

Lewisville Town Council
Briefing and Action Meeting Agenda
November 4, 2021 - 6:30 p.m.
Lewisville Town Hall 1st Floor Council Chambers
6510 Shallowford Road

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83007378005?pwd=UU5aMXYySU00VElZU3A2Rng5eHlOZz09>

Passcode: 537190

Or

Telephone: US: +1 312 626 6799

Webinar ID: 830 0737 8005

Passcode: 537190

-
-
1. **Call to Order:**
 - a. Roll Call
 - b. Adoption of Agenda

 2. **Guests, Introductions, Recognitions and Presentations for November 4, 2021**
 - a. Dora Moore - new town clerk

 3. **Items That Require Council Direction**
 - a. Discussion on the placement of solar panels

 4. **Items Requiring Action at Briefing**
 - a. [Ordinance 2021060](#) - amending Budget Ordinance 2021001 in the amount of \$15,000.⁰⁰ to increase the budget for the supplies at the Mary Alice Warren Community Center
 - b. Under §143-318.10(e), an account of a closed session conducted in compliance with G.S. 143-318.11 may be withheld from public inspection so long as public inspection would frustrate the purpose of a closed session. The following sets of minutes may now be unsealed at this point in time as they no longer will frustrate the purpose of their closed session: 01-14-1998, 01-14-1999, 03-11-1999, 01-11-2001, 03-01-2001, 01-06-2004, 01-30-2004, 02-05-2004, 02-12-2004, 06-10-2004, 06-02-2005, 07-14-2005, 02-02-2006, 10-05-2006, 10-12-2006, 06-08-2006, 07-13-2006, 10-04-2007, 02-07-2008, 04-03-2008, 04-10-2008, 05-01-2008, 05-07-2008, 08-07-2008, 04-02-2009, 09-03-2009, 05-13-2010, 08-05-2010, 09-09-2010, 10-07-2010, 11-04-2010, 01-06-2011, 02-10-2011, 04-07-2011, 05-05-2011, 06-02-2011, 08-04-2011, 09-01-2011, 09-08-2011, 10-06-2011, 10-13-2011, 11-03-2011, 11-10-2011, 02-09-2012, 03-01-2012, 07-20-2012, 02-18-2014, 03-06-2014, 04-10-2014, 06-12-2014, 08-14-2014, 09-11-2014, 11-06-2014, 11-13-2014, 12-04-2014, 12-08-2014, 02-12-2015, 03-09-2015, 03-12-2015, 03-26-2015, 04-09-2019, 05-14-2015, 07-09-2015, 08-13-2015, 01-14-2016, 05-05-2016, 05-12-2016, 07-07-2016, 09-01-2016, 10-13-2016, 11-03-2016, 12-08-2016, 01-12-2017, 03-09-2017, 06-07-2018, 08-02-2018, 07-05-2018, 03-14-2019, 07-02-2019, 08-08-2019, 11-05-2020, 12-03-2020, 04-01-2021, 04-08-2021, 04-28-2021, 05-06-2021, 05-10-2021, 06-03-2021.

Lewisville Town Council
Briefing and Action Meeting Agenda
November 4, 2021 - 6:30 p.m.
Lewisville Town Hall 1st Floor Council Chambers
6510 Shallowford Road

- c. [Ordinance 2021061](#) - amending Budget Ordinance 2021001 in the amount of \$7,425.00 to increase the budget for UDO updates by Municode

- 5. **Unfinished Business:**
 - a. None.

- 6. **Administrative Reports:**
 - a. Manager
 - i. Pre-bid meeting re: Gateway Project
 - ii. Discussion of Moser property on Lewisville-Vienna Road
 - b. Attorney
 - i. None.
 - c. Public Works
 - i. Paving update
 - d. Planning
 - i. Update on the UDO re-write
 - e. Finance
 - i. None.
 - f. Clerk
 - i. Town Hall will be closed this coming Thursday, November 11, 2021 for the observance of Veterans Day.

- 7. **Agenda Items for Regular Meeting on [November 10, 2021](#)**
 - a. Tentative Agenda
 - i. **Consent Agenda**
 - (1) [Resolution 2021070](#) - Acceptance and Approval of Monthly [Financials for the one month ending September 30, 2021](#)
 - (2) Approval of Town Council Briefing Meeting [Minutes - October 7, 2021](#)
 - (3) Approval of Town Council Meeting [Minutes - October 14, 2021](#)
 - ii. **Introductions, Recognitions, Presentations and/or Proclamations**
 - (1) Presentations
 - (a) Sheriff's Office Report
 - (b) Gibson and Company - Audit Report
 - iii. **Appointments**
 - (1) None
 - iv. **Public Hearings**
 - (1)
 - v. **Review(s) for Compliance**
 - (1) [Resolution 2021071 - L-PBR 2021002](#) - vacant 2.37 acres located on the Great Wagon Road zoned PB (Pedestrian Business) requesting

Lewisville Town Council
Briefing and Action Meeting Agenda
November 4, 2021 - 6:30 p.m.
Lewisville Town Hall 1st Floor Council Chambers
6510 Shallowford Road

approval by Maple Tree Investments (c/o Todd Conley) for all uses in the PB zoning District to build a post office

- vi. **Preliminary Site Plan Review(s)**
 - (1) None.
 - vii. **Evidentiary Hearings**
 - (1) None.
 - viii. **Old Business**
 - (1) Update on boards and committees
 - ix. **New Business**
 - (1) [Resolution 2021067](#) - Adopting the 2021 General Records Schedule for Local Government Agencies Standards 1-10 for Municipalities concerning when administrative/reference value ends
 - (2) [Resolution 2021068](#) - Adopting the 2021 Program Records Schedule for local government agencies standard 11-21 for Municipalities concerning when administrative/reference value ends
 - (3) [Resolution 2021069](#) - setting a public hearing on L-101 for December 9, 2021 to rezone 771 Williams Road from RS-20 to HB-C requested by Advanced Appliance Service c/o Mike & Laura Cooper
 - b. Approval of Tentative Agenda for regular meeting on **November 10, 2021**
8. **For the Good of the Order:**
- a. Council Discussion/Comments
9. **Adjournment**

Town of Lewisville

Budget Amendment Ordinance 2021060
Amending Budget Ordinance 2021001

Finance Department Use Only
<i>Budget Amendment Number: # 13</i>
<i>Finance Officer: PAM ORRELL</i>

<i>DEBIT</i>			<i>CREDIT</i>		
<i>CODE</i>	<i>ACCOUNT DESCRIPTION</i>	<i>AMOUNT</i>	<i>CODE</i>	<i>ACCOUNT DESCRIPTION</i>	<i>AMOUNT</i>
10-80-6120-2004	General Fund Parks & Recreation - MAW CC Supplies	\$15,000.00	10-00-3990-9000	General Fund Fund Balance Appropriated	\$15,000.00

To increase the budget for the supplies at the Mary Alice Warren Community Center

RECOMMENDED By: Pam Orrell
Town Finance Officer

Approved and effective upon adoption, this the 4th day of November, 2021 by the Lewisville Town Council.

APPROVED: _____
Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

Town of Lewisville

**Budget Amendment Ordinance 2021061
Amending Budget Ordinance 2021001**

Finance Department Use Only
<i>Budget Amendment Number: # 14</i>
<i>Finance Officer: PAM ORRELL</i>

<i>DEBIT</i>			<i>CREDIT</i>		
<i>CODE</i>	<i>ACCOUNT DESCRIPTION</i>	<i>AMOUNT</i>	<i>CODE</i>	<i>ACCOUNT DESCRIPTION</i>	<i>AMOUNT</i>
10-00-4110-6000	General Fund Governing Body - Contracted Services	\$7,425.00	10-00-3990-9000	General Fund Fund Balance Appropriated	\$7,425.00

To increase the budget for UDO updates by Municode

RECOMMENDED By: Pam Orrell
Town Finance Officer

Approved and effective upon adoption, this the 4th day of November, 2021 by the Lewisville Town Council.

APPROVED: _____
Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk

**RESOLUTION 2021070 OF THE LEWISVILLE TOWN COUNCIL
PERTAINING TO
ACCEPTANCE AND APPROVAL OF MONTHLY DISBURSEMENTS**

WHEREAS, the Finance Officer has presented the Town Council with the Revenue Statement Summary and the Encumbrances and Expenditure Statement Summary of figures for the two months ending September 30, 2021; and

WHEREAS, the Finance Officer did not report any unusual expenditures.

NOW, THEREFORE, BE IT RESOLVED THAT the Lewisville Town Council accepts the Revenue Statement Summary and the Encumbrances and Expenditure Statement Summary for the two months ending September 30, 2021 and incorporated herein.

Resolved and effective upon adoption, this the 10th day of November, 2021 by the Lewisville Town Council.

ATTEST:

Mike Horn, Mayor

Joyce C. McWilliams Walker, Town Clerk

Town of Lewisville
Financial Budget to Actual Report - General Fund
Three Months Ended September 30, 2021

General Fund

Revenues	Budget	Revenue Year to Date	Uncollected	Percentage Collected
Property Tax Collections	\$ 2,765,490.00	\$ 237,245.27	\$ 2,528,244.73	8.58%
Sales Tax Revenue	896,530.00	93,771.76	802,758.24	10.46%
Other Revenues	1,224,570.00	196,099.40	1,028,470.60	16.01%
Total	4,886,590.00	\$ 527,116.43	\$ 4,359,473.57	10.79%
Appropriation from Fund Balance	450,883.00			
	<u>\$ 5,337,473.00</u>			

Departments	Budget	Expenditures Year to Date	Encumbrances Year to Date	Unencumbered and Unspent Balance	Percentage of Budget Spent or Encumbered
Governing Body	\$ 265,395.00	\$ 51,650.00	\$ 35,990.50	\$ 177,754.50	33.02%
Administration	703,530.00	167,417.45	16,644.22	519,468.33	26.16%
Student Leadership	700.00	-	-	700.00	0.00%
Finance	246,851.00	63,244.98	-	183,606.02	25.62%
Debt Service	236,000.00	236,000.00	-	-	100.00%
Planning & Zoning	462,820.00	52,183.29	44,538.65	366,098.06	20.90%
Beautification	90,800.00	14,225.01	56,775.03	19,799.96	78.19%
Community Policing	699,745.00	7,803.42	-	691,941.58	1.12%
Public Safety	10,150.00	1,925.00	-	8,225.00	18.97%
Public Works	468,334.00	89,492.73	80,486.01	298,355.26	36.29%
Streets	250,904.00	2,380.01	8,789.59	239,734.40	4.45%
Powell Bill	316,750.00	10,085.70	600.00	306,064.30	3.37%
Storm Water	115,341.00	10,019.00	27,699.26	77,622.74	32.70%
Solid Waste	862,605.00	133,409.76	-	729,195.24	15.47%
Recycling	7,195.00	145.00	-	7,050.00	2.02%
Parks and Recreation	365,353.00	89,227.43	41,873.08	234,252.49	35.88%
Transfers to Capital Reserves	235,000.00	235,000.00	-	-	100.00%
Total	<u>\$ 5,337,473.00</u>	<u>\$ 1,164,208.78</u>	<u>\$ 313,396.34</u>	<u>\$ 3,859,867.88</u>	27.68%

General Fund Balance 7/1/2020	\$ 7,254,710.83
Increase (Decrease) FYE 6/30/2021 (Preliminary)	(1,086,847.68)
Year-to-Date Increase (Decrease) FY 6/30/2022	(637,092.35)
General Fund Balance 9/30/2021	<u>\$ 5,530,770.80</u>

Town of Lewisville
Financial Budget to Actual Report - Willow Run Municipal Service District
Three Months Ended September 30, 2021

Willow Run Municipal Service District

Revenues	Budget	Revenue Year to Date	Uncollected	Percentage Collected
Revenues	\$ 40,750.00	\$ 2,415.02	\$ 38,334.98	5.93%
Total	\$ 40,750.00	\$ 2,415.02	\$ 38,334.98	5.93%
Appropriation from Fund Balance	\$ -			
	<u>\$ 40,750.00</u>			

	Budget	Expenditures Year to Date	Encumbrances Year to Date	Unencumbered and Unspent Balance	Percentage of Budget Spent or Encumbered
Expenditures	\$ 40,750.00	\$ 1,200.00	\$ 16,800.00	\$ 22,750.00	44.17%
Total	\$ 40,750.00	\$ 1,200.00	\$ 16,800.00	\$ 22,750.00	44.17%

MSD Fund Balance 7/1/2020	\$ 165,275.34
Increase (Decrease) FYE 6/30/2021 <i>(Preliminary)</i>	28,564.91
Year-to-Date Increase (Decrease) FY 6/30/2022	1,215.02
MSD Fund Balance 9/30/2021	<u>\$ 195,055.27</u>

**Town of Lewisville
Other Funds
September 30, 2021**

Capital Reserves Funds

GWR ROW/Construction Capital Reserve	\$ 1,049,426.09
Sidewalks, Bike Paths, and Greenways Capital Reserve	132,061.26
Municipal Buildings/Land Capital Reserve	130,217.65
Public Works Facility Capital Reserve	329,681.97
Total Capital Reserve Fund Balances	<u><u>\$ 1,641,386.97</u></u>

Capital Projects Funds

GWR ROW/Construction Capital Project	\$ 734,807.37
JWP Maintenance Facility/Playground Expansion Capital Project	20,628.70
Gateway Project Capital Project	214,177.93
Community Center Capital Project	1,397,877.08
Roundabout at Lewisville-Vienna Road and Robinhood Road Capital Project	257,605.95
Total Capital Projects Fund Balances	<u><u>\$ 2,625,097.03</u></u>

Special Revenue Funds

American Rescue Plan Special Revenue Fund	\$ 2,012,235.75
Total Special Revenue Funds	<u><u>\$ 2,012,235.75</u></u>

DRAFT
Lewisville Town Council
Briefing and Action Meeting Minutes
October 7, 2021 - 6:30 p.m.

Lewisville Town Hall 1st Floor Council Chambers - 6510 Shallowford Road

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83007378005?pwd=UU5aMXYySU00VElU3A2Rng5eHlOZz09>

Passcode: 537190

Or

Telephone: US: +1 312 626 6799

Webinar ID: 830 0737 8005

Passcode: 537190

1. **Call to Order:**

- a. Mayor Horn called the meeting to order at 6:30 p.m. Council Members present were Jeanne Marie Foster, Melissa Hunt, and David Smitherman. Council Member Franklin had advised that he would not be able to attend and Council Members Sadler and Welch will be late. Also present were Town Manager Hank Perkins, Attorney Bo Houff, Finance Office Pam Orrell, Planner Stacy Tolbert, Public Works Director Ryan Moser and Town Clerk Joyce Walker.
- b. Adoption of Agenda
 - i. Mrs. Linker and Mrs. Frey were present for the architectural survey update.
 - (1) The HRC resolution was moved forward for discussion following Ms. McCullough's presentation.
 - ii. Council Member Smitherman moved to approve the agenda as amended. The motion was seconded by Council Member Foster and approved by a roll call vote of ayes from Council Members Foster, Hunt, Smitherman and Mayor Horn.

2. **Guests, Introductions, Recognitions and Presentations for October 7, 2021**

- a. Michelle McCullough was electronically admitted and introduced to provide an update on the Forsyth County Architectural Survey Project.
 - i. The first project encompassed the City of Winston-Salem and was done in 1980.
 - ii. This update will include historical properties in the county and other municipalities.
 - (1) The Lewisville Historical Society (LHS) assisted the consultant.
 - (2) Some of the information can be electronically accessed.
 - iii. There is an interlocal agreement to move to the last phases of the project.
 - (1) All details of the project are in the agreement, including costs.

Council Member Sadler was electronically admitted to the meeting at 6:38 p.m.

- iv. Susan Linker, LHS member, stated that this is a very important effort and a worthy investment.
- v. [Resolution 2021065](#) - approving Interlocal Agreement with Forsyth County for Historic Resource Commission's next phase of work for the Forsyth County

DRAFT
Lewisville Town Council
Briefing and Action Meeting Minutes
October 7, 2021 - 6:30 p.m.

Lewisville Town Hall 1st Floor Council Chambers - 6510 Shallowford Road

architectural survey project was moved from the October 14th agenda for approval at this meeting.

- (1) Council Member Smitherman moved to approve Resolution 2021065. The motion was seconded by Council Member Melissa Hunt and approved by a roll call vote of ayes from Council Members Foster, Hunt, Sadler, Smitherman and Mayor Horn. Resolution 2021065 is herein incorporated into the minutes.

Parks and Recreation Chair Susan Frey was also admitted electronically to the meeting.

- b. Susan Linker, Beautification Committee chair, provided an update on the boxwood project for the Mary Alice Warren Community Center.

Council Member Welch was electronically admitted to the meeting at 6:49 p.m.

- i. The original location had irrigation lines that prevented the boxwoods from being placed at the first location that was chosen and which was concurred by council.
- ii. A drawing was provided to show the new location in the circle in the front of the building which will also include the donated heron sculpture.
- iii. After reviewing the drawing, Council Member Foster moved to okay the new location for the project. The motion was seconded by Council Member Hunt and approved by a roll call vote of ayes from Council Members Foster, Hunt, Smitherman and Mayor Horn.
 - (1) This will be taken to the Parks and Rec board for concurrence at their next meeting.

3. Items That Require Council Direction

- a. Architectural assessment of the G. Galloway Reynolds Community Center (GGR CC)
 - i. Mr. Perkins reminded everyone that this assessment was approved during the budget process.
 - (1) This assessment is to determine whether there should be a change in use of the building.
 - (2) One suggestion is to move members of the Sheriff's Office from the Annex to the building.
 - (3) Another part of the plan is to move public works to its own facility.
 - (4) Mayor Horn said he was not sold on moving the deputies behind the library because of visibility.
 - (a) Staff was asked to place this subject on council's retreat.
 - (i) The subject of moving deputies is a conversation that needs to be held with the Sheriff.
 - (ii) He also said if the most pressing item is a facility for

DRAFT
Lewisville Town Council
Briefing and Action Meeting Minutes
October 7, 2021 - 6:30 p.m.

Lewisville Town Hall 1st Floor Council Chambers - 6510 Shallowford Road

public works, then the focus should be on public works.

4. Items Requiring Action at Briefing

a. None.

5. Unfinished Business:

a. Board and committee update

i. The full report on this project will be at the November meeting since all council members are not present for this meeting and information is still being compiled.

6. Administrative Reports:

a. Manager

i. The Gateway Project ad will again be published this month seeking applicants to contract for the project.

(1) A full ad will be placed on October 17th.

(2) There will be a non-mandatory pre-conference meeting.

(3) Bids will be opened on November 18th with a start of the project in February 2022.

(a) Even if there is only one bid, it may be accepted.

ii. Future of the plays

(1) Parks and Recreation concurred with delaying the plays to August 2023, not knowing what the state of the pandemic will be.

iii. Programming for the Mary Alice Warren Community Center

(1) There was discussion on reclassifying the coordinator's position and hiring a new receptionist or whether a program coordinator could be absorbed into the existing reception position.

(2) For now, Mrs. Howard will take on the responsibilities of programming for the facility.

(3) Council would like to be proactive instead of reactive and will watch this carefully.

iv. A new person has been added to public works.

v. Mr. Perkins announced interviews have been conducted for the clerk position held by Mrs. Walker who will be retiring.

b. Attorney

i. None.

c. Public Works

i. Duct system cleaning for Town Hall

(1) There has been no maintenance on the air system since moving into the building.

(2) There is a humidity problem on the third floor.

(3) The air handler needs to be cleaned. Mr. Moser is waiting on quotes and

DRAFT
Lewisville Town Council
Briefing and Action Meeting Minutes
October 7, 2021 - 6:30 p.m.

Lewisville Town Hall 1st Floor Council Chambers - 6510 Shallowford Road

a contract will be on the agenda for next week.

- d. Planning
 - i. None.
- e. Finance
 - i. None.
- f. Clerk
 - i. The annual ZBOA report has been sent to Council.

Lewisville Zoning Board of Adjustment
Annual Report to Town Council
July 1, 2020 - June 30, 2021

DRAFT
Lewisville Town Council
Briefing and Action Meeting Agenda
October 7, 2021 - 6:30 p.m.

Lewisville Town Hall 1st Floor Council Chambers - 6510 Shallowford Road

Date:	Attendance:	Activity:	Actions Taken:
<p>May 25, 2021</p>	<p>Lewisville Zoning Board of Adjustment Members; Enforcement Staff; Town Attorney</p> <p>Scott Ayers and Rick Hermann reached their maximum 3-year, 3-term appointments which expired on March 31, 2020, which was already into COVID, and Susan Stevens asked not to be reappointed but this was before Council removed the 3-year term limits.</p> <p>As required by 160D, board members Fulton, Hill, Horner, Hunt and May were administered the Oath of Office.</p> <p>Ken Wernick was elected Chair and Jennifer Hill was elected Vice Chair</p> <p>Materials were provided on Chapter 160D of the General Statutes, the Open Meetings Law and Conflict of Interest.</p>	<p>Case Z2100248 Dwayne and Dinah Burnette were requesting permission to continue to place an accessory dwelling (Manufactured Home, Class B) on a 1.72-acre tract of land with an existing Manufactured Home, Class A located at 602 Ketner Road, (accessory address is 594 Ketner) approximately 1 mile north of Shallowford Road. Property is zoned RS9. Tax Block 4425, Tax Lot 035F, PIN 5896-01-5542.</p> <hr/> <p>Case Z2100264 Ruby Grimes was requesting permission to continue to place a Manufactured Home, Class C on a .48-acre tract of land located at 7730 Grapevine Road(north side of a private drive), approximately 650 feet northwest of intersection of Sedgewick Ridge Road and Grapevine Road. Property is zoned RS20. Tax Block 4612, Tax Lot 034L, PIN 5876-72-9421</p> <hr/> <p>Case Z2100270 Aaron and Kathy Crum were requesting permission to continue to occupy an accessory dwelling (Garage) on a .51-acre tract of land with an existing dwelling located at 912 Bouzeke Road, approximately 450 feet south of Holly Hedge Drive. Property is zoned RS9. Tax Block 4426B, Tax Lot 007, PIN 5885-63-6772</p>	<p>Permit was approved for another five years.</p> <hr/> <p>The Permit was granted for two (2) years in order to have the safety issues that were discussed reviewed by a professional to determine what needs to be done.</p> <hr/> <p>This special use permit was approved for five (5) years.</p>

DRAFT
Lewisville Town Council
Briefing and Action Meeting Agenda
October 7, 2021 - 6:30 p.m.

Lewisville Town Hall 1st Floor Council Chambers - 6510 Shallowford Road

		<p>Case # Z2000130 William and Candy Doomy were requesting a special use permit for a constructed oversize accessory structure on a 1.422-acre tract of land located at 3345 Clarice Avenue. Property is zoned RS30. Tax Block 4677, Tax Lot 120, PIN 5887-68-0300.</p> <hr/> <p>Case # Z2000117 William and Candy were requesting a variance of the required rear yard setback for a constructed accessory structure on a 1.422-acre tract of land located at 3345 Clarice Avenue. Property is zoned RS30. Tax Block 4677, Tax Lot 120, PIN 5887-68-0300.</p>	<p>Continued from January 25, 2020, this request was approved.</p> <hr/> <p>The variance was granted as built.</p>
<p>June 22, 2021</p>	<p>Lewisville Zoning Board of Adjustment Members; Town Attorney, and Enforcement Staff</p>	<p>Case # Z2100327 John Phipps requests permission to continue to place a Manufactured Home, Class A C on a 1.17-acre tract of land located at 8260 Lake Ridge Drive, approximately 1300 feet south of Dull Road. Property is zoned RS20. Tax Block 4405, Tax Lot 022C, PIN 5874-88-5816. (The class information was corrected - noted as a typing error.)</p>	<p>This case was continued to the October meeting.</p>

October 7, 2021

Respectfully submitted:

Joyce C. McWilliams Walker

Joyce C. McWilliams Walker
Town Clerk

DRAFT
Lewisville Town Council
Briefing and Action Meeting Agenda
October 7, 2021 - 6:30 p.m.

Lewisville Town Hall 1st Floor Council Chambers - 6510 Shallowford Road

7. **Agenda Items for Regular Meeting on [October 14, 2021](#)**
- a. Tentative Agenda
- i. **Consent Agenda**
- (1) [Resolution 2021066](#) - Acceptance and Approval of Monthly [Financials for the two months ending August 31, 2021](#)
- (2) Approval of Town Council Briefing Meeting [Minutes - September 2, 2021](#)
- (3) Approval of Town Council Meeting [Minutes - September 9, 2021](#)
- ii. **Introductions, Recognitions, Presentations and/or Proclamations**
- (1) Presentations
- (a) Sheriff's Office Report
- iii. **Appointments**
- (1) None.
- iv. **Public Hearings**
- (1) [Ordinance 2021057](#) - Public hearing to receive comments on UDO L-099 for Longwood Village's request for a site plan amendment
- (a) The original site plan had 38 lots.
- (b) Because of environmental concerns, the number of lots has been reduced to 34.
- (c) The site plan change must follow the same process as the original approval.
- (d) Planning Board has had its public hearing and has recommended approval to the Council.
- v. **Technical Review(s)**
- (1) None.
- vi. **Preliminary Site Plan Review(s)**
- (1) None.
- vii. **Evidentiary Hearings**
- (1) None.
- viii. **Old Business**
- (1) *Lewisville Tomorrow* update
- (a) The consultants will be available at the regular meeting to provide an update to the status of the Comprehensive Plan and the Parks and Recreation Master Plan.
- (b) There is some information available on the town's web site.
- (i) Mrs. Tolbert will check to see if there will be any material available for Council's review prior to next week's meeting.
- ix. **New Business**
- (1) [Resolution 2021065](#) - approving Interlocal Agreement with Forsyth County

DRAFT
Lewisville Town Council
Briefing and Action Meeting Agenda
October 7, 2021 - 6:30 p.m.

Lewisville Town Hall 1st Floor Council Chambers - 6510 Shallowford Road

for Historic Resource Commission's next phase of work for the Forsyth County architectural survey project (See above for approval)

- (2) [Ordinance 2021056](#) - declaring a road closure for a Christmas Parade
 - (a) Council decided to approve this at tonight's meeting.
 - (b) Council Member Smitherman moved to approve Ordinance 2021056. The motion was seconded by Council Member Hunt and approved unanimously by a roll call vote of ayes from Council Members Foster, Hunt, Sadler, Smitherman, Welch and Mayor Horn.
 - b. Approval of Tentative Agenda for regular meeting on **October 14, 2021**
 - i. Council Member Foster moved to approve the tentative agenda for the October 14th meeting. The motion was seconded by Council Member Hunt and approved unanimously by a roll call vote of ayes from Council Members Foster, Hunt, Sadler, Smitherman, Welch and Mayor Horn.
8. **For the Good of the Order:**
- a. Council Discussion
 - i. Update on the Mary Alice Warren Community Center
 - (1) The slope has shown a vast improvement and the work should be finished by Wednesday at which time it will be hydro-seeded.
 - (2) The internal and external punch lists are being worked on;
 - (3) Chains for the gutters are going up.
 - (4) The ribbon cutting will be held on Sunday, November 14th at 2:00 p.m.
 - (5) Open house for residents will be from Tuesday, November 16th to Friday, November 19th 4:00 p.m. to 7:00 p.m. and on Saturday, November 20th from 9:00 a.m. to noon.
 - b. Closed Session
 - i. Attorney Houff read the reason for going into close session: §143-318.11(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure.
 - ii. Council Member Welch moved to go into closed session at 7:52 p.n. The motion was seconded by Council Member Hunt and approved unanimously by a roll call vote of ayes from Council Members Foster, Hunt, Sadler, Smitherman, Welch and Mayor Horn.
 - iii. Council Members returned from closed session at 8:15 p.m.
9. **Adjournment**
- a. Having no other business to discuss, Council Member Smitherman moved to adjourn the

DRAFT
Lewisville Town Council
Briefing and Action Meeting Agenda
October 7, 2021 - 6:30 p.m.

Lewisville Town Hall 1st Floor Council Chambers - 6510 Shallowford Road

meeting at 8:16 p.m. The motion was seconded by Council Member Sadler and approved unanimously by a roll call vote of ayes from Council Members Foster, Hunt, Sadler, Smitherman, Welch and Mayor Horn.

**TOWN OF LEWISVILLE
RESOLUTION 2021071 L-PBR 2021002
APPROVING THE SITE PLAN FOR ZIP CODE 27023 POST OFFICE**

WHEREAS, Maple Tree Investment c/o Todd Conley has requested a review for compliance for a property zoned PB (Pedestrian Business); and

WHEREAS, the developer wishes to build a facility to house Zip Code 27023 Post Office; and

WHEREAS, the Lewisville Post Office has outgrown its present building site and needs to be relocated; and

WHEREAS, the property located as PIN's 5885-28-4784 and 5885-28-2755 off of the Great Wagon Road (GWR) have been located as a new location for Zip Code 27023 Post Office; and

WHEREAS, the property is already zoned PB and does not require a public hearing to fulfill this request; and

WHEREAS, this property is located in the Downtown Overlay District; and

WHEREAS, the Lewisville Planning Board held its Review for Compliance on October 13, 2021 and recommended approval to Council.

NOW THEREFORE BE IT RESOLVED THAT the Lewisville Town Council approves the site plan and elevations for the proposed project.

Approved this, the 10th day of November, 2021.

Mike Horn,
Mayor

ATTEST:

Joyce C. McWilliams Walker
Town Clerk

STAFF REPORT

New Lewisville Post Office

DOCKET: L-PBR 2021002
STAFF: Stacy Tolbert, Town Planner

Petitioner: Maple Tree Investments c/o Todd Conley
Ownership: Thomas H. Fowler Family LLC

REQUEST OF AMENDMENT:

Zoning: PB (Pedestrian Business)
Uses Allowed: All uses in PB Zoning District
PIN#(s): 5885-28-4784 & 5885-28-2755
Acreage: 2.37 Acres

LOCATION:

Street: Great Wagon Road
Jurisdiction: Town of Lewisville

PROPERTY SITE/IMMEDIATE AREA:

Existing Structures on Site: The site is currently vacant.

Adjacent uses:

- * North - Commercial property, 6260 Jennings Road, zoned Limited Business (LB)
- * East - Lowes Foods Shopping Center, 177 Lowes Foods Drive, zoned PB-S
- * South - Great Wagon Road frontage, Roller Mill and other commercial establishments, 6275 Shallowford Road, zoned PB
- * West - Single family residence, 171 Lewisville-Vienna Road, zoned PB

GENERAL AREA:

Character/Maintenance: This area is located in the Downtown Overlay District which includes residential, commercial and recreational uses.

PHYSICAL FEATURES:

Topography: The site is predominately flat.

Vegetation/habitat: The property is covered with natural vegetation including maintained grasses and some trees.

Impact on Existing Features: Impacts are to be expected, However the main building is to be placed on the area of the property that is open space.

WATER AND SEWER FACILITIES:

Public water and sewer are available to the site.

TRANSPORTATION:

Direct Access to Site: Great Wagon Road

Street Classification(s): Local arterial

Average Daily Traffic Count/Estimated: Closest measurement is Shallowford Rd at 10,000 adt

HISTORY/RELEVANT ZONING CASES:

- * L-PBR 2000001; Planning Board Review Case for Technical Review of ABC Store; approved 04/13/2000; Planning Board and staff recommended approval.
- * There aren't many cases like this one where the property is already zoned Pedestrian Business and a proposal only needs to go through Technical Review for Compliance. Most properties have been rezoned from Residential districts to commercial districts.

CONFORMITY TO PLANS:

Lewisville Unified Development Ordinance (UDO) - This property is located within the Downtown Overlay District. A site plan along with elevations has been submitted for review of compliance with the Unified Development Ordinance. The site plan has been reviewed by staff and persons from the Technical Review Committee including the following agencies: Planning, Inspections, Addressing, Fire, Utilities, Stormwater, NCDOT, and Erosion Control. The proposal is for a relocation of the Lewisville Post Office. The site plan proposes a 6,000 square foot 1-story building with parking provided and required landscaping. The building materials are proposed to be brick with an asphalt shingle pitched roof. A covered entrance is proposed at the entrances of the building. Sidewalks are provided for the transition of pedestrians from Great Wagon Road to the building entrance and the loading/service area for the proposed use is located to the rear of the building and is screened from view. Overall, the proposal meets the requirements of the UDO.

Lewisville Comprehensive Plan Update 2015 - The Plan describes this area as being where higher density uses are appropriate, particularly where sewer is available. This area is located in the downtown area of Lewisville where it is recommended by the Comprehensive Plan to have a mixture of office, retail and residential uses.

The Plan contains a number of "Recommended Actions." In the chapter on Land Use, recommendations include: encourage responsible commercial development in the downtown and other established commercial areas; support design standards in the development of the downtown area; and allow for higher density zoning surrounding the downtown area.

Legacy Development Guide - *Legacy* encourages a mixture of office, retail and housing along Growth Corridors that do not contribute to "strip development." The property is located in Growth Management Area 1 which is Town Centers. Town Centers promotes a dense, mixed-use and pedestrian-oriented urban form and is the hub for government and private employment.

ANALYSIS:

This property was zoned prior to the incorporation of the Town of Lewisville and was zoned as a general use district. PB is primarily intended to accommodate office, retail, service, institutional and high density residential uses which customarily serve community and convenience business needs of smaller communities and urban nodes in the city and county. The district is intended to encourage the development of attractive, identifiable small towns, and to accommodate the pattern of building in the business concentrations surrounding the central core of municipalities. In the Unified Development Ordinance, a post office is a use allowed by right in the PB (Pedestrian Business) zoning district.

RECOMMENDATION:

Town staff is of the opinion that the request meets the standards of the Unified Development Ordinance. The site has available infrastructure to support the density of development that is being proposed. Statements found in both the *Lewisville Comprehensive Plan* and *Forsyth County Legacy Plan* encourages higher residential density that promotes pedestrian connectivity and availability in a downtown center.

PLANNING BOARD RECOMMENDATION:

The Planning Board voted unanimously at their October 13, 2021 meeting to recommend approval of the technical review for compliance to the Town Council.

L-PBR 2021002 New Lewisville Post Office

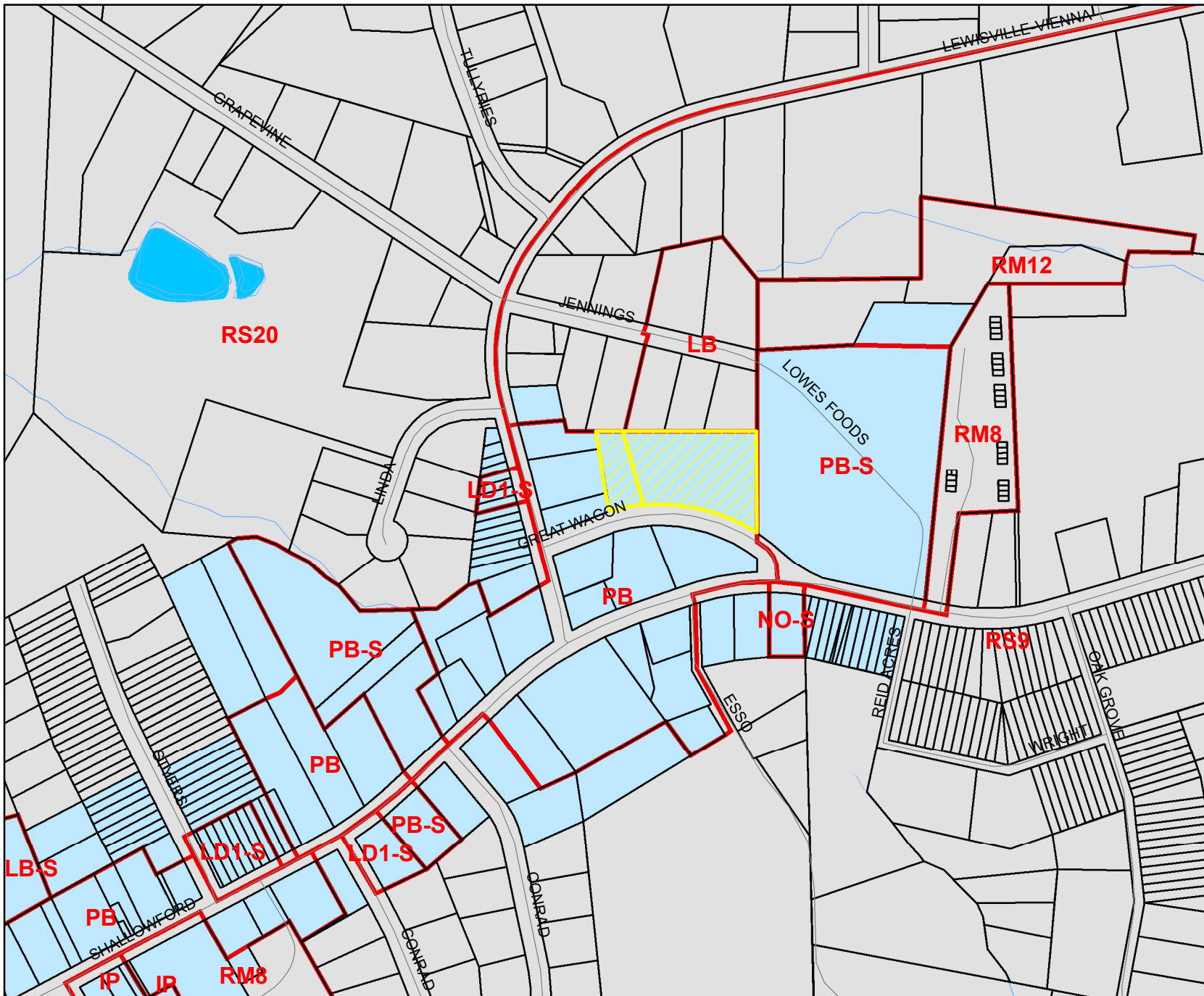
Legend

-  CENTERLINES
-  Legal Lot Lines
-  Streams
-  Pond / Lake
-  Zoning
-  Forsyth County
-  Lewisville
-  Property of Request
-  Downtown Core Area

PIN #: 5875-64-3831



1 inch = 400 feet



This map and analysis are provided "As Is" without warranty of any kind, either express or implied. The information contained in this map is for informational purposes only and was not prepared for, and is not suitable for legal, engineering, or surveying purposes. Use of these materials constitutes acceptance of this disclaimer of liability.

Created by: Stacy Tolbert

**RESOLUTION 2021067 OF THE LEWISVILLE TOWN COUNCIL
ADOPTING THE 2021 GENERAL RECORDS SCHEDULE FOR LOCAL GOVERNMENT
AGENCIES STANDARDS 1-10
FOR MUNICIPALITIES CONCERNING
WHEN ADMINISTRATIVE/REFERENCE VALUE ENDS**

WHEREAS, the North Carolina Department of Natural and Cultural Resources, Division of Archives and Records, Government Records Section has published the General Records Schedule for Local Government Agencies, which supersedes parts of the Municipal Retention and Disposition Schedule which it is charged with issuing; and

WHEREAS, G.S. §121-5 and G.S. §132 require a municipality to approve the schedule in order to conduct routine disposal of records which must otherwise be retained without specific permission for disposal by the Division of Archives and Records; and

WHEREAS, Administrative Standards will be updated on an annual basis; and

WHEREAS, the document attached to this Resolution is the form acknowledging the approval of the schedule as required by the Division of Archives and Records, Government Records Section; and

WHEREAS, this schedule reduces the burden and costs of record retention and maintains efficient Town records management.

NOW, THEREFORE, BE IT RESOLVED BY THE LEWISVILLE TOWN COUNCIL THAT:

The Town of Lewisville adopts the General Records Schedule for Local Government Agencies and the Disposition Schedule for Municipalities concerning when Administrative/Reference Value ends.

Adopted this the 10th day of November, 2021 by the Lewisville Town Council.

Mike Horn,
Mayor

ATTEST:

Joyce C. McWilliams Walker,
Town Clerk

2021 General Records Schedule: Local Government Agencies

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

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

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

Destructions

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

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

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

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

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

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

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

Audits and Litigation Actions

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

Electronic Records

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

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

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

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

Reference Copies

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

Record Copy

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

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

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

Transitory Records

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”²

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called transitory records. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

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

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

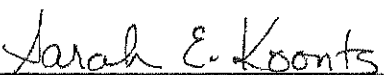
Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary’s seal), they must be retained according to the disposition instructions for the records series encompassing the forms’ function.

² Ibid.

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

APPROVAL RECOMMENDED


Municipal/County Clerk or Manager
Title: _____



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Head of Governing Body
Title: _____



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

Municipality/County: _____

Effective: October 1, 2021

EXECUTIVE SUMMARY

- ✓ Some records are covered by the Local Agency Program Retention and Disposition Schedules. See the appendix for Related Records Series Found in Local Agency Program Schedules.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions listed with the identified record series.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- ✓ The State Archives of North Carolina creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.

- ✓ If you have records that are not listed in this schedule, contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will ask you to complete a Request for Disposal of Unscheduled Records (page A-20) for records that are no longer being created.

**RESOLUTION 2021068 OF THE LEWISVILLE TOWN COUNCIL
ADOPTING THE 2021 PROGRAM RECORDS SCHEDULE
FOR LOCAL GOVERNMENT AGENCIES STANDARDS 11-21
FOR MUNICIPALITIES CONCERNING
WHEN ADMINISTRATIVE/REFERENCE VALUE ENDS**

WHEREAS, the North Carolina Department of Natural and Cultural Resources, Division of Archives and Records, Government Records Section has published the Program Records Schedule for Local Government Agencies, which supersedes parts of the Municipal Retention and Disposition Schedule which it is charged with issuing; and

WHEREAS, G.S. §121-5 and G.S. §132 require a municipality to approve the schedule in order to conduct routine disposal of records which must otherwise be retained without specific permission for disposal by the Division of Archives and Records; and

WHEREAS, Administrative Standards will be updated on an annual basis; and

WHEREAS, the document attached to this Resolution is the form acknowledging the approval of the schedule as required by the Division of Archives and Records, Government Records Section; and

WHEREAS, this schedule reduces the burden and costs of record retention and maintains efficient Town records management.

NOW, THEREFORE, BE IT RESOLVED BY THE LEWISVILLE TOWN COUNCIL THAT:

The Town of Lewisville adopts the Program Records Schedule for Local Government Agencies and the Disposition Schedule for Municipalities concerning when Administrative/Reference Value ends.

Adopted this the 10th day of November, 2021 by the Lewisville Town Council.

Mike Horn,
Mayor

ATTEST:

Joyce C. McWilliams Walker,
Town Clerk

Program Records Schedule: Local Government Agencies

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

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

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

Destructions

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

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

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

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

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

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

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

Audits and Litigation Actions

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

Electronic Records

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

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

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

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

Reference Copies

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

Record Copy

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

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

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

Transitory Records

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”²

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called transitory records. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

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

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary’s seal), they must be retained according to the disposition instructions for the records series encompassing the forms’ function.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. These schedules supersede previous versions of these schedules and any localized amendments; they are to remain in effect from the date of approval until they are reviewed and updated.

² Ibid.

APPROVAL RECOMMENDED

Municipal/County Clerk or Manager
Title: _____



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Head of Governing Body
Title: _____



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

County/Municipality: _____

Effective: October 1, 2021

EXECUTIVE SUMMARY

- ✓ Some records are covered by the *General Records Schedule: Local Government Agencies* and, therefore, are not listed separately here.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions listed with the identified record series.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- ✓ The State Archives of North Carolina creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.
- ✓ If you have records that are not listed in this schedule, contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will ask you to complete a [Request for Disposal of Unscheduled Records](#) (page A-19) for records that are no longer being created.

LEGEND FOR RECORDS SCHEDULE

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



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

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

Series – “a group of similar records that are . . . related as the result of being created, received, or used in the same activity.” (From Society of American Archivists, *Dictionary of Archives Terminology*). Series in this schedule are based on common functions in government offices.

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

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

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

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

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

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

AUDITS: PERFORMANCE

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

SEE ALSO: Audits: Financial (STANDARD 2: BUDGET, FISCAL, AND PAYROLL RECORDS).

Sample records series title and description with cross-reference included

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

**RESOLUTION 2021069 OF THE LEWISVILLE TOWN COUNCIL
SETTING A PUBLIC HEARING TO RECEIVE COMMENTS
ON UDO L-101 REZONING REQUEST BY ADVANCED APPLIANCE SERVICE
C/O MIKE & LAURA COOPER
REZONING FROM RS-20 TO HB-C
771 WILLIAMS ROAD**

WHEREAS, the Lewisville Planning Board held its public hearing on October 13, 2021; and

WHEREAS, the discussion for the recommendation was tabled to the October 27, 2021 meeting; and

WHEREAS, Chapter 160D-601 (a) of the North Carolina General Statutes provide that public notice be given when adopting or amending ordinances pertaining to planning and development; and

WHEREAS, General Statute 160D-601 (a) requires that a notice of a public hearing be published twice in a newspaper having general circulation in the municipality not less than 10 days nor more than 25 days before the date fixed for the public hearing; and

WHEREAS, General Statute 160D-601 provides for *Methods for Procedure*.

NOW, THEREFORE, BE IT RESOLVED THAT THE LEWISVILLE TOWN COUNCIL sets a public hearing for Thursday, December 9, 2021 at 7:00 p.m. for the purpose of receiving public comment concerning this request.

Adopted this the 10th Day of November, 2021 by the Lewisville Town Council.

APPROVED: _____
Mike Horn, Mayor

ATTEST: _____
Joyce C. McWilliams Walker, Town Clerk