

Old Bus. a, b & c

Town of Indian Trail

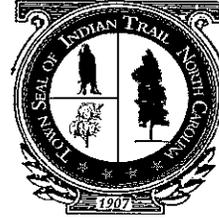
Memo

TO: Mayor and Council

FROM: Patrick Sadek, director of Engineering

DATE: 9/22/2016

SUBJECT: Storm Drainage Studies



The Engineering Department has completed 3 storm drainage studies for 3 different town basins (Ashe Croft, 1st Ave., and Traewyck) and would like to share the results which include scope, budget, and schedule of each improvement.

OBD

Town of Indian Trail

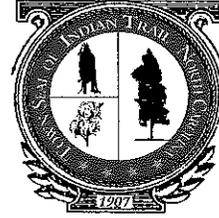
Memo

TO: Mayor and Town Council

FROM: Patrick Sadek, P.E., Director of Engineering and Public Works

DATE: September 27, 2016

SUBJECT: Faith Church Road Corridor Study, Approve Recommendations



General Information:

The Faith Church Road Corridor was initially adopted by the Charlotte Regional Transportation Planning Organization (CRTPO) in 1999. The adoption of a corridor reserves the alignment for future construction of the roadway. Presently, the existing alignment adversely affects present and future development in the Town along with several environmental constraints.

Staff worked with our on-call consultant, RS&H, to revise the alignment and address this concern. A final study is now complete and will be presented to Council. The study includes the following recommendations for the corridor.

- Maintain Segment A as proposed between US 74 and Old Monroe Road.
- Convert Segment B through Brandon Oaks to a Multimodal Connection.
- Replace Segment C with an Alternate Connection in Wesley Chapel.
- Widen Wesley Chapel Road.

Required Actions:

Adopt the recommendation with in the study.

DBe

Town of Indian Trail

Memo

TO: Mayor and Town Council
FROM: Jason Tryon, Parks & Recreation Director
DATE: September 20th, 2016
SUBJECT: Athletic Association Discounts



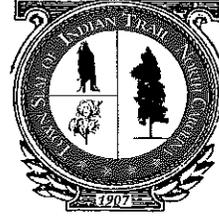
During the Council meeting on September 13th Council approved a discounted rate for the two athletic associations. The two include Porter Ridge Athletic Association and Indian Trail Athletic Association. Staff would like to clarify the discount approved in a further discussion. Will this discount be for just field rentals or all fees associated with the parks to include field prep and or lighting?

DB-f

Town of Indian Trail

Memo

TO: Mayor and Town Council
FROM: Kelley Southward, Town Clerk
DATE: September 27, 2016



SUBJECT: Old Business 11f-Council to appoint one of their own membership to be Indian Trail's representative on the Charlotte Regional Transportation Planning Organization (CRTPO). (tabled item)

Council tabled has tabled this matter twice. At the last meeting Council wanted to wait on the appointment to see if Councilman Daniels was interested in being the representative.

Indian Trail is part of the Charlotte Regional Transportation Planning Organization (CRTPO). All municipalities that are in the CRTPO are asked to appoint a member of their Governing Body to the MPO (Metropolitan Planning Organization) which is a part of CRTPO. Staff members are appointed to the TCC (Technical Coordinating Committee); Mr. Kaufhold is our appointed member to this committee. Council Member Stanton was our CRTPO but has regrettably had to resign due to a conflicting work schedule.

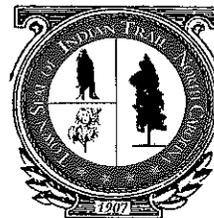
Please select a member of Council to appoint to the MPO of CRTPO to represent the Town of Indian Trail. MPO meetings are held regularly on the 3rd Wednesday of each month at 6PM at the Charlotte-Mecklenburg Government Center. If no Council Member is appointed the default appointment is the Mayor.

NB 12a

Town of Indian Trail

Memo

TO: Mayor and Town Council
FROM: Kelley Southward, Town Clerk
DATE: September 27, 2016



SUBJECT: New Business 12a-Council to consider recommendations made by the Economic Development Task Force regarding a business/technology park.

Overview: The Economic Development Task Force (EDTF) held its first meeting on Friday, September 16, 2016. Members Chris Platé, Director of Monroe-Union County Economic Development; Scott Kaufhold and Councilman Wireman were present. Members absent were Mayor Pro Tem Cohn and Rox Burhans. Also in attendance were staff members Vicky Watts and Kelley Southward; guests present were Councilman Daniels and Mr. Faulkenberry. The meeting lasted approximately 1.5 hours; minutes will be supplied to Council once drafted.

Discussions identified the need to amend current zoning regulations of the Unified Development Ordinance (UDO) and the Comprehensive Plan. It was noted that funds were included in the current budget for updates to the UDO. Other discussions included ideal land acreage size, building size, vacant land locations within the Town (specific locations to be discussed privately in accordance with NC General Statutes) and land cost estimates. It was noted that companies are looking for sites that are build-ready with cleared lots, infrastructure (roads/water/sewer) and building pads. The types of companies to solicit were discussed (see recommendation below). Finally, the EDTF felt it would be necessary to meet monthly for now and tentatively scheduled their next meeting for 11:30 AM on Friday, October 21, 2016.

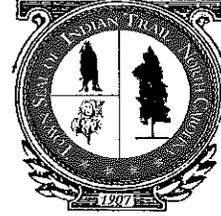
Recommendation to Council: Based upon the discussion, EDTF members recommend to target solicitation of aerospace companies and technology companies (with a focus on tech companies that manufacture medical devices/components/disposals) for the Indian Trail Business/Technology Park.

NB 12b

Town of Indian Trail

Memo

TO: Mayor and Town Council
FROM: Kelley Southward, Town Clerk
DATE: September 27, 2016



SUBJECT: New Business 12b-Council consideration to approve Resolution #R160927-01 authorizing the ABC Board/Store to use the Town Logo/Seal for their purposes.

Overview: The Finance Officer of the ABC Board/Store sent Town Staff an email asking for the color codes for the Town Logo (man at the end of the trail) as they were looking to have shirts embroidered for Board members and/or staff. However, Council approved a Resolution in 2009 noting that non-profit agencies had to receive written permission from the Town Manager to use the Town Seal/Logo and for-profit agencies must have Council approval (by way of a Resolution).

Attached are the proposed Resolution #R160927-01, the email from the ABC FO requesting the artwork and the 2009 Resolution regarding use of the Town Seal and Logo.

Council Action: to allow use of the Town Logo/Seal for the ABC Board/Store, please approve Resolution #R160927-01.

NB 12b

TOWN OF INDIAN TRAIL, NC

RESOLUTION #R160927-01

A RESOLUTION AUTHORIZING USE OF TOWN LOGO TO BE USED FOR A FOR-PROFIT PURPOSE

WHEREAS, the Town of Indian Trail owns the copyright to the forms of the Town Logo and Town Seal; and

WHEREAS, the Town of Indian Trail logo and seal are representative of the Town and of the area. The Town benefits from and uses the logo and seal in association with its own identity because the Town's qualities and characteristics are promoted within the images; and

WHEREAS, no one other than the Town of Indian Trail and those authorized by the Town of Indian Trail Town Council are permitted to sell any product incorporating the Town of Indian Trail logo or seal; and

WHEREAS, Indian Trail Resolution #R090908-2 resolves that no for-profit organization may use the Town logo or seal without the express permission of the Town Council by way of an approved Resolution; and

WHEREAS, the Indian Trail ABC Board/Store was created by order of the Indian Trail Town Council and now has a desire to use the Town's logo and/or seal for its purposes including but not necessarily limited to embroidering apparel for ABC Board Members and ABC Store Staff.

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Indian Trail, North Carolina hereby authorizes the Indian Trail ABC Board/Store/Members/Staff are granted permission to use the Town Logo and Seal for business purposes except that they shall not sell any merchandise brandishing the Town Logo or Seal. This authorization shall be in full force and effect upon adoption and shall continue in perpetuity and can only be revoked by action of Town Council reversing this order.

So Resolved this the 27th day of September 2016.

(SEAL)

Michael L. Alvarez, Mayor

Attest:

Kelley Southward, Town Clerk

NB126

Kelley Southward

From: Financial Office [abcitfinance@outlook.com]
Sent: Thursday, September 15, 2016 12:38 PM
To: Kelley Southward
Subject: Indian Trail ABC Board

Importance: High

Good Afternoon Kelley,

We are having new shirts with the Town's company logo on and I need get it sent to me in a PDF file with the PMS#s for the exact color for the new emblem on the shirts. Do you know who I would talk to about this, art dept., etc?

Thank you so much,

Shelly Hinson

Finance Officer
Indian Trail ABC Board
5880 Hwy 74 E
P.O. Box 2932
Indian Trail, NC 28079
Phone: 704-821-7667
Fax: 704-821-0793
Email: abcitfinance@outlook.com

NB12b

**A RESOLUTION RESTRICTING THE USE OF THE TOWN SEAL AND LOGO
#R090908-2**

WHEREAS, the Town of Indian Trail has adopted an official Town Seal and Logo to represent the Town;

WHEREAS, as trademarks, the Town Seal and Logo are the property of the Town of Indian Trail and, as such, the Town holds the rights to the use of the Town Seal and Logo;

WHEREAS, the Town Council seeks to protect its property rights in the Town Seal and Logo; and

WHEREAS, the Town Council seeks to restrict the use of the Town Seal and Logo to Town approved purposes;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN TRAIL, NORTH CAROLINA AS FOLLOWS:

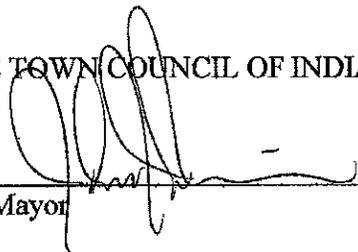
1. The Town Seal and Logo shall not be used by a person, firm, corporation, entity or organization without the express prior written permission of the Town Manager. The Town Manager, however, shall not, under any circumstances, permit the Town Seal and Logo to be used for any for-profit or political purpose. The Town Council may permit the Town Seal or Logo to be used for a for-profit purpose by adoption of a written resolution. The Town Seal and Logo may not be used for political purposes except for identifying informational flyers or brochures prepared by the Town in relation to ballot measures in accordance with the provisions of law.

2. Any person, firm, corporation, entity or organization violating this restriction shall be guilty of an infraction and upon conviction thereof shall be punishable in accordance with Section 10.99 of the Municipal Code of the Town of Indian Trail. A person, firm, corporation, entity, or organization shall be deemed guilty of a separate offense for each day during any portion of which a violation of this provision is committed, continued or permitted by the person, firm, corporation, entity or organization and shall be punishable as provided above. In addition to such penal damages the Town shall be entitled to enforce its rights in an action in equity for an injunction and to collect damages from any person, firm, corporation, entity or organization violating this restriction, and the same shall be paid forthwith upon demand by the Town.

WB126

SO RESOLVED THIS THE 8th DAY OF SEPTEMBER, 2009.

THE TOWN COUNCIL OF INDIAN TRAIL

By  _____
Mayor

Attest:
 _____
Intenm Town Clerk

NB12c

Town of Indian Trail

Memo

TO: Mayor and Town Council
FROM: Kelley Southward, Town Clerk
DATE: September 27, 2016



SUBJECT: New Business 12c-Council consideration to approve the required resolution to begin the process for offering Social Security benefits to town employees; resolution specifically titled: "Resolution for Counties, Municipalities and other Subdivisions or North Carolina Making Application for Coverage of Retirement Coverage Groups of Employees Under the Old Age, Survivors, and Disability Insurance Provisions of Title II of the Federal Social Security Act" (Local Resolution #R160927-02)

Overview: As Council is aware the Town is part of the Windfall Elimination Provision, which in short means that the Town does not withhold Social Security from employee earnings. To remain more competitive in the employment market Council has budgeted funds to begin matching Social Security for employees. However, there is a process that must take place before the Town can proceed. The first step in this approximate year-long process is for Town Council to approve this Resolution. The process also includes a vote of employees and a majority vote rules.

Council Action: Approve the Resolution so that this lengthy process can begin.

SPECIAL PROCEDURE: PLEASE MAKE A MOTION AND A SECOND REGARDING THIS ITEM. The Town Clerk spoke with the representative from the State Treasurer's regarding the standard resolution that is required, which asks for who put forth the motion and the second as well as the affirmative and negative vote count. The Clerk noted that the Rules of Procedure for the Town of Indian Trail does not require seconds to motion and was advised to have Council make a special exception as the language of the Resolution should not be altered and will not be considered official if not fully executed.

RESOLUTION FOR COUNTIES, MUNICIPALITIES AND OTHER SUBDIVISIONS OF NORTH CAROLINA MAKING APPLICATION FOR COVERAGE OF RETIREMENT COVERAGE GROUPS OF EMPLOYEES UNDER THE OLD AGE, SURVIVORS, AND DISABILITY INSURANCE PROVISIONS OF TITLE II OF THE FEDERAL SOCIAL SECURITY ACT

WHEREAS, Title II of the Federal Social Security Act has been amended for the purpose of extending to the employees of political subdivisions of the State and their instrumentalities, and to the dependents and survivors of such employees, the basic protection accorded to others by the Old Age and Survivors and Disability Insurance program as embodied in the Social Security Act, and

WHEREAS, the provisions of Article 2, Chapter 135 of the General Statutes designate the Director of the Teachers' and State Employees' Retirement System, whose title is Director of the North Carolina Public Employees' Social Security Agency, as the State Agency authorized to enter into agreement or coverage plans for the purpose of extending such benefits to employees of such political subdivision, and

WHEREAS, the governing authority of this political subdivision of the State desires to extend to its eligible employees or eligible coverage groups of such employees, and their dependents and survivors, the security, protection and benefits provided by said laws and the regulations established thereunder:

NOW, THEREFORE, BE IT RESOLVED by the _____

in regular meeting, a quorum being present:

1. That the governing authority of this political subdivision of the State, to the extent of its lawful authority and power, does hereby extend to its eligible employees and eligible groups and classes of such employees the benefits authorized by Title II of the Federal Social Security Act, as amended, and as authorized by Article 2, Chapter 135 of the General Statutes. The services of members of the governing board and the services of members of other boards, councils, commissions, and committees, whose duties requires not more than 1,000 hours of service per year, are to be (a) excluded from coverage ___ or (b) included under coverage ___.
2. That _____ is hereby fully empowered and authorized, and is hereby ordered and directed, to prepare, with the cooperation of the Director of the North Carolina Public Employees' Social Security Agency, a suitable agreement or coverage plan as provided by law, the same to be properly executed by this governing authority and approved by said Director of the State Agency for the purpose of making available to such employees the benefit mentioned in Paragraph 1 and the preamble of this Resolution, effective the _____ day of _____, 20_____.

Upon motion of _____ and seconded by _____, the above resolution was introduced for passage and the same was duly passed, the following number voting in the affirmative: _____, and the following number voting in the negative: _____.

CERTIFICATION BY CLERK

This is to certify that at a regular meeting of the Board of _____ on the _____ day of _____, 20_____, this Resolution was duly introduced and legally passed in accordance with the provisions of the Charter of this political subdivision and/or all applicable laws. That the meeting was duly constituted, a quorum was present and the Resolution was publicized in accordance with the Charter and/or all applicable laws. Approximate number of employees to be covered: _____.

This the _____ day of _____, 20_____.

(Clerk to the Board)

(Name of Political Subdivision)

NB12c



North Carolina
Total Retirement Plans

NORTH CAROLINA
DEPARTMENT OF STATE TREASURER
RETIREMENT SYSTEMS DIVISION

JANET COWELL
TREASURER

STEVEN C. TOOLE
DIRECTOR

September 14, 2016

Ms. Tihisha Sharif
Human Resources Director
Town of Indian Trail
P.O. Box 2430
Indian Trail, NC 28079

Dear Ms. Sharif:

We are writing in response to your inquiry concerning obtaining Social Security coverage for employees of the Town of Indian Trail who participate in the Local Governmental Employees' Retirement System.

A political subdivision of the State may extend Social Security coverage to its employees participating in the Retirement System only by Agreement with the Director of the North Carolina Public Employees' Social Security Agency. Thereafter, the Director, in turn, enters into an Agreement with the Secretary of Health and Human Services in order to secure Federal approval of the Social Security coverage for the employees. Article 2 of Chapter 135 of the North Carolina General Statutes and Section 218 of the Social Security Act authorizes the extension of this coverage to your employees. ✓

In order to extend Social Security coverage for your employees who participate in the Local Governmental Employees' Retirement System, a referendum must be held in accordance with the following procedures.

The Federal Government has outlined the procedure to hold a referendum on Social Security coverage:

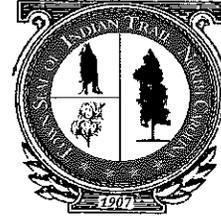
1. The governing Board must adopt a Resolution (see attached), agreeing to cover the Retirement System group of employees for Social Security coverage if a referendum among the affected employees is favorable. - VOTE ✓
2. One copy of the adopted Resolution must be furnished to this office as evidence that the Board will execute an Agreement after favorable results are received in this office.
3. In accordance with the Federal requirement, written notice must be given to all affected employees that a referendum has been scheduled for a specified date 90 days or more following the date of the notice. In order to determine whether the governing Board may extend Social Security coverage to the affected employees, these affected employees who are members of the Retirement System and are in service on both the date of the notice and the date of the referendum will have the privilege of voting. The governing Board may extend coverage on a specified future effective date of coverage or may specify a retroactive effective date such as January 1, 2016.
4. This office should be notified in writing of the date of the notice of referendum (send a copy of the notice of referendum to our office), date of the referendum, desired effective

3200 ATLANTIC AVENUE • RALEIGH, NORTH CAROLINA 27604
Telephone 1-877-NCSECURE (1-877-627-3287) toll-free • Fax (919) 855-5800
www.myncretirement.com

Town of Indian Trail

Memo

TO: Mayor and Town Council
FROM: Kelley Southward, Town Clerk
DATE: September 27, 2016



SUBJECT: New Business 12d-Council to consider scheduling a Community Meeting regarding the Heritage/Hawfield Project to occur prior to the October 11th Public Hearing; suggestion was made by a member of the Planning Board during their 9/20/16 meeting.

Overview: The Planning Board has recommended approval of the annexation and conditional zoning applications for what is known as the Heritage/Hawfield Project but made the recommendation with modifications. A Planning Board member suggested that Council hold a community meeting prior to the October 11th public hearing on this matter so that Council and the community have a full understanding of the project and recommended changes (in particular those regarding the buffers). This is completely up to Council. A possible date for consideration is Tuesday, October 4, 2016 as it falls directly between the September 27th and October 11th meetings.

Town of Indian Trail

Memo

TO: Mayor and Town Council
FROM: Kelley Southward, Town Clerk
DATE: September 27, 2016



SUBJECT: Discussion item a: discussion with the Town Attorney of the written PIR Policy approved by Council on 8/9/16.

Overview: The Town Attorney, Chris Duggan, would like to review the Public Information Request Policy that Council approved in August with Town Council. Council approved the State's PIR Policy but verbally made some amendments. Mr. Duggan has incorporated the amended language as well as some other minor language changes that make the policy more applicable to a municipality, specifically Indian Trail, rather than the State or a State Agency. Mr. Duggan would like to clarify some points of the policy during the review.

Town of Indian Trail Public Information Request Policy

(NOTE: On August 9, 2016 the Indian Trail Town Council adopted the North Carolina Public Information Request Policy and made minor additions/changes.)

Public records and public information compiled by the agencies of North Carolina government or its subdivisions are the property of the people. It is the policy of the State and the Town of Indian Trail that the people may obtain copies of their public records and public information free or at minimal cost unless otherwise specifically provided by law. The purpose of this memorandum is to provide a policy to be followed by ~~the Office of the Governor, cabinet agencies and the~~ Town of Indian Trail in managing these requests and in levying a reasonable special service charge in qualifying cases.

I. Initial Request

1. Public records requests shall be directed to a ~~department~~ public information officer (PIO), ~~as designated by the town (hereinafter "PIO") Town Clerk, Town Manager or his/her designee (all shall be referred to as PIO for the remainder of this document).~~ The Town Agencies may ask requestors to submit their requests in writing, on or in accordance with a request form provided by the agency¹. The Town Agency request forms shall request the following information:
 - a. Date of the request
 - b. Name of the requestor (first and last)
 - c. Phone number of the requestor
 - d. Mailing address of the requestor
 - e. ~~Mailing address of the requestor~~
 - f. ~~A description of the records with sufficient detail to enable the agency PIO to identify the records requested. This may include the following information:~~
 - i. Custodian of the record
 - ii. Name or title of the record
 - iii. Date or date range of the record(s)
 - g. ~~Whether the requestor is seeking a copy or seeking to inspect the record~~
 - h. ~~If the requestor is seeking a copy, in what medium and/or format. Persons requesting copies of the public records may elect to obtain them in any and all media in which the public agency Town keeps them. The available formats may be limited for records that require redaction. An agency The Town must ensure that the records are redacted in a manner that ensures the requestor cannot determine the confidential information through image manipulation or removal of field protections.~~
2. ~~An agency~~ The PIO shall acknowledge receipt of the request within three (3) business days of receiving the request.

¹~~An agency~~ The Town may ask, but cannot require, a requestor to submit their records request in writing.

3. To the extent the ~~agency~~-PIO finds the request to be ambiguous, overly broad, or likely to require more than four (4) hours of staff time to fulfill, the PIO shall contact the requestor and attempt to clarify, narrow or revise the request. A narrow request limits the expenditure of ~~agency~~-Town resources, may help to avoid a special service charge, and permits the ~~agency~~-Town to respond to the request in a shorter timeframe. In these discussions, it is not permissible to ask the reason the request is being made.
4. In making an initial response to a public records request, it is important a PIO understand and communicate the following as need be:
 - a. An ~~agency~~The Town is not required to create a new record in order to fulfill a public records request.
 - b. An ~~agency~~The Town is not required to provide records in a format they do not currently have.
 - c. ~~Agency~~-Town employees are not required to work on requests past normal working hours. N.C.G.S § 132-6(a) requires agencies to respond "as promptly as possible" in providing copies or public records. Response time should be determined based on the size and scope of the request.
5. If the request is not revised, the PIO shall contact the requestor with an estimate of how long the request will take to fill and how much the request will cost. Before beginning to fulfill the request, the PIO shall confirm acceptance of the fees. If the total estimated charge is greater than \$25 the PIO shall ask the requestor to pay 50% of the estimated charges before the agency begins to fill the request. Location and production shall not begin until the deposit is received. The requestor shall pay the remaining balance prior to the agency releasing the records. If for any reason the final charge is less than the amount of the deposit, the agency shall return the remainder to the requestor.

II. Special Service and Copying Fees

1. By statute, an agency may charge a special service charge for any request that requires extensive use of information technology or extensive clerical or supervisory assistance by personnel of the agency. If a request takes more than four (4) hours of information technology or clerical or supervisory assistance to fill, the agency may assess a special service charge for the amount of staff time spent over four (4) hours. Staff time spent searching for, locating, collecting, sorting, copying and preparing the records to be produced will count towards the four (4) hour threshold. The special service charge shall be in addition to any copying fees.
 - a. Each requestor shall receive four (4) hours per quarter that are essentially "free" and charged for all hours exceeding four (4) per quarter. For example if the same requestor put in PIRs on January 1st, February 1st, and March 1st and each request took 3 hours of extensive use of information technology or clerical/supervisory assistance to prepare then requestor would be assessed special service charges for 5 hours ($3 + 3 + 3 = 9 - 4 = 5$) for that quarter.
2. All ~~public~~-Town employees involved in fulfilling a public records request shall keep a detailed record of the time spent (accounted for in 15 minute increments) searching for,

¹An ~~agency~~The Town may ask, but cannot require, a requestor to submit their records request in writing.

locating, collecting, sorting, copying and preparing the records to be produced. This record shall be provided to the requestor upon request.

3. The special service charge for clerical or supervisory assistance shall approximate the hourly rate of pay plus benefits for the position of permanent, full-time Administrative Assistant 1 in the agency's pay schedule. This is estimated to currently result in a rate of \$18 per hour. The special service charge for information technology shall include any separate charge by any third party information technology vendor.
4. Special service charges shall not be greater than the actual costs incurred.
5. Time spent separating confidential from non-confidential information shall not be considered in calculating the time it takes to respond to a request. This is a cost that the department must absorb pursuant to N.C.G.S. §132-6(c). The time spent separating confidential from non-confidential information shall be noted by employees in recording time spent on a given request.
6. Multiple requests regarding the same issue made within a short period of time (1-2 weeks from the same individual or organization shall be considered a single request for purposes of determining whether a special service charge will be levied.
7. An agency shall charge 5 cents for printed copies, per copy, as this is the reasonable estimate of the actual cost to the public agency in making the copy and shall charge 50 cents per copy for color copies.
8. In order to minimize costs and time spent on records requests for emails, agencies shall make use of email archives, and when applicable, authorized e-discovery tools to search for, locate and copy email records.
9. Electronic records shall be sent via email when possible. Otherwise, electronic records shall be produced on a flash drive or CD provided by the ~~agency~~Town. The agency shall charge the actual cost of the flash drive or CD, no matter the amount of data stored on it. An agency shall only charge the cost of multiple flash drives or CDs if the total gigabytes of the requested files exceed the maximum gigabytes on a single flash drive or CD.
10. Once all documents have been collected, a PIO should prepare an invoice based on the actual time the holders of records report.

III. ~~Agency~~The Town Follow Up

1. If anyone requesting public records from any public agency is charged a fee that the requestor believes to be unfair or unreasonable, the requestor may ask the Town Manager~~State CIO~~ or his/her designee to mediate the dispute.
2. ~~Agency~~Town legal counsel should be made aware of any extensive records request and should assist in reviewing documents, or portions of documents, as needed in order to

¹~~An agency~~The Town may ask, but cannot require, a requestor to submit their records request in writing.

ensure compliance with both the disclosure and confidentiality provisions of Chapter 132. Legal counsel should consider N.C.G.S. §132-1.1 when identifying documents or information which are not public records. ~~Agency~~Town legal counsel should also remain aware of and consider whether other statutory provisions in and beyond Chapter 132 may also restrict disclosure of documents requested. For examples, see appendix A.

3. ~~Agencies~~Town isare encouraged to keep a log to track all public records requests, the status of the response, the date the documents are produced, and the charges and payments associated with production. This log can serve as a tool to assist the ~~agency~~Town in better managing requests and expending agency resources efficiently.

IV. Items to be Aware of in Managing Public Records

1. An ~~agency~~Town must follow the document retention policy schedule that is applicable to ~~that agency~~the Town which is produced by the Division of Archives and Records in the office of the North Carolina Department of Natural and Cultural Resources.
2. Public records should only be disposed of by an ~~agency~~the Town in accordance with these records schedules.
3. ~~The Town~~ Governor McCrory's Executive Order 12 requires email retention for five years and orders all executive branch employees to treat e-mail messages which they send or receive in connection with the transaction of public business as public records.
4. Any time a personal e-mail account is used to conduct ~~State~~Town business, the e-mail must be retained. Even if it is contained in a personal e-mail account, any e-mail related to the transaction of Town~~State~~ business is a public record. It is recommended you either: (A) forward the e-mail from your personal e-mail account to your Town~~State~~ e-mail account so it may be captured in the e-mail archive, or (B) print the e-mail and keep it in a separate file. If printed, that printed record will need to be searched in response to any public records request for e-mails.

The recommendations presented in this document are intended to improve upon and streamline the process for responding to public records requests. This policy is meant to serve as general guidelines. We recognize that the circumstances vary and encourage you to evaluate each request on a case-by-case basis and consult with legal staff as needed.

S/
Mayor

¹An ~~agency~~The Town may ask, but cannot require, a requestor to submit their records request in writing.