

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: October 7, 2013

SUBJECT: Records Retention Schedule Amendment

PRESENTER: Terry Wilson

ATTACHMENTS: YES

1. Email from the Records Management Analyst
3. Amendments and signature pages for County Management, Register of Deeds, and Tax Administration

SUMMARY OF REQUEST:

The NC Department of Cultural Resources issued Amendments to the Records Retention Schedules for County Management, Register of Deeds, and the Tax Administration. The schedule is the primary way the Department of Cultural Resources gives its consent to destroy records as outlined in G.S. 121-5 and G.S. 132-3. Though the County has been utilizing this Schedule since its issuance, the Department of Cultural Resources has requested the Board officially approve the Amendments by signing the attached approval sheets. The signature sheets and associated changes are attached.

BOARD ACTION REQUEST:

The Board is requested to approve the Amendments as presented and authorize the Chairman and designated staff to execute the approval sheets as presented.

Suggested Motion:

I move the Board approves the Amendments as presented and authorize the Chairman and designated staff to execute the approval sheets as presented.

EMAIL of 9/17/2013

Dear County Clerks,

Hello! The NC Government Records Section has newly published four records retention schedule amendments that you will need to bring before your Boards for adoption in an open meeting. The amendments apply to the following retention schedules:

County Boards of Elections
County Management
County Register of Deeds
Tax Administration

Emily Hanna of our office has summarized the amendments at:
<http://ncrecords.wordpress.com/2013/09/10/5-new-local-retention-schedule-amendments/>. The full amendments are attached.

Please send us a copy of the signed signature page. You can mail it to the Records Analysis Unit, Government Records Section, 4615 Mail Service Center, Raleigh, NC 27699-4615, fax it to 919-715-3627, or scan it and email it to kurt.brenneman@ncdcr.gov. Thanks for all your help!

Sincerely,
Kurt

Kurt Brenneman
Records Management Analyst
N.C. Department of Cultural Resources
4615 Mail Service Center, Raleigh, NC 27699-4615
(919) 807-7357
(919) 715-3627 (fax)
kurt.brenneman@ncdcr.gov
Visit our new website at www.ncdcr.gov/archives

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The opinions expressed in this email may not be those
of my agency. E-mail correspondence to and from this
address may be subject to the North Carolina Public
Records Law "NCGS.Ch.132" and may be disclosed to
third parties by an authorized state official.
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**County Management
Records Retention Schedule Amendment**

Amending the County Management Records Retention and Disposition Schedule published April 15, 2013.

STANDARD 4. BUDGET, FISCAL AND PAYROLL RECORDS

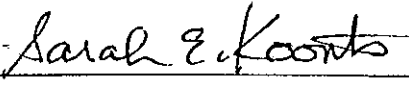
Amending item 32 Escheat and Unclaimed Property File as shown on substitute page 25.

STANDARD 11. PERSONNEL RECORDS

Amending item 19 Employee Eligibility Records as shown on substitute page 76.

APPROVAL RECOMMENDED

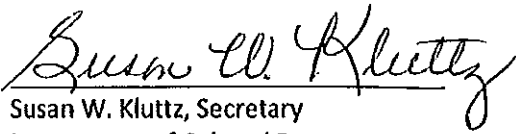
Chief Administrative Officer/
County Manager



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Chairman, Bd. County Commissioners



Susan W. Kluttz, Secretary
Department of Cultural Resources

August 28, 2013

County/Region

ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
26.	DEBT FINANCING RECORDS Includes bank statements, reconciliation records, requisitions, and notices of principal and interest due.	Destroy in office 3 years after entire issuance has been satisfied.*	26 CFR 1.148-5(d)(6)(iii)(E)
27.	DEPOSITS	a) Destroy in office official/audit copies after 3 years.* b) Destroy in office remaining records after 1 year.	G.S. § 159-32
28.	DETAIL REPORT FILE (FINANCIAL RECORDS FOR GENERAL FUND OR GENERAL LEDGER)	a) Destroy in office annual reports after 3 years.* b) Destroy in office all other reports after 1 year.	
29.	DIRECT DEPOSIT APPLICATIONS/AUTHORIZATIONS Includes related records such as bank account numbers and routing numbers.	Destroy in office when superseded or obsolete.	Comply with applicable confidentiality provisions of G.S. §132-1.10(b)(5) regarding personal identifying information.
30.	DISTRICT INVESTMENT RECORDS	Destroy in office after 3 years.*	
31.	DONATIONS AND SOLICITATIONS	Destroy in office after 1 year.	
32.	ESCHEAT AND UNCLAIMED PROPERTY FILE	a) Destroy in office after 10 years if report was filed prior to July 16, 2012.* b) Destroy in office after 5 years if report was filed after July 16, 2012.*	Comply with applicable provisions of G.S. §116B-60 and §116B-73.
33.	EXPENDITURE REPORTS	Destroy in office after 3 years.*	

*See *AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS*, page vi.

† See signature page. The agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Cultural Resources has scheduled with the disposition instruction "destroy when administrative value ends." Please use the space provided.

ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.	EMPLOYEE EDUCATIONAL ASSISTANCE PROGRAM RECORDS Includes records requesting tuition assistance, repayments, and other related records. See also PERSONNEL RECORDS (OFFICIAL COPY) item 45, page 83.	Destroy in office 3 years after completion, denial, repayment, or removal from program.*	
19.	EMPLOYEE ELIGIBILITY RECORDS Includes the United States Immigration and Naturalization Services, Employment Eligibility Verification (I-9) forms.	a) Destroy in office certificates, I-9 forms, and statements, 3 years after individual was hired or 1 year from date of separation, whichever occurs later. b) Destroy in office registers after 2 years.	8 USC 274a.2
20.	EMPLOYEE EXIT INTERVIEW RECORDS See also PERSONNEL RECORDS (OFFICIAL COPY) item 45, page 83.	Destroy in office after 1 year.	
21.	EMPLOYEE HEALTH CERTIFICATES Includes health or physical examination reports, or certificates created in accordance with Title VII and the Americans with Disabilities Act (ADA).	a) Transfer records as applicable to PERSONNEL RECORDS (OFFICIAL COPY) item 45, page 83. b) Destroy in office all other records 2 years after resolution of all actions.	

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

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**Register of Deeds
Records Retention Schedule Amendment**

Amending the Register of Deeds Records Retention and Disposition Schedule published October 10, 2012.

STANDARD 2. BUDGET, FISCAL, AND PAYROLL RECORDS

Amending item 26 Escheat and Unclaimed Property File as shown on substitute page 17.


STANDARD 5. PERSONNEL RECORDS

Amending item 18 Employee Eligibility Records as shown on substitute page 39.

Amending items 36 Family Medical Leave Act (FMLA) Records, 45 Leave File, and 46 Leave Without Pay File as shown on substitute pages 45 and 47.

APPROVAL RECOMMENDED

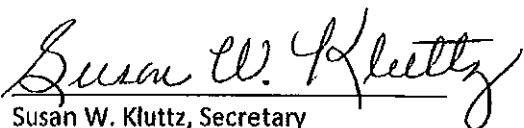
Register of Deeds



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Chairman
Board of County Commissioners



Susan W. Kluttz, Secretary
Department of Cultural Resources

August 29, 2013

County

ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.	CREDIT CARD AND DEBIT SLIPS Records of payments received from customers in the transaction of county business.	Destroy in office after 3 years.*	
19.	CREDIT CARD USE FILE	Destroy in office after 1 year.*	
20.	DAILY CASH REPORTS Daily status of cash. Reports include receipts, disbursements, cash and invested balances.	Destroy in office after 1 year.*	
21.	DAILY DETAIL REPORTS	Destroy in office after 1 year.*	
22.	DEPOSITS	a) Destroy in office official/audit copies after 3 years.* b) Destroy in office remaining records after 1 year.	G.S. § 159-32
23.	DETAIL REPORT FILE (FINANCIAL RECORDS FOR GENERAL FUND OR GENERAL LEDGER)	a) Destroy in office annual reports after 3 years.* b) Destroy in office all other reports after 1 year.	
24.	DIRECT DEPOSIT APPLICATIONS/AUTHORIZATIONS Includes related records such as bank account numbers and routing numbers.	Destroy in office when superseded or obsolete.	Comply with applicable confidentiality provisions of G.S. §132-1.10(b)(5) regarding personal identifying information.
25.	DISTRICT INVESTMENT RECORDS	Destroy in office after 3 years.*	
26.	ESCHEAT AND UNCLAIMED PROPERTY FILE	a) Destroy in office after 10 years if report was filed prior to July 16, 2012.* b) Destroy in office after 5 years if report was filed after July 16, 2012.*	Comply with applicable provisions of G.S. §116B-60 and §116B-73.

*Records may be disposed of following minimum retention period only if released from audits or other official action (excluding litigation). If applicable, see Litigation Case File, STANDARD-1. ADMINISTRATION AND MANAGEMENT RECORDS, item 30.

**Records in this series that are more than 60 years old, or have severe conservation concerns, may be offered to the State Archives of North Carolina for Permanent transfer.

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ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
17.	EMPLOYEE EDUCATIONAL ASSISTANCE PROGRAM RECORDS Includes records requesting tuition assistance, repayments, and other related records. See also PERSONNEL RECORDS (OFFICIAL COPY) item 50, page 48.	Destroy in office 3 years after completion, denial, repayment, or removal from program.*	
18.	EMPLOYEE ELIGIBILITY RECORDS Includes the United States Immigration and Naturalization Services, Employment Eligibility Verification (I-9) forms.	a) Destroy in office certificates, I-9 forms, and statements, 3 years after individual was hired or 1 year from date of separation, whichever occurs later. b) Destroy in office registers after 2 years.	8 USC 274a.2
19.	EMPLOYEE EXIT INTERVIEW RECORDS See also PERSONNEL RECORDS (OFFICIAL COPY) item 50, page 48.	Destroy in office after 1 year.	
20.	EMPLOYEE HEALTH CERTIFICATES Includes health or physical examination reports, or certificates created in accordance with Title VII and the Americans with Disabilities Act (ADA).	a) Transfer records as applicable to PERSONNEL RECORDS (OFFICIAL COPY) item 50, page 48. b) Destroy in office all other records 2 years after resolution of all actions.	29 CFR 1602.31

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ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
35.	EQUAL PAY RECORDS Includes reports, studies, aggregated or summarized data, and similar documentation compiled to comply with the Equal Pay Act.	Destroy in office after 2 years.	29 CFR 1620.32
36.	FAMILY MEDICAL LEAVE ACT (FMLA) RECORDS Records concerning leave taken, premium payments, employer notice, medical examinations considered in connection with personnel action, disputes with employees over FMLA and other related records.	Item discontinued. See LEAVE FILE , item 45, page 47.	
37.	FRINGE BENEFITS FILE	Destroy in office when administrative value ends.† Agency Policy: Destroy in office after _____	
38.	GRIEVANCE FILE Includes initial complaint, investigations, actions, summary, and disposition. May include disciplinary correspondence, including email. See also DISCIPLINARY FILE item 10, page 36 and PERSONNEL RECORDS (OFFICIAL COPY) item 50, page 48.	Destroy in office after 2 years.	

*Records may be disposed of following minimum retention period only if released from audits or other official action (excluding litigation). If applicable, see *Litigation Case File, STANDARD-1. ADMINISTRATION AND MANAGEMENT RECORDS, item 30.*

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ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
45.	LEAVE FILE Records concerning employee leave, including requests for and approval of sick, vacation, overtime, buy-back, shared, donated, military, etc. Includes premium payments, employer notice, medical examinations considered in connection with personnel action, disputes with employees over the Family Medical Leave Act (FMLA), and other related records.	Destroy in office 3 years after return of employee or termination of employment.*	29 CFR 825.110(b)(2)(i) 29 CFR 825.500(b)
46.	LEAVE WITHOUT PAY FILE	Item discontinued. See LEAVE FILE , item 45, page 47.	
47.	LONGEVITY PAY REQUESTS	Destroy in office when released from all audits.	
48.	MERIT AND SENIORITY SYSTEM RECORDS	a) Destroy in office employee-specific records after 3 years. b) Destroy in office system and plan records 1 year after no longer in effect.	29 CFR 1627.3
49.	PERSONNEL ACTION NOTICES Records used to create or change information in the personnel records of individual employees concerning such issues as hiring, termination, transfer, pay grade, position or job title, name change and leave.	a) Transfer records as applicable to PERSONNEL RECORDS (OFFICIAL COPY) item 50, page 48. b) Destroy in office all remaining records 2 years from date record was created, received, or the personnel action involved.	

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**Tax Administration
Records Retention Schedule Amendment**

Amending the Tax Administration Records Retention and Disposition Schedule published April 17, 2013.

STANDARD 5. PERSONNEL RECORDS


Amending Item 19 Employee Eligibility Records as shown on substitute page 36.

STANDARD 12. PROGRAM RECORDS: BUSINESS AND OTHER TAX RECORDS

Adding item 3 Excise Tax Records as shown on substitute pages 72 and 73.

APPROVAL RECOMMENDED

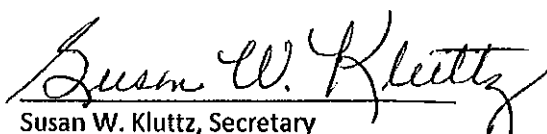
Chief Administrative Officer/
County Manager



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Chairman, Bd. County Commissioners



Susan W. Kluttz, Secretary
Department of Cultural Resources

September 3, 2013

County/Region

ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
18.	EMPLOYEE EDUCATIONAL ASSISTANCE PROGRAM RECORDS Includes records requesting tuition assistance, repayments, and other related records. See also PERSONNEL RECORDS (OFFICIAL COPY) item 45, page 43.	Destroy in office 3 years after completion, denial, repayment, or removal from program.*	
19.	EMPLOYEE ELIGIBILITY RECORDS Includes the United States Immigration and Naturalization Services, Employment Eligibility Verification (I-9) forms.	a) Destroy in office certificates, I-9 forms, and statements, 3 years after individual was hired or 1 year from date of separation, whichever occurs later. b) Destroy in office registers after 2 years.	8 USC 274a.2
20.	EMPLOYEE EXIT INTERVIEW RECORDS See also PERSONNEL RECORDS (OFFICIAL COPY) item 45, page 43.	Destroy in office after 1 year.	
21.	EMPLOYEE HEALTH CERTIFICATES Includes health or physical examination reports, or certificates created in accordance with Title VII and the Americans with Disabilities Act (ADA).	a) Transfer records as applicable to PERSONNEL RECORDS (OFFICIAL COPY) item 45, page 43. b) Destroy in office all other records 2 years after resolution of all actions.	29 CFR 1602.31

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

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STANDARD-12. PROGRAM OPERATIONAL RECORDS: BUSINESS AND OTHER TAX RECORDS. Records received and created by county tax offices in order to meet all statutory requirements. Comply with applicable provisions of G.S. §153A-148.1 regarding confidentiality of local tax records that contain information about a taxpayer's income or gross receipts.

ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
1.	ANIMAL LICENSE RECORDS Records concerning the payment of license fees.	Destroy in office after 3 years.*	
2.	BEER AND WINE LICENSE TAX RECORDS Issuance and payment records concerning licenses to sell alcohol.	Destroy in office 3 years after expiration.*	G.S. §105-113.78 G.S. §105-113.88
3.	EXCISE TAX RECORDS Records concerning the assessing and collecting of excise taxes, including land transfer taxes.	Destroy in office after 3 years.*	
4.	GOING-OUT-OF-BUSINESS LICENSES Licenses granted to business to hold going out of business, water and smoke damage, and distress sales.	Destroy in office 1 year after expiration.	G.S. §66-77
5.	HEAVY EQUIPMENT TAX	Destroy in office after 3 years.*	
6.	MOTOR VEHICLE RENTAL TAX	Destroy in office after 3 years.*	
7.	PREPARED FOOD AND BEVERAGE TAX	Destroy in office after 3 years.	G.S. §160A-480.3

*See **AUDITS, LITIGATION, AND OTHER OFFICIAL ACTIONS**, page vi.

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ITEM #	RECORD SERIES TITLE	DISPOSITION INSTRUCTIONS	CITATION
8.	PRIVILEGE LICENSE CITATION RECORDS Records documenting citations issued by license inspectors for non-compliance with business license requirements.	Destroy in office after 3 years.	
9.	PRIVILEGE LICENSES Records documenting the county's issuance of business privilege and license renewal notices, receipts, and periodic reports.	Destroy in office 3 years after license expires.	G.S. §105-33 G.S. §105-37.1 G.S. §105-38.1 G.S. §105-40 G.S. §105-105
10.	ROOM OCCUPANCY TAX	Destroy in office after 3 years.	G.S. §160A-480.3

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