part of the necessary infrastructure for new development			
GPR-6	Require regularly spaced street trees, selected and planted in accordance with a street tree master plan, in new developments, whether commercial, office or residential			
GPR-7	Place new public and private buildings of architectural significance in locations of prominence and visual importance			
GPR-8	Ensure neighborhoods have adequate open space areas designed into the development			
GPR-9	Ensure residential architecture respects the value of the street upon which it faces with houses pulled up to the street, porches in the front, garages to the rear or setback from the rest of the home's front facade, and front walkways to the sidewalk			
POLICIES FOR OLDER NEIGHBORHOODS		YES	NO	NA
ON-1	Concentrate police protection, preferably in the form of foot and bicycle patrols, as part of a comprehensive strategy for neighborhood revitalization and crime prevention			
ON-2	Encourage pedestrian-level streetlights and appropriately designed private property lights , particularly in the town's older walkable neighborhoods			
ON-3	Implement housing programs, code enforcement activities, and public improvements in partnership with residents in targeted neighborhood areas and include restoration and rehabilitation activities			
ON-4	Ensure new infill development is architecturally compatible with existing structures, site layout and the streetscape within its vicinity			
ON-5	Continually reinvest in the infrastructure of older urban neighborhoods, including but not limited to: park improvements, sidewalks, street paving and maintenance, street trees, street lights, water and sewer lines, and drainage			
ON-6	Encourage pedestrian-oriented, designed and scaled stores and services providing basic necessities to residents of the town's older neighborhoods			
ON-7	Facilitate mass transit services through recognition of planned transit routes, development mix and density, and accommodation for future transit stop locations in redevelopment and infill projects in older neighborhoods			
POLICIES FOR NEWER NEIGHBORHOODS		YES	NO	NA
NN-1	Encourage architecturally compatible accessory housing on developed lots within existing neighborhood areas, especially for the elderly			
NN-2	Working in cooperation with neighborhood residents, support the provision of greenways, bikeways and walkways within existing neighborhoods			
NN-3	Architecturally compatible, residentially scaled office and institutional development may be permitted along major streets forming a boundary of a neighborhood planning area			
NN-4	Existing, less intensive development (i.e. residential or office uses) located at the intersection of two or more major streets may be allowed to undergo an orderly transition to appropriate commercial use, provided that original use is no longer viable and that careful site design will allow for compatibility with adjoining areas			
POLICIES FOR FUTURE NEIGHBORHOODS		YES	NO	NA
FN-1	Promote a walkable community to minimize sprawl, as most new neighborhoods should be compact in form			
FN-2	Ensure new neighborhood streets are no wider than necessary to serve their intended purpose			
FN-3	Consider future transit service corridors and reinforce these corridors with development mixtures and densities appropriate for transit services			
FN-4	Include at least one neighborhood center or focal point in neighborhood planning areas			
FN-5	Encourage neighborhood serving businesses in neighborhood design			

Community Plan Consistency Grid				
FN-6	Encourage centrally located amenity centers and discourage them on the periphery of neighborhoods			
FN-7	Encourage a mixture of housing types, sizes, and prices for each neighborhood planning area			
FN-8	Encourage higher density housing that is served by transit and located close to adjoining work and shopping areas			
FN-9	Ensure new neighborhoods are connected to other neighborhoods, shopping, and work areas within the neighborhood planning area			
FN-10	Ensure street design gives equal priority to pedestrians and automobiles			
FN-11	Recognize bike routes and greenways in neighborhoods at the time of development			
POLICIES FOR EXISTING COMMERCIAL AREAS		YES	NO	NA
EC-1	Encourage appropriate landscaping and reconfiguration of large, existing unlandscaped parking areas.			
EC-2	Encourage the provision of convenience clusters for pedestrians, bicyclists and future transit services at strategic locations in existing commercial areas			
EC-3	Encourage the consolidation of commercial driveways onto major streets and the connection of adjacent parking lots			
EC-4	Encourage businesses to replace existing, non-conforming signage with more attractive, conforming signage.			
EC-5	Encourage new infill development across the front street face of existing, over-designed parking lots			
EC-6	Continue to prohibit billboards within the planning jurisdiction of Wake Forest			
EC-7	Ensure bicycle and pedestrian access to existing commercial areas			
POLICIES FOR FUTURE LARGE-SCALE COMMERCIAL AREAS		YES	NO	NA
LSC-1	Encourage large-scale commercial developments where appropriate, to contain a diverse mixture of retail, office, restaurant and service uses			
LSC-2	Locate large-scale commercial uses on the corners of neighborhood planning areas, that is, at the intersection of two or more major streets			
LSC-3	Allow planned mixed-use developments which allow for a compatible mixture of residential and non-residential uses with a pedestrian scale and design should be encouraged			
LSC-4	In planning for a new large scale development, buffer large-scale uses from adjacent residential areas by smaller scale buildings or by buffer strips			
LSC-5	Except for limited access highways, pull up new commercial buildings to the street; parking should be placed to the rear or side of the structure			
LSC-6	When appropriate, require the use of all around architecture (high quality facades on all sides of a building)			
LSC-7	Plan ahead for new large-scale commercial development in regards to future public transit stops and convenience clusters			
LSC-8	Limit driveway access for new large-scale commercial development to major thoroughfares and connect all adjacent parking lots			
LSC-9	Cluster together auto dealerships, large equipment sales and other businesses primarily dependent upon expansive outdoor sales lots for both functional and economic reasons			
LSC-10	Strongly discourage the abandonment of "big box" retail stores, for the purpose of relocating to another "bigger box" location in the community			
POLICIES FOR SMALL SCALE NEIGHBORHOOD BUSINESSES		YES	NO	NA
SSB-1	Encourage small scale, pedestrian-oriented shopping and work places in the design of new neighborhoods			
SSB-2	Locate neighborhood businesses at center of planning area rather than major thoroughfares			
SSB-3	Ensure neighborhood businesses are designed at a residential scale and character			
SSB-4	Coordinate the location of neighborhood serving businesses with bikeways and, where appropriate, future transit stops			
SSB-5	Employ on-street parking in coordination with a limited amount of off-street parking for neighborhood serving businesses			

Community Plan Consistency Grid				
SSB-6	Ensure neighborhood businesses have residential scale signage and lighting			
SSB-7	Ensure neighborhood businesses encouraged as upfront infrastructure cost of new development			
SSB-8	Ensure neighborhood businesses locate near public amenities if opportunity allows			
SSB-9	Encourage living quarters over small retail shops and offices			
POLICIES FOR FIRST GENERATION BUSINESS AND INDUSTRIAL AREAS		YES	NO	NA
FGI-1	Actively participate, facilitate and partner in the adaptive reuse and conversion of former production, warehousing and manufacturing buildings into uses compatible with their design and location			
FGI-2	If the demolition of an old industrial building or complex becomes necessary, any new structure(s) and site redevelopment should be compatible with the neighborhood context; such redevelopment should serve to improve the quality, character and livability of the surrounding area			
POLICIES FOR SECOND GENERATION BUSINESS AND INDUSTRIAL AREAS		YES	NO	NA
SGI-1	Encourage and support the rehabilitation, improvement, and re-occupancy of viable business and industrial properties that have become vacant.			
SGI-2	The Town of Wake Forest acknowledges and supports the work of state and federal agencies, as well as its own town building inspectors, concerning the enforcement of environmental regulations and building standards, particularly concerning the redevelopment or adaptive reuse of manufacturing sites and buildings			
POLICIES FOR THIRD GENERATION BUSINESS AND INDUSTRIAL AREAS		YES	NO	NA
TGI-1	Periodically examine zoning ordinance and other development regulations to maintain or update appropriate standards and locations for manufacturing, warehouse and distribution opportunities within the Town's planning jurisdiction			
TGI-2	Employ industrial development performance standards to promote the establishment or expansion of industries that are compatible with the public health, safety, and welfare of area residents, and that are supportive of the long term economic prosperity and environmental quality of the community			
TGI-3	Provide and maintain adequate screening and buffering between residential areas and newly developed industrial sites			
TGI-4	Ensure industrial and warehouse sites located within view of a public right-of-way or nearby property provide landscaping that enhances the property and is consistent with a quality image			
POLICIES FOR DOWNTOWN		YES	NO	NA
D-1	Encourage a compatible, diverse mixture of retail, office, institutional, residential, dining, services, entertainment, and public open space in the downtown area			
D-2	Recognize the advantages of clustering similar activities and development forms in appropriate parts of the downtown			
D-3	Expand pedestrian oriented streetscape improvements, including wider sidewalks, street trees, decorative street lights, street furniture, and landscaping			
D-4	Direct new and expanding businesses to compatible buildings and sites in or near the downtown area			
D-5	Reserve ground floor space for retail uses with office and other uses on upper floors			
D-6	Maintain a tangible presence and commitment to the downtown through the location of the Town's major municipal offices there and encourage other local, state and federal government agencies to maintain similar commitments to the downtown			
D-7	Continue to support the Wake Forest farmers market at the municipal parking lot in downtown Wake Forest			
D-8	Continue to utilize the Renaissance Area Urban Code to ensure that development and redevelopment will be supportive of the architectural and historic context that is vital to the economic success of downtown Wake Forest			
D-9	Encourage efforts to restore missing or underutilized street frontages, particularly on lots where previous buildings have been demolished and replaced with (oftentimes) surface parking			
D-10	Locate parking lots to the side or behind buildings or in the interior of the block with off-street parking spaces for multi-family buildings being in the rear yard			

Community Plan Consistency Grid				
POLICIES FOR PARKS, OPEN SPACE AND RECREATION		YES	NO	NA
PR-1	In cooperation with private sector interests, develop a system of open space greenways and walking trails to connect to residential areas with, especially, schools and park facilities			
PR-2	Include mini-parks in existing and proposed developments to meet the needs of small children and the elderly, and to encourage social interaction and mutual support among area families			
PR-3	Locate parks in full view of residential/non-residential activity for security			
PR-4	Provide funding to help demand for open space and recreation created by development			
PR-5	Co-locate parks & recreation facilities with schools, utility companies, and federal, state and local government agencies			
PR-6	Continue to seek efficiencies, cost savings, and quality services for park maintenance as the Town grows			
PR-7	Continue to explore new opportunities for providing recreation programs with all available partners			
POLICIES FOR MAJOR STREETS		YES	NO	NA
S-1	Space major streets no more than 1 mile apart			
S-2	Ensure access to undeveloped sections of major streets are from intersecting minor streets, rather than private driveways			
S-3	Ensure minor streets intersect major streets regularly at approximately every 400 to 600 feet			
S-4	Incorporate central medians into the design of new or improved major streets			
S-5	Plant landscaping, and where possible, street trees in central medians of major streets			
S-6	Plant and retain streetyard vegetation along major streets to soften and unify the streetscape			
S-7	Ensure contrasting streetyards along major streets for change in visual character			
S-8	Preserve and enhance natural, cultural and historic features along major streets			
S-9	Ensure parking areas are screened from view within major street corridors			
S-10	Employ special roadway overlay zoning to help implement corridor plans			
S-11	Ensure road widenings and/or one-way pairs are avoided for streets where the original design intent and relationship to adjoining land uses was otherwise			
POLICIES FOR MINOR STREETS		YES	NO	NA
S-12	Encourage street patterns that respond to site topography, accentuate focal points and interesting vistas, create interesting public spaces and intersections, and that are coordinated with the placement of significant structures or open spaces			
S-13	Consider incorporation of medians in neighborhood axial streets			
S-14	Create short blocks of 300-500 feet in length to allow for many alternative routes for walking and biking, as well as a beneficial network of local streets			
S-15	Design street widths to fit the intended use of the street, corresponding to the traffic load and planned development types			
S-16	Employ a fully-connected honeycomb of streets to promote convenient circulation within the neighborhood and provide for multiple, alternative outlets from the area to adjoining neighborhoods and major streets			
S-17	Encourage on-street parking in compact neighborhoods			
S-18	Utilize grass swales to capture runoff in conservation subdivisions			
S-19	Ensure turning radius of corners at intersections are as small as possible to shorten the street crossing distance for pedestrians at intersections			
S-20	Install traffic calming methods as necessary to enhance livability			
POLICIES FOR SIDEWALKS		YES	NO	NA
SW-1	Where no sidewalks are present, provide sidewalks in existing developed areas to connect residential areas to walkable pedestrian destinations			
SW-2	Ensure sidewalks are required on both sides of the street in new developments when along thoroughfares and collectors, in multi-family developments, in "front porch" developments, and along local streets within walking distance of a major pedestrian trip attractor			
SW-3	Ensure sidewalk widths correspond with anticipated pedestrian traffic volumes, adjoining land uses, and sidewalk activities with minimum sidewalk widths at 5 feet, or 6 feet if along the verge of a street			

Community Plan Consistency Grid				
SW-4	Continue curb stamp installation and retrofit curb ramps in existing sidewalks			
SW-5	Ensure crosswalks are plainly marked and well lit, especially where significant pedestrian activity is observed or expected			
POLICIES FOR BIKEWAYS		YES	NO	NA
B-1	The bicycle facility selection guide, as used by the Federal Highway Administration, shall be employed for determining the most suitable type of bicycle facility for any new or upgraded roads in Wake Forest			
B-2	Facilitate bicycle and pedestrian way connections between neighborhoods, either by street or connecting path, to enable the effective use of local, minor streets for pedestrian and bicycle travel			
B-3	Install striped bicycle lanes and appropriate signage along existing streets where called for in the Bicycle Plan			
B-4	Install striped bicycle lanes and appropriate signage along new collector streets			
B-5	Install bicycle-responsive signals at intersections where appropriate			
B-6	Ensure all new public and private developments have bike parking and bicycle access			
B-7	Examine all future road construction and improvements for bikeway feasibility and conformity with the Town of Wake Forest Bicycle Plan			
B-8	Examine all future developments and site plans for bicycle compatibility and conformity with the town Bicycle Plan			
B-9	Include bicycle facilities and their impacts in traffic impact analyses for new private developments			
B-10	Establish and implement pedestrian and bicycle friendly schools zones around all schools			
B-11	Ensure bicycle-related improvements are an integral component of the Town's annual budget for public infrastructure investment			
POLICIES FOR GREENWAY TRAILS		YES	NO	NA
GT-1	Continue to pursue a greenway trails system that connects residential areas with schools and park facilities			
GT-2	Develop greenway trails in accordance with the environmental conditions of its corridor, its intended use for travel versus recreation, and the anticipated traffic volume of pedestrians and bicyclists			
GT-3	Ensure greenway construction is treated as a normal element of infrastructure necessary to support new development			
GT-4	Ensure greenway maintenance and safety in Town control after transfer from private control			
POLICIES FOR PUBLIC TRANSPORTATION		YES	NO	NA
PT-1	Support the successful operation and expansion of transit with compact, transit-compatible development patterns			
PT-2	Require site planning that incorporates transit stops and convenience clusters			
POLICIES FOR STREET TREES		YES	NO	NA
ST-1	Prepare and maintain an official Street Tree Planting Master Plan			
ST-2	Ensure consistent street tree species occur along certain sections of streets			
ST-3	Ensure a diversity of street tree species Town wide with no single species comprising more than 10-15% of total trees			
ST-4	Install regularly spaced street trees in central medians and frontage street medians			
ST-5	Continue to require the planting or preservation of street trees of appropriate size and species			
ST-6	Maximize available budget dollars for street tree master plan implementation			
POLICIES FOR STREETLIGHTS		YES	NO	NA
SL-1	Ensure streetlights are installed according to the design speed and/or intended use of the street or area they serve			
SL-2	Periodically evaluate emerging lighting technologies for best color, brightness and energy efficiency			
SL-3	Continue to develop and implement joint policies and standards for street light selection, installation, operation and maintenance in cooperation with Wake Electric and Duke/Progress Energy			

Community Plan Consistency Grid				
SL-4	Ensure streetlights are installed on both sides of streets unless a newly approved street is planned from the outset to have a sidewalk on only one side			
POLICIES FOR UTILITY POLES AND WIRES		YES	NO	NA
UPW-1	Maintain a master plan for the undergrounding of utilities, with priority given to pre-determined areas			
UPW-2	Ensure major town entrances and gateway corridors receive first priority for the undergrounding of overhead utilities			
UPW-3	Ensure high visibility, pedestrian-oriented areas receive second priority for the undergrounding of overhead utilities			
UPW-4	Ensure overhead utilities in other priority areas are placed underground or relocated as opportunities arise			
POLICIES FOR WIRELESS TELECOMMUNICATION FACILITIES		YES	NO	NA
WTF-1	Facilitate the development of wireless service technology as an economic development asset and significant benefit to the town and its residents			
WTF-2	Ensure the impacts of wireless telecommunication facilities should not be permitted to compromise the health, safety and public welfare of area residents; nor should such facilities be allowed to diminish the character of the community and visual quality of its environment			
WTF-3	Ensure that in residential areas, historic districts and the Renaissance districts, cell towers are only considered when there is no alternative for serving those areas and no other alternative wireless telecommunication structure can be utilized			
WTF-4	Initiate updates to standards for wireless telecommunication facilities as new technologies and structural requirements for wireless capabilities emerge over time			
POLICIES FOR TOWN AND SPECIAL AREA ENTRANCES		YES	NO	NA
TSE-1	Employ noticeable streetscape improvements to clearly announce a town entrance and to enhance gateway corridors			
TSE-2	Extend streetscape improvements as the Town limits expand			
TSE-3	Employ special "gateway" treatment where where a bridge, underpass, overpass or other roadway feature is located at an entry point to the town or some portion of it			
POLICIES FOR COMMUNITY CHARACTER		YES	NO	NA
CC-1	Employ architectural standards consistent with Wake Forest's architectural character for new, expanding, or improved businesses			
CC-2	Exceptional locations, views and vistas in the town should receive exceptional treatment and/or protection in design and development			
CC-3	Place noteworthy buildings, important outdoor spaces, objects of historic merit, important monuments, and significant works of art in positions of visibility and prominence			
CC-4	Incorporate significant natural and existing man-made elements into the thematic design of new developments			
CC-5	Save large trees, ponds, creeks, or other natural features of the landscape when locating new streets, buildings, parking lots, etc			
CC-6	Support community character by ensuring development is compatible with surrounding area			
CC-7	Ensure exterior lighting is attractive, functional and safety conscious, while also avoiding negative impacts on the night sky visibility of Wake Forest			
POLICIES FOR REGIONAL TRANSPORTATION		YES	NO	NA
RT-1	Continue to anticipate and plan for the impacts of new high speed rail service as it passes through Wake Forest en route to major urban centers north and south along the east coast			
RT-2	Continue to anticipate and plan for the transformation of US 1 Capital Blvd into a limited access freeway and multi-modal transportation corridor as per the plans of the US 1 Corridor Study			
RT-3	Support the express bus service between downtown Wake Forest and downtown Raleigh			
POLICIES FOR WATER AND SEWER		YES	NO	NA
WS-1	Work proactively with other local governments, utility service providers, and the State of North Carolina on regional, long term solutions for water supplies and sewage treatment			
WS-2	Place water and sewer utilities in areas where growth is desired			
WS-3	Avoid placing sewer utilities in environmentally sensitive areas or in areas where open space is desired			

Community Plan Consistency Grid				
WS-4	Encourage the development of sewer services that employ water reuse technologies			
POLICIES FOR WATER CONSERVATION		YES	NO	NA
WC-1	Conserve, to the fullest extent possible, potable water and waste water treatment capacity			
WC-2	Employ other types of non-municipal water supplies such as wells, rainwater catching systems, rain barrels and in-ground cisterns			
WC-3	Eliminate or reduce usage of the municipal water supply for outside irrigation			
WC-4	Encourage new development to plant drought tolerant grasses on lawns			
WC-5	Encourage construction of new rainwater retainage systems			
WC-6	Encourage new development to include traditional plants native to the area			
WC-7	Encourage the installation of water saving devices in new and existing development			
POLICIES FOR COMMUNITY ORIENTED SCHOOLS		YES	NO	NA
S-1	Plan for new school locations in advance through joint collaboration between the Town and School Board — with emphasis on steering facilities to desirable growth areas and avoiding sprawl			
S-2	Encourage offering land for new school facilities, particularly in conjunction with related neighborhood development			
S-3	Design safe campuses with pedestrian access to adjoining neighborhoods			
S-4	Prioritize traffic management and safety in the vicinity of public schools			
S-5	Co-locate school facilities with other community facilities and services			
S-6	Ensure costs for new schools should be borne largely by new growth and development creating the demand			
S-7	Foster diversity in community-oriented public schools by encouraging diversity in nearby neighborhoods feeding each school			
POLICIES FOR PAYING FOR GROWTH		YES	NO	NA
PFG-1	Ensure the costs of infrastructure, facilities and services related to new growth and development should be borne primarily by those creating the demand			
PFG-2	Continually seek to balance residential and non-residential development to foster a favorable service-cost to revenue-generated tax base			
PFG-3	Fees charged by the Town for development reviews and inspections should approximate the actual costs to the Town of conducting such work			
PFG-4	Explore cost recovery fees for new "greenfield" development			
PFG-5	Undertake annual planning and budgeting for capital facilities			
POLICIES FOR A HEALTHY SUSTAINABLE ENVIRONMENT		YES	NO	NA
HSE-1	Ensure development policies work to make Wake Forest more walkable and pedestrian-friendly, and less dependent on the single-occupant automobile			
HSE-2	Encourage compact, transit-oriented, mixed-use developments to facilitate walking, biking and transit options			
HSE-3	Locate new higher density residential development within walking distance of jobs and services and design it to be transit compatible with current and future transit services			
HSE-4	Recognize and facilitate low impact development			
HSE-5	Ensure runoff and drainage from development is of a quality and quantity as near to natural conditions as possible			
HSE-6	Require vegetative riparian buffers along all creeks, rivers, lakes and other water bodies in Wake Forest			
HSE-7	Encourage conservation subdivisions where site conditions call for minimizing environmental disturbance and protecting adjoining natural resources			
HSE-8	Ensure large parking lots have landscaped planting islands and perimeter buffer strips and may use other design technologies to intercept and absorb runoff			
HSE-9	Carefully control development activities in the special flood hazard areas			
HSE-10	Encourage the construction of energy efficient structures, including the use of "green" building design			
HSE-11	Ensure site plans for new development work sympathetically with the natural features of the land, including existing topography and significant existing vegetation			

Community Plan Consistency Grid				
HSE-12	Explore a combination of incentives and disincentives to protect existing trees and/or require the replacement of trees removed for development			
HSE-13	Encourage green infrastructure (grassed swales, rain gardens, bio-retention strips, cisterns, rain barrels, permeable pavements, etc.)			
HSE-14	Offer a variety of solid waste reduction strategies and services including educational programs on waste prevention, recycling and reuse			
HSE-15	Facilitate proper disposal of household hazardous waste materials			
HSE-16	Encourage on-site residential composting			
HSE-17	Continue off-site mulching and redistribution of landscape yard waste			
HSE-18	Continue to support education and activities that reduce litter and illegal dumping			
HSE-19	Continue to plan in advance for area requirements concerning solid waste collection and disposal			
POLICIES FOR ECONOMIC DEVELOPMENT		YES	NO	NA
ED-1	Encourage new and expanding industries and businesses that are compatible with the long-term quality of the area's natural and cultural resources, match up well with the area's infrastructure and services, employ and develop the skills of area workers, and diversify the local economy			
ED-2	Retain quality businesses and to attract new ones continue to invest in infrastructure and services that sustain and enhance the area's already high quality of life, image and cultural identity			
ED-3	Pursue economic and business development partnerships between the Town, other local jurisdictions, other economic development organizations, and private companies			
ED-4	Strive for a financial and regulatory environment that supports the establishment and growth of small business			
ED-5	Develop real estate "product" suitable for business placement that focuses on the identification, enhancement and certification of buildings and sites readily available for construction and/or occupancy			
POLICIES FOR ARTS CULTURE AND HISTORIC PRESERVATION		YES	NO	NA
ACH-1	Encourage efforts and actively participate in the provision of indoor and outdoor public and private spaces to showcase the work of visual and performing artists in Wake Forest			
ACH-2	Encourage new private sector developments to include art as an integral element of privately owned common areas and semi-public spaces			
ACH-3	Ensure budgets for new construction and renovations of town buildings include a line item for the purchase and display of art			
ACH-4	Continue to have cultural arts be enhanced as a permanent function of the Town's recreation program offerings			
ACH-5	Employ design standards that ensure development and redevelopment is consistent with the architectural context, community character, economic attractiveness and livability of Wake Forest			
ACH-6	Encourage the identification, restoration, and active use of structures, buildings, monuments, landmarks, sites and neighborhoods of historic or architectural significance			
ACH-7	Strongly discourage the destruction of architectural, historic, and archeological resources of Wake Forest			
POLICIES FOR PUBLIC SAFETY		YES	NO	NA
PS-1	Employ community education, school, and public involvement programs to enhance community awareness of public safety issues			
PS-2	Periodically review the need for additional paid personnel, capital improvements and equipment needs to meet or exceed public safety standards, insurance ratings and other measures of public safety			
PS-3	Strategically locate additional public safety substations, provided that sufficient resources can be made available to properly staff and equip them			
PS-4	Proactively support legislative efforts to strengthen local law enforcement tools			
PS-5	Employ a holistic approach to public safety involving residents, businesses, and institutions in the preparation of neighborhood improvement plans, with priority given to public safety concerns			
PS-6	Encourage excellence in law enforcement, fire protection, and emergency services through on-going education, training and participation in national accreditation programs			
PS-7	Support the establishment of an east-west through street (or loop road) on the north side of town to improve emergency access to locations in that area			

Community Plan Consistency Grid				
POLICIES FOR LEADERSHIP AND COMMUNITY INVOLVEMENT		YES	NO	NA
LCI-1	Continue to emphasize the importance of advisory boards & committees in conducting the Town's business			
LCI-2	Ensure boards and committees of the Town are representative of the population and geography of the planning area or subject matter being addressed			
LCI-3	Encourage public involvement in decisions on land use and development by making the public aware of proposed developments at the earliest lawful opportunity, as well as fostering communication between developers and the general public			
LCI-4	Encourage neighborhood and special area planning			
LCI-5	Continue to ensure maintenance and enhancements to the Town's internet and multi-media news dissemination capabilities			
LCI-6	Participate proactively in the cooperation of efforts among civic and volunteer organizations for maximum impact in the community			

Comprehensive Transportation Plan (2010) Consistency Grid

CREATE A SAFE AND EFFICIENT MULTIMODAL TRANSPORTATION SYSTEM		YES	NO	NA
P.1	Update town ordinances to clarify design guidance for sidewalk, greenways, and multi-use paths.			
P.2	Pursue connectivity for pedestrians and cyclists with pathways in places where street connections are not feasible or acceptable.			
P.3	Review land development and redevelopment applications to identify opportunities to connect bikeways, greenways, and sidewalks with adjacent neighborhoods, parks, schools, offices, shops, and public spaces.			
P.4	Build pedestrian facilities according to the priorities established by the Town Board of Commissioners and in conjunction with street projects built by others.			
B.1	Request an increase in annual funding for on-road bikeways such as wide striped shoulders and striped bike lanes.			
B.2	Seek approval from NCDOT and Town Board of Commissioners to conduct demonstration projects using "sharrows".			
B.3	Accelerate repaving and restriping of roads on the Bicycle Plan to accelerate the creation of new on-road bikeways.			
B.4	Supplement existing bike route signs with time and distance signs along on- and off-road bikeways and greenways.			
B.5	Provide bicycle facilities according to the priorities established by the Town Board of Commissioners and in conjunction with street projects by others.			
S.1	Balance the Town's mobility needs with other priorities such as the function of the street, corridor relationship to land use, urban design, and the promotion of alternate modes.			
S.2	Support connectivity throughout the street network to create an efficient multimodal network of slow streets.			
S.3	Adopt a complete streets policy and use it to ensure all future transportation projects incorporate safe and efficient facilities and services for users of all ages and abilities.			
S.4	Analyze the signal timing to ensure adequate time for protected left turns from all approaches at South Main Street and NC 98 Bypass.			
S.5	Selectively re-program the direction of signals on Durham Road west of US 1. Furthermore, a reduction in traffic volumes on Durham Road following completion of the NC 98 Bypass may reduce the crash frequency at this location.			
S.6	Monitor conditions to assess change in crash frequency/severity at South Main Street and Capital Boulevard (US 1) that may result from the recent modifications to the signals and westbound approach to Capital Boulevard. Also monitor the relatively high vehicle speed of southbound traffic approaching this intersection.			
T.1	Create new route traveling the same streets as the existing Circulator route but in the opposite direction.			
T.2	Provide route maps with departure/arrival times.			
T.3	Install bus shelters and improve passenger safety at stops.			
COORDINATE TRANSPORTATION AND LAND USE PLANNING TO ENSURE THAT GROWTH PAYS ITS OWN WAY		YES	NO	NA
S.7	Revise the collector street portion of the thoroughfare plan with alignment and classification changes outlined in Chapter 5 to provide guidance to development community on proposed street network.			
S.8	Continue to require developers to fund roadway improvements that are rational and proportional to the impact created by development.			
S.9	Utilize the Corridor Profiles (Appendix A), which provide key information on traffic volumes and roadway characteristics. Where feasible, the illustrative cross sections include bicycle and pedestrian amenities.			
S.10	Install additional posted speed limit for westbound Wait Avenue just west of Jones Dairy Road.			
S.11	Consider revising the posted speed limit on Durham Road between US 1 and Wingate to 40 mph.			
PLAN, DESIGN, & CONSTRUCT TRANSPORTATION FACILITIES THAT CONTRIBUTE TO WAKE FOREST'S SMALL TOWN CHARACTER AND ATTRACTIVE APPEARANCE		YES	NO	NA
S.12	Plan, design, build and maintain landscaped medians along designated thoroughfares (Appendix A) that will manage access, improve safety and add to visual attractiveness of the area.			
T.4	Work with CAMPO, the Triangle Transit and NCDOT Rail Division to plan high-quality, high-frequency passenger rail or bus-rapid transit in Wake Forest.			
PROVIDE SAFE & CONVENIENT FACILITIES AND SERVICES FOR PEOPLE WHO CHOOSE NOT TO USE AN AUTOMOBILE		YES	NO	NA
P.5	Build sidewalks and crosswalks to connect near neighborhoods with downtown Wake Forest.			

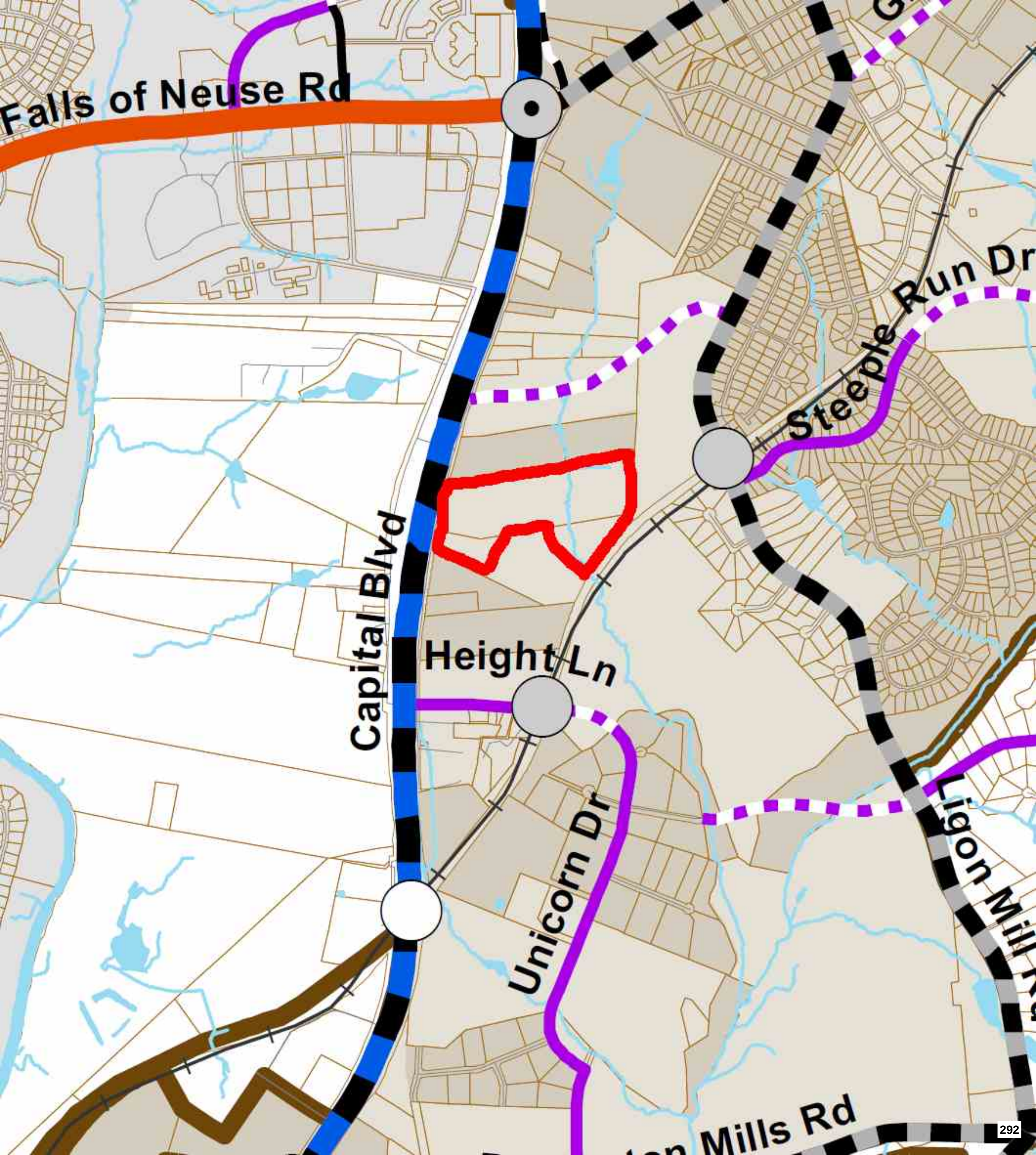
Comprehensive Transportation Plan (2010) Consistency Grid

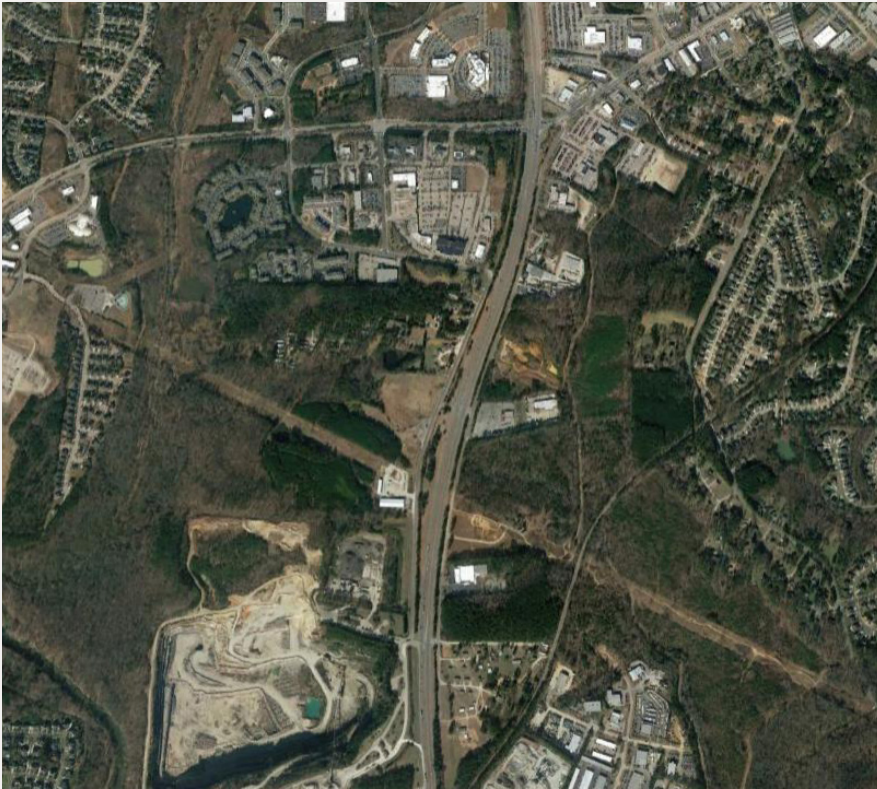
P.6	Use federal and state grants to implement infrastructure-related and non-infrastructure projects and programs associated with walking and bicycling to all 8 public schools in Wake Forest.			
P.7	Update Subdivision Ordinance to allow reduction in trip generation for trips diverted to alternate modes of transportation, provide incentives, reduce parking requirements, strengthen connectivity, establish sidewalk maintenance policy, and implement traffic calming program.			
P.8	Continue to fund sidewalk construction using Town funds.			
P.9	Build greenways consistent with priorities established by the Town Board of Commissioners.			
B.6	Conduct public awareness campaign to educate citizens of the danger in riding bicycles on sidewalks.			
B.7	Consider a new Police program to distribute "coupons" to Wake Forest youth for demonstrating responsible bicycling in a "Catch 'em biking right" campaign.			
B.8	Complete the collector street network through and to 36 activity centers in Wake Forest to provide slower speed, lower-volume streets suitable for many cyclists.			

ENSURE SERVICEABLE OPERATION OF EXISTING FACILITIES AND SERVICES		YES	NO	NA
B.9	Organize quarterly bike rides with Town staff to assess bike route conditions.			
B.10	Designate space to permit interested organizations to create valet bike parking at Town.			
B.11	Encourage formation of web-based "Ride Anytime" site to match groups of riders.			
B.12	Sponsor a bicycle mentor program.			
B.13	Launch free adult bicycle safety courses including web-based and television-based short courses.			
B.14	Run a public service message campaign in the Town's newsletter and in neighborhood newsletters.			
B.15	Develop a corporate outreach program to encourage bicycle commuting.			
B.16	Implement a local bike event in conjunction with the Triangle "Bike to Work Week" in the month of May.			
B.17	Install a kiosk and provide pamphlets at Wake Forest Town Hall.			
S.13	Protect the integrity of the existing system and balance the transportation network with strategic investments in pedestrian, bicycle, and transit projects.			
S.14	Introduce new project selection factors at CAMPO to reinforce the importance of maintaining existing systems.			
S.15	Monitor intersection operations to determine LOS deficiencies; implement engineering, policy, transit, and multimodal improvements to extend the life of intersection for acceptable operations.			
T.5	Develop a corporate outreach program to encourage transit use.			

PROACTIVELY PLAN FOR WELL-PLANNED TRANSPORTATION LINKAGES TO OTHER PARTS OF THE TRIANGLE REGION		YES	NO	NA
S.16	Work cooperatively with CAMPO during the next update of their transportation plan to incorporate the recommendations of the Wake Forest Plan.			
S.17	Review development applications for sites along Capital Boulevard and parallel frontage roads and require roadway modifications consistent with the long-range plan to convert to a freeway with continuous two-way frontage roads on both sides.			
T.6	Pursue CAMPO funding opportunities for transit improvements.			
T.7	Host transit events targeted to a range of cultural groups.			

IDENTIFY SUFFICIENT, TIMELY, & EQUITABLE FINANCING MECHANISMS FOR WELL-TIMED TRANSPORTATION SERVICES AND IMPROVEMENTS		YES	NO	NA
S.18	Continue to seek state and federal transportation funds through cooperative planning with CAMPO and NCDOT.			
S.19	Form a staff Safety Committee and hold periodic meetings to share information among the Police, Engineering, Parks & Recreation, and Planning departments to review crash data and create an Action Plan.			
S.20	Develop an Action Plan to address streets and intersections that exceed statewide crash rate averages. Review the Action Plan in committee.			
S.21	Implement intersection safety improvements at top crash locations.			





Star Road Mixed - Use
Traffic Impact Analysis
Wake Forest, North Carolina



**TRAFFIC IMPACT
ANALYSIS**

FOR

STAR ROAD MIXED-USE

LOCATED

IN

WAKE FOREST, NC

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Pittsboro, NC 27312

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MARCH 2021



RKA Project No. 21029

Prepared By: DT

Reviewed By: NB

TRAFFIC IMPACT ANALYSIS
STAR ROAD MIXED-USE
WAKE FOREST, NORTH CAROLINA

EXECUTIVE SUMMARY

1. Development Overview

A Traffic Impact Analysis (TIA) was conducted for the proposed Star Road Mixed-Use development in accordance with the Wake Forest (Town) Unified Development Ordinance (UDO) and North Carolina Department of Transportation (NCDOT) capacity analysis guidelines. The proposed development is to be located east of Star Road and north of Height Lane in Wake Forest, North Carolina. The proposed development is expected consist of 171 townhomes and a an approximately 43,000 s.f. shopping center and estimated to be built out in 2024. Site access is proposed via one (1) full-movement driveway along Star Road.

2. Existing Traffic Conditions

The study area for the TIA was determined through coordination with the Town and NCDOT and consists of the following existing intersections:

- Capital Boulevard (US 1) and Star Road Connector / Ponderosa Service Road Connector
- Star Road and Star Road Connector
- Capital Boulevard (US 1) and Montys Lane / Height Lane
- Star Road and Main Street

Peak hour turning movement counts, collected at the study intersections listed above in May of 2019, were obtained from a traffic study conducted by Stantec Consulting Services Inc. for the Evolve Wake Forest development (sealed 7-13-2020). These 2019 counts were collected during weekday AM (6:30 AM – 9:00 AM) and PM (4:00 PM – 6:30 PM) peak periods. The May 2019 counts were projected to the year 2021 using the 3% growth rate approved by the Town and NCDOT to determine existing (2021) traffic volumes. Weekday AM and PM traffic volumes were balanced between study intersections, where appropriate.

3. Site Trip Generation

The proposed development is assumed to consist of 171 townhomes and an approximately 43,000 s.f. shopping center. Average weekday daily, AM peak hour, and PM peak hour trips for the proposed development were estimated using methodology contained within the ITE Trip Generation Manual, 10th Edition. Table E-1 provides a summary of the trip generation potential for the site.

Table E-1: Site Trip Generation

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Multi-Family Housing (Low-Rise) (220)	171 units	1,250	18	61	60	35
Shopping Center (820)	43,000 s.f.	3,390	107	66	140	151
Total Trips		4,640	125	127	200	186
<i>Internal Capture: (1% AM Entering, 1% PM Exiting) (19% PM Entering, 20% PM Exiting)</i>			-1	-1	-38	-37
Total External Trips			124	126	162	149
<i>Pass-By Trips: Shopping Center (34% PM)</i>			--	--	-40	-40
Total Primary Trips			124	126	122	109

4. Future Traffic Conditions

Through coordination with the Town and NCDOT, it was determined that an annual growth rate of 3% would be used to generate projected (2024) weekday AM and PM peak hour traffic volumes. The following adjacent developments were identified to be considered under future conditions:

- City of Raleigh Water Quality Lab
- Capital Power Sports
- Evolve Wake Forest

The study analyzes traffic conditions during the weekday AM and PM peak hours for the following scenarios:

- Existing (2021) Traffic Conditions
- No-Build (2024) Traffic Conditions
- Build (2024) Traffic Conditions

5. Capacity Analysis Summary

The analysis considered weekday AM and PM peak hour traffic for existing (2021), no-build (2024), and build (2024) conditions. Refer to Section 7 in the report for the capacity analysis summary performed at each study intersection.

6. Recommendations

Based on the findings of this study, specific geometric and traffic control improvements have been identified at study intersections. The improvements are summarized below and are illustrated in Figure E-1.

Improvements by Evolve Wake Forest

Capital Boulevard (US 1) and Star Road Connector / Ponderosa Service Road Connector

- Convert the Star Road Connector / Ponderosa Connector approaches to left-in/right-in/right-out where only right-turns out are permitted for the side-street approaches.
- Extend existing northbound left-turn lane to a minimum of 250 feet of storage and appropriate taper length.
- Extend existing southbound left-turn lane to a minimum of 300 feet of storage and appropriate taper length.

Capital Boulevard (US 1)

- Provide northern U-turn location for Star Road Connector traffic, with a minimum of 200 feet of storage and appropriate taper.

Recommended Improvements by DeveloperCapital Boulevard (US 1) and Montys Lane / Height Lane

- Convert the Montys Lane / Height Lane approaches to left-in/right-in/right-out where only right-turns out are permitted for the side-street approaches.

Capital Boulevard (US 1)

- Provide northern U-turn location for Height Lane traffic, with a minimum of 200 feet of storage and appropriate taper.

Capital Boulevard (US 1) and Stickman Street

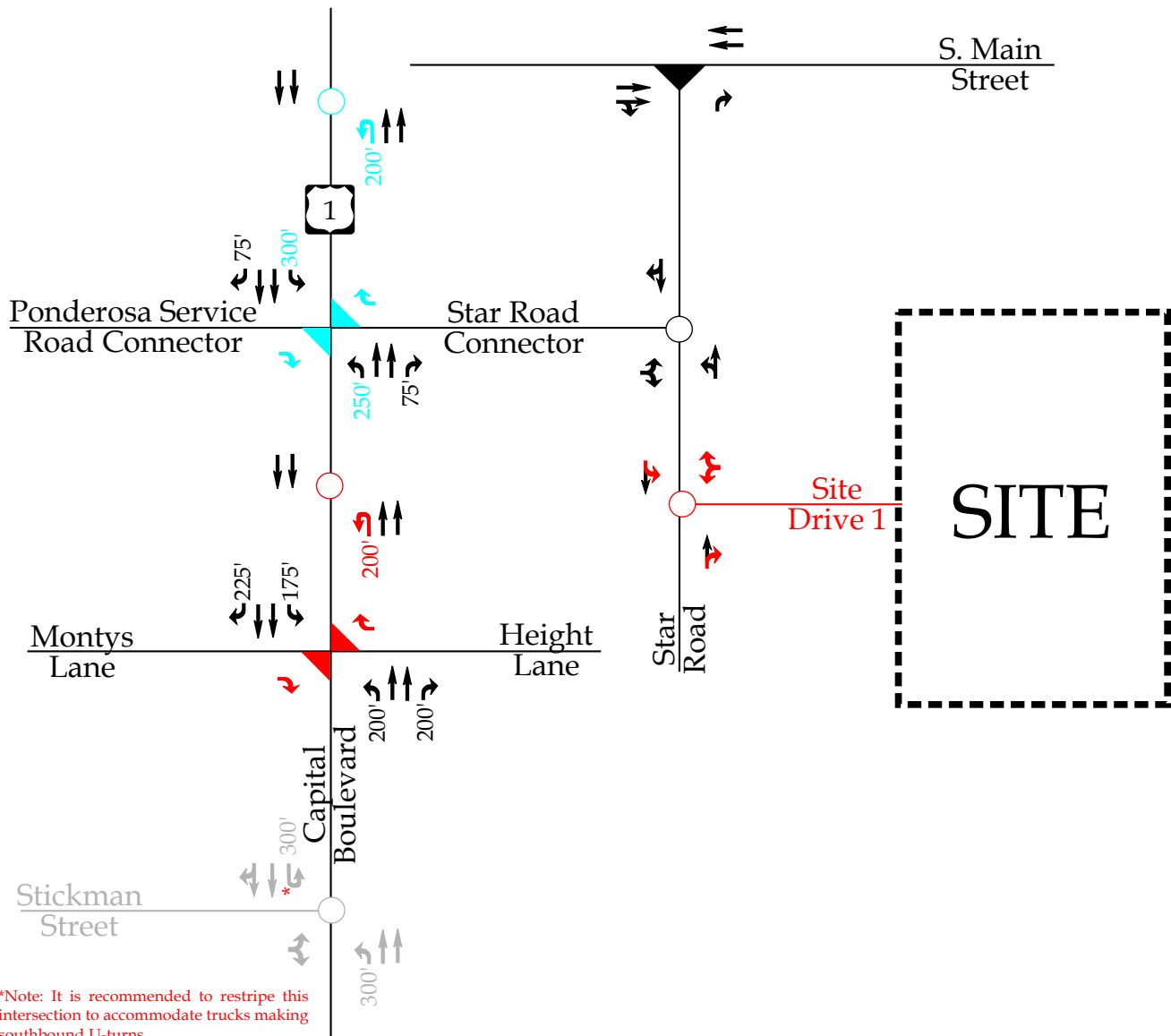
- Restripe intersection to accommodate the turning radius of trucks making a southbound U-turn movement.

Star Road and Site Drive 1

- Construct westbound approach with one ingress lane and one egress lane.
- Provide stop-control for westbound approach.

LEGEND

- Unsignalized Intersection
- ▲ Right-In/Right-Out Intersection
- ▲ Left-Over Intersection
- Existing Lane
- Improvement by Developer
- Improvement by Evolve
- x' Storage (In Feet)



Moving forward.



Star Road Mixed-Use
Wake Forest, NC

Recommended Lane
Configurations

Scale: Not to Scale | Figure E-1



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

April 19, 2021

Star Road Mixed-Use
Traffic Impact Analysis Review Report
Congestion Management Section

TIA Project: SC-2021-080
Division: 5
County: Wake



Doumit Y. Ishak, Regional Engineer
Clarence B. Bunting, IV, P.E. Project Engineer
Braden M. Walker, P.E. Project Design Engineer

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
TRANSPORTATION MOBILITY & SAFETY DIVISION
1561 MAIL SERVICE CENTER
RALEIGH, NC 27699-1561

Telephone: (919) 814-5000
Fax: (919) 771-2745
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
750 N. GREENFIELD PARKWAY
GARNER, NC 27529

Star Road Mixed-Use

SC-2021-080

Wake Forest

Wake County

Per your request, the Congestion Management Section (CMS) of the Transportation Mobility and Safety Division has completed a review of the subject site. The comments and recommendations contained in this review are based on data for background conditions presented in the Traffic Impact Analysis (TIA) and are subject to the approval of the local District Engineer's Office and appropriate local authorities.

Date Initially Received by CMS	03/19/21	Date of Site Plan	N/A
Date of Complete Information	03/19/21	Date of Sealed TIA	03/19/21

Proposed Development

The TIA assumes the development is to be completed by 2024 and consist of the following:

Land Use	Land Use Code	Size
Multi-Family Housing (Low-Rise)	220	171 d.u.
Shopping Center	820	43,000 sq.ft.

Trip Generation - Unadjusted Volumes During a Typical Weekday

	IN	OUT	TOTAL
AM Peak Hour	125	127	252
PM Peak Hour	200	186	386
Daily Trips			4,640

General Reference

For reference to various documents applicable to this review please reference the following link: <http://www.ncdot.org/doh/preconstruct/traffic/teppl/Topics/C-37/C-37.html>

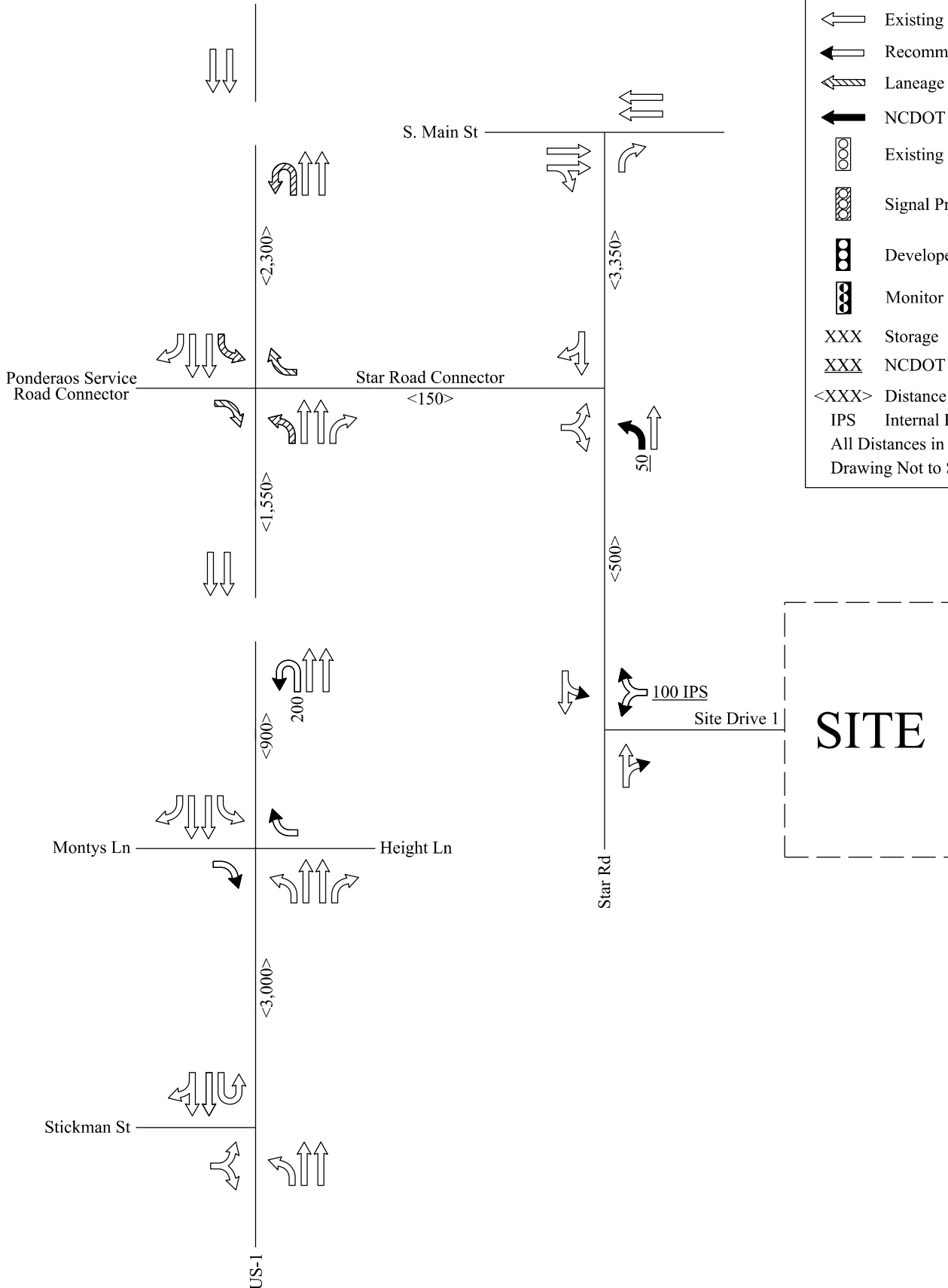
Once the driveway permit has been approved and issued, a copy of the final driveway permit requirements should be forwarded to this office. If we can provide further assistance, please contact the Congestion Management Section.

Improvements By Others

The analysis includes background improvements by others. If these improvements are not in place at the time of construction, the site should provide these improvements or analysis demonstrating mitigation is not necessary.

Star Road Mixed-Use Wake Forest, Wake County SC-2021-080

-  Existing Laneage
-  Recommended Laneage
-  Laneage Built By Others
-  NCDOT Recommendation
-  Existing Signal
-  Signal Proposed By Others
-  Developer Proposed Signal
-  Monitor for Signal
- XXX Storage
- XXX NCDOT Recommended Storage
- <XXX> Distance Between Intersections
- IPS Internal Protected Stem
- All Distances in Feet
- Drawing Not to Scale





TOWN of WAKE FOREST

301 S. Brooks Street
Wake Forest, NC 27587
t 919.435.9400

www.wakeforestnc.gov

12 April 2021

Nathaniel A. Bouquin, PE
Traffic Engineering Project Manager
Ramey Kemp & Associates, Inc.

Re: Star Road Mixed-Use Traffic Impact Analysis (TIA)

The Town of Wake Forest has reviewed the TIA provided by Ramey Kemp & Associates on March 19, 2021 for the Star Road Mixed-Use Project in Wake Forest ("Star Road Mixed-Use"). Star Road Mixed-Use is proposed to consist of a total of 43,000 SF shopping center and 171 townhomes. The site is located on Star Road and expected to have full build out by 2024. Site access will be through one full-movement driveway along Star Road.

Trip Generation

Multi-Family Housing (Low-Rise) – 171 Townhomes			
ITE Land Use Code: 220	Entering	Exiting	Total
AM Peak Hour	18	61	79
PM Peak Hour	60	35	95
Total Daily Trips			174
Shopping Center/Retail – 43,000 SF			
ITE Land Use Code: 820	Entering	Exiting	Total
AM Peak Hour	107	66	173
PM Peak Hour	140	151	291
Total Daily Trips			464
Total Site Daily Trips			4,640

The Town of Wake Forest has found the TIA to be consistent with the Unified Development Ordinance (UDO) and is hereby formally approved. Any additional offsite improvements required by NCDOT, will supersede those in this letter.

Committed Improvements by Others:

These improvements have been assumed for analysis based on existing approved development. If these improvements are not installed at time of development, further analysis may be required.

Capital Boulevard (US-1) and Star Road/Ponderosa Service Road Connector

- Convert the Star Road/Ponderosa Service Road Connector approaches to single left-in/right-in/right-out to restrict side street approaches to right turns only.
- Extend existing northbound left-turn lane to a minimum of 250 feet full width storage and appropriate taper.
- Extend existing southbound left-turn lane to a minimum of 300 feet full-width storage and appropriate taper length.

Capital Boulevard (US-1)

- Construct a northern U-Turn location for Star Road Connector with a minimum of 200 feet full-width storage and appropriate taper.

Required Improvements by Developer:

*All required improvements are to be constructed **PRIOR** to the Certificate of Occupancy of any building, including a Temporary Certificate of Occupancy.*

Capital Boulevard (US-1) and Montys Lane/Height Lane

- Convert Montys Lane and Height Lane approaches to left-in/right-in/right-out to restrict side street approaches to right-turn only.

Capital Boulevard (US-1)

- Construct a northern U-Turn location for Height Lane with a minimum of 200 feet full-width storage and appropriate taper.

Capital Boulevard (US-1) and Stickman Street

- Restripe intersection to accommodate the turning radius of southbound U-turn for truck traffic.

Star Road and Site Driveway 1

- Construct westbound approach with one ingress lane and egress lane.
- Provide stop control for westbound approach.

It should be noted that Capital Boulevard (US-1) and Star Road are not maintained by the Town of Wake Forest and may require additional permitting and approval by NCDOT. All offsite improvements shall be included in the master plan approval.

If you have any questions, please let me know.

Jonathan K. Jacobs, PE
Transportation Engineer
Town of Wake Forest Public Works

Cc: Patrick Reidy, AICP, CZO, Senior Planner, Town of Wake Forest
Jennifer Currin, AICP, CZO, LEED AP, Assistant Planning Director, Town of Wake Forest
Cody Winkler, EI, Assistant District Engineer, NCDOT



POST OFFICE BOX 91727
RALEIGH, NORTH CAROLINA 27675
PHONE: 919.610.1051
FIRM NC LICENSE NUMBER C-4222

REVISION HISTORY			
REV #	DESCRIPTION	DATE	BY
1	TOWF COMMENTS	4/24/2020	FLM
1	TOWF COMMENTS	3/8/2021	FLM

ORIGINAL PLAN SIZE: 24" X 36"

PRELIMINARY
PLANS
DO NOT USE FOR CONSTRUCTION

SCALE ADJUSTMENT
THIS BAR IS 1 INCH IN LENGTH
ON ORIGINAL DRAWING
0 1"
IF IT IS NOT 1 INCH ON THIS
SHEET, ADJUST YOUR SCALE
ACCORDINGLY

PUD CONCEPT PLANS
RZ-19-10

STAR RD
WAKE FOREST, NC

SITE PROPERTY
DEVELOPMENT LLC

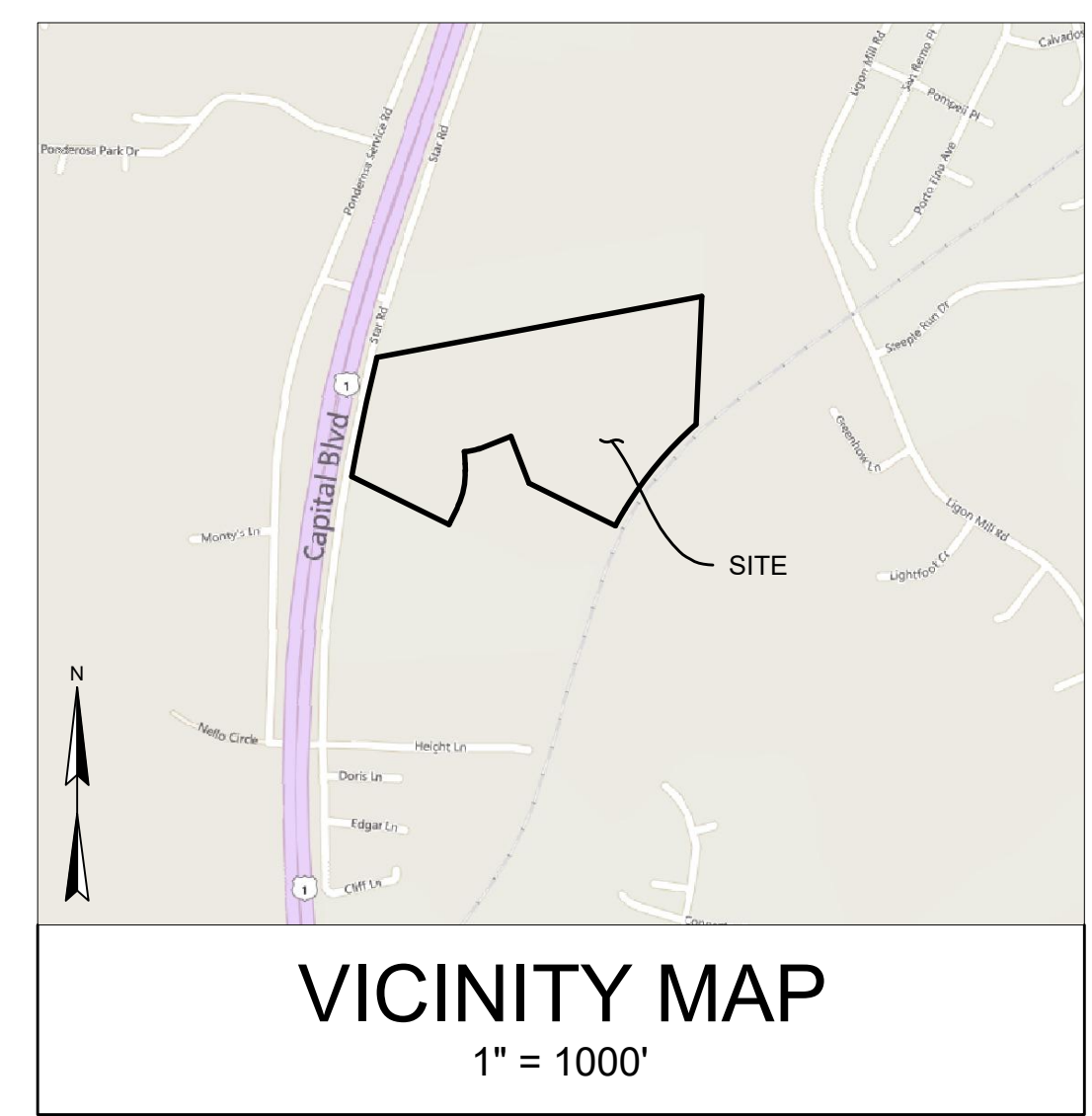
DATE:	07-01-2019
SCALE:	AS SHOWN
DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	19024

COVER

C-1
SHEET 1 OF 6

PUD CONCEPT PLANS FOR STAR ROAD PUD RZ-19-10

STAR ROAD
WAKE FOREST, NORTH CAROLINA
PINS: 1739-65-3709, 1739-75-0868 AND 1739-55-8441



SHEET	TITLE
C-1	COVER
C-2	EXISTING CONDITIONS MAP
C-3	LAND USE MAP
C-4	VEHICULAR & PEDESTRIAN CIRCULATION PLAN
C-5	UTILITY ACCESS & CONNECTION PLAN
C-6	BUFFERS & OPEN SPACE PLAN

DEVELOPER:

SITE PROPERTY DEVELOPMENT, LLC
CONTACT: CHUCK WALKER
8341 BANDFORD WAY, SUITE 101
RALEIGH, NC 27615
919.625.9760
CWALKER@EPGROUPONLINE.COM

ENGINEER OF RECORD:

FLM ENGINEERING, INC
CONTACT: JON FRAZIER, PE
PO BOX 91727
RALEIGH, NC 27675
919.610.1051
JFRAZIER@FLMENGINEERING.COM

RECOMMENDATION FOR APPROVAL
BY THE WAKE FOREST
PLANNING BOARD

DATE _____

APPROVAL BY THE
WAKE FOREST BOARD OF
COMMISSIONERS

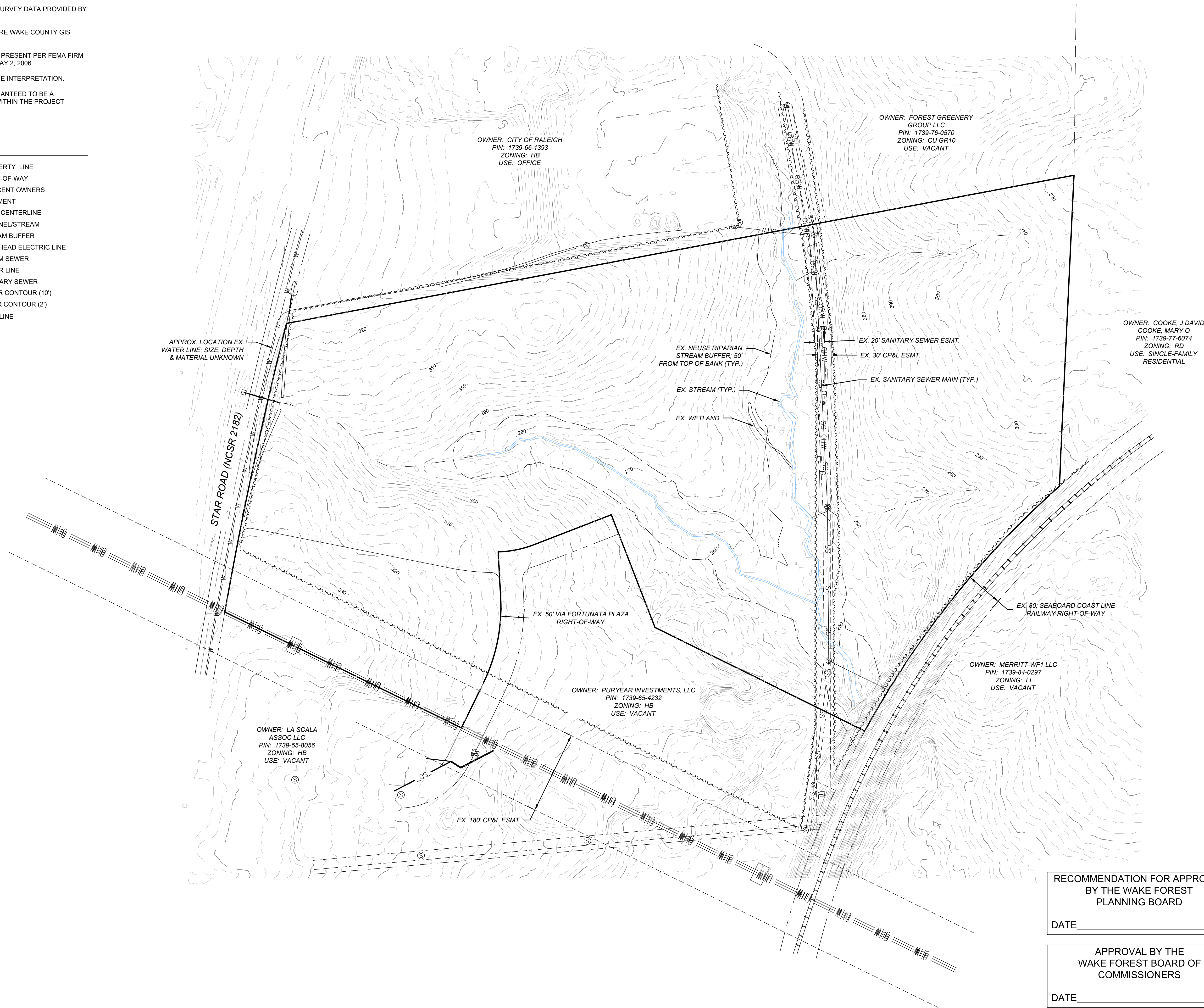
DATE _____

NOTES

1. BOUNDARY AND EXISTING FEATURE SURVEY DATA PROVIDED BY CAWTHORNE, MOSS & PANCIERA, PC.
2. CONTOURS SHOWN ON THIS SHEET ARE WAKE COUNTY GIS TOPOGRAPHIC DATA.
3. THERE ARE NO FLOOD PRONE AREAS PRESENT PER FEMA FIRM PANEL NO. 3720173900J, EFFECTIVE MAY 2, 2006.
4. TREE LINES SHOWN PER AERIAL IMAGE INTERPRETATION.
5. THE UTILITIES SHOWN ARE NOT GUARANTEED TO BE A REPRESENTATION OF ALL UTILITIES WITHIN THE PROJECT EXTENT.

LEGEND

	EX. PROPERTY LINE
	EX. RIGHT-OF-WAY
	EX. ADJACENT OWNERS
	EX. EASEMENT
	EX. ROAD CENTERLINE
	EX. CHANNEL/STREAM
	EX. STREAM BUFFER
 OHW OHW	EX. OVERHEAD ELECTRIC LINE
 SD SD	EX. STORM SEWER
 W W	EX. WATER LINE
 SS SS	EX. SANITARY SEWER
 -330-	EX. MAJOR CONTOUR (10')
	EX. MINOR CONTOUR (2')
	EX. TREE LINE



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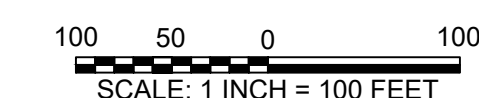
REVISION HISTORY

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ORIGINAL PLAN SIZE: 24" X 36"

PRELIMINARY PLANS

DO NOT USE FOR CONSTRUCTION



9



SCALE ADJUSTMENT

THIS BAR IS 1 INCH IN LENGTH

0	1*
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IF IT IS NOT 1 INCH ON THIS

SHEET, ADJUST YOUR SCALE
ACCORDINGLY

PUD CONCEPT PLANS
RZ-19-10

STAR RD
WAKE FOREST, NC

SITE PROPERTY
DEVELOPMENT LLC

DATE:	07-01-2019
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DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	19024

EXISTING CONDITIONS MAP

C-2

SHEET 2 OF 6

© 2021 THIS DRAWING SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF FLM ENGINEERING, INC.

DEVELOPMENT NAME: STAR ROAD PUD

SITE ADDRESS: STAR ROAD, WAKE FOREST, NC

PHIN NUMBER(S): 1739-65-3709, 1739-75-0868 AND 1739-55-8441

TOTAL ACREAGE: 33.5 AC

EXISTING USE: VACANT

PROPOSED USE: OFFICE AND TOWNHOMES

JURISDICTION: TOWN OF WAKE FOREST (ETJ ANNEXATION REQUIRED PRIOR TO CONSTRUCTION DRAWINGS)

CURRENT ZONING DISTRICT: HIGHWAY BUSINESS

PROPOSED ZONING DISTRICT: PLANNED UNIT DEVELOPMENT (PUD)

POD 1 PROPOSED MAX. OFFICE SQUARE FOOTAGE: 60,000 SF

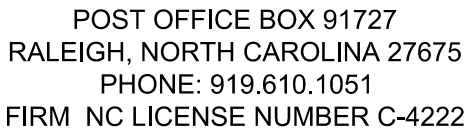
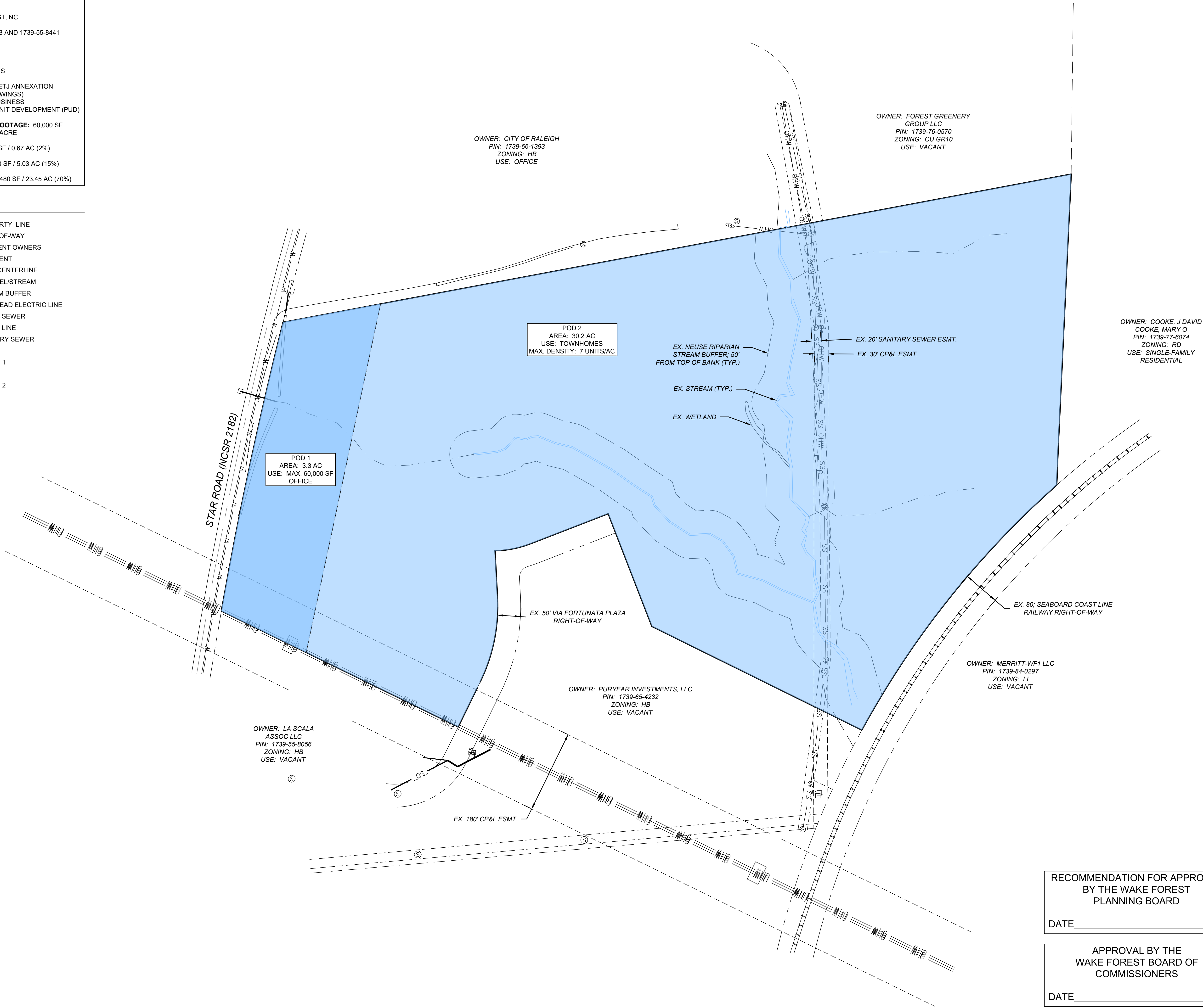
POD 2 PROPOSED MAX. DENSITY: 7 UNITS/ACRE

MINIMUM PARK SPACE REQUIRED: 29,185 SF / 0.67 AC (2%)

MINIMUM OPEN SPACE REQUIRED: 218,890 SF / 5.03 AC (15%)

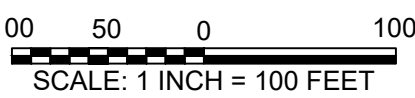
MAXIMUM IMPERVIOUS COVERAGE: 1,021,480 SF / 23.45 AC (70%)

	EX. PROPERTY LINE
	EX. RIGHT-OF-WAY
	EX. ADJACENT OWNERS
	EX. EASEMENT
	EX. ROAD CENTERLINE
	EX. CHANNEL/STREAM
	EX. STREAM BUFFER
OHW OHW	EX. OVERHEAD ELECTRIC LINE
SD SD	EX. STORM SEWER
W W	EX. WATER LINE
SS SS	EX. SANITARY SEWER
	PROP. POD 1
	PROP. POD 2

[illegible]

ORIGINAL PLAN SIZE: 24" X 36"

DO NOT USE FOR CONSTRUCTION



SCALE ADJUSTMENT

THIS BAR IS 1 INCH IN LENGTH
ON ORIGINAL DRAWING



IF IT IS NOT 1 INCH ON THIS
SHEET, ADJUST YOUR SCALE
ACCORDINGLY

STAR RD
WAKE FOREST, NC

DATE:	07-01-2019
SCALE:	AS SHOWN
DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	19024

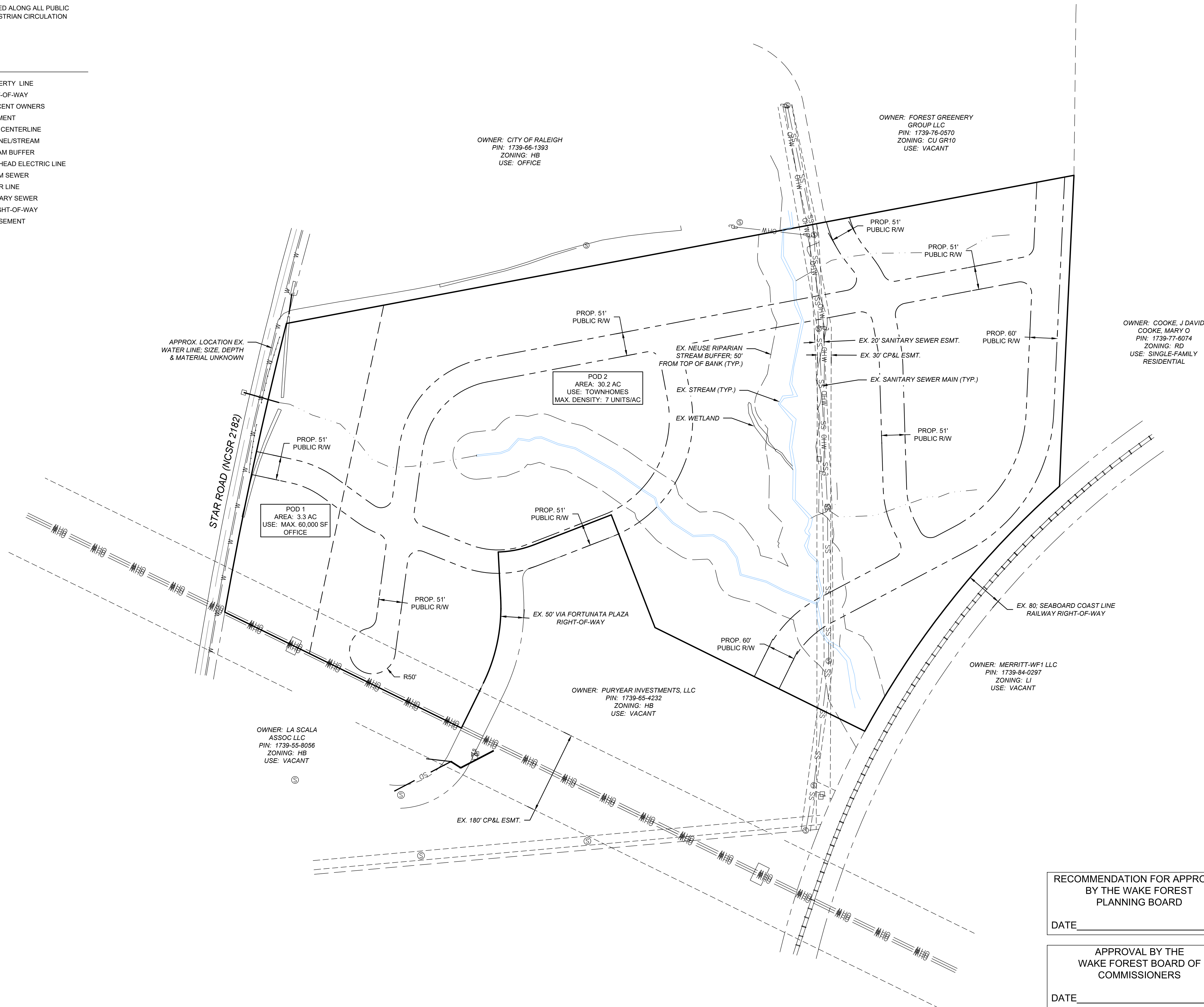
C-3

SHEET 3 OF 6

1. SIDEWALKS SHALL BE CONSTRUCTED ALONG ALL PUBLIC RIGHTS-OF-WAY TO PROVIDE PEDESTRIAN CIRCULATION THROUGHOUT PROPERTY.

LEGEND

	EX. PROPERTY LINE
	EX. RIGHT-OF-WAY
	EX. ADJACENT OWNERS
	EX. EASEMENT
	EX. ROAD CENTERLINE
	EX. CHANNEL/STREAM
	EX. STREAM BUFFER
	EX. OVERHEAD ELECTRIC LINE
	EX. STORM SEWER
	EX. WATER LINE
	EX. SANITARY SEWER
	PROP. RIGHT-OF-WAY
	PROP. EASEMENT



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FIRM NC LICENSE NUMBER C-4222

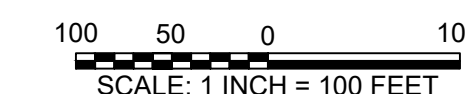
REVISION HISTORY

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ORIGINAL PLAN SIZE: 24" X 36"

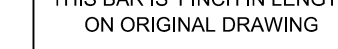
PRELIMINARY PLANS

DO NOT USE FOR CONSTRUCTION



SCALE ADJUSTMENT

THIS BAR IS 1 INCH IN LENGTH



A horizontal line segment with vertical tick marks at each end. The left tick mark is labeled '0' and the right tick mark is labeled '1'. A third tick mark is located exactly halfway between 0 and 1.

PUD CONCEPT PLANS
RZ-19-10

STAR RD
WAKE FOREST, NC

SITE PROPERTY
DEVELOPMENT LLC

DATE:	07-01-2019
SCALE:	AS SHOWN
DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	19024

VEHICULAR & PEDESTRIAN CIRCULATION PLAN

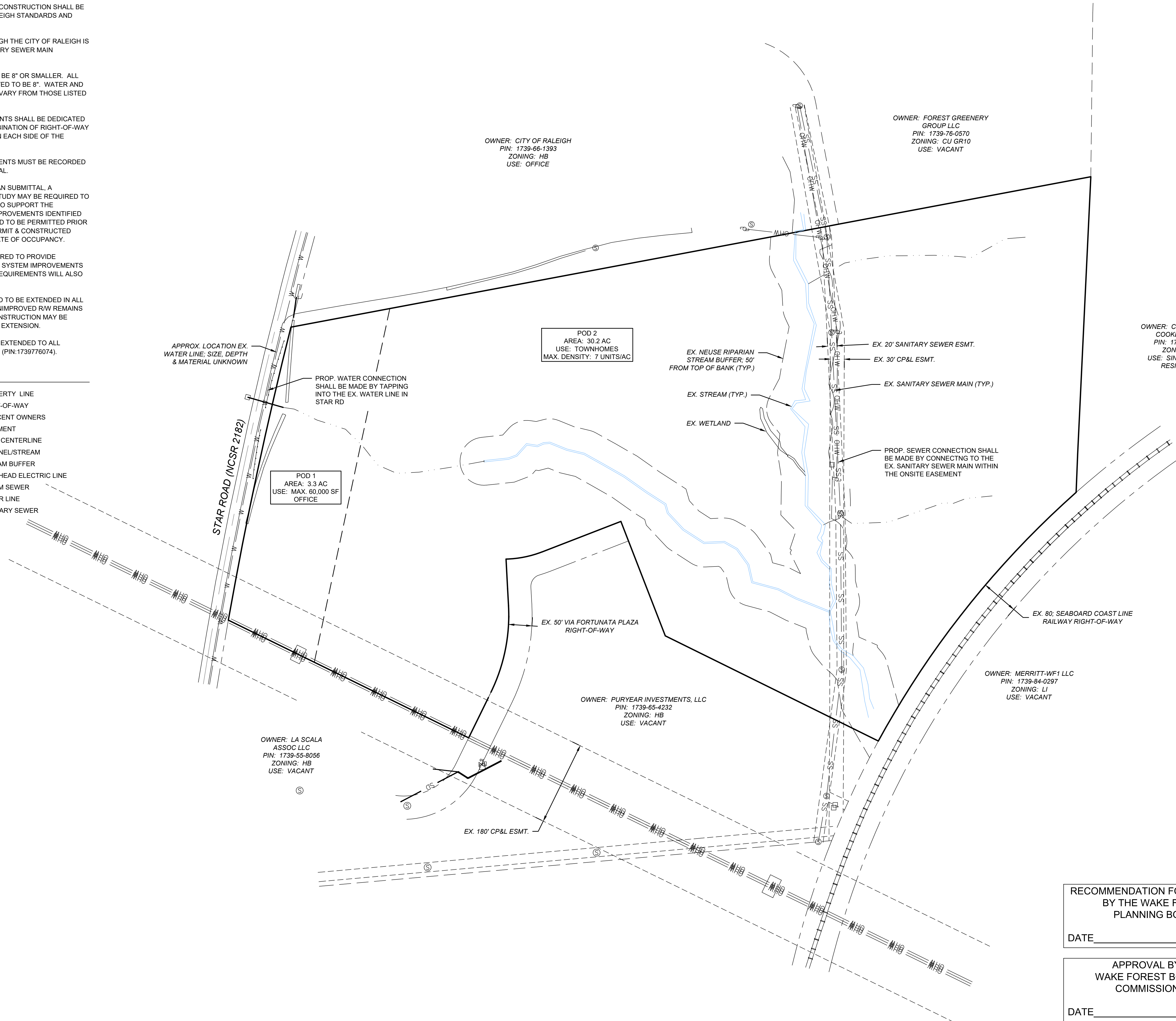
C-4

SHEET 4 OF

1. ALL WATER AND SANITARY SEWER CONSTRUCTION SHALL BE IN ACCORDANCE WITH CITY OF RALEIGH STANDARDS AND SPECIFICATIONS.
2. CONSTRUCTION APPROVAL THROUGH THE CITY OF RALEIGH IS REQUIRED FOR WATER AND SANITARY SEWER MAIN EXTENSIONS.
3. ALL WATER MAINS ANTICIPATED TO BE 8" OR SMALLER. ALL SANITARY SEWER MAINS ANTICIPATED TO BE 8". WATER AND SANITARY SEWER MAIN SIZES MAY VARY FROM THOSE LISTED PENDING FINAL DESIGN.
4. ON-SITE SANITARY SEWER EASEMENTS SHALL BE DEDICATED AS NECESSARY SO THAT THE COMBINATION OF RIGHT-OF-WAY AND EASEMENT EQUALS 15' ON EACH SIDE OF THE SANITARY SEWER MAIN.
5. OFF-SITE SANITARY SEWER EASEMENTS MUST BE RECORDED PRIOR TO CONSTRUCTION APPROVAL.
6. AT THE TIME OF DEVELOPMENT PLAN SUBMITTAL, A DOWNSTREAM SEWER CAPACITY STUDY MAY BE REQUIRED TO DETERMINE ADEQUATE CAPACITY TO SUPPORT THE PROPOSED DEVELOPMENT. ANY IMPROVEMENTS IDENTIFIED BY THE STUDY WOULD BE REQUIRED TO BE PERMITTED PRIOR TO THE ISSUANCE OF BUILDING PERMIT & CONSTRUCTED PRIOR TO RELEASE OF A CERTIFICATE OF OCCUPANCY.
7. THIS DEVELOPMENT WILL BE REQUIRED TO PROVIDE ADEQUATE FIRE FLOW. ANY WATER SYSTEM IMPROVEMENTS NECESSARY TO MEET FIRE FLOW REQUIREMENTS WILL ALSO BE REQUIRED OF THE DEVELOPER.
8. PUBLIC WATERLINES ARE REQUIRED TO BE EXTENDED IN ALL PUBLIC RIGHTS-OF-WAYS. IF THE UNIMPROVED R/W REMAINS UNIMPROVED, A FEE-IN-LIEU OF CONSTRUCTION MAY BE REQUIRED INSTEAD OF THE WATER EXTENSION.
9. PUBLIC SEWER IS REQUIRED TO BE EXTENDED TO ALL UPSTREAM ADJACENT PROPERTIES (PIN:1739776074).

LEGEND

_____	EX. PROPERTY LINE
_____	EX. RIGHT-OF-WAY
_____	EX. ADJACENT OWNERS
_____	EX. EASEMENT
_____	EX. ROAD CENTERLINE
_____	EX. CHANNEL/STREAM
_____	EX. STREAM BUFFER
_____	EX. OVERHEAD ELECTRIC LINE
_____ OHW _____ OHW _____	EX. STORM SEWER
_____ W _____ W _____	EX. WATER LINE
_____ SS _____ SS _____	EX. SANITARY SEWER



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PHONE: 919.610.1051
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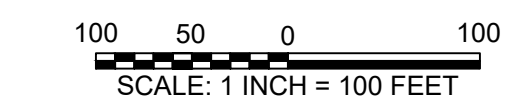
REVISION HISTORY

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ORIGINAL PLAN SIZE: 24" X 36"

PRELIMINARY PLANS

DO NOT USE FOR CONSTRUCTION



SCALE ADJUSTMENT

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ON ORIGINAL DRAWING

0 1"

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ACCORDINGLY

PUD CONCEPT PLANS
RZ-19-10

STAR RD
WAKE FOREST, NC

SITE PROPERTY
DEVELOPMENT LLC

DATE:	07-01-2019
SCALE:	AS SHOWN
DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	19024

UTILITY ACCESS & CONNECTION PLAN

C-5

SHEET 5 OF 6

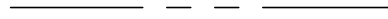
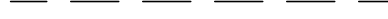
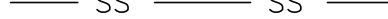
MINIMUM PARK SPACE REQUIRED: 29,185 SF / 0.67 AC (2%)

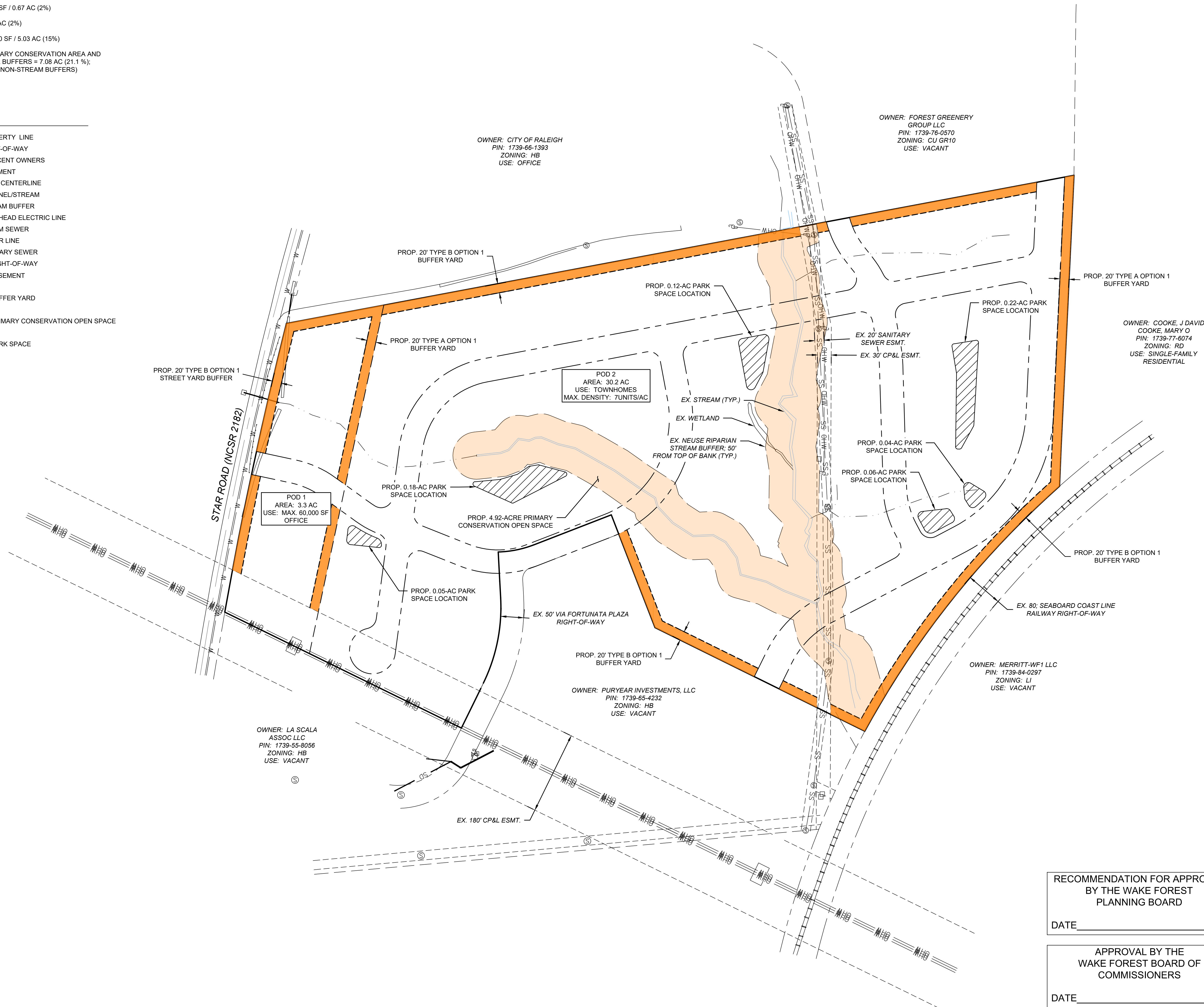
PARK SPACE PROVIDED: 29,700 SF / 0.68 AC (2%)

MINIMUM OPEN SPACE REQUIRED: 218,890 SF / 5.03 AC (15%)

OPEN SPACE PROVIDED: 4.92 AC OF PRIMARY CONSERVATION AREA AND 2.15 AC OF STREET YARD AND PERIMETER BUFFERS = 7.08 AC (21.1 %); STREET YARD AND PERIMETER BUFFERS (NON-STREAM BUFFERS) CONSTITUTE 30% OF OPEN SPACE

LEGEND

- | | |
|---|---------------------------------------|
|  | EX. PROPERTY LINE |
|  | EX. RIGHT-OF-WAY |
|  | EX. ADJACENT OWNERS |
|  | EX. EASEMENT |
|  | EX. ROAD CENTERLINE |
|  | EX. CHANNEL/STREAM |
|  | EX. STREAM BUFFER |
|  | EX. OVERHEAD ELECTRIC LINE |
|  | EX. STORM SEWER |
|  | EX. WATER LINE |
|  | EX. SANITARY SEWER |
|  | PROP. RIGHT-OF-WAY |
|  | PROP. EASEMENT |
|  | PROP. BUFFER YARD |
|  | PROP. PRIMARY CONSERVATION OPEN SPACE |
|  | PROP. PARK SPACE |



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RALEIGH, NORTH CAROLINA 27675
PHONE: 919.610.1051
FIRM NC LICENSE NUMBER C-4222

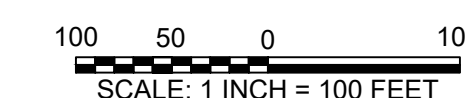
REVISION HISTORY

[illegible]

ORIGINAL PLAN SIZE: 24" X 36"

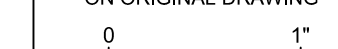
PRELIMINARY PLANS

DO NOT USE FOR CONSTRUCTION



	SCALE ADJUSTMENT
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THIS BAR IS 1 INCH IN LENGTH



IF IT IS NOT 1 INCH ON THIS SHEET, ADJUST YOUR SCALE ACCORDINGLY

PUD CONCEPT PLANS
RZ-19-10

STAR RD
WAKE FOREST, NC

SITE PROPERTY
DEVELOPMENT LLC

DATE:	07-01-2019
SCALE:	AS SHOWN
DESIGNED BY:	FLM
APPROVED BY:	FLM
PROJECT NO.:	19024

BUFFERS & OPEN SPACE PLAN

C-6

SHEET 8 OF 10

INTENT AND COMPATIBILITY STATEMENT

FOR

STAR ROAD PUD

WAKE FOREST, NC

MARCH 8, 2021

PREPARED BY:

FLM Engineering, Inc.
PO Box 91727
Raleigh, NC 27675
919.610.1051
NC License No. C-4222

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1.0 Introduction

Site Property Development, LLC is proposing the Star Road Planned Unit Development (PUD) on approximately 33.5 acres (Wake County Parcel Nos. 1739-65-3709, 1739-75-0868 and 1739-55-8441), located on Star Road in Wake Forest, North Carolina. This report details intent, compatibility, and district provisions of the proposed PUD.

2.0 Intent

The Star Road PUD will be a compatible mix of non-residential and residential uses that will encourage connectivity between the uses, sensitivity to natural resources, and efficient provision of infrastructure and utilities.

The non-residential use will consist of up to 60,000 square feet of office and/or commercial uses on approximately 3.3 acres along Star Road and the US-1 frontage. The residential use will consist of affordable townhomes on the remaining 30.2 acres with a maximum density of seven (7) units per acre.

3.0 Compatibility

The Star Road PUD is both compatible with the surrounding land uses and the Town of Wake Forest's documents and plans. Surrounding properties include: a Highway Business-zoned parcel to the north containing the City of Raleigh's North Raleigh Operations Center building; a vacant, Conditional Use GR10-zoned parcel to the northeast; a vacant, Rural Holding District-zoned parcel to the east; vacant, Light Industrial-zoned parcels to the southeast; and vacant, Highway Business-zoned parcels to the south. Single-family residential subdivisions exist within approximately 400 feet of the property to the east.

The proposed PUD provides for needed office space and commercial development along the Star Road/US-1 frontage with the townhomes serving as an affordable housing option and transitional use between the commercial use along US-1 and the residential uses to the east.

The PUD will be developed consistent with the Town of Wake Forest Unified Development Ordinance (UDO). The PUD will embody many of the same themes as the Wake Forest

Community Plan (2009), Transportation Plan (2019), Open Space and Greenways Plan (2009), and US-1 Corridor Plan (1999) including:

- Promoting a compact, walkable community;
- Using streets no wider than necessary to serve their intended purpose;
- Implementing higher-density housing in close proximity of opportunities for working;
- Encouraging the conservation of remaining open spaces through higher-density development;
- Establishing strong pedestrian and bicyclist connectivity to adjacent uses;
- Maintaining the regional traffic flow along US-1; and
- Preserving and enhancing of the visual quality of the main traffic corridors.

4.0 District Provisions

The proposed uses, dimensional standards, and design standards within the Star Road PUD are described below.

4.1 Proposed Uses

The following uses shall be permitted within each pod.

Pod 1 Uses	
ATM	Medical Clinic
Amusements, Indoor	Light Manufacturing Workshops
Banks, Credit Unions, Financial Services	Personal Services
Bar/Tavern	Post Office
Business Support Services	Professional Services
Child/Adult Daycare Center	Recreation Facilities, Indoor
Dry Cleaning & Laundry Services	Restaurant
General Commercial	Studio

Pod 2 Uses
Dwelling - Townhome

4.2 Dimensional Standards

The dimensional standards within each pod are presented below.

Pod 1 Dimensional Standards	
A. Development Standards	
1. District/Development Area (min)	N/A
2. Development/District Exterior Setback/Buffer	N/A
3. Density (max)	N/A
4. Open Space (min)	N/A
5. Park Space (min)	N/A
6. Building Floor Area (max)	60,000 SF
7. Building Floor Area (min)*	20,000 SF
B. Lot Standards	
1. Lot Area (min)	20,000 SF
2. Lot Width at Front Setback (min)	150 FT
C. Principal Building	
1. Principal Front Setback (min)	30
2. Street Side/Secondary Front Setback (min)	20
3. Side Setback (min)	10
4. Rear Setback (min)	30
D. Accessory Structure	
1. Side Setback (min)	10
2. Rear Setback (min)	10
3. Other Standards	N/A
E. Parking Configuration	
1. Parking Location	Location C
2. Specific Restrictions	N/A
F. Building Height	
1. Principal Building (max)	3 stories
2. Accessory Structure (max)	2 stories

**At least two (2) office buildings, or 20,000 SF of building floor area, shall be constructed prior to the 100th townhome certificate of occupancy (CO).*

Pod 2 Dimensional Standards	
A. Development Standards	
1. District/Development Area (min)	N/A
2. Development/District Exterior Setback/Buffer	N/A
3. Density (max)	7 units/acre
4. Open Space (min)	15%
5. Park Space (min)	2%
6. Building Floor Area (max)	N/A
B. Townhome Lot Standards	
1. Lot Area (min)	1,400 SF
2. Lot Width at Front Setback (min)	18 FT
C. Principal Building	
1. Principal Front Setback (max)	12 FT
2. Street Side/Secondary Front Setback (min)	12 FT
3. Side (from adjacent lot) Setback (min)*	0 or 5 FT
4. Rear Setback (min)	18 FT
5. Rear Garage Setback from Alley	18 FT
D. Accessory Structure	
1. Side Setback (min)	10
2. Rear Setback (min)	10
3. Other Standards	N/A
E. Parking Configuration	
1. Parking Location	Location B
2. Specific Restrictions	N/A
F. Building Height	
1. Principal Building (max)	3 stories
2. Accessory Structure (max)	2 stories

** 0 FT applies to interior townhome units and 5 FT applies to exterior townhome units such that the minimum space between exterior units is 10 FT.*

4.3 Design Standards

The non-residential buildings will be subject to the Architectural Design Review (Minor) process as outlined in UDO Section 15.8.4.

Vinyl siding shall not be permitted; however, vinyl windows, decorative elements, and trim are permitted.. The townhome garages shall be accessed only from an alley or via a driveway leading to a detached garage or parking area behind the front facade.

5.0 Limitations

This work was performed in a manner consistent with the level of care and skill ordinarily exercised by other members of FLM Engineering's (FLM) profession practicing in the same locality, and under similar conditions, as of the date any services were provided. FLM's opinions and recommendations were necessarily based on a limited number of data and observations. It is possible that actual conditions could vary beyond the data evaluated. Therefore, FLM makes no guarantee or warranty, express or implied, regarding any services, communications, reports, opinions, or instruments of service provided.

RESOLUTION 2021-156

RESOLUTION TO DENY THE PROPOSED ZONING MAP AMENDMENT REQUEST TO CHANGE THE ZONING OF APPROXIMATELY 33.90 ACRES LOCATED AT 0 STAR ROAD (WAKE COUNTY TAX PINS 1739653709, 1739750868, AND 1739558441) AND ADJACENT RIGHT-OF-WAY TO CENTERLINES FROM EXISTING HIGHWAY BUSINESS (HB) TO PLANNED UNIT DEVELOPMENT (PUD)

RZ-19-10, STAR ROAD PUD

WHEREAS, a Joint Public Hearing was held on December 7, 2021 by the Wake Forest Board of Commissioners and Planning Board; and

WHEREAS, the Planning Board recommended denial of the rezoning 6-0 as shown in Exhibit 1; and

WHEREAS, after reviewing all the information presented at the Public Hearing and the Wake Forest Community Plan and Unified Development Ordinance, the Wake Forest Board of Commissioners find the zoning map amendment request inconsistent with the Community Plan and adopted a written inconsistency statement, which is on file with the Wake Forest Planning Department and as shown in Exhibit 2;

NOW, THEREFORE, BE IT RESOLVED that the Wake Forest Board of Commissioners deny the Zoning Map Amendment request RZ-19-10 that is inconsistent the Community Plan and not in the public's interest.

Adopted this, 21st day of December 2021

ATTEST:

Vivian A. Jones,
Mayor

Sherry L. Scoggins, MMC
Interim Town Clerk

(SEAL)

DECEMBER 14, 2021

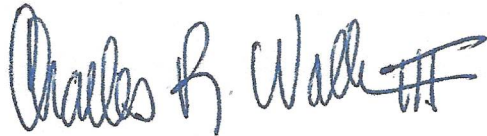
*PATRICK REIDY
TOWN OF WAKE FOREST
PLANNING DEPARTMENT*

RE: STAR RD PUD (RZ-19-10)

DEAR PATRICK,

PURSUANT TO UDO SECTION 15.14.E.2, I WOULD LIKE TO REQUEST A NEW PUBLIC HEARING TO BE HELD BY THE BOARD OF COMMISSIONERS TO BE HELD AT THE FEBRUARY 15, 2022 MEETING. IN THE INTERIM, WE WILL WORK ON THE DETAILS OF THE CASE AND THE SUBMISSION.

LET ME KNOW IF YOU NEED ANY FURTHER DOCUMENTATION.

A handwritten signature in blue ink that reads "Charles R. Walker III". The signature is stylized with a large "C" and "W", and the "III" is written as three vertical lines.

CHARLES R WALKER III, PLA



TOWN of WAKE FOREST

Report Requirements:

Per NCGS 160D-604, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Board of Commissioners within 30 days of referral of the amendment to the Planning Board, or the Board of Commissioners may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Board of Commissioners bound by the recommendations, if any, of the Planning Board.

Per NCGS 160D-604, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Board of Commissioners.

GENERAL INFORMATION

Applicant:	Site Property Development, LLC
Developer:	Site Property Development, LLC
Owner:	La Scala Associates LLC
Requested Action:	Planning Unit Development Rezoning – RZ-91-10
Existing Zoning:	Highway Business (HB)
Proposed Zoning:	Planned Unit Development (PUD)
Location:	0 Star Road
Size:	33.90± acres
Tax PINs:	1739653709, 1739750868, and 1739558441
Existing Land Use:	Vacant
Proposed Land Use:	POD 1 – Commercial/Office; POD 2 Dwelling – Townhome
Zoning History:	The property is currently zoned Highway Business. The parcel is not located within the Town of Wake Forest's corporate limits and is located within the extra-territorial jurisdiction.
Applicable Regulations:	Unified Development Ordinance; Wake Forest Community Plan; Wake Forest Transportation Plan (2010)



TOWN of WAKE FOREST

Applicable Officially Adopted Plans:

The Board must state whether the project is consistent or inconsistent with the following officially adopted plans, if applicable. Applicable plans have a check mark next to them.

☒ Wake Forest Community Plan

☐ Consistent

☒ Inconsistent

Reason: Does not support policies GPRP-2,

GPRP-3, LSC-1, LSC-3, LSC-4, LSC-5, LSC-6, SW-2, SW-3, B-6, CC-5, CC-6, CC-7, PFG-1, PFG-2, HSE-5, and ST-5

☒ Wake Forest Transportation Plan (2010)

☒ Consistent

☐ Inconsistent

Reason: Improvements provided per the

Transportation Plan

Planning Board Recommendation:

☐ *Approval:* the project is consistent with all applicable officially adopted plans listed above.

☐ *Approval with conditions:* the project is not consistent with all applicable officially adopted plans, so the following conditions are recommended to be included in the project in order to make it fully consistent:

☒ *Denial:* the project is not consistent with all applicable officially adopted plans.

This report reflects the recommendation of the Planning Board, this the 7th day of December 2021.

Introduced by Planning Board member: Karin Kuropas

Seconded by Planning Board member: Michael Hickey

Attest:


Joe Kimray
Planning Board Chair

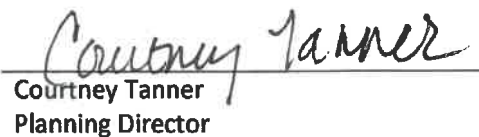

Courtney Tanner
Planning Director

Exhibit 2

Inconsistency Statement of the Wake Forest Board of Commissioners Pursuant to G.S. 160D-605 Addressing Action on Zoning Map Amendment RZ-19-10: Star Road PUD

The rezoning request is inconsistent with the Wake Forest Community Plan and Unified Development Ordinance in that:

1. The Community Plan's Growth Strategies Map identifies the property as Highway Corridor Zone. The existing Highway Business Zoning District is appropriate for this corridor.
2. The Community Plan's Neighborhood Planning Areas Map identifies this property as a non-residential planning area. The existing Highway Business Zoning District is the appropriate zoning for a non-residential planning area.
3. Converting commercially zoned land to residential development is inconsistent with a Community Plan Policy related to *Paying for Growth* since converting limited commercially zoned land to residential does not seek to balance residential and non-residential development in order to foster a favorable service-cost to revenue-generated tax base.
4. The proposed PUD does not result in a unique, high-quality development.
5. Improvements to Star Road are not provided as required by the UDO in Exhibit 1.
6. The open space provided does not contribute to the required uniqueness and high-quality PUD requirement in the UDO since most of the open space includes stream buffers (required by state law), stormwater ponds (required by law), street yard buffers, and perimeter buffers found in conventional commercial and residential development.
7. No active park spaces have been shown, which is a requirement of a PUD.
8. Residential elevations, which is required as part of a proposed PUD application, have not been provided.
9. The proposed PUD does not comply with the tree protection requirements in the UDO.
10. Road improvements recommended in the TIA are not included in Exhibit 1 or Exhibit 2.
11. The proposed PUD (Exhibit 1) does not comply with the Natural Resources and Environmental Protection requirements in the UDO.
12. The Community Plan states that that new infrastructure costs should primarily be born by those creating the demand, and this proposed PUD does not include TIA recommended improvements or improvements to Star Road.



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-406-
Submitted by: Courtney Tanner
Submitting Department: Planning
Meeting Date: December 21, 2021

SUBJECT

Wellington Park Discussion

Recommendation:

Item Summary:

ATTACHMENTS

-



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-384-

Submitted by: Lisa Hayes

Submitting Department: Administration

Meeting Date: December 21, 2021

SUBJECT

Wireless Research Center Digital Hub Update

Recommendation:

Consideration of Requested Contract Changes

Item Summary:

ATTACHMENTS

- [Draft Item Summary_Wireless Research Center Digital Workforce Hub Contract Modifications.docx](#)
- [Community Development Agreement - Wireless Research Center\(2958611.6\)CleanCopy.pdf](#)
- [Community Development Agreement - Wireless Research Center\(2958611.6\)Amendments.pdf](#)
- [WF Digital Workforce Hub 1-Year Milestones and Deliverables 102621.pdf](#)
- [Resolution2021-x_Wireless_Research_Center_Digital_Workforce_Hub\(3002976.2\).docx](#)

Wireless Research Center Funding Proposal for Digital Workforce Hub

Presentation by Staff and Wireless Research Center on Proposed Contract Changes to the Digital Workforce Hub Contract

Item Summary:

The Wireless Research Center proposes modifications to the Digital Workforce Hub contract approved (but not ratified) on August 17th, 2021. Significant modifications to the \$1,200,000 contract include removal of the requirement to enter into a written agreement with Wake County for project funding, changes to the funding disbursement schedule, audit compliance requirements, and the addition of term extensions.

STATE OF NORTH CAROLINA
COUNTY OF WAKE

COMMUNITY DEVELOPMENT
GRANT AGREEMENT
(The DuBois Campus Digital Workforce Hub)

THIS COMMUNITY DEVELOPMENT GRANT AGREEMENT (this “**Agreement**”) is entered into as of _____, 2021 (the “**Effective Date**”) by and between the Town of Wake Forest, a North Carolina municipal corporation (the “**Town**”) and Wireless Research Center of North Carolina, a North Carolina non-profit corporation (“**WRC**”).

RECITALS

WHEREAS, N.C.G.S. § 160A-20.1 authorizes the Town to contract with and appropriate money to any corporation in order to carry out any public purpose that the Town is authorized by law to engage in.

WHEREAS, pursuant to N.C.G.S. § 160D-1311, the Town is authorized to appropriate and expend funds for community development programs and activities, including, without limitation, programs concerned with employment, education and welfare needs of persons of low and moderate income as well as programs of assistance and financing of rehabilitation of private buildings principally for the benefit of low- and moderate-income persons.

WHEREAS, Governor Roy Cooper commenced a statewide initiative to expand digital literacy offerings for the purpose of achieving digital equity throughout North Carolina.

WHEREAS, WRC, in collaboration with the NC Office of Digital Equity, desires to launch the first NC Digital Workforce Hub (the “**Digital Hub**”) at the W.E.B. Dubois School located at 536 N. Franklin St, Wake Forest, North Carolina 27587 (the “**Campus**”).

WHEREAS, the Campus is located in the Northeast Community of Wake Forest, which is predominantly comprised of low- and moderate-income households.

WHEREAS, the Digital Hub will provide significant public benefits to the citizens of North Carolina, including the Northeast Community, through increased access to high-speed internet, digital workforce training programs, and digital employment opportunities.

THE AGREEMENT

NOW, THEREFORE in consideration of the mutual promises and covenants contained herein, the Town and WRC agree as follows:

1. Recitals. The recitals set forth above are hereby incorporated into this Agreement.
2. Services. WRC shall facilitate the launch of the Digital Hub through the rehabilitation of the Campus, the installation of broadband infrastructure, the creation of digital workforce training programs, and the implementation of the Business Processing & Outsourcing (BPO) organization, as further set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein by reference (the “**Services**”). Requests for revisions to the Services provided by WRC under this Agreement must be submitted in writing to the Town for prior written approval.

3. Funds. The amount of funds to be provided by the Town under this Agreement in consideration for the Services is One Million Two Hundred Thousand and 00/100 Dollars (\$1,200,000.00) (the “**Funds**”). Two Hundred Thousand and 00/100 Dollars (\$200,000.00) of the Funds shall be allocated by WRC towards the costs of the physical improvements to the Campus (the “**Campus Upfit**”), including design and engineering fees, project management and other professional fees (excluding legal fees), architectural and space planning services, construction and occupancy permitting. WRC hereby acknowledges and agrees that all, or part, of the Funds are federal funds received by the Town pursuant to the Coronavirus State and Local Fiscal Recovery Funds (“SLFRF”) program (Assistance Listing Number 21.027) (referred to herein as the “**SLFRF Program**”). The Funds specified in this Agreement are dependent upon and subject to the allocation or appropriation of funds for the purpose set forth in this Agreement.

4. Funding Qualifications. To receive the Funds from the Town, WRC must meet the following requirements throughout the term of this Agreement:

- a. WRC must prepare an operating budget and a capital expenditure budget for the Services (the “**Budget**”). The initial Budget, and any changes thereto, are subject to the prior written approval of the Town’s Chief Financial Officer.
- b. WRC is an incorporated non-profit organization, certified as a tax-exempt organization under 26 United States Code § 501(c)(3).
- c. WRC shall provide the Town with executed copies of all grants awarded to WRC for the Digital Hub, including, but not limited to, any operating and funding agreements with Federal, State, or local governments or any third-party entity.
- d. The Board of Directors of WRC shall include in its bylaws, or adopt by resolution, a Conflicts of Interest policy. The policy shall state that the WRC board members and employees shall avoid conflicts of interest and any conduct which may suggest the appearance of impropriety when exercising their responsibility to WRC. This statement should preclude board members and employees from benefiting directly or indirectly from WRC’s activities except in their role as board members or employees.
- e. Adequate internal controls must be established by WRC to ensure the protection of the Funds.
- f. All outstanding loans and/or accounts receivable with the Town must be current. If at any time WRC becomes delinquent, greater than sixty (60) days in arrears, on loans and/or accounts receivable with the Town, any portion of the Funds not yet disbursed will be withheld until the delinquent conditions are resolved.
- g. Prior to the disbursement of any Funds, WRC shall have resolved, or caused the resolution of, that certain Notice of Violations of the Sedimentation Pollution Control Act dated August 25, 2021 (the “**NOV**”) issued to the National Alumni Association of Dubois High School, a North Carolina non-profit corporation (the “**Association**”) for engaging in land-disturbing activities in violation of the North Carolina Sedimentation Pollution Control Act of 1973 (the “**Act**”) and the Town’s Unified Development Ordinance (the “**UDO**”). WRC shall ensure that the violations identified in the NOV are resolved in compliance with the Act and the UDO.

- h. WRC must separately enter into a written agreement with the Association for the Campus Upfit (the “**Upfit Agreement**”). In its performance of the Campus Upfit, WRC will (i) comply with all applicable laws, ordinances, rules and regulations of any governmental entity, and (ii) procure and pay, at WRC’s sole expense, all applicable permits, licenses, and fees related thereto.
- i. WRC must separately enter into a commercial lease with the Association for the lease of the Campus for a minimum initial term of three (3) years (the “**Campus Lease**”).
- j. WRC shall establish an oversight committee in accordance with Section 9 herein below.
- k. WRC shall prominently display on all promotional and other collateral materials relating to the Digital Hub, including, without limitation, WRC’s website and the Digital Hub’s website (collectively, the “**Marketing Materials**”), such logos, markings and designations that the Town may adopt to identify itself, in the size and manner that is mutually acceptable to both parties from time to time. Without limiting the generality of the foregoing, WRC shall (i) identify Wake Forest, North Carolina as the home of the Digital Hub and the Wireless Research Center on all Marketing Materials; and (ii) list the Town of Wake Forest among WRC’s local and regional partners on all Marketing Materials. This provision shall survive the expiration or termination of this Agreement.

5. Payment. The disbursement of Funds shall occur in five (5) installments made on a reimbursement basis in accordance with the Payment Schedule attached hereto as Exhibit B and incorporated herein by reference (the “**Payment Schedule**”). WRC shall initiate the disbursement of Funds by submitting a line-item invoice to the Town’s Chief Financial Officer (the “**Application for Payment**”). Upon the Town’s final written approval of the Application for Payment, the Town shall remit payment to WRC within ten (10) business days thereof. Notwithstanding the foregoing or anything herein to the contrary, under no circumstances shall the second installment of Funds occur until substantial completion of the rehabilitation of the Campus has occurred. “Substantial completion” means that (i) the construction and installation work have been completed with only minor punch list items remaining to be completed, and (ii) a permanent certificate of occupancy and all other required permits or approvals have been obtained for the safe use and operation of the Campus. WRC shall adhere to all Funding Qualifications, fiscal requirements, and reporting requirements set forth in this Agreement. Failure to comply with the preceding sentence will result in the Town withholding the disbursement of Funds until WRC complies with all requirements of this Agreement.

6. Audit. WRC hereby acknowledges and agrees that as a “subrecipient” (as defined by 2 C.F.R. § 200.331) of SLFRF funds, WRC is subject to audit under the Single Audit Act of 1984, as amended in 1996 (the “**Single Audit Act**”) and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Title 2 C.F.R. Part 200) (the “**Uniform Guidance**”). To ensure compliance with the Single Audit Act and the Uniform Guidance, WRC shall cooperate with the Town as follows:

- a. Within one hundred twenty (120) days following the end of WRC’s fiscal year, WRC shall cause to be prepared an annual financial audit conducted by an independent certified public accountant, with a copy of the audit report, the auditor’s management letter (if any), and a copy of WRC’s final budget for the audit period

provided to the Town.

- b. The Town's Chief Financial Officer, or its designee, may conduct an audit of WRC's financial, performance and compliance records maintained in connection with the operations and services performed under this Agreement, but no more than twice per calendar year. In the event of such an audit, WRC agrees to provide the Town's representative with reasonable access to WRC's employees and make all such financial, performance and compliance records available to the Town. The Town's rights under this provision shall survive the termination of this Agreement and the Town may conduct an audit of WRC's financial records up to three (3) years after this Agreement terminates. If the Town's audit reveals that the Funds were used for any reason other than the public purposes set forth under this Agreement, then WRC shall be deemed to be in material default of this Agreement and subject to the default provisions set forth in Section 12 herein below.

7. Accounting. WRC shall account for all Funds. Such accounting shall be in a form approved by the Town and shall conform to generally accepted principles of accounting. WRC shall provide such other information, records and documentation as the Town may require from time to time. All bank accounts maintained by WRC shall be reconciled monthly. All records associated with the bank accounts shall be retained for a minimum period of five (5) years.

8. Reporting.

- a. Quarterly reports of objectives achieved under this Agreement shall be submitted by WRC to the Town. Reports will be due October 15, January 15, April 15, and July 15. If the deadline is a non-business day, the Quarterly Report will be due on the following business day. The reports shall be in such form and provide such detail as the Town may reasonably require from time to time. WRC shall provide documentation verifying the services provided to Wake Forest residents, as determined to be sufficient by the Town. To the extent permitted by law, including but not limited to the North Carolina Public Records Act, the Town agrees to maintain the confidentiality of program records provided.
- b. An annual performance report must be completed and provided to the Town outlining the accomplishments of the Digital Hub for a period of three (3) years after the year in which the Digital Hub begins operations. Performance report forms should be submitted to the Town on or before September 28 of each such year.

9. Oversight. It is the intent of the parties hereto that the Digital Hub will be overseen by a citizen advisory board charged with overseeing all decisions regarding the strategic direction and operations of the Digital Hub to ensure that the Digital Hub continues to serve a public purpose as set forth herein (the "**Oversight Committee**"). In performing these oversight duties, members of the Oversight Committee shall meet on a quarterly basis to (i) review the mission, objectives, and performance of the Digital Hub; (ii) provide Digital Hub management with strategic direction to ensure the continued public benefits of the Digital Hub; and (iii) review the Digital Hub's budget.

At least one (1) member of the Oversight Committee shall include a member of the Town of Wake Forest's Board of Commissioners or the Mayor of the Town of Wake Forest. Notwithstanding the foregoing, under no circumstances shall the Oversight Committee exercise or be authorized to exercise a legislative, policymaking, quasi-judicial, administrative, or advisory function of the Town. The Oversight Committee shall survive termination of this Agreement.

10. Insurance. Throughout the term of this Agreement, WRC must maintain a blanket fidelity bond for those positions having responsibility for the management of the Funds. The amount of the bond(s) must be equal to or greater than one-half (1/2) of the Town's total appropriation to WRC during each fiscal year. A copy of the Certificate of Insurance documenting WRC's fidelity bond status is to be provided to the Town. If the Certificate of Insurance expires prior to the end of the Town's fiscal year, it should be renewed and submitted upon receipt of renewal forms to document proof of current bonding status.

11. Term. The term of this Agreement shall commence on the Effective Date and shall continue until the date that is three (3) years after the year in which the Digital Hub begins operations (the "**Initial Term**"). Provided however, the Initial Term shall be extended automatically on the date the Initial Term would expire, in one (1) year increments, with a maximum of five (5) extensions, (the "**Extended Term**") if WRC has not substantially completed the Services or if WRC has continuing obligations under the SLFRF Program (including without limitation reporting or audit obligations). Each one (1) year extension shall occur automatically, without any additional action by either the Town or WRC. The Town's and WRC's rights and duties under the Agreement shall remain in full force and effect during the Extended Term. If WRC shall fail to fulfill in a timely and proper manner the obligations under this Agreement for any reason, the Town shall have the right to terminate this Agreement by giving written notice to WRC and pursue any remedy available to the Town under this Agreement and at law or in equity. WRC shall not be relieved of liability to the Town for damages sustained by the Town by virtue of any breach of this Agreement, and the Town may withhold any payment due to WRC for the purpose of setoff until such time as the Town can determine the exact amount of damages due the Town because of the breach.

12. Default. In the event of WRC's material default and failure to cure within thirty (30) days (or if such material default cannot be cured within thirty (30) days using commercially reasonable diligence, then a commercially reasonable period of time) after receipt of written notice of such material default from the Town, the Town may (i) recover any and all Funds paid by the Town to WRC within thirty (30) days written request thereof, and/or (ii) pursue any remedy available to the Town at law or in equity. The failure of the Town to enforce any provision of this Agreement will not be deemed a waiver or consent to a subsequent default or breach by the other party.

13. Notices. All notices and other communications required or permitted by this Agreement shall be in writing and shall be given by either personal delivery or certified United States mail, return receipt requested, addressed as follows:

To the Town:

Town of Wake Forest
301 S. Brooks Street
Wake Forest, NC 27587
Attn: Town Manager

To WRC:

Wireless Research Center of North Carolina
3331 Heritage Trade Drive, Suite 101
Wake Forest, NC 27587
Attn: Gerard Hayes

with a copy to:

Wyrick, Robbins Yates & Ponton, LLP
4101 Lake Boone Trail, Suite 300
Raleigh, NC 27607
Attn: Eric Vernon

A change of address or person to receive notice may be made by either party by notice given to the other party. Any notice or other communication under this Agreement shall be deemed given at the time of actual

delivery, if it is personally delivered. If the notice or other communication is sent by US Mail, it shall be deemed given upon the third calendar day following the day on which such notice or other communication is deposited with the US Postal Service or upon actual delivery, whichever occurs first.

14. Indemnification. To the maximum extent allowed by law, WRC shall indemnify and save harmless the Town, its agents, officers, and employees, from and against all charges that arise in any manner from, in connection with, or out of this Agreement proximately caused by the negligent acts or omissions of WRC, its agents, officers, or employees or anyone for whose acts any of them may be liable except for damage or injury caused solely by the negligence of the Town, its agents, officers, or employees. In addition, WRC shall hold harmless, indemnify, release, discharge and reimburse the Town for any funds lost, misapplied, unaccounted for or unlawfully spent. As used in this subsection, “charges” means claims, judgments, costs, damages, losses, demands, liabilities, duties, obligations, fines, penalties, royalties, settlements, expenses, interest, and reasonable attorney’s fees. This section is in addition to and shall be construed separately from any other indemnification provisions that may be in this Agreement. This section shall remain in force despite termination of this Agreement (whether by expiration of the term or otherwise) and termination of the services of any supplemental agreement entered into under the Agreement.

15. Waiver. No action or failure to act by the Town shall constitute a waiver of any of its rights or remedies that arise out of this Agreement, nor shall such action or failure to act constitute approval of or acquiescence in a breach thereunder, except as may be specifically agreed in writing.

16. Signing Authority. The individual signing this Agreement on behalf of each party has the right and power to do so and bind such party to the obligations set forth herein, and such individual does so warrant that he/she has such authority.

17. Assignment. Neither party may assign this Agreement without the written consent of the other party.

18. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina. The parties hereto consent to the jurisdiction of Wake County.

19. Modifications, Entire Agreement. A modification of this Agreement is not valid unless signed by both parties and otherwise in accordance with requirements of law. Further, a modification is not enforceable against the Town unless the Town Manager or other duly authorized official signs it for the Town. This Agreement contains the entire agreement between the parties pertaining to the subject matter of this Agreement. With respect to that subject matter, there are 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 Agreement.

20. Counterparts and Electronic Signatures. This Agreement may be executed in any number of counterparts and by different parties hereto in separate counterparts, each of which when so executed shall be an original, but all of which shall together constitute one (1) and the same instrument. A signed copy of this Agreement transmitted by facsimile, email or other means of electronic transmission (including DocuSign) shall be deemed to have the same legal effect as delivery of an original executed copy of this Agreement for all purposes.

21. Nondiscrimination. To the extent permitted by North Carolina law, the parties hereto for themselves, their agents, officials, employees and servants agree not to discriminate in any manner on the basis of race, color, creed, national origin, sex, age, handicap, or sexual orientation with reference to the subject matter of this Agreement.

22. Principles of Interpretation. In this Agreement, unless the context requires otherwise, the singular includes the plural and the plural the singular. The pronouns “it” and “its” include the masculine and feminine. Reference 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 word “person” includes natural persons, firms, companies, associations, partnerships, trusts, corporations, governmental agencies and units, and any other legal entities.

23. Captions. The captions and headings set forth in this Agreement are for convenience of reference only and shall not be construed as part of this Agreement.

24. No Third-Party Beneficiaries. There are no third-party beneficiaries to this Agreement.

25. Performance of Government Functions. Nothing contained in this Agreement shall be deemed or construed in any way to stop, limit, or impair the Town from exercising or performing any regulatory, policing, legislative, governmental, or other powers or functions.

26. Pre-Audit Requirement. This Agreement has not been fully executed and is not effective until the Preaudit Certificate (if required by N.C.G.S. § 159-28) has been affixed and signed by the Town’s Chief Financial Officer.

27. North Carolina Public Records Law. Notwithstanding any other provisions of this Agreement, this Agreement and all materials submitted to the Town by WRC are subject to the public records laws of the State of North Carolina and it is the responsibility of WRC to properly designate materials that may be protected from disclosure as trade secrets under North Carolina law as such and in the form required by law prior to the submission of such materials to the Town. WRC understands and agrees that the Town may take any and all actions necessary to comply with federal, state, and local laws and/or judicial orders and such actions will not constitute a breach of the terms of this Agreement. To the extent that any other provisions of this Agreement conflict with this paragraph, the provisions of this section shall control.

28. Compliance with Laws – Federal Funding. WRC represents and warrants that, in the performance of its obligations under the Agreement, WRC will: (i) comply with all applicable laws, ordinances, rules and regulations of any governmental entity; (ii) pay, at its sole expense, all applicable permits, licenses, and fees; (iii) comply with all applicable federal, state, and local minority and woman-owned business participation requirements; and (iv) give all notices required by any laws, ordinances, rules, and regulations of any governmental entity. WRC further acknowledges and agrees that (A) all, or part, of the Funds are federal funds received by the Town pursuant to the SLFRF Program, and (B) WRC is a “subrecipient” (as defined by 2 C.F.R. § 200.331) of such federal funds. As such, WRC shall comply with all applicable federal laws, rules and regulations required for the receipt and/or expenditure of the SLFRF funds, including, but not limited to the SLFRF statute, SLFRF Award Terms and Conditions, Treasury’s Interim Final Rule, the Single Audit Act, the Uniform Guidance, and federal reporting requirements, as applicable.

29. Iran Divestment Act Certification. WRC certifies that, as of the Effective Date, it is not on the “Final Divestment List” as created by the State Treasurer pursuant to N.C.G.S. § 147-86.55, *et seq.* In compliance with the requirements of the Iran Divestment Act and N.C.G.S. § 147-86.59, WRC shall not utilize in the performance of this Agreement any subcontractor that is identified on the Final Divestment List.

30. E-Verify. WRC shall comply with “E-Verify” (the federal E-Verify program operated by the United States Department of Homeland Security and other federal agencies) or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law and as in accordance with N.C.G.S. § 64-25 *et seq.* In addition, to the best of WRC’s knowledge, any subcontractor employed by WRC as a part of this Agreement shall be in compliance with the requirements of E-Verify and N.C.G.S. § 64-25 *et seq.*

[SIGNATURE PAGE FOLLOWS. REMAINDER OF PAGE INTENTIONALLY BLANK.]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

ATTEST:

Deeda Harris, Town Clerk

THE TOWN:

TOWN OF WAKE FOREST,
a North Carolina municipal corporation

By: _____
Kip Padgett, Town Manager

WRC:

**WIRELESS RESEARCH CENTER OF
NORTH CAROLINA,**
a North Carolina non-profit corporation

By: _____
Name: _____
Title: _____

PREAUDIT CERTIFICATION

This instrument has been pre-audited in a manner required by applicable law.

Aileen Staples, Chief Financial Officer

EXHIBIT A

Statement of Work - Percent Completion

August 2021 - December 2021: Task / Percent Completed

- Development of Program concept and framework - 100% completion
- Program framework, timeline and implementation design - 95% completion
- Software & Hardware specifications development and budgeting - 100% completion
- Multi Year Budget development with cash flow and revenue models 85% completion
- Development of BPO Business Model including job sourcing/pairing, access to health insurance and additional infrastructure - 80% completion
- Program design and funding documents for Wake County - 100% completion
- Program design and funding documents for Wake Forest - 100% completion
- Parking Lot - started without a construction plan - project management time to correct the problem - 100% completion
- DuBois Upfits - Engineering and Construction Plans - 10% completion
- Wake County Funding Presentations and Meetings - 100% completion
- Dubois / Wake County Funding Presentations and Meetings - 100% completion
- Grant / Funding Research & Development for initial implementation - 75% completion
- Website scoping, design, and CRM Installation install for tracking - 65% completion
- Evaluation and impact model design including future career pathways impact and economic modeling - 85% completion
- Curriculum development, design, product selection, and implementation pathways - 65% completion
- Ongoing Internal/External meeting with development team and community partners - ongoing

January 1 - March 31, 2022 Tasks

- Hire initial staff and set up offices/HUBS (learning centers)
- Staff Training & Process Education
- Localize and implement standard operating systems & procedures
- Networking with strategic partners to secure community support
- Network with interested parties to help identify available job positions for career placement
- Create marketing and promotional materials; market through local channels
- Work with community partners to promote the programming
- DuBois Upfits - 50% completion

- **Implement BPO and Trade Center, including access to attainable health care for graduates/members of the Trade Center**
- **Baseline current community indicators and metrics for the community(ies)**
- **Business outreach and networking events for early support and job pairing opportunities**
- **Work with community partners to promote programming**
- **Localize and implement training and evaluation systems**
- **Begin open enrollment**
- **Purchase necessary equipment & fixtures for programming**
- **Open physical location**
- **Begin one-on-one consultation with applicants for program interests/goals**
- **Continue to work with community partners to promote the programming**
- **Begin classes/course/career coaching**
- **Begin monthly community events for updates/outreach**
- **Begin In Person/Virtual Training**
- **Continue previous program elements**
- **Deliver training to 45 individuals**

April 1 - June 30, 2022 Tasks

- **Training delivered to 250 (non-exclusive) individuals**
- **Implement local Advisory Board of local partners, businesses, and stakeholders**
- **Onboard initial customers for the BPO**
- **Begin Job Pairing/BPO Contracting**
- **Website localization and completion**
- **Business outreach and networking events for early support and job pairing opportunities**
- **Work with community partners to promote the programming**
- **DuBois Upfits - 100% completion**
- **Continued networking with strategic partners to secure community support**
- **Training delivered to 250 (non-exclusive) individuals**
- **Deploy online curriculum components for increased reach and impact**
- **Continued networking with interested parties to help identify available job positions for career placement**
- **Publish 6-month program results and impacts**
- **Continue previous program elements**

July 1 - September 30, 2022 Tasks

- **Work with community partners to promote programming options**
- **Business outreach and networking events for early support and job pairing opportunities**
- **Networking with strategic partners to secure community support**
- **Deploy Entrepreneurship curriculum**
- **Implement “train to job” pairing program**
- **Publish 9-month program results and impacts**
- **Continue previous program components**

October 1 - December 31, 2022 Tasks

- **Training delivered to 450 (non-exclusive) individuals**
- **Continue previous program components**
- **Work with community partners to promote the programming**
- **Business outreach and networking events for early support and job pairing opportunities**
- **Networking with strategic partners to secure community support**
- **Publish 12-month program results and impacts**

EXHIBIT B

Payment Schedule

Subject to the terms and conditions set forth in the Agreement, the Funds shall be disbursed to WRC as follows:

Installment 1: \$150,000

Estimated Delivery Date: December 30, 2021

Installment 2: \$250,000

Estimated Delivery Date: March 31, 2022

Installment 3: \$250,000

Estimated Delivery Date: June 30, 2022

Installment 4: \$250,000

Estimated Delivery Date: September 30, 2022

Installment 5: \$100,000

Estimated Delivery Date: December 31, 2022

All Applications for Payment shall include a line-item invoice, an itemized progress report, including percentage completion of each task and detailed supporting documentation to support the installment. Also an updated timeline for completion of the Services should be included.

Note: Disbursement of the \$200,000 that is allocated to the W.E.B. DuBois campus is not included above and will be coordinated with the Town of Wake Forest.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

COMMUNITY DEVELOPMENT
GRANT AGREEMENT
(The DuBois Campus Digital Workforce Hub)

THIS COMMUNITY DEVELOPMENT GRANT AGREEMENT (this “**Agreement**”) is entered into as of _____, 2021 (the “**Effective Date**”) by and between the Town of Wake Forest, a North Carolina municipal corporation (the “**Town**”) and Wireless Research Center of North Carolina, a North Carolina non-profit corporation (“**WRC**”).

RECITALS

WHEREAS, N.C.G.S. § 160A-20.1 authorizes the Town to contract with and appropriate money to any corporation in order to carry out any public purpose that the Town is authorized by law to engage in.

WHEREAS, pursuant to N.C.G.S. § 160D-1311, the Town is authorized to appropriate and expend funds for community development programs and activities, including, without limitation, programs concerned with employment, education and welfare needs of persons of low and moderate income as well as programs of assistance and financing of rehabilitation of private buildings principally for the benefit of low- and moderate-income persons.

WHEREAS, Governor Roy Cooper commenced a statewide initiative to expand digital literacy offerings for the purpose of achieving digital equity throughout North Carolina.

WHEREAS, WRC, in collaboration with the NC Office of Digital Equity, desires to launch the first NC Digital Workforce Hub (the “**Digital Hub**”) at the W.E.B. Dubois School located at 536 N. Franklin St, Wake Forest, North Carolina 27587 (the “**Campus**”).

WHEREAS, the Campus is located in the Northeast Community of Wake Forest, which is predominantly comprised of low- and moderate-income households.

WHEREAS, the Digital Hub will provide significant public benefits to the citizens of North Carolina, including the Northeast Community, through increased access to high-speed internet, digital workforce training programs, and digital employment opportunities.

THE AGREEMENT

NOW, THEREFORE in consideration of the mutual promises and covenants contained herein, the Town and WRC agree as follows:

1. Recitals. The recitals set forth above are hereby incorporated into this Agreement.
2. Services. WRC shall facilitate the launch of the Digital Hub through the rehabilitation of the Campus, the installation of broadband infrastructure, the creation of digital workforce training programs, and the implementation of the Business Processing & Outsourcing (BPO) organization, as further set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein by reference (the “**Services**”). Requests for revisions to the Services provided by WRC under this

Agreement must be submitted in writing to the Town for prior written approval.

3. **Funds.** The amount of funds to be provided by the Town under this Agreement in consideration for the Services is One Million Two Hundred Thousand and 00/100 Dollars (\$1,200,000.00) (the “**Funds**”). Two Hundred Thousand and 00/100 Dollars (\$200,000.00) of the Funds shall be allocated by WRC towards the costs of the physical improvements to the Campus (the “**Campus Upfit**”), including design and engineering fees, project management and other professional fees (excluding legal fees), architectural and space planning services, construction and occupancy permitting. WRC hereby acknowledges and agrees that all, or part, of the Funds are federal funds received by the Town pursuant to the Coronavirus State and Local Fiscal Recovery Funds (“SLFRF”) program (Assistance Listing Number 21.027) (referred to herein as the “SLFRF Program”). The Funds specified in this Agreement are dependent upon and subject to the allocation or appropriation of funds for the purpose set forth in this Agreement.

4. **Funding Qualifications.** To receive the Funds from the Town, WRC must meet the following requirements throughout the term of this Agreement:

- a. WRC must prepare an operating budget and a capital expenditure budget for the Services (the “**Budget**”). The initial Budget, and any changes thereto, are subject to the prior written approval of the Town’s Chief Financial Officer.
- b. WRC is an incorporated non-profit organization, certified as a tax-exempt organization under 26 United States Code § 501(c)(3).
- c. WRC shall provide the Town with executed copies of all grants awarded to WRC for the Digital Hub, including, but not limited to, any operating and funding agreements with Federal, State, or local governments or any third-party entity.
- d. The Board of Directors of WRC shall include in its bylaws, or adopt by resolution, a Conflicts of Interest policy. The policy shall state that the WRC board members and employees shall avoid conflicts of interest and any conduct which may suggest the appearance of impropriety when exercising their responsibility to WRC. This statement should preclude board members and employees from benefiting directly or indirectly from WRC’s activities except in their role as board members or employees.
- e. Adequate internal controls must be established by WRC to ensure the protection of the Funds.
- f. All outstanding loans and/or accounts receivable with the Town must be current. If at any time WRC becomes delinquent, greater than sixty (60) days in arrears, on loans and/or accounts receivable with the Town, any portion of the Funds not yet disbursed will be withheld until the delinquent conditions are resolved.

~~g. WRC must separately enter into a written agreement with Wake County, North Carolina (the “**County**”) for the provision of County funds to the Digital Hub, including the rehabilitation of the Campus (the “**County Agreement**”). WRC must provide five (5) business days’ written notice to the Town of any material default by WRC under the County Agreement.~~

~~g. h. WRC must separately enter into a written agreement with~~ Prior to the disbursement of any Funds, WRC shall have resolved, or caused the resolution of, that certain Notice of Violations of the Sedimentation Pollution Control Act dated August 25, 2021 (the "NOV") issued to the National Alumni Association of Dubois High School, a North Carolina non-profit corporation (the "Association") for engaging in land-disturbing activities in violation of the North Carolina Sedimentation Pollution Control Act of 1973 (the "Act") and the Town's Unified Development Ordinance (the "UDO"). WRC shall ensure that the violations identified in the NOV are resolved in compliance with the Act and the UDO.

~~h. WRC must separately enter into a written agreement with the Association~~ for the Campus Upfit (the "Upfit Agreement"). In its performance of the Campus Upfit, WRC will (i) comply with all applicable laws, ordinances, rules and regulations of any governmental entity, and (ii) procure and pay, at WRC's sole expense, all applicable permits, licenses, and fees related thereto.

i. WRC must separately enter into a commercial lease with the Association for the lease of the Campus for a minimum initial term of three (3) years (the "**Campus Lease**").

j. WRC shall establish an oversight committee in accordance with Section 9 herein below.

k. WRC shall prominently display on all promotional and other collateral materials relating to the Digital Hub, including, without limitation, WRC's website and the Digital Hub's website (collectively, the "**Marketing Materials**"), such logos, markings and designations that the Town may adopt to identify itself, in the size and manner that is mutually acceptable to both parties from time to time. Without limiting the generality of the foregoing, WRC shall (i) identify Wake Forest, North Carolina as the home of the Digital Hub and the Wireless Research Center on all Marketing Materials; and (ii) list the Town of Wake Forest among WRC's local and regional partners on all Marketing Materials. This provision shall survive the expiration or termination of this Agreement.

5. Payment. The disbursement of Funds shall occur in ~~four~~five (45) installments made on a reimbursement basis in accordance with the Payment Schedule attached hereto as Exhibit B and incorporated herein by reference (the "**Payment Schedule**"). WRC shall initiate the disbursement of Funds by submitting a line-item invoice to the Town's Chief Financial Officer (the "**Application for Payment**"). Upon the Town's final written approval of the Application for Payment, the Town shall remit payment to WRC within ten (10) business days thereof. Notwithstanding the foregoing or anything herein to the contrary, under no circumstances shall the second installment of Funds occur until substantial completion of the rehabilitation of the Campus has occurred. "Substantial completion" means that (i) the construction and installation work have been completed with only minor punch list items remaining to be completed, and (ii) a permanent certificate of occupancy and all other required permits or approvals have been obtained for the safe use and operation of the Campus. WRC shall adhere to all Funding Qualifications, fiscal requirements, and reporting requirements set forth in this Agreement. Failure to comply with the preceding sentence will result in the Town withholding the

disbursement of Funds until WRC complies with all requirements of this Agreement.

6. Audit. WRC hereby acknowledges and agrees that as a “subrecipient” (as defined by 2 C.F.R. § 200.331) of SLFRF funds, WRC is subject to audit under the Single Audit Act of 1984, as amended in 1996 (the “Single Audit Act”) and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Title 2 C.F.R. Part 200) (the “Uniform Guidance”). To ensure compliance with the Single Audit Act and the Uniform Guidance, WRC shall cooperate with the Town as follows:

- a. Within one hundred twenty (120) days following the end of WRC’s fiscal year, WRC shall cause to be prepared an annual financial audit conducted by an independent certified public accountant, with a copy of the audit report, the auditor’s management letter (if any), and a copy of WRC’s final budget for the audit period provided to the Town.
- b. The Town’s Chief Financial Officer, or its designee, may conduct an audit of WRC’s financial, performance and compliance records maintained in connection with the operations and services performed under this Agreement, but no more than twice per calendar year. In the event of such an audit, WRC agrees to provide the Town’s representative with reasonable access to WRC’s employees and make all such financial, performance and compliance records available to the Town. The Town’s rights under this provision shall survive the termination of this Agreement and the Town may conduct an audit of WRC’s financial records up to three (3) years after this Agreement terminates. If the Town’s audit reveals that the Funds were used for any reason other than the public purposes set forth under this Agreement, then WRC shall be deemed to be in material default of this Agreement and subject to the default provisions set forth in Section 12 herein below.

7. Accounting. WRC shall account for all Funds. Such accounting shall be in a form approved by the Town and shall conform to generally accepted principles of accounting. WRC shall provide such other information, records and documentation as the Town may require from time to time. All bank accounts maintained by WRC shall be reconciled monthly. All records associated with the bank accounts shall be retained for a minimum period of five (5) years.

8. Reporting.

- a. Quarterly reports of objectives achieved under this Agreement shall be submitted by WRC to the Town. Reports will be due October 15, January 15, April 15, and July 15. If the deadline is a non-business day, the Quarterly Report will be due on the following business day. The reports shall be in such form and provide such detail as the Town may reasonably require from time to time. WRC shall provide documentation verifying the services provided to Wake Forest residents, as determined to be sufficient by the Town. To the extent permitted by law, including but not limited to the North Carolina Public Records Act, the Town agrees to maintain the confidentiality of program records provided.
- b. An annual performance report must be completed and provided to the Town outlining

the accomplishments of the Digital Hub for a period of three (3) years after the year in which the Digital Hub begins operations. Performance report forms should be submitted to the Town on or before September 28 of each such year.

9. Oversight. It is the intent of the parties hereto that the Digital Hub will be overseen by a citizen advisory board charged with overseeing all decisions regarding the strategic direction and operations of the Digital Hub to ensure that the Digital Hub continues to serve a public purpose as set forth herein (the “**Oversight Committee**”). In performing these oversight duties, members of the Oversight Committee shall meet on a quarterly basis to (i) review the mission, objectives, and performance of the Digital Hub; (ii) provide Digital Hub management with strategic direction to ensure the continued public benefits of the Digital Hub; and (iii) review the Digital Hub’s budget.

At least one (1) member of the Oversight Committee shall include a member of the Town of Wake Forest’s Board of Commissioners or the Mayor of the Town of Wake Forest. Notwithstanding the foregoing, under no circumstances shall the Oversight Committee exercise or be authorized to exercise a legislative, policymaking, quasi-judicial, administrative, or advisory function of the Town. The Oversight Committee shall survive termination of this Agreement.

10. Insurance. Throughout the term of this Agreement, WRC must maintain a blanket fidelity bond for those positions having responsibility for the management of the Funds. The amount of the bond(s) must be equal to or greater than one-half (1/2) of the Town’s total appropriation to WRC during each fiscal year. A copy of the Certificate of Insurance documenting WRC’s fidelity bond status is to be provided to the Town. If the Certificate of Insurance expires prior to the end of the Town’s fiscal year, it should be renewed and submitted upon receipt of renewal forms to document proof of current bonding status.

11. Term. The term of this Agreement shall commence on the Effective Date and shall continue until the date that is three (3) years after the year in which the Digital Hub begins operations (the “Initial Term”). Provided however, the Initial Term shall be extended automatically on the date the Initial Term would expire, in one (1) year increments, with a maximum of five (5) extensions, (the “Extended Term”) if WRC has not substantially completed the Services or if WRC has continuing obligations under the SLFRF Program (including without limitation reporting or audit obligations). Each one (1) year extension shall occur automatically, without any additional action by either the Town or WRC. The Town’s and WRC’s rights and duties under the Agreement shall remain in full force and effect during the Extended Term. If WRC shall fail to fulfill in a timely and proper manner the obligations under this Agreement for any reason, the Town shall have the right to terminate this Agreement by giving written notice to WRC and pursue any remedy available to the Town under this Agreement and at law or in equity. WRC shall not be relieved of liability to the Town for damages sustained by the Town by virtue of any breach of this Agreement, and the Town may withhold any payment due to WRC for the purpose of setoff until such time as the Town can determine the exact amount of damages due the Town because of the breach.

12. Default. In the event of WRC’s material default and failure to cure within thirty (30) days (or if such material default cannot be cured within thirty (30) days using commercially reasonable diligence, then a commercially reasonable period of time) after receipt of written notice of such material default from the Town, the Town may (i) recover any and all Funds paid by the Town to WRC within thirty (30) days written request thereof, and/or (ii) pursue any remedy available to the Town at law or in equity. ~~Any material default by WRC under the County Agreement shall automatically~~

~~constitute a material default by WRC under this Agreement.~~ The failure of the Town to enforce any provision of this Agreement will not be deemed a waiver or consent to a subsequent default or breach by the other party.

13. Notices. All notices and other communications required or permitted by this Agreement shall be in writing and shall be given by either personal delivery or certified United States mail, return receipt requested, addressed as follows:

To the Town:

Town of Wake Forest
301 S. Brooks Street
Wake Forest, NC 27587
Attn: Town Manager

To WRC:

Wireless Research Center of North Carolina
3331 Heritage Trade Drive, Suite 101
Wake Forest, NC 27587
Attn: Gerard Hayes

with a copy to:

Wyrick, Robbins Yates & Ponton, LLP
4101 Lake Boone Trail, Suite 300
Raleigh, NC 27607
Attn: Eric Vernon

A change of address or person to receive notice may be made by either party by notice given to the other party. Any notice or other communication under this Agreement shall be deemed given at the time of actual delivery, if it is personally delivered. If the notice or other communication is sent by US Mail, it shall be deemed given upon the third calendar day following the day on which such notice or other communication is deposited with the US Postal Service or upon actual delivery, whichever occurs first.

14. Indemnification. To the maximum extent allowed by law, WRC shall indemnify and save harmless the Town, its agents, officers, and employees, from and against all charges that arise in any manner from, in connection with, or out of this Agreement proximately caused by the negligent acts or omissions of WRC, its agents, officers, or employees or anyone for whose acts any of them may be liable except for damage or injury caused solely by the negligence of the Town, its agents, officers, or employees. In addition, WRC shall hold harmless, indemnify, release, discharge and reimburse the Town for any funds lost, misapplied, unaccounted for or unlawfully spent. As used in this subsection, "charges" means claims, judgments, costs, damages, losses, demands, liabilities, duties, obligations, fines, penalties, royalties, settlements, expenses, interest, and reasonable attorney's fees. This section is in addition to and shall be construed separately from any other indemnification provisions that may be in this Agreement. This section shall remain in force despite termination of this Agreement (whether by expiration of the term or otherwise) and termination of the services of any supplemental agreement entered into under the Agreement.

15. Waiver. No action or failure to act by the Town shall constitute a waiver of any of its rights or remedies that arise out of this Agreement, nor shall such action or failure to act constitute approval of or acquiescence in a breach thereunder, except as may be specifically agreed in writing.

16. Signing Authority. The individual signing this Agreement on behalf of each party has the right and power to do so and bind such party to the obligations set forth herein, and such individual

does so warrant that he/she has such authority.

17. Assignment. Neither party may assign this Agreement without the written consent of the other party.

18. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina. The parties hereto consent to the jurisdiction of Wake County.

19. Modifications, Entire Agreement. A modification of this Agreement is not valid unless signed by both parties and otherwise in accordance with requirements of law. Further, a modification is not enforceable against the Town unless the Town Manager or other duly authorized official signs it for the Town. This Agreement contains the entire agreement between the parties pertaining to the subject matter of this Agreement. With respect to that subject matter, there are 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 Agreement.

20. Counterparts and Electronic Signatures. This Agreement may be executed in any number of counterparts and by different parties hereto in separate counterparts, each of which when so executed shall be an original, but all of which shall together constitute one (1) and the same instrument. A signed copy of this Agreement transmitted by facsimile, email or other means of electronic transmission (including DocuSign) shall be deemed to have the same legal effect as delivery of an original executed copy of this Agreement for all purposes.

21. Nondiscrimination. To the extent permitted by North Carolina law, the parties hereto for themselves, their agents, officials, employees and servants agree not to discriminate in any manner on the basis of race, color, creed, national origin, sex, age, handicap, or sexual orientation with reference to the subject matter of this Agreement.

22. Principles of Interpretation. In this Agreement, unless the context requires otherwise, the singular includes the plural and the plural the singular. The pronouns "it" and "its" include the masculine and feminine. Reference 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 word "person" includes natural persons, firms, companies, associations, partnerships, trusts, corporations, governmental agencies and units, and any other legal entities.

23. Captions. The captions and headings set forth in this Agreement are for convenience of reference only and shall not be construed as part of this Agreement.

24. No Third-Party Beneficiaries. There are no third-party beneficiaries to this Agreement.

25. Performance of Government Functions. Nothing contained in this Agreement shall be deemed or construed in any way to stop, limit, or impair the Town from exercising or performing any regulatory, policing, legislative, governmental, or other powers or functions.

26. Pre-Audit Requirement. This Agreement has not been fully executed and is not effective until the Preaudit Certificate (if required by N.C.G.S. § 159-28) has been affixed and signed by the

Town's Chief Financial Officer.

27. North Carolina Public Records Law. Notwithstanding any other provisions of this Agreement, this Agreement and all materials submitted to the Town by WRC are subject to the public records laws of the State of North Carolina and it is the responsibility of WRC to properly designate materials that may be protected from disclosure as trade secrets under North Carolina law as such and in the form required by law prior to the submission of such materials to the Town. WRC understands and agrees that the Town may take any and all actions necessary to comply with federal, state, and local laws and/or judicial orders and such actions will not constitute a breach of the terms of this Agreement. To the extent that any other provisions of this Agreement conflict with this paragraph, the provisions of this section shall control.

28. Compliance with Laws – Federal Funding. WRC represents and warrants that, in the performance of its obligations under the Agreement, WRC will: (i) comply with all applicable laws, ordinances, rules and regulations of any governmental entity; (ii) pay, at its sole expense, all applicable permits, licenses, and fees; (iii) comply with all applicable federal, state, and local minority and woman-owned business participation requirements; and (iv) give all notices required by any laws, ordinances, rules, and regulations of any governmental entity. WRC further acknowledges and agrees that (A) all, or part, of the Funds are federal funds received by the Town pursuant to the ~~Coronavirus State and Local Fiscal Recovery Funds (“SLFRF”) program~~ SLFRF Program, and (B) WRC is a “subrecipient” (as defined by 2 C.F.R. § 200.331) of such federal funds. As such, WRC shall comply with all applicable federal laws, rules and regulations required for the receipt and/or expenditure of the SLFRF funds, including, but not limited to the SLFRF statute, SLFRF Award Terms and Conditions, Treasury's Interim Final Rule, the Single Audit Act, the Uniform Guidance, and federal reporting requirements, as applicable.

29. Iran Divestment Act Certification. WRC certifies that, as of the Effective Date, it is not on the “Final Divestment List” as created by the State Treasurer pursuant to N.C.G.S. § 147-86.55, *et seq.* In compliance with the requirements of the Iran Divestment Act and N.C.G.S. § 147-86.59, WRC shall not utilize in the performance of this Agreement any subcontractor that is identified on the Final Divestment List.

30. E-Verify. WRC shall comply with “E-Verify” (the federal E-Verify program operated by the United States Department of Homeland Security and other federal agencies) or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law and as in accordance with N.C.G.S. § 64-25 *et seq.* In addition, to the best of WRC's knowledge, any subcontractor employed by WRC as a part of this Agreement shall be in compliance with the requirements of E-Verify and N.C.G.S. § 64-25 *et seq.*

[SIGNATURE PAGE FOLLOWS. REMAINDER OF PAGE INTENTIONALLY BLANK.]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

ATTEST:

Deeda Harris, Town Clerk

THE TOWN:

TOWN OF WAKE FOREST,
a North Carolina municipal corporation

By: _____
Kip Padgett, Town Manager

WRC:

**WIRELESS RESEARCH CENTER OF NORTH
CAROLINA,**
a North Carolina non-profit corporation

By: _____
Name: _____
Title: _____

PREAUDIT CERTIFICATION

This instrument has been pre-audited in a manner required by applicable law.

Aileen Staples, Chief Financial Officer

EXHIBIT A

Statement of Work - Percent Completion

~~September~~ August 2021 / ~~October~~ - December 2021; Task / Percent Completed

~~● Networking with strategic partners to secure community support~~

- Development of Program concept and framework - 100% completion
- Program framework, timeline and implementation design - 95% completion
- Software & Hardware specifications development and budgeting - \$100% completion
- Multi Year Budget development with cash flow and revenue models 85% completion
- Development of BPO Business Model including job sourcing/pairing, access to health insurance and additional infrastructure - 80% completion
- Program design and funding documents for Wake County - 100% completion
- Program design and funding documents for Wake Forest - 100% completion
- Parking Lot - started without a construction plan - project management time to correct the problem - 100% completion
- DuBois Upfits - Engineering and Construction Plans - 10% completion
- Wake County Funding Presentations and Meetings - 100% completion
- Dubois / Wake County Funding Presentations and Meetings - 100% completion
- Grant / Funding Research & Development for initial implementation - 75% completion
- Website scoping, design, and CRM Installation install for tracking - 65% completion
- Evaluation and impact model design including future career pathways impact and economic modeling - 85% completion
- Curriculum development, design, product selection, and implementation pathways - 65% completion
- Ongoing Internal/External meeting with development team and community partners - ongoing

January 1 - March 31, 2022 Tasks

- Hire initial staff and set up offices/HUBS (learning centers)
- Staff Training & Process Education
- Localize and implement standard operating systems & procedures
- Networking with strategic partners to secure community support
- Network with interested parties to help identify available job positions for career placement
- Create marketing and promotional materials; market through local channels

~~• Website development~~

- ~~•~~ • Work with community partners to promote the programming
- DuBois Upfits - 50% completion
- ~~• Solidify~~ • Implement BPO and Trade Center, including access to attainable health care for graduates/members of the Trade Center
- Baseline current community indicators and metrics for the community(ies)
- Business outreach and networking events for early support and job pairing opportunities
- Work with community partners to promote programming
- ~~• Develop~~ • Localize and implement ~~standard operating systems & procedures~~
- ~~• Implement~~ training and evaluation systems

~~November 2021—December 2021~~

- ~~• Work with community partners to promote the programming~~
- ~~•~~ • Begin open enrollment
- ~~•~~ • Purchase necessary equipment & fixtures for programming
- ~~•~~ • Open physical location
- ~~•~~ • Begin one-on-one consultation with applicants for program interests/goals
- ~~• Training of staff~~
- ~~• Network with interested parties to help identify available job positions for career placement~~
- ~~•~~ • Continue to work with community partners to promote the programming
- ~~•~~ • Begin classes/course/career coaching
- ~~• Advertise and hire staff~~
- ~~• Continue previous program elements~~
- ~~•~~ • Begin monthly community events for updates/outreach
- ~~•~~ • Begin In Person/Virtual Training
- Continue previous program elements
- ~~•~~ • Deliver training to 45 individuals

~~January~~ April 1 - June 30, 2022 Tasks

- Training delivered to 250 (non-exclusive) individuals
- Implement local Advisory Board of local partners, businesses, and stakeholders
- Onboard initial customers for the BPO
- Begin Job Paring/BPO Contracting

- Website localization and completion
- Business outreach and networking events for early support and job pairing opportunities
- Work with community partners to promote the programming
- DuBois Upfits - 100% completion
- Continued networking with strategic partners to secure community support
- Training delivered to 250 (non-exclusive) individuals
- Deploy online curriculum components for increased reach and impact
- Continued networking with interested parties to help identify available job positions for career placement
- Publish 6-month program results and impacts
- Continue previous program elements

July 1 - September 30, 2022 Tasks

- Work with community partners to promote programming options
- Business outreach and networking events for early support and job pairing opportunities
- Networking with strategic partners to secure community support
- Deploy Entrepreneurship curriculum
- Implement “train to job” pairing program
- Publish 9-month program results and impacts
- Continue previous program components

October 1 - December 31, 2022 Tasks

- Training delivered to 450 (non-exclusive) individuals
- Continue previous program elements

components

- Work with community partners to promote the programming
- Business outreach and networking events for early support and job pairing opportunities
- Networking with strategic partners to secure community support
- Publish 12-month program results and impacts

EXHIBIT B

Payment Schedule

Subject to the terms and conditions set forth in the Agreement, the Funds shall be disbursed to WRC as follows:

Installment 1: \$~~450,000~~150,000

Estimated Delivery Date: ~~October~~December 30, 2021

Installment 2: \$250,000

Estimated Delivery Date: ~~December 2021~~March 31, 2022

Installment 3: \$250,000

Estimated Delivery Date: ~~February~~June 30, 2022

Installment 4: \$250,000

Estimated Delivery Date: ~~April~~September 30, 2022

Installment 5: \$100,000

Estimated Delivery Date: December 31, 2022

All Applications for Payment shall include a line-item invoice ~~and~~, an itemized progress report, including percentage completion of each task and detailed supporting documentation to support the installment. Also an updated timeline for completion of the Services should be included.

Note: Disbursement of the \$200,000 that is allocated to the W.E.B. DuBois campus is not included above and will be coordinated with the Town of Wake Forest.

Document comparison by Workshare 10.0 on Friday, December 10, 2021
4:15:47 PM

Input:	
Document 1 ID	iManage://wyrick-mobility.imanage.work/WYRICK/2958611/5
Description	#2958611v5<wyrick-mobility.imanage.work> - Community Development Agreement - Wireless Research Center
Document 2 ID	C:\Users\EAV\AppData\Roaming\iManage\Work\Recent\006461.435) Town of Wake Forest - WAKE FOREST RESERVOIR - LAND DONATION\Community Development Agreement - Wireless Research Center(2958611.6).docx
Description	C:\Users\EAV\AppData\Roaming\iManage\Work\Recent\006461.435) Town of Wake Forest - WAKE FOREST RESERVOIR - LAND DONATION\Community Development Agreement - Wireless Research Center(2958611.6).docx
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	109

Deletions	53
Moved from	4
Moved to	4
Style change	0
Format changed	0
Total changes	170

THE TOWN OF WAKE FOREST
DIGITAL WORKFORCE HUB @ DUBOIS V2

Oct 26, 2021



WAKE FOREST
DIGITAL WORKFORCE HUB
@ DUBOIS CAMPUS

ONE YEAR PROGRAM
MILESTONES AND
DELIVERABLES

WAKE FOREST DIGITAL WORKFORCE HUB -
DUBOIS CAMPUS 1-YEAR PROGRAM

Revision Date: October 26, 2021

Year One Results

- **Town of Wake Forest invests \$1M into workforce** training, development, & support
- **WRC creates a Digital Workforce Training & Entrepreneurial Center @ Dubois Campus** that delivers Digital Workforce Skills training to at least 500 (non-exclusive) participant
- **Which results in at least 75 higher paid (job paring) and upskilled (training) Digital Workers**
 - This programming is delivered at an average cost of \$13,300 per digital worker placed in a higher paying job, plus additional programming for upskilling, retraining, career development, and wrap-around services.
 - This programming is typically offered commercially starting at \$39,000 (on average), WRC is delivering at roughly ~\$26K less.
- **As a result, \$3,262,500 in new wages will be created locally** within 18 months resulting in at least \$1M in spending within the first two years and a return on investment to the Town of Wake Forest of less than two years.
- **End result:** Creating a resilient and adaptable economy in Wake Forest

For a Deeper Dive and background on WRC's process and results-driving approach, please visit [THIS LINK](#) for the full background document.

Wake Forest Digital Training Hub

Developing a new and robust digital workforce in Wake Forest, and raising the digital skills of existing workers, while providing ongoing support for graduates to create primary jobs in Wake Forest, North Carolina.

Timeline & Major Milestones

November - December (45 days): Planning & Scaling

- **Begin upfit** at at DuBois Campus & etup facilities at DuBois Campus
- Begin marketing & registration
- Implement training and evaluation systems
- **Begin open enrollment**

January - March, 2022 (90 days): Deploy Programming & Training

- **Beginner Virtual Workshops**
 - *Virtual Workshops are designed to engage the general public to become familiar with courses and offerings offered through the Digital Training Centers. These courses are from one to four hours. The courses will be offered quarterly in the first year. Courses include: **Learn to Code, Introduction to SQL, What is Data Visualization, What is UX Design, Digital Foundations, Become an IT Support Technician***
- **Introductory Pathways** These courses allow all individuals to engage in training regardless of their existing skill set, providing foundational knowledge to continue onto additional Upskilling/Retraining courses or Career Pathways.
- **Upfit to Dubois Campus** completed
- **Select 5 - 10 individuals for IMMEDIATE CAREER CHANGE** through Career Pathways offerings and reach 100 attendees in 180 days.
- Begin Job Paring

April 2022

- Begin Career Pathways Certifications: These courses vary from six to ten weeks and include; Data Analytics Certification, UX Design Developer Certification, IT Support Certification, Digital Marketing Certification, Remote working Fundamentals

May 2022 - October 2022 (six months)

- Offer first **contracts through the BPO to graduates** of training/members of the Trade Center
- **Provide training to a total of 500** (non exclusive) participants
- Conduct a **digital work event** regionally
- Develop additional training, job pairing, and funding opportunities

Fund Usage

Wake Forest Digital Workforce Hub + Online Workforce Hub: 1-Year Budget		
Category	Description	Year 1
Abundance (Digital Equity, Hubs)		
Startup Fees for 1 Physical Hub (Town of Wake Forest)		
	Marketing	\$25,000
	Technical	\$15,000
	Furniture & Equipment	\$30,000
	Miscellaneous	\$15,000
Physical Hub Startup Fees Total		\$85,000
Yearly Operational Cost for 1 Physical Hub		
	Salary and Fringe (3% Increase)	\$514,682
	Travel	\$16,848
	General & Administrative	\$39,600
	Marketing	\$36,000
	Information Technology	\$24,780
	Indirect Charges (10%)	\$85,575
Physical Hub Operational Cost Total		\$717,485
Program Management		
Program Management Total		\$171,870
Wake Forest Digital Workforce Hub Subtotal (Paid to WRC: \$1M from Wake Forest)		
		\$974,355
Dubois Campus Upfit (Paid to WRC directly by Wake Forest)		
Dubois Campus Upfit total		\$200,000
Total Project Costs		
1-Year Plan		\$1,174,355

Milestones - Year One/Year Two

- Deliver training to 500 (non-exclusive) participants # of jobs
- 100% self funded within 18 months
- Year two funding raised from public sources

Digital Workforce Trade Organization Results

- Continue to develop connectivity with regional businesses for job placement and mentoring
- Ongoing Entrepreneur & business development training for members
- Five new digital businesses with employees in year one
- 40% of graduates enrolled in the Center attainable healthcare plan & 85% retention of graduates to the Trade Center with continued upskilling
- Connectivity to other digital markets in North Carolina, and beyond, as a source for qualified digital workers

Digital Business Processing & Outsourcing (BPO) Benefits

Providing support in connecting graduates to jobs and the gig economy with a low barrier to entry though;

- Sourcing of jobs and continued coaching/support of graduates as they enter the workforce.
- Provides sustainable income for operations.
- Scalable solutions for businesses that provide temporary talent acquisition for small/midsize and large businesses without the HR or contracting barrier.

Payment Schedules and Details

Payment Schedule/Details

TOTAL FUNDING: \$1,200,000 paid to Wireless Research Center

UP FRONT PAYMENT 1: \$450,000*	<i>Estimated Date:</i> November, 2021	*\$250,000 for program inception + \$200,000 pass-through to Wake Forest upfit to be administered by WRC
PAYMENT 2: \$250,000	<i>December, 2021</i>	
PAYMENT 3: \$250,000	<i>February, 2022</i>	
PAYMENT 4: \$250,000	<i>Date: May, 2022</i>	

Reporting & Proof of Work

WRC will deliver an itemized progress report, including percentage completion of each task and updated timeline on a monthly basis along with an invoice for direct costs associated with the work completed.

The Wireless Research Center will deliver an itemized progress report, including percentage completion of tasks, and updated timeline, on a monthly basis.

In addition, the center is public, open most days and will welcome walk in traffic and will be run completely open book!

RESOLUTION 2021-x

Authorization to Fund the Wireless Research Center Digital Workforce Hub

WHEREAS, the Town of Wake Forest is dedicated to improvement of the digital divide and digital inequality; committed to workforce training in the community; and supports creating an environment of collaboration and cooperation to continue to build a strong, productive local economy; and

WHEREAS, the Wireless Research Center's Digital Workforce Hub seeks to address the digital divide and digital inequality in Wake Forest and the surrounding areas; and

WHEREAS, the Wireless Research Center's Digital Workforce Hub training will create a pool of skilled employees and build a more productive local economy.

WHEREAS, the Board of Commissioners for the Town of Wake Forest authorized a grant via Resolution on August 17th, 2021 in an amount not to exceed \$1,200,000 to the Wireless Research Center for the Digital Workforce Hub at DuBois campus, substantially in accordance with the terms and conditions set out in the attached Community Development Grant Agreement (The DuBois Campus Digital Workforce Hub) ("Contract").

WHEREAS, Town of Wake Forest Resolution 2021-107 was not ratified due to contract modification requests; and

WHEREAS, Wireless Research Center of North Carolina is requesting contract modifications to said contract;

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners for the Town of Wake Forest hereby rescinds Resolution 2021-107 and authorizes Resolution 2021-x to approve a grant in an amount not to exceed \$1,200,000 to the Wireless Research Center for the Digital Workforce Hub at DuBois campus, substantially in accordance with the terms and conditions set out in the attached Community Development Grant Agreement (The DuBois Campus Digital Workforce Hub) ("Contract").

BE IT FURTHER RESOLVED, that the Town of Wake Forest's Attorney, Town Manager and Chief Financial Officer are hereby authorized to revise and edit the Contract in such a manner as is reasonably necessary to accomplish the goals and objectives of granting funds to WRC to create a Digital Workforce Hub in Wake Forest; (ii) approve the final version of the Contract provided the final Contract is substantially in accordance with the version attached hereto; and (iii) the Town Manager is hereby authorized to execute the final Contract on behalf of the Town of Wake Forest, without further action or approval of the Board of Commissioners.

Adopted this _____ day of _____, 2021.

Vivian A. Jones,
Mayor

Attest:

Sherry L. Scoggins, MMC
Interim Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-399-

Submitted by: Sherry Scoggins

Submitting Department: Administration

Meeting Date: December 21, 2021

SUBJECT

Department Monthly Report

Recommendation:

Item Summary:

ATTACHMENTS

- [November 2021 Monthly Report.pdf](#)

Communications

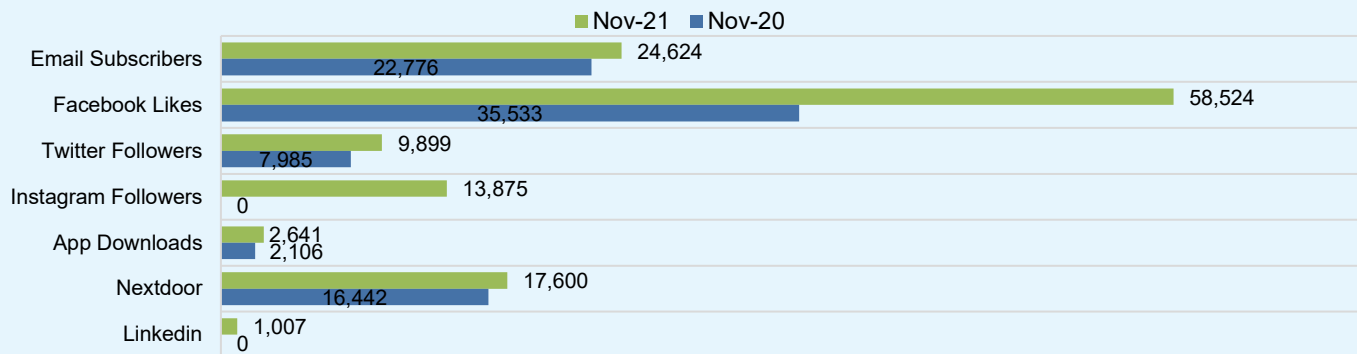
ANNOUNCEMENTS

Media Releases	37
Email Announcements	17
Town-to-Resident Phone Calls/Texts	4

TOP 5 VIEWED PAGES ON WEBSITE

RANK	PAGE	VIEWS
1	Homepage	146,290
2	WF Cares Holiday Kickoff	3,557
3	COVID Testing	3,407
4	Christmas in WF	2,766
5	Voter & Election Info	2,408

SUBSCRIBERS



Downtown Development

UPDATES PROVIDED QUARTERLY

OCCUPANCY

	OCT- DEC 2021	JULY-SEPT 2021
Occupancy Rate in Percentage	88%	88%

NEW BUSINESSES

	NOV 2021	FISCAL YEAR-TO- DATE
Number of New Businesses	1	5 (please note total last month was incorrectly noted at 2 when it should have been 4 like previous month)
Number of Businesses Closed	1	4

UPDATES PROVIDED QUARTERLY

EVENTS

SECOND QUARTER EVENTS	ATTENDANCE IN 2021	ATTENDANCE IN 2020
Spirits of Wake Forest Tours - October 2021	700	500
Wake Forest Cares Holiday Kickoff - November 13, 2021	8000	New event

- Planned and implemented a new event – WF Cares Holiday Kickoff. Great turnout with variety of activities including ice skating on artificial ice, ice sculpting, stilt walkers, dance performances, band, etc. Positive feedback from citizens that it was an inclusive event with something for everyone. Merchant feedback was also very positive in that many had record breaking sales that day.
- Plaid Friday and Small Business Saturday were also a great success for our downtown merchants. Shopping local on these two dates was heavily promoted on social media and Facebook

events were created to help promote.

- Shop Local marketing promotion - Scratch Off Cards were given away to patrons shopping local with any purchase starting Plaid Friday. Downtown Dollar prizes ranging from \$10 to \$300 increments for a total of \$1000 were donated by WFD. Discount savings and mystery prizes were also donated by some of our merchants. Promotion runs through Holiday Open House, 12/5/21, or while supplies last.
- Ben Coleman, Zoning Enforcement Officer, presented to both the WFD Board of Directors and the Downtown Business Alliance at their respective November meetings regarding signs to help clarify what is and is not allowed.

Economic Development

WFBIP MONTHLY NEWSLETTER

[VIEW](#)

The Wake Forest Business & Industry Partnership's Quarterly Report is updated at the end of each quarter.

Use Chrome, Firefox, Safari or Edge to view the newsletter and the report.

REQUESTS FOR INFORMATION (RFIs)

	NOV 2021	OCT 2021
Number of responses to RFIs	0	1

BUSINESS RETENTION & EXPANSION (BRE)

NAMES OF BUSINESSES VISITED THIS MONTH

Black & White Coffee

Cornerstone Technical Solutions

PHAXTEC

Engineering

ENGINEERING PROJECTS Public Infrastructure, Environmental Engineering & Construction

PROJECT	CODE	UPDATE
Ailey Young Dam and Stream Restoration Project		The final documents for the Water Resources Development Grant have been submitted to the NCDEQ – Division of Water Quality for review and approval. The observation deck repairs are complete. Now that the repairs have been completed, the stream section will be reincorporated into the Adopt-a-Stream program. (Project Manager – Carrie Mitchell)
Ligon Mill Operational Improvements		Ligon Mill Operations Improvements project is nearing completion. The final course of asphalt was placed last week. The only major item remaining is permanent striping, which will be installed early next week, weather pending. Last is a punch list walk through that will take place this Friday, December 10 th . Once the punch list items are complete, only paperwork remains. If the weather cooperates as anticipated, normal traffic patterns can begin next week.
MS4 Program Updates		MS4 Audit was conducted on 12/1/21. Thank you to everyone who helped the Town prepare.
Wake Forest Reservoir		NCDEQ is currently reviewing the lagoon liner sampling reports and will provide an update soon. Town staff is actively working on acquiring land for the proposed emergency spillway for the dam improvement project. (Project Manager – Carrie Mitchell)

Finance

FINANCIAL TASKS COMPLETED	
TAX RETURNS & REPORTS	COMPLETION DATE
NC Sales and Use Tax Form E500	November 19
941/NC-5Q Quarterly Payroll Tax Returns	N/A
ORBIT/LGERS Report – NC State Treasurer	November 1
Utility Sales Tax Return – E500 E	November 19
Wake County Prepared Food and Beverage	November 19
ACCOUNTING/FINANCE	AMOUNT
Total Accounts Payable Disbursement	\$1,107,678
Total ePayables Disbursement	98,184
Total Number of Invoices Paid	489
Total Amount of Invoices Paid with credit card	578,847
GENERAL TASKS	COMPLETION DATE
Finalizing financial report for FYE 2021 after review by auditors	
FY 2022–2027 CAPITAL IMPROVEMENTS PLAN UPDATE	COMPLETION DATE
Meetings with departments completed	December 3
Finalizing CIP document for to Board of Commissioners – January 4	

PURCHASING / WAREHOUSE	
New Vendors Set Up	9
Purchase Orders Processed	34
Informal Quotes	14
Surplus Items Sold	One (1) - \$2,236

NORTHERN WAKE FOOD SECURITY TEAM	
Staff Hours	16 hours
Updates	400 turkeys given out Extend the HUB until June 2022 Delivering food to Hope House on Thursday afternoons

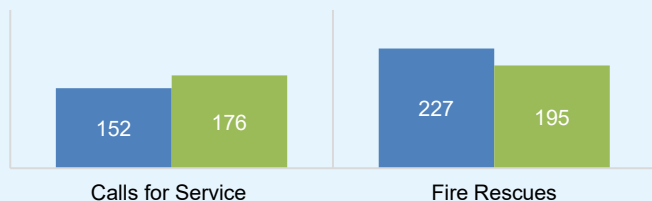
Fire

KEY STATS		
	NOV 2021	OCT 2021
Calls for Service	396	414
Average Response Time	4:36	4:44

TYPES OF CALLS		
	NOV 2021	OCT 2021
Fire	176	152
Medical	195	227
Motor Vehicle Accidents (MVA)	25	35

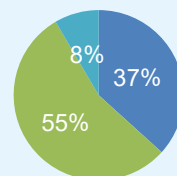
FIRE–KEY STATS

■ Oct-21 ■ Nov-21



TYPES OF CALLS

■ Fire ■ Medical ■ MVAs



Human Resources

PROMOTIONS / TRANSFERS

EMPLOYEE NAME	DEPARTMENT	POSITION	DATE
Ele'Jah Carter	Renaissance Centre	Renaissance Centre Coordinator	11/1/2021
Rodney Carroll	Streets	Construction Worker III	11/15/2021
Timothy Woodlief	Streets	Construction Worker II	11/15/2021
Deeda Harris	Renaissance Centre	Box Office Administrative Specialist – Renaissance Centre	11/29/2021

EMPLOYMENT

Positions Filled	363
Vacancies	32
Total Authorized Positions FY 2020–21	395

Information Technology

SERVICE STATS

	NOV 2021	OCT 2021
Service Requests Completed	337	283
Network Uptime Percentage	100%	100%

FIBER INFRASTRUCTURE DASHBOARD

[VIEW](#)

The Fiber Infrastructure Dashboard can be used to monitor the progress of the Fiber Installation Project.

Use Chrome, Firefox, Safari or Edge when viewing the dashboard.

Inspections & Public Facilities

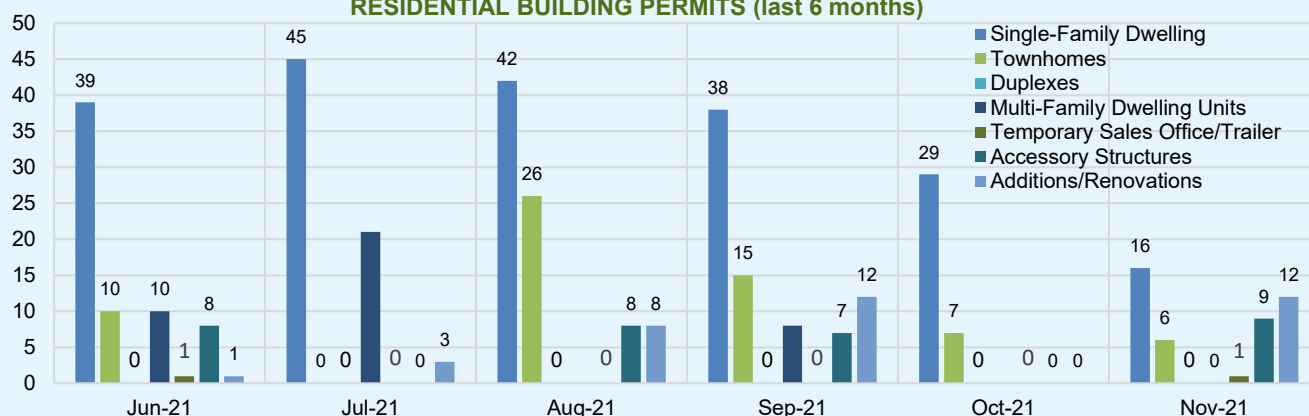
RESIDENTIAL PERMITS

	NOV 2021	OCT 2021
Single-Family Dwelling	16	29
Townhomes	06	07
Duplexes	00	00
Multi-Family Dwelling Units	00/000	00/000
Other	129	108
Total	151	144

NON-RESIDENTIAL PERMITS

	NOV 2021	OCT 2021
New Commercial	01	00
Fit-Ups	03	05
Other	25	29
Total	29	34

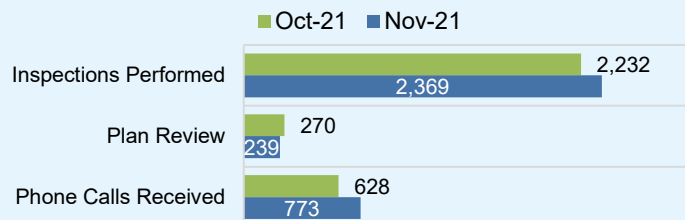
RESIDENTIAL BUILDING PERMITS (last 6 months)



PUBLIC FACILITIES

	NOV 2021	OCT 2021
Preventative Maintenance Completed	513	456
Reactive Work Orders	88	122

DEPARTMENTAL PRODUCTIVITY



BUSINESSES

NEW COMMERCIAL BUSINESSES

Sunbelt Rentals	5228 Unicon Dr
-----------------	----------------

FIT-UPS

Cravin' Confections	3612 Rogers Branch Rd 106
Heritage Donuts	1040 Forestville Rd 132
A Suite Salon	1894 S Franklin St 112

PRE-OCCUPANCY

New Horizon Uniforms LLC	5101 Unicon Dr D
SSI Services Inc	12339 Wake Union Church Rd 112

Parks, Recreation & Cultural Resources

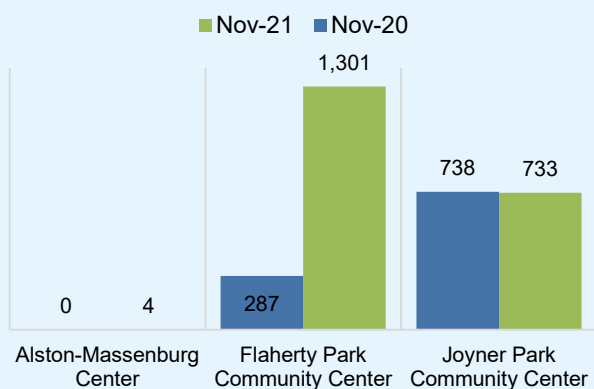
ATHLETICS

	NOV 2021	NOV 2020
Registrations Received – Youth	2	0 COVID
Registrations Received – Adult	0	0 COVID
Games Held	0	0 COVID
Revenue	\$175.00	0 COVID

PROGRAMS

	NOV 2021	NOV 2020
Registrations Received – Youth	43	53
Registrations Received – Adult	768	996
Classes/Programs Held	47	24
Revenue	\$4,531.17	\$1,999.80

VISITORS TO COMMUNITY CENTERS



RECONNECT PROGRAM GUIDE

[VIEW](#)

The program guide is updated twice per year in January and July.

PARK MAINTENANCE

TYPE OF MAINTENANCE	QUANTITY
Vandalism	1
Reactive Maintenance	1
PM Inspections & Services	73
Evening & Weekend Park Services	10

FACILITY RENTALS		
	NOV 2021	NOV 2020
Athletic Fields	38	37
Joyner Park Outdoor / Open Space	2	0 COVID
General Outdoor / Open Space	0	0 COVID
Picnic Shelters	1	0 COVID
Wake Forest Community House	8	0 COVID
Joyner Park Community Center	1	0 COVID
Flaherty Park Community Center	0	0 COVID
Alston-Massenburg Community Center	2	1

VISITORS TO AQUATIC CENTER & SPRAYGROUND		
	NOV 2021	NOV 2020
Aquatic Center	CLOSED	CLOSED
Taylor Street Sprayground	CLOSED	CLOSED

Planning

DEVELOPMENT SERVICES MONTHLY REPORT [VIEW](#)

ZONING VIOLATIONS DASHBOARD [VIEW](#)

Use Chrome, Firefox, Safari or Edge when viewing the dashboard.

CERTIFICATES OF APPROPRIATENESS

	NOV 2021	NOV 2020
COAs Received	2	0
COAs Approved	1	0

Police

KEY STATS

	NOV 2021	NOV 2020
Calls for Service	4980	5207
Vehicle Crashes	197	155

Public Works

- Urban Forestry**
 Planting season underway. 107 trees planted in ROW to date.
 Kudzu control project planning.
- Fleet**
 Completed specialty project for WFFD ATV to switch between EMT rescue and water containment for small brush fires.
 Neil McGarvey has successfully completed his 6-month introductory period - Congratulations Neil!
- Streets**
 Completed Forestville Rd. median improvement.
- Solid Waste**
 Leaf season is in high gear-this month we are running leaf trucks non-stop, filling trucks 6 – 9 times a day. We have been able to keep up with servicing residents at least once every two weeks, per policy, even through the Thanksgiving holiday break.
 Yard waste has a full crew. Yard waste has been on schedule daily even through the heavier fall season with fall cleanup and lots of pruning throughout the town.
 Trash & Recycle for the overall month has settled in with consistent drivers. Bulk was capped to a maximum of 40 pickups during the week of Thanksgiving due to staffing.

SOLID WASTE

	NOV 2021	NOV 2020
New Construction Homes Added	67	43
New Cart Sets	67	43

CEMETERY

	NOV 2021	NOV 2020
Number of Plots Sold	0	4
Number of Niches Sold	0	0
Total Plots Available	259	438

RECYCLING

	NOV 2021	NOV 2020
Volunteer Collected Litter	375	0
Volunteer Collected Recycling	50	0
Volunteer Hours	17	0
Volunteer Miles of Streets	6	0
Sections of Roads Cleaned (not miles)	0	0
Number of Creeks Cleaned	0	0
Number of Litter Kits Issued/Returned	4	0

Renaissance Centre for the Arts

EVENT & PROGRAM ATTENDANCE

	NOV 2021	NOV 2020
Monthly In-Person Attendance	460	212
Virtual Views	337	14288
Ticketed Events Held	1	0
Free Events Held	0	6

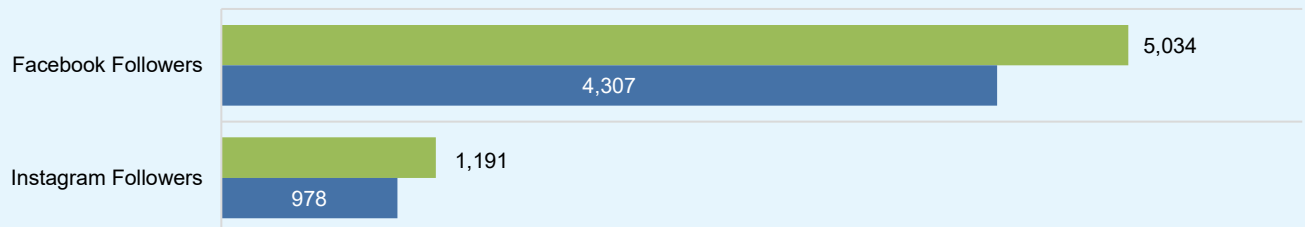
RENAISSANCE CENTRE PROGRAM GUIDE [VIEW](#)

The program guide is updated twice per year in January and July.

- The Renaissance Centre provided a virtual art class for students at Wake Forest High School. Over 300 students participated in the Zoom class taught by renowned visual artist Stephani Woods.

SOCIAL ENGAGEMENT

■ Nov-21 ■ Nov-20



Wake Forest Power

CUSTOMER SUMMARY

	NOV 2021	NOV 2020
Electric Meters/Customers	6,665	6,405
Pre-Pay Power Customers	460	436
H.O.P.E. Participants	45	44
N.C. GreenPower Participants	17	18

POWER OUTAGES

	NOV 2021	NOV 2020
Total Number of Customers Affected by Outages this Month	38	450
Average Number of Customers Affected per Outage	12.6	90

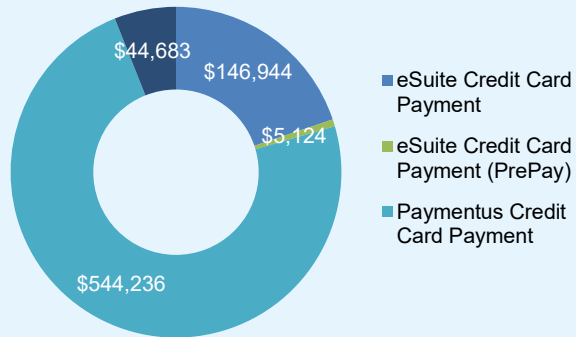
PAYMENTS RECEIVED		
	NOV 2021	OCT 2021
eSuite Credit Card Payments	\$ 146,944	\$350,048
eSuite Credit Card Payments (Pre-Pay)	5,124	5,331
Paymentus CC Payments	544,236	620,603
Paymentus CC Payments (Pre-Pay)	44,683	39,473

NUMBER OF TRANSACTIONS		
	NOV 2021	OCT 2021
eSuite Credit Card Payments	686	847
eSuite Credit Card Payments (Pre-Pay)	170	173
Paymentus CC Payments	3,507	2,478
Paymentus CC Payments (Pre-Pay)	1,162	1,044

Note: Transitioning to Paymentus during FY 2021

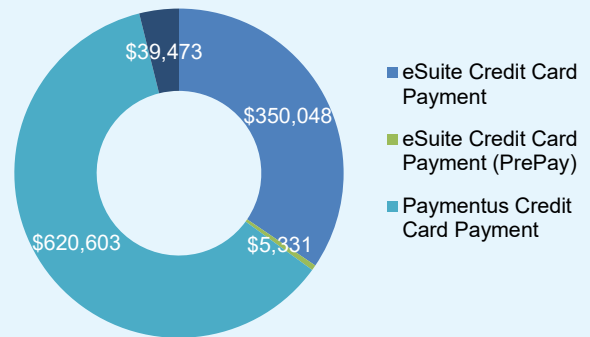
PAYMENTS RECEIVED

NOVEMBER 2021



PAYMENTS RECEIVED

OCTOBER 2021



Advisory Boards

Historic Preservation Commission

MEETINGS

Most recent meeting held	11/10/2021
Number of members in attendance	6 of 9 total

Update on Work Plan: The Historic Preservation Commission approved a COA for new construction at 125 W. Oak Street. The Commission also received the first applications for the Historic Marker Program. The applicants presented their proposed markers which included: the Ailey Mae Young Home, Wake Forest Normal & Industrial Institute Site, the African American Masonic Lodge, and the site of the first Fire Station. All were approved and will be ordered and installed in May for Historic Preservation Month. The HPC is also co-hosting "It's a Wonderful Wake Forest Historic Holiday Festival" at the Wake Forest Historic Museum on Saturday, December 4th from 10-2. HPC members will be leading the walking tours.

Human Relations Council

MEETINGS

Most recent meeting held	11/18/2021
Number of members in attendance	8 out of 11 total

Updates on Work Plan: No new business. Planning for Multicultural Day 2022 continues.

Public Art Commission

MEETINGS

Most recent meeting held

Number of members in attendance

No meeting

Updates on Work Plan: Meeting cancelled for Thanksgiving holiday.

Parks, Recreation & Cultural Resources Advisory Board

MEETINGS

Most recent meeting held

11/22/2021

Number of members in attendance

9 of 17 total

Updates on Work Plan: All task teams have completed their assignments. The By-Laws task team will revisit and update the by-laws once the Town ordinance has been reviewed and updated.

Technology Advisory Board

MEETINGS

Most recent meeting held

11/29/2021

Number of members in attendance

7 out of 8 total

TAB is continuing to look at Smart City ideas for downtown. They are also working heavy on the STEM Saturday for April 2022.

Urban Forestry Board

MEETINGS

Most recent meeting held

11/23/2021

Number of members in attendance

9 out of 11 total

Updates on Work Plan: The urban forestry board reaffirmed the 2018 Urban Forestry Management Plan and discussed the new Urban and Community Forest Sustainability Standard from the Sustainable Forest Initiative.



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-403-

Submitted by: Sherry Scoggins

Submitting Department: Administration

Meeting Date: December 21, 2021

SUBJECT

Wake County Tax Releases

Recommendation:

Item Summary:

ATTACHMENTS

- [TaxReportForWakeForest.pdf](#)



Board of Commissioners

P.O. Box 550 • Raleigh, NC 27602

TEL 919 856 6180

FAX 919 856 5699

SIG HUTCHINSON, CHAIR
SHINICA THOMAS, VICE-CHAIR
VICKIE ADAMSON
MATT CALABRIA
MARIA CERVANIA
SUSAN EVANS
JAMES WEST

December 7, 2021

Mr. Kip Padgett
Town Manager
Town of Wake Forest
301 S. Brooks Street
Wake Forest, North Carolina 27587

Dear Mr. Padgett:

The Wake County Board of Commissioners, in regular session on December 6, 2021, approved and accepted the enclosed tax report for the Town of Wake Forest.

The attached adopted actions are submitted for your review; no local board action is required.

Sincerely,

A handwritten signature in dark ink, appearing to read "Yvonne Gilyard", written over the printed name.

Yvonne Gilyard
Deputy Clerk to the Board
Wake County Board of Commissioners

Tax Committee Meeting: 11/18/2021

Board of Commissioners Meeting: 12/06/2021

TO: Wake County Board of Commissioners and Town Board of Wake Forest

FOR: Consideration of Requests for Value/Special Situations

Approved by:

Marcus Kinrade

Item #	Taxpayer(s)	Description Jurisdiction	Account # / Year For Payment Status	Value Appealed	Appeal/Request Type	Recommendation
17817	CHAURASI LAKH, INC 1909 EDENS RIDGE AVE WAKE FOREST NC 27589	BUSINESS PERSONAL PROPERTY WAKE FOREST	0006872876 2019 Not Paid	\$292,474	Value Only	Denied
17819	CHAURASI LAKH, INC 1909 EDENS RIDGE AVE WAKE FOREST NC 27589	BUSINESS PERSONAL PROPERTY WAKE FOREST	0006872876 2020 Not Paid	\$365,593	Value Only	Denied

This List Requires Board Action

Tax Committee Members: Natasha Baldwin, City Of Raleigh
Kim Lorbacher, Wake County Finance
Jessica Murphy-Rhem, Town Of Cary

M302

Marcus Kinrade, Tax Administrator



WAKE COUNTY TAX ADMINISTRATION

Rebate details
10/1/2021 - 10/31/2021

PAGE

TIME

DATE

11/05/2021 08:15:59 PM 1

WAKE FOREST

REBATE NUMBER	PROPERTY	SPEC DIST	CITY TAG	LATE LIST	BILLED INT	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
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WAKE FOREST (Not In District)

BUSINESS REAL ESTATE ACCOUNTS

799547	9,224.84	0.00	0.00	0.00	0.00	9,224.84	10/28/2021	0000273901	2020	2020	000000	LEGACY WAKE FOREST, LLC
797378	1,361.25	0.00	0.00	0.00	0.00	1,361.25	10/04/2021	0000453551	2021	2021	000000	D R HORTON, INC
799532	9,224.84	0.00	0.00	0.00	0.00	9,224.84	10/28/2021	0000273901	2021	2021	000000	LEGACY WAKE FOREST, LLC

Subtotal for

BUSINESS REAL ESTATE ACCOUNTS	19,810.93	0.00	0.00	0.00	0.00	19,810.93			3 Properties Rebated			
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INDIVIDUAL REAL ESTATE ACCOUNTS

797996	575.81	0.00	0.00	0.00	0.00	575.81	10/11/2021	0000235306	2021	2021	000000	KISSINGER, HARRY P
799060	222.75	0.00	0.00	0.00	0.00	222.75	10/25/2021	0000314819	2021	2021	000000	GIOVANNI, RONALD M

Subtotal for

INDIVIDUAL REAL ESTATE ACCOUNTS	798.56	0.00	0.00	0.00	0.00	798.56			2 Properties Rebated			
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TOTAL WAKE FOREST (Not In District)	20,609.49	0.00	0.00	0.00	0.00	20,609.49			5 Properties Rebated for the District/City			
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TOTAL FOR

CITY WAKE FOREST	20,609.49	0.00	0.00	0.00	0.00	20,609.49			5 Properties Rebated for the City			
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WAKE COUNTY TAX ADMINISTRATION

Rebate details
10/1/2021 - 10/31/2021

WAKE FOREST

DATE 11/05/2021
TIME 08:15:59 PM
PAGE 1

REBATE NUMBER	PROPERTY	SPEC DIST	CITY TAG	LATE LIST	BILLED INT	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
Grand Total:	391,814.77	901.23	102.50	1,244.67	0.00	394,063.17		98	Properties Rebated for All Cities			



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-378-

Submitted by: Sherry Scoggins

Submitting Department: Administration

Meeting Date: December 21, 2021

SUBJECT

Resolutions of Appreciation to the Outgoing Commissioners

Recommendation:

Recognition

Item Summary:

ATTACHMENTS

- [Resolution2021-154ResolutionOfAppreciation-Simpers.docx](#)
- [Resolution2021-155ResolutionOfAppreciation-Wall-Lennon.docx](#)

RESOLUTION 2021-154
APPRECIATION OF SERVICE OF LIZ SIMPERS

WHEREAS, Liz Simpers served the Town of Wake Forest and its citizens as a Commissioner since December 2017; and

WHEREAS, Ms. Simpers served as ex-officio on the Town of Wake Forest Greenways Advisory Board; Parks, Recreation and Cultural Resources Advisory Board; Youth Advisory Board; the Wake Forest Downtown Board, and the Wake Forest Business and Industry Partnership (WFBIP); and

WHEREAS, Ms. Simpers diligently and forthrightly worked to make the Town of Wake Forest a better place through carrying out her civic duties; and

WHEREAS, during Ms. Simper's term, her passion to involve the youth of our community in Town government was exhibited; and

WHEREAS, Ms. Simper's dedication to economic development through her involvement in the WFBIP set the stage for various workforce development opportunities; and

WHEREAS, the Town of Wake Forest, its elected officials, employees, and its citizens individually and collectively commend Ms. Simpers for her service to the Town of Wake Forest.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the honorable Mayor and Board of Commissioners of the Town of Wake Forest that this *Resolution of Appreciation* be presented to Liz Simpers in acknowledgement of her service and her interest in good government in Wake Forest and in the State of North Carolina.

Adopted this 21st day of December 2021 by the Wake Forest Board of Commissioners at a regularly scheduled meeting.

ATTEST:

Vivian A. Jones, Mayor

Theresa Savary, Deputy Town Clerk

RESOLUTION 2021-155
APPRECIATION OF SERVICE OF BRIDGET WALL-LENNON

WHEREAS, Bridget Wall-Lennon served the Town of Wake Forest and its citizens as a Commissioner since December 2017; and

WHEREAS, Ms. Wall-Lennon also served as ex-officio on the Town of Wake Forest Human Relations Council; Parks, Recreation & Cultural Resources Advisory Board; Cemetery Advisory Board; Historic Preservation Committee; and Urban Forestry Board; and

WHEREAS, Ms. Wall-Lennon diligently and forthrightly worked to make the Town of Wake Forest a better place through carrying out her civic duties; and

WHEREAS, during Ms. Wall-Lennon's term, she undertook a venture to improve communications with small business owners within the Town and she led the project "How To Do Business in Wake Forest"; and

WHEREAS, during Ms. Wall-Lennon's term, she advocated for more public-private partnerships to increase the supply of affordable housing; and

WHEREAS, the Town of Wake Forest, its elected officials, employees and its citizens individually and collectively commend Ms. Wall-Lennon for her service to the Town of Wake Forest.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the honorable Mayor and Board of Commissioners of the Town of Wake Forest that this *Resolution of Appreciation* be presented to Bridget Wall-Lennon in acknowledgement of her service and her interest in good government in Wake Forest and in the State of North Carolina.

Adopted this 21st day of December 2021 by the Wake Forest Board of Commissioners at a regularly scheduled meeting.

ATTEST:

Vivian A. Jones, Mayor

Theresa Savary, Deputy Town Clerk



Board of Commissioners Agenda Item Report

Agenda Item No.: 2021-379-

Submitted by: Sherry Scoggins

Submitting Department: Administration

Meeting Date: December 21, 2021

SUBJECT

Oaths of Office for Candidates-Elect

Recommendation:

Oath of Office per NC GS 160A-68

Item Summary:

ATTACHMENTS

- [OathOfOffice-MayorJones,2021.docx](#)
- [OathOfOffice-CommissionerShackleford,2021.docx](#)
- [OathOfOffice-CommissionerSliwinski,2021.docx](#)

NORTH CAROLINA
WAKE COUNTY

I, Vivian A. Jones, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully and impartially discharge the duties as Mayor for the Town of Wake Forest, North Carolina, so help me, God.

Vivian A. Jones

Sworn to and subscribed before me this the 21st day of December 2021.

Joe John
North Carolina Representative
House District 40
Wake County

NORTH CAROLINA
WAKE COUNTY

I, Richard Keith Shackelford, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully and impartially discharge the duties as Commissioner for the Town of Wake Forest, North Carolina, so help me God.

Richard Keith Shackelford

Sworn to and subscribed before me this the 21st day of December 2021.

James S. Warren

My Commission Expires: _____

NORTH CAROLINA
WAKE COUNTY

I, Nicolas Sliwinski, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully and impartially discharge the duties as Commissioner for the Town of Wake Forest, North Carolina, so help me God.

Nicolas Sliwinski

Sworn to and subscribed before me this the 21st day of December 2021.

Nicholas E. Karr
Notary Public

My Commission Expires: _____