

Parks and Recreation Trust Fund Grant Manual for Local Governments

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Division of Parks and Recreation
N.C. Department of Natural and Cultural Resources

Recreation Resources Service
North Carolina State University



NC DEPARTMENT OF
NATURAL AND CULTURAL RESOURCES

Table of Contents

USING THIS MANUAL.....	1
DEFINITIONS.....	2
PROGRAM ADMINISTRATION	3
CONTACTS FOR ASSISTANCE.....	3
HOW TO BEGIN	3
GRANT CONTRACT	4
DURING THE PROJECT PERIOD.....	5
REIMBURSEMENT PAYMENT REQUESTS.....	6
DEVELOPMENT PROJECTS.....	9
ACQUISITION PROJECTS.....	12
CONTRACT AMENDMENTS	14
TERMINATION	19
AFTER COMPLETING A PARTF PROJECT – PROVIDING PUBLIC RECREATION	20
CONVERSIONS.....	21
Appendix A: Instructions for Submitting Reimbursement Requests	23
Appendix B: Requesting Reimbursement for Land Acquisition	31
Appendix C: Instructions for As-Built Site Plans.....	39
Appendix D: Process for Requesting the Conversion of a PARTF Project.....	43
Appendix E: Resolution to Terminate / Withdraw a PARTF Project	55
Appendix F: Process for Requesting an Underground Utility Easement	57

USING THIS MANUAL

Congratulations on being selected to receive a Parks and Recreation Trust Fund (PARTF) grant! It would be great if that was all there was to it. Receiving a grant, however, comes with a variety of requirements and reporting responsibilities including:

- tracking expenditures for the project,
- requesting reimbursements to obtain the grant funds,
- reporting progress toward completing the park facilities or land acquisition,
- operating the public recreation site for a minimum of 25 years.

These responsibilities come from state law, the PARTF program administrative rules, the grant contract, and the policies and procedures of the N.C. Department of Natural and Cultural Resources (DNCR).

Participation in the PARTF program constitutes a public trust and this responsibility cannot be delegated or transferred. It is the responsibility of local government Grantees to:

- comply with all terms and conditions of the grant contract and this manual,
- manage funds efficiently and effectively in accordance with the approved budget,
- promptly complete the grant assisted activities in a professional manner, and
- monitor and report performance.

The purpose of this manual is to provide the information needed to:

- successfully complete the project described in the grant application,
- prepare reimbursements and obtain grant payments, and
- operate and maintain the project site in compliance with PARTF requirements for public recreation use.

Please **CAREFULLY** read all the information contained in this manual. While the material is intended to be self-explanatory, Recreation Resources Service (RRS) regional consultants are available to answer questions or resolve problems. The goal of the PARTF program is to be good stewards of PARTF funds, to help local governments avoid problems before they occur, and to expedite the processing of reimbursement request and payments.

DEFINITIONS

Administrative Rules – the rules guiding the PARTF matching grant program for local governments that have been adopted by the NC Parks and Recreation Authority after public review. These rules are published in the N.C. Administrative Code (15A NCAC 12K .0101 - .0111) and [on line](#).

Department (DNCR) – the North Carolina Department of Natural and Cultural Resources administers PARTF grants for the State of North Carolina.

Grant Amount – the amount of PARTF matching funds that is available to complete a PARTF project, as approved by the NC Parks and Recreation Authority.

Grant Contract / Project Agreement –between DNCR and the Grantee that sets forth the obligations assumed by the Grantee, including rules and regulations applicable to the project as well as any conditions applicable to the project as established by DNCR.

Grant Payments – reimbursements made to a Grantee upon request for eligible costs incurred in accomplishing project elements.

Grantee – the incorporated municipality, county, or public authority selected as a PARTF grant recipient by the Parks and Recreation Authority and identified in the grant contract. The Grantee is responsible for complying with the terms of the grant contract, completing the PARTF project, requesting grant payments via reimbursement, and receiving grant payments.

PARTF – the North Carolina Parks and Recreation Trust Fund is the source of matching grants to local governments to acquire land and/or develop park and recreation areas and facilities that serve the general public.

PARTF Project – consists of all the recreation facilities to be built and / or park land to be acquired by the Grantee with a PARTF grant. The PARTF contract summarizes the PARTF project in the project scope.

Project Area – the area defined by the deed and/or site plan submitted with the application. All project elements constructed or purchased as part of the PARTF project must be located within this area.

Project Costs – a listing of all project elements and their proposed costs as well as the total cost of the PARTF project, the PARTF grant amount and the Grantee’s matching funds.

Project Elements – the land to be acquired and recreational facilities to be constructed in completing the PARTF project. Project elements are to be financially assisted by the grant and completed in accordance with the terms and conditions of the grant contract.

Project Period – the period of time defined by the starting and ending dates in the grant contract during which all work must be completed. PARTF allows a three year project period.

Project Scope – a summary of the project elements in the grant contract to be accomplished by the Grantee.

RRS regional consultant – the park and recreation consultant from the Recreation Resources Service assigned to the Grantee’s region of the state serves as the single point of contact in grant administration for the Grantee.

PROGRAM ADMINISTRATION

The North Carolina Parks and Recreation Authority, a nine-member citizen board, allocates matching grant funds from PARTF to local governments for public park projects. The North Carolina Department of Natural and Cultural Resources (DNCR) is the state agency responsible for PARTF program administration and coordination. Within DNCR, program responsibilities are assigned to the Division of Parks and Recreation (DPR).

DPR has a contract with North Carolina State University to assist local governments with developing and completing successful park and recreation projects with PARTF assistance via the Recreation Resources Service (RRS). RRS has four regional consultants to serve as contacts to local governments in all 100 North Carolina counties.

CONTACTS FOR ASSISTANCE

RRS regional consultants serve as the single point of contact for local governments and is available to:

- answer technical and financial questions about the administration of PARTF projects;
- monitor the project's progress;
- inspect the project during development and upon completion;
- review reimbursement requests; and
- monitor compliance with the PARTF program requirements to provide public recreation.

For current contact information for RRS regional consultants, visit the [RRS web site](#).

HOW TO BEGIN

Read the grant contract carefully

It is a legally binding agreement between the local government Grantee and DNCR. It contains basic information about the project, the grant award, and the obligations to the grant program. In addition, the application submitted by the local government is considered as supplemental documentation to the grant contract.

Sign and Return The Grant Contract

DNCR mails two copies of the the grant contract to the Grantee. The Grantee signs and returns the two grant contracts to DNCR within 45 days of receipt. Upon receipt of the signed contract, DNCR's agent will review and execute the grant contract by signing both copies, then returning one copy to the Grantee.

Create a PARTF project file

Each Grantee needs to create a project file that will contain all records related to the PARTF grant. These records include all financial records, the PARTF application, project costs, correspondence, bid documents, and reimbursement request, etc.)

The grant contract and scope of work must be part of the Grantee's PARTF project file.

Register for the E-Procurement System

As part of DNCR's contract process, the Grantee is required to register as a vendor in the State's E-Procurement System. Instructions for registering in E-Procurement will provided in DNCR's cover letter with the grant contract.

When To Begin

Grantees are advised to begin work on their PARTF project after the execution of grant contract in order for the related expenses to be eligible.

Make Satisfactory Progress within One Year

The Grantee is responsible for making satisfactory progress toward completing the project. Substantial work, including breaking ground on park development projects, is expected within one year. Land acquisition should be completed within one year.

GRANT CONTRACT

As the Grantee, a local government is responsible for administering the project and complying with the PARTF grant contract and other requirements. Although other individuals may assist in project administration, DNCR can only recognize the Grantee as the legally-responsible party. **All correspondence, documentation, and reimbursement requests must be submitted by the Grantee.**

Grant Contract Number is unique and to the project must be recorded on reimbursement request forms and correspondence related to the project. Example: Project number - *PARTF # 2018-745*

Project Scope provides a narrative of the land acquisition and/or facilities that the Grantee is obligated to complete. Any changes require **advance** DNCR approval and a formal amendment.

Project Period designates the dates when the PARTF project starts and ends. Invoices for expenses related to the project scope that are dated during this **three-year period** can be submitted with reimbursement requests.

Only the following project costs are eligible for reimbursement if they occur outside of the project time period:

- For land acquisition projects - surveys, appraisals, title searches and attorney's fees used to determine the legal description and fair market value are eligible if incurred within two years of the PARTF application deadline. The costs must be documented in the grant application. Purchasing a property prior to the grant award is allowed only if DNCR has approved the purchase and granted a waiver. This approval must be obtained prior to the purchase.
- For development projects - site plans, project cost development, pre-engineering and project design activities occurring within two years of

the application deadline. The costs must be specifically identified in the grant application.

Grant Program Conditions The grant contract contains the conditions which the Grantee agrees to upon signing. These include applicable state and local laws, regulations, and permits as well as PARTF requirements and assurances associated with the project. They describe the Grantee's responsibilities including:

- state bidding and contract requirements,
- land acquisition requirements,
- compliance with the Americans with Disabilities Act for accessibility,
- consequences if the Grantee fails to comply with the terms of the contract, and
- records retention, park operation and maintenance as well as public use requirements.

Attachment B – Scope of Work - The grant contract incorporates the information contained in the grant application, and the project costs and project narrative as part of the grant contract.

As part of Attachment B, the Grantee must take into consideration all comments made by state agencies in the course of environmental review of the project under the provisions of the State Environmental Policy Act (SEPA).

Reimbursements - Payment of PARTF funds is made on a cost-incurred, reimbursement basis. This means the Grantee must initially expend local funds, which are then reimbursed, under the terms of the grant. PARTF assistance is provided on a matching basis up to a maximum of fifty (50) percent of the total project's allowable cost.

Reimbursement requests may be submitted quarterly after at least \$2,500 of expenditures have been incurred on a project element(s). Not more than 90% of the PARTF grant amount will be reimbursed until the project is completed. To obtain the total grant amount approved for the project, the Grantee must complete the project according to the grant contract and provide documentation showing 100% of eligible expenditures for the project.

DURING THE PROJECT PERIOD

Terms of the Grant Contract - Depending on the type of and the terms of the grant contract, there may be special conditions in the contract that need to be fulfilled during the project. This might include obtaining permits, fulfilling contract and bidding requirements, getting approvals, or recording the deed for a land transaction with the required PARTF restrictive use language inserted. Read the manual sections on Development Projects (page 9) and Acquisition Projects (page 12).

Satisfactory Progress - The Grantee is responsible for making satisfactory progress toward completing the PARTF project during the project period in accordance with the grant contract. The Grantee has **one year** from the execution of the grant contract to begin substantial work.

Tracking Project Expenditures - The Grantee is responsible for maintaining fiscal controls and fund accounting procedures that are based on generally accepted accounting standards and principles. **The following minimum requirements must be met:**

- Establish a separate account and supporting documents for the grant.
- Use the grant's project numbers for coding all expenditures. Example: **PARTF # 2018-745**
- Itemize all supporting records/documents of project expenditures by **project element** as listed in the application's project costs.
- Records/documents must have sufficient detail to show the exact nature of all expenditures, and that they are directly related to a project element.

Using a Third Party to Administer the Grant

Contract - If it is necessary to have a third party handle the financial administration of the project (such as another municipality), the Grantee **must** request and receive **prior written approval from DNCR**. The arrangement may be permissible if the Grantee and third party justify the need and provide documentation detailing the relationship between two parties.

However, the Grantee is responsible for completing and submitting project reimbursement requests and the required documentation to its regional consultant. All PARTF reimbursement checks will be issued to the sponsor, not the third party.

Retaining Financial and Administrative Records

Project records, including the grant contract, amendments, application materials, accounting/contract documentation and correspondence must be maintained by the sponsor in a project file.

Record Retention and Audits - All financial records related to the grant must be retained for possible audit a minimum of five years following final payment and be made readily available for audit (see the Manual section - When The Project is Complete - Audit Procedures, page 9). For acquisition projects, deed(s) or easement(s) with the PARTF restrictive clause, certified appraisals, surveys and project boundary maps, etc. must be maintained in the project file.

Inspections - During the project period, the Grantee's RRS regional consultant will make several site visits to make sure that work is progressing in accordance with the project as approved.

1. **Six-Month Report** - After six months, the Grantee's regional consultant will be in contact to determine if adequate financial/administrative procedures have been established, if work has begun on the project, and if the project is on schedule.
2. **Annual Progress Inspections** - Near the end of each year of the project period, the Grantee's regional consultant will perform an on-site inspection to confirm that the PARTF project is:
 - a. being complete according to the approved plans,
 - b. on schedule,
 - c. the financial/administrative files are in order, and
 - d. requests for reimbursement accurately reflect work that has been done.

Please note that the day to day supervision of the project's implementation is the Grantee's responsibility.

3. **Final Inspection** - Before the last reimbursement payment, the Grantee's regional consultant will complete a final inspection of the project. The consultant will check to see that:
- all work is completed according to approved plans,
 - specifications and amendments to the grant contract,
 - all PARTF-assisted wiring is underground,
 - all PARTF-assisted facilities are accessible to persons with disabilities, and
 - accounting documentation is in order.

The Grantee will receive a copy of the inspection report.

Deficiencies noted in the inspection report must be corrected and reported in writing to the Grantee's regional consultant within four weeks of the inspection date. The final reimbursement payment will be held until inspection deficiencies are corrected and approved.

If the location of any PARTF facility has changed from the original site plan submitted with the application and/or the project was amended to add or delete project element(s), the Grantee will be required to submit **two updated as-built site plans** to DNCR as part of the closeout process. See Appendix C for as-built site plan instructions.

REIMBURSEMENT PAYMENT REQUESTS

General Information - Grant payments are made on a cost-incurred, reimbursement basis. Grantees expend local funds on the PARTF project and then request reimbursement payments, accompanied by the required documentation, to receive grant funds. Reimbursement requests may be submitted quarterly. For acquisition only projects, generally a single reimbursement request is made after the property is acquired.

Assuming all reimbursement documentation is in order, DNCR will make every effort to process reimbursements within 45 days after the request is approved.

E-Procurement System - As part of the State of North Carolina E-Procurement System, electronic reimbursement payments are deposited into the Grantee's bank account. The Grantee must be registered and eligible to receive electronic payments. Please contact the State Controller's Office at (919) 707-0795 to register or ask questions.

What Costs Does PARTF Cover?

Eligible costs include:

- Outdoor and indoor recreation facilities;
- Support facilities, such as roads, parking areas, accessible routes, walkways, utilities; and
- Acquisition of property.

Please refer to the sections about "Development Projects" (page 9) and "Acquisition Projects" (page 12) for a more detailed list of eligible and ineligible project costs.

Schedule for Requesting Payments - Once substantial work has begun (at least \$2,500 in expenses), a Grantee may submit reimbursement requests to DNCR on a quarterly basis for work completed during the quarters as follows:

- Submit by **April 30** for the quarter beginning January 1 and ending March 31;
- Submit by **July 31** for the quarter beginning April 1 and ending June 30;
- Submit by **October 31** for the quarter beginning July 1 and ending September 30; and
- Submit by **January 31** for the quarter beginning October 1 and ending December 31.

Reimbursement Amount - A reimbursement is calculated at the 50% rate of local expenditures based on project costs contained in the application.

Reimbursement will be limited to up to 90% of the grant amount until the project is satisfactorily completed. Ten percent (10%) of the total reimbursement due for a development project will be withheld pending a final site inspection/ audit and project closeout by DNCR.

Many Grantees with land acquisition only projects submit one billing after acquiring the land as well as the new deed(s) with the PARTF restrictive clause. The appraised value of land is the basis for PARTF reimbursements. If the purchase price is higher than the appraised value, the Grantee is responsible for the additional cost.

How to Document Project Costs

1. **Development Costs** – The Grantee must complete, sign and date the PARTF Request for Reimbursement form, complete the PARTF Detailed Expenditure Report, and provide **one** copy of each invoice that references costs for specific PARTF project elements. Refer to **Appendix A** instructions and examples.
2. **Land Acquisition Costs**– The Grantee must complete, sign and date the PARTF Reimbursement Request for Land Acquisition **form**, the PARTF Acquisition Reimbursement Request form, complete the PARTF Detailed Expenditure Report and submit **two** copies of each of the following documents:
 - Deed and/or easement for each parcel acquired. Deed or easement must contain the PARTF restrictive clause (see the Acquisition Projects section of this manual),
 - Evidence of title for each parcel acquired (letter from the Grantee’s legal officer, or certificate from the Title Guaranty Company),
 - Statement of Just Compensation **or** Offer to Acquire with Land Donation/ Waiver of Just Compensation for each parcel acquired,
 - Written offer to purchase, and
 - Proof of payment. Copy of the canceled check(s) for land purchases (front and back)

Refer to **Appendix B** instructions and examples.

Completing Reimbursement Request Forms

Depending on the project type (acquisition, development or development with acquisition), different forms are needed. The forms are available in WORD and/or EXCEL format downloaded from the PARTF website at <http://www.ncparks.gov/partf>.

Detailed instructions on how to complete the forms are provided in Appendices A and B. In lieu of the PARTF Detailed Expenditure Report form, the Grantee may use a similar detailed accounting ledger organized by project elements, or a contractor’s AIA form if the entire contract is only for PARTF work and the expenditures are clearly listed by project element.

Authorizing Signatures - PARTF reimbursement request forms must be signed by the Grantee’s chief elected official, local government manager, or finance director. Another employee may be given signature authority for the financial matters dealing with the grant contract by notifying DNCR in writing.

Invoices – An American Institute of Architects (AIA) contract document or legible copies of invoices for costs incurred are necessary to serve as proof of expenses and payment. The AIA or invoices should provide an accurate and itemized listing of material and/or services rendered by project element. AIA’s must include page 2 (the Continuation Sheet) which itemizes expenditures and the sales tax report. At minimum, invoices must:

- be to the local Grantee and include the following:
- name and address of the vendor,
- quantity of item(s) purchased,
- description of the item(s) purchased,
- unit price, and
- total amount of each line
- must include page 2 (Continuation Sheet).

If the items on the invoices are not readily identifiable by project element, please write in the item name. For instance, a part number is not acceptable; please write in the name of the item on the appropriate line.

Please note that statements and vouchers are not acceptable if they only reflect the amount due. On each invoice, note the project name and the project element(s) with which the expenditure is associated.

Special Attention - If the Grantee has invoices that include materials or services not included in the PARTF project, highlight the PARTF costs in yellow.

Vendor statements are acceptable (example - price list or quotes) as cost documentation only when an invoice cannot be obtained from the vendor. Enter the total amount of the project related purchases on the PARTF Detailed Expenditure Report.

For construction contracts (AIA's) – Prior to advertising for competitive bids, incorporate the specific project elements into the project's specifications for the potential contractors. This effort will greatly assist the contractor, Grantee and DNCR in documenting eligible project costs and in expediting the reimbursement payments.

Submitting a Reimbursement Request

To receive reimbursement, the items in the billing forms must be correct, completed, well documented, and within the limits of fund assistance.

How a Reimbursement Request is Reviewed

The Grantee's regional consultant will perform an initial review/ audit of the reimbursement request and related documentation. After any audit concerns are corrected the Grantee, the Grantee's regional consultant will approve, sign and date the reimbursement request form and send it to the PARTF central office. PARTF central office staff will perform a second review/audit the accounting documentation.

Receiving a Grant Payment via Reimbursement.

After audit approval by the PARTF central office staff, a PARTF reimbursement payment request will be made to the DNCR Controller's Office. The Controller's Office issues electronic reimbursement payments that are deposited into the Grantee's bank account via the state's E-Procurement system.

Using Donated Land as Match

A Grantee can use the appraised value of donated land as all or as part of the 50% local match. The donated land must be included in the project scope and the property becomes subject to PARTF restrictions in perpetuity. Donated land must be clearly identified in the application and its value determined by State Property Office's appraisal requirements.

If a landowner is willing to sell land to the Grantee for less than the appraised value (i.e. bargain sell), the amount of the donation is the difference between the appraised value and the amount to be paid by the Grantee.

Examples:

Full Donation - Land valued at \$100,000 is donated to the Grantee as part or all of the PARTF project site. The donated land value will be used as local match for \$100,000 in development costs or additional land acquisition for the project site. The total project is therefore \$200,000. The sponsor is eligible for a PARTF grant of \$100,000. PARTF will reimburse 100% of development costs or additional land acquisition up to \$100,000.

Bargain Sale Donation - Land valued at \$100,000 is sold to the Grantee for \$50,000. The difference, \$50,000 is the donated land value that can be used as local match. The Grantee has budgeted an additional \$100,000 for project development. The total project is therefore \$200,000. The Grantee is eligible for a PARTF grant of \$100,000. PARTF will reimburse 100% of the first \$50,000 in expenditures on the project. Then PARTF will reimburse the Grantee 50% of the other expenditures on the project.

Requirements for Donated Property

For the donated land to be eligible, the following conditions must be met:

1. The land must be in private ownership for at least the past five years;
2. Donated land will be all or part of the project area;

3. The proposed donation was included in the application and the donation will be made after the grant contract is executed (except for approved waivers);
4. Donated land does not include restrictions or limitations that are inconsistent with PARTF requirements;
5. The land donation has not previously been dedicated through platting or re-zoning to public recreation use. The donation is not required by a subdivision parkland dedication ordinance or other local ordinance.

When The PARTF Project is Completed

1. Requesting a Final Payment – Final reimbursement should be marked as FINAL and submitted once all land acquisition and/or construction has been completed and all payments to contractors and supplies have been made and documented, but no later than the date specified in the grant contract; **45 days** after the end of the project period.

By submitting the final reimbursement request, the Grantee is certifying to DNCR that the project is complete. Completed projects will be inspected by the Grantee’s regional consultant and audited before a final payment is made.

If the project does not pass the final inspection by the Grantee’s regional consultant, the Grantee will receive a letter stating the problem(s) and recommendations for correcting them. The final reimbursement payment will not be processed until all inspection problems have been remedied and approved.

Two updated **As-Built Site Plan** will be required to be submitted with the final PARTF reimbursement request if: 1) the park’s PARTF-assisted layout differs from the site plan submitted with the original grant application, or 2) the project was approved for a PARTF amendment that either added and/or deleted recreational or support facilities from the grant contract (see Appendix C for instructions).

2. Audit Procedures & Retaining Financial Records-

The Grantee’s regional consultant will check the reimbursement request to ensure the reimbursement forms and documentation submitted are complete and correct. For development projects, the regional consultant will inspect the completed project for compliance with the terms of the grant contract. The Grantee shall retain all books, records, documents, data and other materials relevant to the grant contract and project for **at least five years** after completion of the project.

These records shall be subject at all reasonable times to inspecting, reviewing, copying or audit by personnel duly authorized by DNCR and the State Auditor’s Office. The records must support all project costs and billings submitted to DNCR. Land acquisition documentation must be maintained in perpetuity by the local Grantee.

If an auditor’s inspection of records discloses any improper or incorrectly claimed reimbursement, DNCR shall issue a management decision on a proposed corrective action within two months after receipt of this report. If any litigation, claim or audit is started before the expiration of the five-year period for record retention, the records shall be retained until audit findings have been resolved.

DEVELOPMENT PROJECTS

Eligible Development Project Costs

PARTF assistance is available build or renovate park and recreation areas that serve the general public such as:

- Outdoor and indoor recreation facilities;
- Support facilities, such as roads, parking areas, accessible routes, walkways, utilities;
- Improvement of natural resource features needed for public recreation use.
- Construction services such as bid advertisements, design/ engineering/ architectural services
- Contractor services directly related to and required for completing the project

- Permitting and environmental reviews
- Site preparation and demolition
- Materials such as lumber, hardware, paint, sand, gravel, landscape materials,
- Rental of equipment in completing the project
- Signs and equipment that are physically attached and/ or permanent improvements such as soccer, football and basketball goals, backstops, playground equipment, tennis posts and nets, etc.

Planning costs required for completing the application are also eligible if they are incurred within two (2) years before the application was submitted. These planning costs include: site planning, preparing project costs and environmental site information.

What Costs Will PARTF Not Cover?

- Costs prior to or after the project period (see exceptions noted above);
- Items that are not included in the project scope of the contract or in the application’s cost estimates;
- State and local sales tax (note: a refund of sales and use taxes paid by local governments is authorized under G.S. 105-164.14(c));
- Sports equipment (balls, bats, boats, paddles, etc.);
- Construction equipment such as hammers, ladders, saws or drills;
- Materials and services purchased for the operation and maintenance of the project site;
- Office equipment, indoor furniture and kitchen or concession stand equipment;
- Financing costs associated with the project;
- Costs incurred by a sponsor because of a contractor’s breach of contract;
- Cost overruns;
- Donated or in-kind labor, equipment usage or materials;
- Costs not documented by an invoice or with other conclusive proof of payment; and
- legal fees

Resources for Park Design and Construction

ADA Compliance - All PARTF assisted facilities and areas must comply with the Americans with Disabilities Act Accessibility Guidelines (ADAAG). ADAAG requires that all aspects of each project be accessible or barrier free . There are some fundamental differences in how accessibility in the outdoors is accommodated compared to the indoors or the built environment.

While restrooms, picnic shelters, community centers, and parking lots, for example, need to follow detailed ADAAG requirements, other improvements such as trails, boat landings and swimming beach areas have varying degrees of accessibility required depending on the type of facility and characteristics of the site.

A good rule of thumb to follow is a person with a disability must be able to travel from a designated accessible parking space to each and every PARTF assisted facility (both recreational and support facilities) and they must be able to do this unassisted. Go to www.access-board.gov for guidelines on designs that are accessible.

Site Design Recommendations – Project design should minimize adverse impacts on the environmentally sensitive features of the park site by:

- Locating proposed facilities in already cleared areas, to minimize additional clearing of trees and vegetation;
- Locating proposed facilities where topography and soil conditions are suitable, to minimize grading, excavation, fill and drainage of the site;
- Retaining, enhancing or establishing vegetative buffers, or incorporating other site-sensitive techniques, to minimize impacts on sensitive areas such as wetlands, forests, steep slopes, endangered or threatened species habitat, and aquifer recharge areas;

- Trails along creek banks and lake shores should be set back far enough so they do not cause or exacerbate erosion of banks;
- Impervious vehicular and pedestrian use areas such as roads, walkways and parking areas should not impede natural surface water drainage and storm water retention areas should be used; and
- Disturbance of native vegetation should be avoided or minimized during site preparation to preserve existing native trees, shrubs, grasses and forbs, as well as aquatic and wetland systems. The use of native plants in landscaping or revegetation plans is encouraged.

Building Design – In the design of large buildings, such as community/recreation centers, aquatic centers and environmental education centers, DNCR encourages the use of U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED).

Electrical lines – All PARTF assisted electrical or communication lines must be installed underground. Existing lines should be buried, removed or relocated as necessary.

Playgrounds – For projects including a playground, Grantees are encouraged to adhere to ADAAG requirements and the guidelines established by the U.S. Consumer Product Safety Commission’s Handbook for Public Playground Safety (Publication #325). CPSC’s publication is available at www.cpsc.gov.

Bidding Laws and Contract Requirements

PARTF Grantees must comply with the general provisions of the grant contract and applicable local and state bidding/contracting requirements. Although contracting and bidding procedures may be complicated, they are more easily satisfied if the Grantee is knowledgeable of the requirements at the time bidding documents are being prepared.

Failure to comply with them may jeopardize the Grantee’s ability to receive reimbursement payments. Grantees need to consult with their attorneys to ensure that they are complying with all bidding and contracting requirements. The N.C. League of Municipalities can also provide advise about these requirements.

The main competitive bidding requirements for local governments are contained in Article 8 of Chapter 143 of the North Carolina General Statutes. Most of the formal bidding requirements are set forth in G.S. 143-129 and the informal requirements can be found in G.S. 143-131. These statutes apply to the expenditure of public money within established dollar limits and on certain types of contracts.

The Local Government Budget and Fiscal Control Act (G.S. 159-7 through 159-42) imposes a number of requirements that must be observed in the contracting process. UNC School of Government provides an overview of local government’s contracting and purchasing requirements at the website: <http://www.sog.unc.edu/>

Since DNCR audits conducted after project completion may require paybacks due to improper contracting or bidding procedures, it is most important that the procedures be followed. The following documentation must be retained in the project file for at least five years for all development projects where construction contracts are involved:

- Bid advertisements
- Bid specifications & construction plans
- Summary of Bids
- Bid Proposal
- Executed Construction Contracts
- Contractor’s Invoices
- Contract Change Orders
- Proof of Payment

Permits Required

Depending on the extent of the project’s development and the site’s natural resources, various state and local permits will be required prior to development beginning on the project.

Some typical permits may include: erosion and sedimentation control; storm water; 401 water quality wetlands certification; non-discharge; water quality stream determination; demolition permit; and CAMA permit for the 20 coastal counties. It is the Grantee's responsibility to obtain all the necessary permits required for the project.

ACQUISITION PROJECTS

For PARTF, land acquisition refers to not just fee title acquisition, but also to acquisition of less-than-fee rights in the form of a permanent easement to the property. To define the two types of land acquisition, think of property ownership as a bundle of rights: the right to use the property for particular purposes; to lease, sell or give it away; to protect its natural features or develop it; and the right to exercise all or none of these rights.

Types of PARTF Land Acquisition:

1. **Fee Title Acquisition** – Fee title acquisition is the outright purchase of land including the transfer of title to the property and all the rights associated with ownership as defined above. Another way of stating this is that an absolute or fee-simple estate is one in which the owner is entitled to the entire property and all the related rights to use it.

2. **Public Use/Conservation Easement** - A Public Use/ Conservation Easement provides protection from land use that could damage or destroy the property's scenic, recreational, ecological or natural resource values. Each easement is tailored to fit the natural characteristics of the land, the personal needs of the landowner, and the objectives of the PARTF program. The easement is a permanent, recorded deed restriction which conveys some of the land rights associated with ownership of property to another party (such as the Grantee).

The easement stays with the property permanently and is binding on all future land owners. For PARTF, it is a voluntary legal agreement between a land owner and Grantee that conveys specific rights and permanently limits specified current and future uses. Generally, the purpose of a public recreation use and

conservation easement is to protect/conservate the habitat or natural resources while allowing some form(s) of public access and recreation use of the property. As with other easements, the landowner still retains ownership and many uses of the property.

Once the Grantee and landowner have negotiated the easement document which lists mutually agreed-upon use and development restrictions and specifies which parcels (or portions of parcels) are covered by those restrictions and uses, the Grantee is required to submit a copy of the easement to its regional consultant to review for compliance with PARTF's public recreation use requirements. The regional consultant will review the easement and submit comments and the easement document to DNCR for review and approval by DNCR's legal counsel.

If the landowner or future owner violates the easement – perhaps by building a structure that the easement does not permit – the easement holder (Grantee) is required to work with the landowner to have the violation corrected, in court if necessary.

Eligible Acquisition Costs

Eligible land acquisition costs are determined by the fair market value as established by an appraisal completed according to the requirements of the State Property Office. Properties valued at over \$500,000 required two appraisals.

Eligible costs also include services or payments related to purchasing the property:

- Surveys of property proposed for purchase*
- Appraisals or statement of values as submitted with the application*
- Legal fees associated with the proposed purchase of land*
- Relocation payments, if applicable**
- Recording fees
- Title evidence
- Required historical and cultural assessments
- Environmental inspections and assessments

* Incidental land acquisition costs include appraisals, title searches, surveys and attorneys' fees. These

costs are eligible if they are incurred after the grant contract is executed or within two years of the application deadline and appear in the project costs submitted with the application.

** Relocation is a program mandated by state law that protects landowners and tenants displaced by projects that receive government funding. Very generally, the law requires that when a land purchase causes a displacement of a landowner or tenant from his/her home, farm or business, that person may be eligible for certain services and financial assistance from the buyer. If applicable, Grantees are required to comply with state relocation procedure laws.

Ineligible Acquisition Costs

- Costs for administration of the project by the Grantee or a consultant.
- Brokerage fees paid by the buyer.
- Real estate transfer fees/taxes.
- Environmental cleanup costs.
- Back taxes on the land owed by the previous landowner.
- Other costs not listed as eligible.

For Property Purchased Prior to the Grant Award

If the DNCR approved a waiver to allow the Grantee to purchase the property before receiving a grant award, then the project's acquisition costs are eligible for reimbursement. The Grantee must submit the waiver approval letter along with all required land acquisition documentation with the first reimbursement request.

Before Purchasing Property

- Be familiar with the PARTF program requirements contained in the grant contract.
- Understand PARTF's land acquisition guidelines and requirements. Consult with an attorney to ensure compliance with these requirements.

Closing costs cannot be incurred until the grant contract has been executed, except for purchases using a waiver.

Calculating the Grant Award

Since the transfer of ownership in real property can be a protracted process which differs under various state laws and procedures, the relationship of acquisition costs to project period is separated into two elements: a) the date when the acquisition cost is incurred and, b) the date when the cost is eligible for PARTF reimbursement.

Acquisition costs are incurred on the date when the earliest of any of the following transactions takes place:

- The Grantee accepts deed or other appropriate conveyance, such as an easement;
- The Grantee makes full payment for the property;
- The Grantee makes first payment in a series of space or time payments;
- The Grantee makes the first or full payment as stipulated in an option agreement;
- The Grantee makes first partial or full payment to an escrow agent.

The above transactions will be used to determine whether an acquisition cost is incurred within the project period. Eligible acquisition costs will be reimbursed only after the Grantee has made payment and received satisfactory title and support documentation for the property.

Recording a Deed or Easement Restriction

As part of the acquisition process, the deed or easement for each parcel acquired must be recorded with restrictive language that recognizes the state's interest in the property and the property's perpetuity use for public recreation. The deed or easement must contain the relevant PARTF conversion protection restrictive clause listed below as required by the grant contract.

1. For property purchased for a PARTF grant (including bargain sale)

"This property was acquired with State financial assistance from the N.C. Parks and Recreation Trust Fund, and pursuant to a contractual requirement

this property may not be converted to other than public recreation use (whether by transfer, sale or in any other manner) without approval of the N.C. Department of Natural and Cultural Resources.”

2. For property donated as local match for a PARTF grant

“This property was donated as part of a grant from the N.C. Parks and Recreation Trust Fund, and pursuant to a contractual requirement this property may not be converted to other than public recreation use (whether by transfer, sale or in any other manner) without approval of the N.C. Department of Natural and Cultural Resources.”

3. For an easement purchased for a PARTF grant (including bargain sale)

“The property identified in this easement (or deed) was acquired with State financial assistance from the N.C. Parks and Recreation Trust Fund and shall be dedicated in perpetuity for recreational use by the general public unless a conversion is approved by the N.C. Department of Natural and Cultural Resources.”

4. For an easement donated as local match for a PARTF grant

“The property identified in this easement (or deed) was donated as part of a grant from the N.C. Parks and Recreation Trust Fund and shall be dedicated in perpetuity for recreational use by the general public unless a conversion is approved by the N.C. Department of Natural and Cultural Resources.”

Documents to be Retained by the Grantee

The following documents must be maintained in the project file for a minimum of five (5) years:

1. PARTF contract and any executed amendments*
2. Survey(s).
3. Appraisal(s).
4. Deed or Easement for each parcel acquired*
5. Evidence of title for each parcel acquired (letter from the county or city legal officer, or certificate from the Title Guaranty Company).

6. Statement of Just Compensation or Offer to Acquire with Land Donation/Waiver of Just Compensation for each parcel acquired. (See Appendix B).
7. Written offer to purchase. (See Appendix B).
8. Proof of payment. Copy of the canceled check(s) for land purchases (front and back copy).
9. If applicable, relocation documentation.
10. If applicable, required historical and cultural
11. assessments applicable, environmental inspections and assessments.
12. If applicable, delayed development plan.
* items retained in perpetuity

Land Acquisition with Delayed Development

When PARTF funds are used to acquire land for public recreation use, the use should begin as soon as possible. The same holds true for planned development projects on land being acquired with PARTF funds – they should begin as soon as possible. Delayed development for up to **five years** from the date the PARTF grant contract was signed is permissible. However, initial recreation development of PARTF acquired land is contractually required to begin within five years of the contract’s starting date.

In the interim, prior to development, it is important that the property be **open to the public** to the greatest extent possible for those recreation uses the land is capable of supporting or that can be achieved with minimum of public investment. Interim public recreation use must at least allow public access (parking) on the site and some form of recreation such as a picnic area with amenities or a walking trail.

CONTRACT AMENDMENTS

1. **Project Scope** -The Grantee is expected to complete the project as outlined in the original grant contract and Attachment B. All projects must be completed by the grant contract’s expiration date. If a change or to the project is needed, please discuss them with the regional consultant.

Any change that significantly affects the project elements, as defined in the grant contract, requires prior approval by DNCR. These changes include adding or deleting project elements and making significant changes to the specifications of a project element. For example, reducing the size of a recreation center. These types of changes usually result in the need to amend the grant contract.

Grantees should discuss any type of proposed change with their regional consultant before submitting a written request.

To request an amendment to the project scope, the Grantee are required to submit:

- a. Two copies of an official justification letter describing why it is necessary that the project scope be amended and how the proposed change will impact the project.

For changes that propose a deletion or a significant reduction in size or number of a project element, please describe the Grantee's review and rejection of alternatives to the course of action being proposed. The letter must be on official letterhead and dated and signed by the Mayor, Chairperson, or local government manager.

- b. Two dated (month/year) copies of the Revised Project Costs which reflect any cost changes by project element as identified in the application. For the proper format to use, see Example #1 (page 17).
- c. As appropriate, submit two dated (month/year) copies of the project's revised site plan that reflects the proposed amendment (See Appendix C for proper color coding).

All requests for changes must be submitted by the Grantee in writing to their RRS regional consultant at least **60 days** prior to the change being made and/or the end of the grant contract's expiration date. If the request is approved, the Grantee will receive a project amendment from DNCR to be signed and returned to DNCR for execution.

Requesting the deletion of a recreational facility is strongly discouraged. Project scope changes will only be approved if they do not alter the evaluation of the Grantee's PARTF application by PARTF scoring system that was considered by the Parks and Recreation Authority.

Initiating a change in the project scope or project costs prior to notifying DNCR will jeopardize the reimbursement for the expense. Also, the Grantee risks having to remove the changes, at its own expense, should the changes not be approved. Requests to increase the grant amount will **not** be considered. Grant contracts cannot be extended or modified after the project period ends.

2. **Project Cost Changes** – The Grantee is expected to complete the PARTF project within the project costs approved in the application. The Grantee is required to notify its regional consultant for any changes to the project costs.

Also, note the cost change(s) in the Comment section in the Detailed Expenditure Report during the reimbursement request. To request an amendment to the project costs, the Grantee is required to submit:

- a. Two copies of an official justification letter describing the project cost changes needed and sound reasoning for the change(s). The letter must be on official letterhead and dated and signed by the Mayor, Chairperson, or local government manager.
- b. Two dated (month/year) copies of the Revised Project Costs reflecting the proposed cost changes by project element as identified in the application. For the proper format to use, see Example #2 (page 18).

3. **Time Extensions** – The Grantee is expected to complete the PARTF project within the three-year project period stated in the grant contract. However, there may be a time when this is not possible, for reasons beyond the Grantee's control. In such cases, a Grantee may request a time extension (either six months or 12 months). Factors

considered in determining whether to approval an extension include how much progress has been made towards completion of the project and to what extent delays were beyond the Grantee's control.

Project period extensions always require an amendment to the grant contract and must be submitted at least **60 days** before the grant contract's expiration date to the Grantee's regional consultant. Time extension requests must include two (2) copies of the following information on official letterhead signed by the Mayor, Chairman, or local government manager:

- a. A revised timeline with the later end date for the grant contract including completion dates for each project element.
- b. Brief summary of progress to date on each project element including the percent complete.
- c. Expenditures to date for each project element.
- d. Sound justification for why more time is needed based on circumstances beyond the Grantee's control.
- e. Revised project costs, if applicable.

Staff may issue conditional extension offerings of less than the requested extension to ensure that the Grantee is making sufficient progress toward completing the project. If the Grantee fails to follow the revised timeline, the Grantee may be asked to withdraw the project or additional time extension requests may be denied.

Example# 1
Revised Project Scope and Costs (For Amendment)
Green Park - Town of Parkland

December 2018

Project Elements (Include specific units - sizes, numbers, lengths, etc. - for each item.)	Unit	Original Cost	Revised Cost
Building and/or Renovating Costs			
Picnic Shelter (2 grills, 4 tables, and 2 trash receptacles) and Rest Room Renovation - 20 x 30 feet	1	\$127,000	\$127,000
Playground (jungle gym, swings, slides, accessible surfacing)	1	\$80,200	\$100,000
Walking Trail - 6' wide, paved trail with 3 benches (Reduce the length from 2,400 lf to 1,400 lf)	1,400 linear ft	\$20,000	\$50,000
Little League Ballfield with irrigation, dugouts, fencing, and benches	1	\$239,000	\$299,000
Concession/Restroom Building	1	\$95,000	\$ 120,000
Parking Lot - paved for 75 cars – Reduce to 50 cars	1	\$73,100	\$75,000
Landscaping - Delete	Lump Sum	\$19,000	\$0
Costs to Develop the Project		\$653,300	\$771,000
Contingency for the Cost of Building / Renovating			
Contingency (not to exceed 5% of the cost to develop the project)	5%	\$32,665	\$32,665
Costs to Acquire Land			
Land Purchased	10 acres	\$56,400	\$56,400
Costs Related to Building, Renovating and Planning			
Planning / Incidental Land Costs- Construction management, site planning, preliminary design, survey and appraisals, or the cost of preparing the application (not to exceed 20% of the cost of the project)	7.4%	\$52,517	\$52,517
Total Project Cost		\$794,882	\$912,582
Total PARTF Grant Request		\$397,441	\$397,441
Total Local Match		\$397,441	\$515,141

The revised project costs: 1) reduces the length of the trail and size of the parking lot; 2) deletes landscaping; and 3) increases the project cost for five project elements (playground, trail, little league ball field, concession stand /restroom and parking lot). Also, it increases the amount of the local match. **Planning and incidental land costs will not be considered until all other project elements have been completed.**

Example #2
Revised Project Costs (Cost Adjustment, No Amendment)
Green Park - Town of Parkland

December 2018

Project Elements (Include specific units - sizes, numbers, lengths, etc. - for each item.)	Unit	Original Cost	Revised Cost
Building and/or Renovating Costs			
Baseball Field – 300 Ft with dugouts, fencing and lights. Delete scoreboard	1	\$175,000	\$165,000
Playground (jungle gym, swings, slides, accessible surfacing)	1	\$50,000	\$80,000
Walking Trail - 6' wide, paved trail with 3 benches (Reduce the length from 2,400 lf to 1,900 lf)	1,400 linear ft	\$73,000	\$68,000
Tot Lot – Reduce the size	1	\$56,000	\$40,000
Multi-Purpose Field	1	\$50,000	\$ 95,000
Concession Building – Reduce the size	1	\$93,000	\$80,000
Landscaping	Lump Sum	\$29,000	\$19,000
Costs to Develop the Project		\$526,000	\$547,000
Contingency for the Cost of Building / Renovating			
Contingency (not to exceed 5% of the cost to develop the project)	5%	\$26,300	\$26,300
Costs Related to Building, Renovating and Planning			
Planning / Incidental Land Costs- Construction management, site planning, preliminary design, survey and appraisals, or the cost of preparing the application (not to exceed 20% of the cost of the project)	7.4%	\$38,924	\$38,924
Total Project Cost		\$591,224	\$612,224
Total PARTF Grant Request		\$295,612	\$295,612
Total Local Match		\$295,612	\$316,612

The revised project costs: 1) deletes the ballfield scoreboard, reduces the length of the trail and size of the tot lot as well as the concession building; 2) deletes landscaping; 3) increases the project cost for the multi-purpose field, playground; and 4) reduces the cost of the ballfield, trail, tot lot, and concession building. Also, it increases the amount of the local match.

All requests for changes must be submitted by the Grantee in writing to its regional consultant at least **60 days** prior to the change being made and/or the end of the grant contract's expiration date. If the request is approved, the Grantee will receive a project amendment document from DNCR to be signed and returned to DNCR for execution.

TERMINATION

Unforeseen circumstances can occur and make it impossible for the Grantee to start or complete a project according to the grant contract between DNCR and the Grantee. Such circumstance may result in the need to terminate a project. The termination of a project means the cancellation of PARTF assistance, in whole or in part, at any time prior to its date of completion.

1. **Termination by the Grantee** – The Grantee can terminate a project unilaterally at any time before the expenditure of funds on the project. Otherwise, projects may be terminated for either convenience or for cause.
2. **For Convenience** – DNCR and the Grantee agree upon the conditions for termination, including the effective date and, in the case of partial termination, the portion of the project to be terminated.

The Grantee will be required to:

- a. Solicit public comments concerning the termination request via a public meeting.
- b. Approve a resolution requesting termination/withdrawal of their PARTF contract after consideration of public comments (See Appendix E).
- c. Send a written termination request from the Grantee’s chief elected official to DNCR that addresses sound local circumstances for the termination request and the public comments received.
- d. Send a copy of this letter to the Grantee’s legislative delegates.
- e. Attach records of the public hearing/meeting and approved resolution to the request for termination letter.

The RRS regional consultant and PARTF staff will review the request. If approved, DNCR will amend the grant contract to reflect the conditions of the termination and send a copy to the Grantee for immediate action.

3. **For Cause** - DNCR may terminate any project in whole, or in part, at any time before the date of completion, whenever it determines that the Grantee has failed to comply with the conditions of the grant. Such action will be taken only as a last resort.

DNCR will promptly notify the Grantee in writing of the determination with the reasons for termination and the effective date. Payments made to the Grantee or recoveries by DNCR under projects terminated for cause shall be in accord with the legal rights and liabilities of both DNCR and the Grantee.

With a partial termination, the Grantee will take actions to make the project useable by public and operated for public recreation according to the grant contract, as agreed upon by DNCR. After termination, the Grantee shall not incur new obligations for the terminated portion of the project and shall cancel as many outstanding project obligations as possible.

The Grantee shall be entitled to receive reimbursement for expenses related to the satisfactory work completed in proportion to the total scope of the project as described in the grant contract.

Within 30 days of termination notification, the Grantee will be required to submit project accounting documentation pursuant to the policies and rules of the PARTF program to DNCR for audit and determination of eligible costs incurred prior to project termination.

Failure by the Grantee to comply with the provisions and conditions set forth in the PARTF administrative rules and grant contract can result in the DNCR declaring the Grantee ineligible for further participation in PARTF, in addition to any other remedies provided by law, until such time as compliance has been obtained to the satisfaction of the Department.

AFTER COMPLETING A PARTF PROJECT – PROVIDING PUBLIC RECREATION

Park Operation and Maintenance - The Grantee's obligations under the grant contract do not end with final reimbursement and close-out of the financial portion of the grant. Grantees have long-term obligations that pertain to both facilities developed and land acquired with PARTF assistance. The PARTF grant contract requires the Grantee to:

1. Operate PARTF-assisted facilities to provide public recreation for 25 years. Maintain facilities/areas to be attractive, inviting and safe to the public.
2. Comply with all applicable laws and regulations.
3. Keep the project area/facilities open and accessible for public use at all appropriate times, based on the type of facilities. Full or partial closure of the project area or facilities to public use is a significant violation of the Grantee's obligations under the grant contract. Extended, temporary closures for renovation or other purposes may be acceptable, but should be approved by DNCR before being implemented.
4. Any membership or annual permit system must offer a daily use fee for non-members. Differences in admission and other fees may be instituted on the basis of residence, but non-resident fees cannot exceed twice the amount charged to residents.
5. For PARTF-assisted land acquisition must be used in perpetuity for only public recreation purposes; whether it was acquired via fee simple acquisition, bargain sale or donation. For easements, no amendment can be inconsistent with the purposes of the public recreation use/conservation in perpetuity.
6. If the project is rendered unusable for any

reasons whatsoever, the Grantee agrees to immediately notify their regional consultant of the conditions and to make repairs, at their own expense, in order to restore use and enjoyment of the project site by the public.

7. The Grantee agrees not to discriminate against any person on the basis of race, sex, color, national origin, age, residency or ability in the use of any property or facility acquired or developed with PARTF assistance.

Modifications to a PARTF Site - Any changes to PARTF-assisted facilities/areas in the project area will require an amendment to the grant contract and will require DNCR approval.

Self-Certification Inspections - A Grantee must operate a PARTF-assisted facility for public recreation for at least 25 years. At least once every five years during the 25-year period, the Grantee will be required to conduct a site inspection on behalf of DNCR. The Grantee will need to confirm that PARTF-assisted facilities are being well maintained and operated for public recreation purposes. In addition, the Grantee verifies that all applicable PARTF regulations are being met.

The Grantee's assistance with these inspections is in keeping with the PARTF grant contract that the Grantee signed with DNCR. DNCR will send the Grantee the inspection report form and a copy of the site plan to assist with the inspection. The inspection report must be completed and returned to DNCR within 60 days of its receipt.

CONVERSIONS

Land acquired with PARTF assistance must be used in perpetuity for only public recreation purposes. Adding facilities or uses for other than public recreation to the project area, is considered a conversion of the PARTF-assisted land from recreation use. Examples include government buildings (such as town hall, civic center, fire stations), utility structures (water, communication and cellular towers), streets/highways and landfill or storm debris uses.

Conversions of PARTF-assisted land requires prior DNCR approval and the implementation of specific mitigation measures as approved by DNCR (**See Appendix D**).

Conversion of park areas acquired with PARTF assistance is strongly discouraged. The mitigation process is very time consuming and costly for the Grantee.

Mitigation measures normally include a requirement to replace the parkland with new parkland of equivalent recreational or natural resource value and of equal or greater monetary value at the time of the conversion.

PARTF-assisted facilities are to be operated to provide public recreation for 25 years. Discontinuing public recreation use prior to the end of the 25- year period is also a conversion.

Conversions of PARTF-assisted facilities require prior DNCR approval and the implementation of specific mitigation measures as approved by DNCR (**See Appendix D**).

The Grantee should contact its regional consultant to discuss any potential conversion situations long before taking action.

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Appendix A:

Instructions for Submitting Reimbursement Requests

General Instructions

- 1) PARTF grant payments are made to a Grantee on a reimbursement basis for up to 50% of the total cost of the project. This means that the Grantee must have funds available to cover grant expenditures until reimbursement payments are made.
- 2) All expenditures must be related to work elements listed in the project scope of the PARTF grant contract. Expenditures for items that are not listed in the project scope are not eligible for reimbursement.
- 3) Expenditures that are eligible for reimbursement must occur after the Department of Natural and Cultural Resources and the Grantee have signed the PARTF grant contract and before the end date of the project period. (see page 6 for exceptions)
- 4) To request a reimbursement, a Grantee submits two documents, a Request for Reimbursement and a Detailed Expenditure Report to the appropriate regional consultant.
 - a) Request for Reimbursement – This document contains information that identifies the Grantee, PARTF project number and the reporting period covered by the request for reimbursement. It also includes the total expenditures for the current reporting period, the total expenditures that the Grantee has made to date, and the amount of the reimbursement payment being requested. Please refer to the Request for Reimbursement Instructions on page 25.
 - b) Detailed Expenditure Report – The Grantee uses this report to document the expenditures related to the grant as well as to describe the progress toward completing the project scope. Please refer to the Detailed Expenditure Report Instructions on page 29.
- 5) The PARTF program will review the information submitted and approve the amount of the reimbursement payment.
- 6) A Grantee may submit a request for reimbursement once per quarter.
- 7) Each request for reimbursement must be at least five percent of the total grant amount or \$2500, which ever is greater.
- 8) The Grantee must complete the scope of work for the project before submitting the final request for reimbursement. The PARTF program will retain at least ten percent of the grant amount for the final reimbursement payment.
- 9) Be sure to provide all required signatures and all invoices to document expenditures. Requests for payment will not be processed if these are missing.
- 10) Submit one copy of all documents to the Grantee's regional consultant. The Grantee should also keep a copy of all records.

Request for Reimbursement Instructions

Project Information

The following information should be copied from the PARTF grant contract:

- Grantee's name
- PARTF project number
- Project title
- Contract Start Date and End Date (Period covered by the grant contract)

Provide the following information as well:

- Reporting Period Start Date and End Date– These dates must be within the start date and end date of the project period.
- Request Number: The Grantee numbers the requests for reimbursement consecutively (example: 1, 2, 3, etc.).
- Type of Request: All requests for reimbursement payment are partial request until the final request. The final request for reimbursement is submitted by the Grantee after the project has been completed.

Summary of Expenditures

- A. Total expenditures for this request for reimbursement (based on the invoices submitted with this request). This total must match the total expenditures from the Detailed Expenditure Report.
- B. Total expenditures to date for the PARTF grant.

Amount of this Request for Reimbursement

- C. 50 percent of total current expenditures in most cases.

The PARTF program will approve the amount of the reimbursement payment. Until project completion, the PARTF program reimburses 50% of the approved project cost for each project element.

Certification and Signature

An authorized local government representative (chief elected official, county or city manager or finance director) must sign and date the certification statement that is included with the Detailed Expenditure Report.

**NC Parks and Recreation Trust Fund (PARTF) Project
Request for Reimbursement**

Project Information

Grantee:		Project Number:	
Project Title:			
Project Period Start Date:	Reporting Period Start Date:	Request Number:	
Project Period End Date:	Reporting Period End Date:	Type of Request: (check one) Partial _____ Final _____	

Summary of Expenditures

A. Total Expenditures for this Request for Reimbursement	\$
B. Total Expenditures to date	\$
C. Amount of this Request for Reimbursement (50% of A)	\$

Certification: I certify that this information is correct and based on generally accepted local government accounting standards and principles. Expenditures are based on actual payments of record for the purpose of and in accordance with the terms of the grant contract. The funds requested are for reimbursement of costs during the time period indicated above and does not duplicate a previous request. The documentation will be retained in our files for future audits. The contractors used on the project were selected according to local government bidding requirements.

Authorized Representative (Print or Type): Name:	Telephone Number:
Title:	
Signature of Authorized Representative	Date

For Department of Natural and Cultural Resources Use Only

Approval for Payment by Regional Consultant	Approval for Payment by Central Office
Date:	Date

Detailed Expenditure Report Instructions

Provide the following information to identify the grant. This information must match the information on the Request for Reimbursement.

- Project title
- PARTF Project number
- Billing Request number
- Reporting Period Start Date and End Date

Instructions for Each Work Element of the Project Scope

Provide the following information:

1. The name of the project element. The work elements listed on the Detailed Expenditure Report must match the project elements listed in the project scope of the PARTF grant contract.
2. Enter the invoice number, date, and amount of each invoice that is being provided to document expenditures related to the work element.
3. Total expenditures for this reporting period (Column A) - This is the sum of all the invoices listed this work element.
4. Total expenditures to date (Column B) – To calculate the total expenditures to date, add Column A (total expenditures for this reporting period) plus all previous expenditures.
5. Project Cost (Column C) – Enter the total cost of the work element that was listed in the application’s project costs and approved as the maximum for reimbursement.
6. **Percent complete – Estimate the progress on the work element by estimating the percentage of the work completed. Enter 100 percent when the work element is finished.**
7. Comments – Describe the progress on the work element. Also describe any circumstances that could prevent the work element from being completed on time and according to the cost estimate.
8. Provide one copy of each invoice that is referenced for the element of the project scope. If an invoice applies to two or more elements of the project scope, make a copy for each element and indicate the portion of the invoice amount that are applied to each element.
9. Clip all the invoices for each project element together.

Page Totals

After completing the information listed above for all work elements on the page, calculate the page totals for each column:

1. Total Expenditures For This Request For Reimbursement
2. Total Expenditures to Date
3. Budgeted Amount
4. Difference between the Total Expenditures to Date and the Budgeted Amount

Grand Totals

5. If needed, use additional Detailed Expenditure Report pages to document the expenditures for all the work elements in the project scope. Calculate the sum of all the page totals for the four items listed above. Enter the grand totals for items #1 (Total Expenditures For This Request For Reimbursement) and #2 (Total Expenditures to Date) on the Request for Reimbursement form.

Sample Detailed Expenditure Reports

On the following two pages are samples of a Detailed Expenditure Report as well as an example of a completed form. Electronic copies of the Detailed Expenditure Report file as well as the instructions can be downloaded from the www.ncparks.gov/partf via the link For Grant Recipients .

**NC Parks and Recreation Trust Fund
Detailed Expenditure Report**

Project Title: Get this from your contract.		Project Number: This is the 200# - ###		Request # _ 2 (Example)		Reporting Period Start Date 1/1/2010 End Date 3/31/2010		
Name of a Work Element from the Project Scope	Invoice Number	Invoice Date	Invoice Amount	(A) Total Expenditures for this Reporting Period	(B) Total Expenditures to Date	(C) Project Costs from the application	Percentage Complete	Comments
Each line item (i.e. Project element) in your cost estimates gets a line item box.	12345	1/1/2010	1500	This is the sum of the invoices for this specific line item (tax removed) for this specific billing	A running total of all the expenditures (for this line item that have been submitted to date)	Fixed amount reimbursed at 50% You will get this # from your project cost sheet (it correlates to the line item)	This is a percent estimate of the work that has actually been completed to date. Not the percent of the money that has been spent.	USE THIS BOX TO: a. Make minor adjustments to your cost estimates (less than 10% of the awarded grant amount). Use this box to tell us how much money is being shifted between line items, to where and why. (If it is a change of larger than 10%, you MUST contact us about doing a cost estimate adjustment PRIOR to making these substantial funding shifts. b. Use this box to explain any other finance related issue that has come up (for this line item). c. To explain why development is behind schedule and what will be done to catch up.
	1600	1/1/2010	1500					
	1700	1/1/2010	1500					
	1800	1/1/2010	1500					
site grading	Total: \$		2,000.00	2,000.00	9000	10,000.00	100%	EXAMPLE OF SHIFTING PETTY FUNDS (Under 10% of the awarded grant amount) The remaining \$1000 that was budgeted for site prep has been moved to the increased cost for erosion control. Why %100 percent? Because it's the amount complete ON THE GROUND not the amount that has been spent.
erosion control	71743	2/7/2010	1400	Total: \$ 3,000.00	8000 for the first reimb. Add this to the 3000 for this reimbursement. Total expend to date is \$11,000	\$ 10,000.00	90%	Note: The additional \$1000 over the original cost estimate has been shifted from the site grading line item which was completed under budget by \$1000 Note: The remaining 10% of the this line items work will be paid for by local unmatched monies.
	89478	2/28/2010	600					
	4418	3/29/2010	1000					
	Total: \$		3,000.00					
Playground	Total: \$		-	-	15,500.00	35,000.00	50%	
	Page Total	\$	5,000.00	\$	5,000.00	\$	35,500.00	N/A

Example

Appendix B: Requesting Reimbursement for Land Acquisition

N. C. Parks and Recreation Trust Fund
Reimbursement Request for Land Acquisition

Grantee (Local Sponsor): _____

Project Title: _____ **Project#:** _____

Project Period: _____ to _____
(Beginning Date) (Ending Date)

PARTF assistance for land acquisition will be based on the approved appraisal value by the State Property Office. If the negotiated purchase price or approved appraised value is greater than the project cost as presented in the formal application, the **Grantee must pay the additional cost.**

A. Acquisition Documentation Requirements

Supply two (2) copies of each of the following items:

1. Deed or Easement for each parcel acquired. The deed or easement must contain the relevant restrictive clause listed below as is required by the grant contract:

For property purchased with PARTF funds: "This property was acquired with State financial assistance from the N.C. Parks and Recreation Trust Fund, and pursuant to a contractual requirement this property may not be converted to other than public recreation use (whether by transfer, sale or in any other manner) without approval of the N.C. Department of Natural and Cultural Resources." or

For property donated as local match: "This property was donated as part of a grant from the N.C. Parks and Recreation Trust Fund, and pursuant to a contractual requirement this property may not be converted to other than public recreation use (whether by transfer, sale or in any other manner) without approval of the N.C. Department of Natural and Cultural Resources." or

For an easement purchased with PARTF funds: "The property identified in this easement was acquired with state financial assistance from the N.C. Parks and Recreation Trust Fund and shall be dedicated in perpetuity for recreational use by the general public unless a conversion is approved by the N.C. Department of Natural and Cultural Resources", or

For a donated easement: "The property identified in this easement was donated as part of a grant from the N.C. Parks and Recreation Trust Fund and shall be dedicated in perpetuity for recreational use by the general public unless a conversion is approved by the N.C. Department of Natural and Cultural Resources."

2. Evidence of title for each parcel acquired (Letter from the County or City Legal Officer, or certificate from the Title Guaranty Company).

3. Statement of Just Compensation or Offer to Acquire with Land Donation/Waiver of Just Compensation for each parcel acquired. (Samples below. Electronic versions available at www.ncparks.gov/partf.)
4. Written offer to purchase. (Sample below. Electronic versions available at www.ncparks.gov/partf.)
5. Proof of payment. Canceled checks for land purchases (front and back)

B. Summary of Acquisition Costs: Supply a breakdown for each parcel acquired. Attach supplemental pages if additional space is required. Place the Actual Totals of Land Costs on the Detailed Expenditure Report under a Work Element entitled - Land Acquisition.

Cost of Land

Parcel Number	Date Acquisition Costs were Incurred	Acres Acquired	Actual Total Land Costs	Approved Appraisal Amount	Difference (+ or -)
#1					
#2					
#3					
#4					
#5					
Totals:					

I hereby certify that the expenses represented and the accompanying documents are true and correct. I also certify the acquisition has been completed in accordance with the grant contract.

Name (printed/typed): _____ Title: _____

Authorized Local Government Representative (signature)

(Date)

For Use by the North Carolina Department of Natural and Cultural Resources.

Approved for Reimbursement:

Regional RRS Consultant

Grant Program Manager

Date

Date

STATEMENT OF JUST COMPENSATION

This document shall be used for land acquisition projects assisted by funds from the North Carolina Parks and Recreation Trust Fund. A separate **STATEMENT OF JUST COMPENSATION** will be required for each individual conveying property to the project sponsor.

Section A: Project Description (Completed by the project sponsor)

PARTF Project Number <input style="width: 95%;" type="text"/>	PARTF Project Title <input style="width: 95%;" type="text"/>
Project Sponsor <input style="width: 95%;" type="text"/>	Sponsor's Representative <input style="width: 95%;" type="text"/>
Project Description/Purpose of the Acquisition <input style="width: 95%; height: 40px;" type="text"/>	
Estate to be Acquired <input style="width: 95%;" type="text"/>	
Acreage to be Acquired <input style="width: 95%;" type="text"/>	Names and Addresses of Property Owners Conveying Property to Project Sponsor <input style="width: 95%; height: 80px;" type="text"/>
County of Location <input style="width: 95%;" type="text"/>	

Section B: Project Description (Completed by the project sponsor)

A legal description of the real property proposed for conveyance must be attached to this document. This legal description must be reviewed by the both the landowner and project sponsor before the Statement of Just Compensation is signed.

Section C: Just Compensation (Completed by the project sponsor)

This Statement of Just Compensation considers property location, highest and best use of said property and current market conditions affection sale of the property. An increase or decrease in the market valuation based on proposed future use for public recreation and the likelihood the property would be acquired for such purposes have been disregarded in making the property value determination. Only elements causing value increases/decreases shall be accounted for the stated property value.

Just Compensation, the State Property Office Approved Fair Market Value has been identified as:		\$ <input style="width: 150px; height: 30px;" type="text"/>
Just Compensation <u>includes</u> amounts for the land, improvements, severance, if any, and other elements, as follows:		
Land and Improvements	\$ <input style="width: 100px;" type="text"/>	<input type="checkbox"/> Amount includes buildings, structures and other improvements
Less Damage to the Remainder	\$ <input style="width: 100px;" type="text"/>	
Less / Plus Other	\$ <input style="width: 100px;" type="text"/>	Must be equal to amount in C(1) above
TOTAL	\$ <input style="width: 100px;" type="text"/>	

STATEMENT OF JUST COMPENSATION (Continued)

Section D: Fee Simple Title / Easement for Public Recreation Purposes (completed by project sponsor)

ONE OF THE FOLLOWING BOXES MUST BE CHECKED

Acquisition will be of fee simple title free of all liens, encumbrances and restrictions with no property interests reserved by the landowner.

Acquisition will be an easement for public recreation purposes in perpetuity.

Acquisition will be of fee simple title and is subject to easements, restrictions or rights, interest reserved by the landowner, or title as described on attached page(s). *

***Notice** —All easements, restrictions, and reservations must have prior approval by NC-DNCR. If this box is checked the project sponsor should not proceed with the acquisition without written approval from NC-DNCR.

Section E: Project Sponsor Certification (completed by project sponsor)

1. In compliance with Section 301 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, PL91-646, just compensation has been identified for the real property identified elsewhere in the document.
2. The Just Compensation amount is based upon a State Property Office approved appraisal prepared for the project sponsor and is not less than the appraiser's opinion of fair market value that she/he determined after a personal inspection of said property.
3. The landowners were given the opportunity to accompany the appraiser.
4. The project sponsor is prepared to commence with negotiations for the purchase of this property.
5. The project sponsor will ensure all occupants of the property are made aware of the potential relocation benefits.
6. The project sponsor will pay all incidental costs associated with the acquisition, unless the landowner(s) waives this requirement in writing.
7. This is NOT an offer to purchase.

Signature of Chief Elected Official

Date

Section F: LANDOWNER(S) CERTIFICATION (completed by landowner)

1. I was offered the opportunity to accompany the appraiser during the appraisal visit to the property covered by this agreement.
2. I have received a copy to this "Statement of Just Compensation," have reviewed it fully, and have been advised of my rights under P.L. 91-646.
3. By signing this statement, I acknowledge that I personally completed section F and have received a copy this statement with original signatures. This statement places me under no obligation to convey the property described herein.

LANDOWNERS SIGNATURES

I or my representative DID; DID NOT accompany the appraiser (you must check one)

Signature of Landowner or Owner's Legal Representative

Date

It is a requirement that this completed and fully executed document be submitted with the project's sponsor's **first** PART F Request for Reimbursement.

OFFER TO ACQUIRE WITH LAND DONATION/WAIVER OF JUST COMPENSATION

This document shall be used for acquisition projects assisted by funds for the North Carolina Parks and Recreation Trust Fund when the cash compensation amount is not at least equal to the value established in the appraisal approved by the State Property Office. An OFFER TO ACQUIRE signed by the project sponsor/buyer and the landowner/seller (or their legal representative) will be required for each property proposed for acquisition.

Section A: Project Description (completed by project sponsor)

PARTF Project Number <input style="width: 95%;" type="text"/>	PARTF Project Title <input style="width: 95%;" type="text"/>
--	---

Section B: Project Sponsor/Buyer

Project Sponsor <input style="width: 95%;" type="text"/>	Sponsor's Representative <input style="width: 95%;" type="text"/>		
Address of Sponsor <input style="width: 95%;" type="text"/>	City <input style="width: 95%;" type="text"/>	State <input style="width: 95%;" type="text"/>	Zip <input style="width: 95%;" type="text"/>

Section C: Seller Information (Owners of record of the real property)

Names of Seller(s) <input style="width: 95%;" type="text"/>			
Address of Seller(s) <input style="width: 95%;" type="text"/>	City <input style="width: 95%;" type="text"/>	State <input style="width: 95%;" type="text"/>	Zip <input style="width: 95%;" type="text"/>

Section D: Legal Description of Property (completed by the project sponsor)

A legal description of the real property proposed for conveyance must be attached to this document. This legal description must be reviewed by both the landowner and project sponsor before the "OFFER TO PURCHASE" is signed.

Section E: Just Compensation (completed by the project sponsor)

Just Compensation, the State Property Office Approved Fair Market Value, has been identified as:	\$	<input style="width: 95%;" type="text"/>
--	----	--

Section F: Offer to Purchase (completed by the project sponsor)

An Offer to Purchase has been made in the amount of : as detailed by the seller below.	\$	<input style="width: 95%;" type="text"/>
---	----	--

Section G: Cash Compensation and Value of Land (completed by the Seller/Landowner)

1. The Landowner/Seller has voluntarily agreed to accept Cash Compensation in the amount of:	\$	<input style="width: 95%;" type="text"/>
1. The difference between the established Just Compensation/Fair Market Value and the Cash Compensation amount is:	\$	<input style="width: 95%;" type="text"/>

Offer To Acquire With Land Donation/Waiver Of Just Compensation (Continued)

Section H: Project Sponsor/Buyer's Certification (completed by the project sponsor)

By execution of this agreement, the Project Sponsor certifies the following:

1. The Project Sponsor as listed in Section B above offers to purchase the property describe in Section D for the purchase price listed in Section F and to pay the incidental closing costs, unless waived by the Seller.
2. Cash Compensation in the amount listed in Section G(1) will be provided at the time of closing. The difference in the established Just Compensation, Section E and the Cash Compensation is listed in Section G(2).
3. The value as established in section G(2) may be used by the Project Sponsor to meet all or a portion of their PARTF required matching funds contribution to the project.

Project Sponsor's Legal Representative

Date

Section I: Seller's/Landowner's Certification (completed by Seller/Landowner)

The landowner/seller's signature on this document certifies the following::

1. I have been informed of all my rights and benefits under the Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970 (P.L. 91-646).
2. I have been provided with a "Statement of just Compensation"
3. I have elected to accept cash compensation as listed in Section G(1); which is less than the State Property Office established Fair Market Value.
4. I understand that, with prior DNCR approval, the value as established in Section G(2) may be used by the Project Sponsor to meet the matching funds requirement for North Carolina Park and Recreation Trust Fund grant.
5. I accept this Offer to Purchase and the Cash Compensation amount.
6. The reason(s) I am accepting cash compensation in an amount less than the established Fair Market Value is:

Seller/Landowner's (or legal representative) Signature

Date

If applicable, it is a requirement that this completed and fully executed document be submitted with the sponsor's first PARTF Request for Reimbursement.

Print Form

OFFER TO PURCHASE

This document shall be used for land acquisition projects assisted by funds from the North Carolina Parks and Recreation Trust Fund when the Cash Compensation amount is at least equal to the value established in the **STATEMENT OF JUST COMPENSATION**. An **OFFER TO PURCHASE** signed by the project sponsor/buyer and the landowner/seller (or their legal representative) will be required for each property proposed for acquisition.

Section A: Project Description (completed by project sponsor)

1. PARTF Project Number	2. Contract Number	3. PARTF Project Title

Section B: Project Sponsor/Buyer

1. Project Sponsor	2. Sponsor's Representative		
3. Address of Sponsor	City	State	ZIP Code

Section C: Seller Information (Owners of record of the real property)

1. Name of Seller(s)			
Address of Seller	City	State	ZIP code

Section D: Legal Description of Property (completed by project sponsor)

A legal description of the real property proposed for conveyance must be attached to this document. This legal description must be reviewed by both the landowner and project sponsor before the "OFFER TO PURCHASE" is signed

Section E: Just Compensation (completed by project sponsor)

Just Compensation, the State Property Office Approved Fair Market Value, has been identified as \$

Section F: Offer to Purchase Price (completed by project sponsor)

An Offer to Purchase has been made in the amount of: \$

Section G: Project Sponsor's Certification (completed by project sponsor)

By execution of this agreement, the project sponsor offers to purchase the described real property for the price stated in Section F and to pay the incidental closing costs, unless waived in writing by the seller/landowner.

Signature of Sponsor's Legal Representative

Date

Section H: Seller/ Landowner Certification

By execution of this agreement, the seller/landowner certifies the following:

1. I have been informed of all my rights and benefits under the Uniform Relocation Assistance and Real properties Acquisition Policies Act of 1970.
2. I have been provided with a "Statement of Just Compensation."
3. I accept this Offer to Purchase.

Seller or Owner's Legal Representative

Date

It is a requirement that this completed and fully executed document be submitted with the project sponsor's FIRST PARTF Request for Reimbursement.

Appendix C: Instructions for As-Built Site Plans

Instructions for Producing As-Built Site Plan

If the park layout differs from the plan submitted with the application, the Grantee *must* submit two (2) color-coded, scaled site plans with the close out documentation. A site plan will remain part of the official project file for reference when determining grant-funded facilities. Site plans should be no smaller than one 8 1/2" x 11" page and no larger than an 11" x 17" page. Do not use card stock or similar heavy paper. Also include two (2) copies of an 8 1/2" x 11" floor plan if the project includes a large building such as a community center. Do not include floor plans for picnic shelters or restrooms.

Include the following items on each site plan with appropriate color coding:

GREEN: PARTF Funded Facilities – Recreational facilities, support facilities and other items funded with this grant. Do not include grading or utilities.

RED: Park Boundaries

ORANGE: Future Facilities / Development

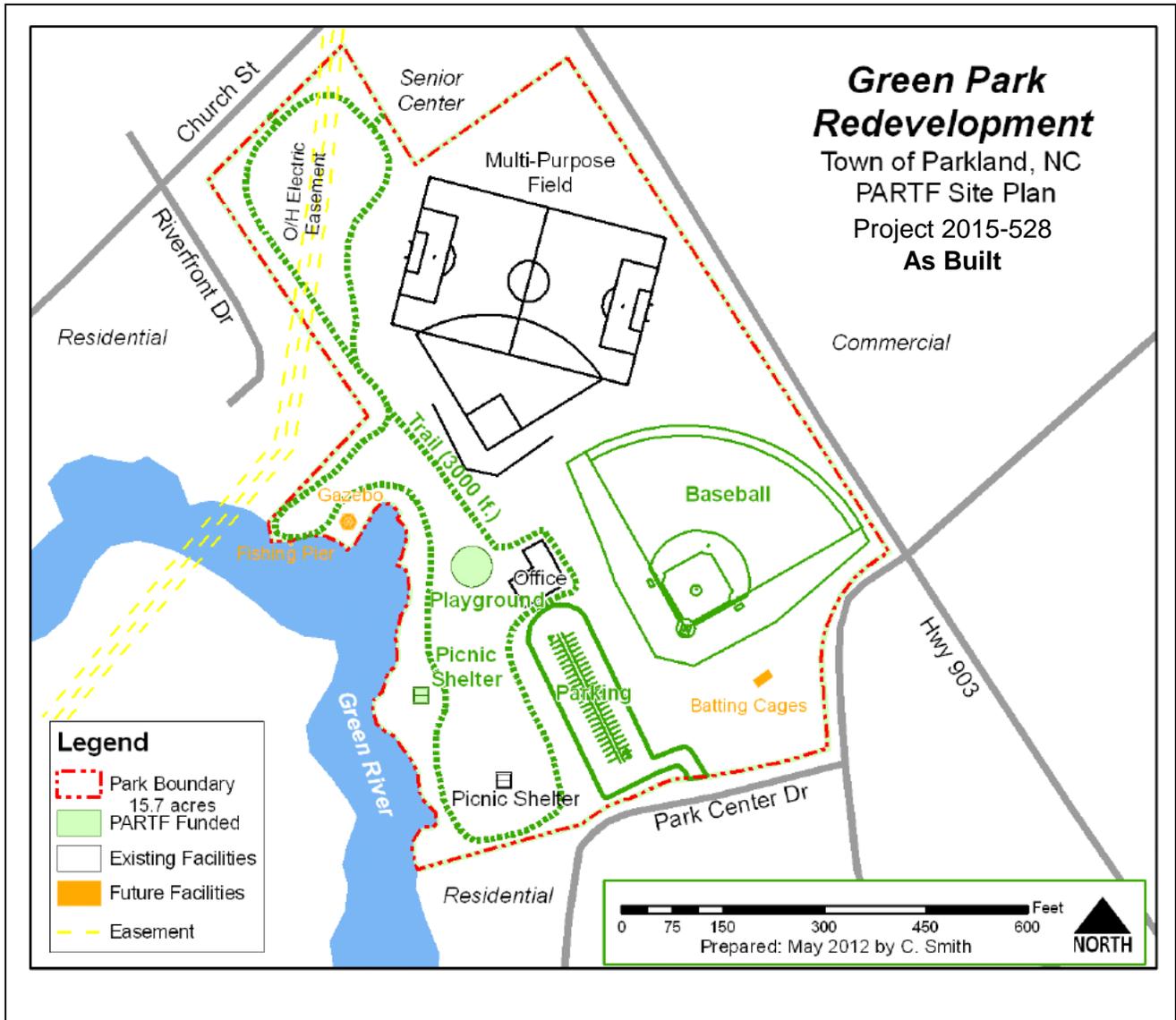
YELLOW: Easements (power, sewer, water lines)

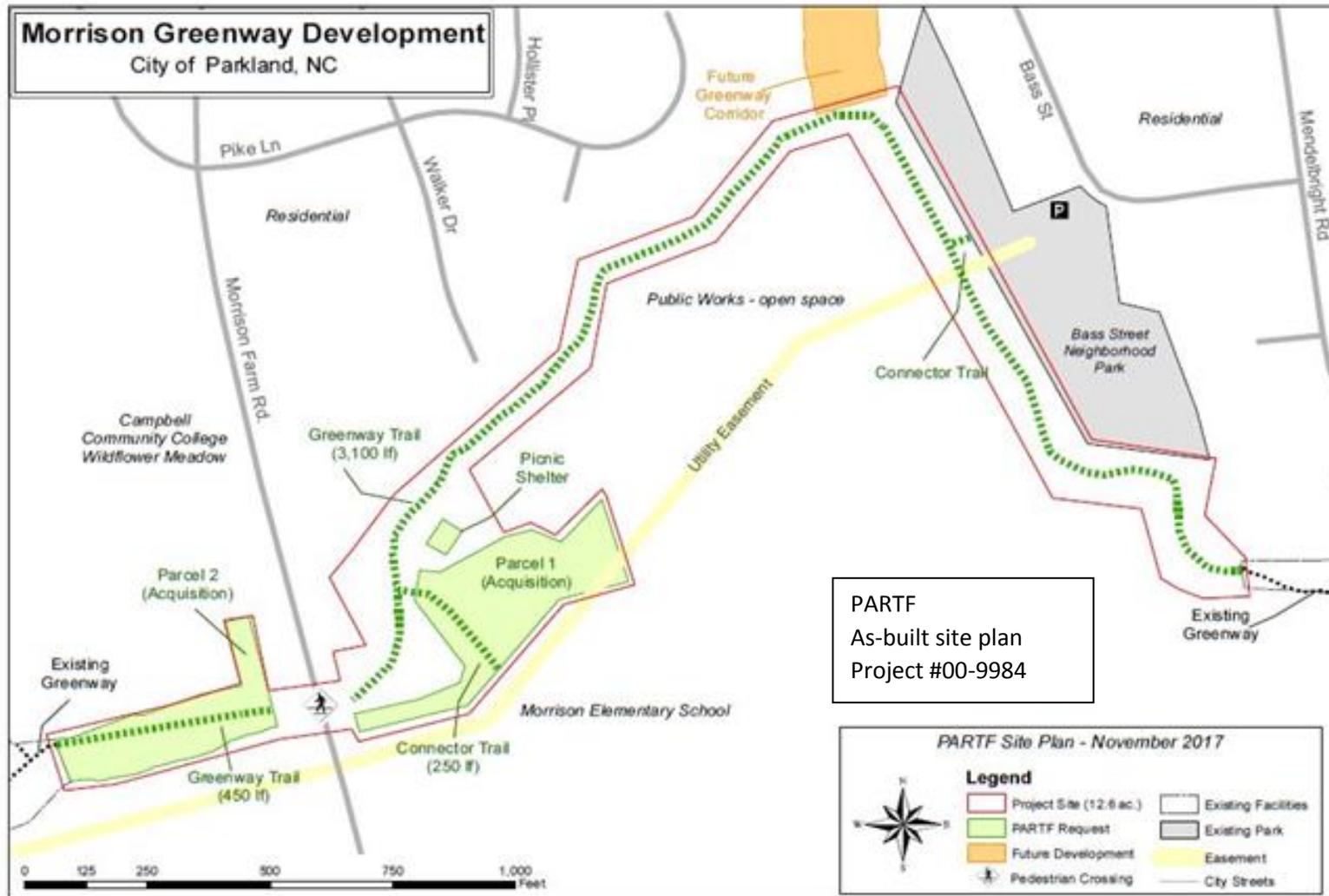
WHITE: Pre-Existing facilities OR facilities developed with non-PARTF funds

Also include on the site plan:

- **Title:** Name of project, Grantee and PARTF project number
- **Type of Site Plan: AS BUILT**
- **Site Plan Information:** North arrow, Scale bar and date prepared and prepared by.
- **Roads** – Show and label entrance and access roads to the site as well as names of adjacent roads
- **Acreage:** Site acreage (separate land and water acreage)
- **Uses of Adjacent Property** (examples: residential, undeveloped, business)

Example of As-Built Site Plan for a Single Park Site





Example of As-Built Site Plan for a Linear Park

Appendix D: Process for Requesting the Conversion of a PARTF Project

**Authority and Rules for the Conversion of PARTF Project
to Uses Other Than Public Recreation**

15A NCAC 12K .0109 SITE CONTROL AND DEDICATION

- (a) Land acquired with PARTF assistance shall be dedicated in perpetuity for local park and recreation purposes for the use and benefit of the general public. The dedication shall be recorded in the public property records by the Grantee.
- (b) The site of a PARTF project for development shall be controlled (e.g. fee simple ownership or long-term lease) by the Grantee by the closing date of the application submission period. Any lease agreement shall extend for a minimum of 25 years unless the property is the subject of a federal, state, or local leasing arrangement which provides assurance that 25 years of public recreational use will be maintained.
- (c) Grantees shall assure that PARTF assisted development facilities are maintained and managed for public recreation use for a minimum period of 25 years after the completion date set forth in the grant contract.
- (d) PARTF-assisted land and facilities shall not be converted to uses that are other than public recreation without approval by DNCR, in the following manner:
- (1) A Grantee shall notify DNCR and request approval before any conversion occurs.
 - (2) The Grantee shall address issues of local concern prior to forwarding a conversion request to DNCR.
 - (3) DNCR shall deny the request if it determines that the Grantee has reasonable alternatives available to avoid the conversion.
 - (4) All conversions shall be mitigated with measures approved by DNCR with advice from the Parks and Recreation Authority.
 - (5) The primary mitigation for a conversion is to have the Grantee replace, at its own expense, land acquired with PARTF assistance with land of equal current fair market value and recreational usefulness. Facilities built with PARTF assistance shall be replaced with facilities of equal current replacement value, and recreational usefulness. Replacement areas shall also be within the Grantee's service area; provide or be part of a viable recreation area; and be to the maximum extent possible, consistent with all current application requirements for a new PARTF application.
 - (6) Replacement property and facilities shall be encumbered by the same obligations as specified in the grant contract and rules for the converted property or facility.
 - (7) If DNCR determines that the local government cannot reasonably replace the land or facilities, DNCR may mitigate the conversion by the Grantee repaying PARTF with funds equal to the current value of the land or facilities.
 - (8) DNCR shall include provisions on conversions in all grant contracts.
- (e) A conversion is defined as the use of PARTF-assisted land or facilities for a purpose other than public recreation.
- (f) If PARTF-assisted facilities are built on public school property, the applicant(s) shall submit an agreement with the application describing that the facilities will be available to the general public during non-school hours. Projects on land owned by a school shall have sign(s) installed informing the public that the facilities are open to the general public. These signs shall also indicate the times when the facilities are reserved exclusively for school use.
- (g) Failure by the Grantee(s) to comply with the provisions of this Section or the project contract may result, in addition to any other legal remedies, in the Authority on behalf of the Department declaring the Grantee(s) ineligible for further participation in the PARTF until such time as compliance has been obtained.

History Note: Authority G.S. 113-44.15;

Temporary Adoption Eff. November 1, 1994, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;

Eff. April 1, 1995;

Amended Eff. October 1, 2007; August 1, 1998.

Definition of a Conversion

A conversion is the use of property acquired or facilities built with PARTF assistance for a purpose other than public recreation. This includes all property or permanent easements that are donated, purchased or purchased as a bargain sale as a component of a PARTF grant.

Identifying Property Acquired and Facilities Built with PARTF Assistance

When PARTF funding is used by a local government to acquire land via fee simple title or permanent easement, PARTF rules require the land to be used in perpetuity for only public recreation use. In completing a PARTF grant, the Grantee surveys the property acquired with PARTF assistance and this survey defines the area to be used only for public recreation. All facilities built with PARTF assistance are identified in the Grantee's contract and the as-built site plan that the Grantee submits upon completion of a PARTF project. The survey of the property and / or the as-built site plan is to be kept on file by the Grantee and DNCR.

Examples of Conversions of Property Acquired with PARTF Assistance

Conversions include all of the following:

1. The addition of any public or private facilities, other than public recreation facilities and facilities to support recreation, to property acquired with PARTF assistance (i.e. the project area). This includes the addition of cellular towers, libraries, township/village halls, fire stations, etc.
2. Making use of an existing structure in the project area for purposes other than public recreation. Short-term uses (generally less than one year) are not considered a conversion, but are considered a project change requiring prior DNCR approval.
3. Leasing or otherwise granting control of all or a portion of the project area to another entity. Exceptions:
 - a. Short-term leases (generally under one year) that have minimal negative impact on the public recreational value of the project area are not considered a conversion, but are always considered a project change requiring prior DNCR approval.
 - b. Leases of the project area for the purpose of having an entity operate the project area or facilities on behalf of the Grantee for public recreation purposes are not considered a conversion; however, Grantees should make the DNCR aware of operational leases and provide a copy to the agreement to be included in the project file.
4. The sale or transfer (including trading, giving away or granting permanent easements) of lands or rights in the project area to another entity.
5. Permanently closing all or a portion of the project area to the public. Non-permanent closures are considered a project change and require prior DNCR approval.

Requirements for the Mitigation of Conversions of Property

1. The primary mitigation for a conversion of property is to have the Grantee replace, at its own expense, land acquired with PARTF assistance with land of at least equal current fair market value and recreational usefulness. Replacement areas shall also be within the Grantee's service area; provide or be part of a viable recreation area; and be to the maximum extent possible, consistent with all current application requirements for a new PARTF application.
2. Conversions of properties acquired with PARTF assistance shall be mitigated with the addition of new recreation property that was not in public ownership at the time of the conversion.
3. DNCR may also, at its discretion and on a case-by-case basis, consider and approve other forms of mitigation, including cash repayment to the PARTF, when it has been demonstrated to DNCR's satisfaction that no viable replacement property can be found.
4. Alternative forms of mitigation, including cash repayment, shall be based on the DNCR-approved appraised value of the property at the time of conversion or the original award amount, whichever is greater.

Requirements for Mitigation of Conversions of Facilities

Any reduction or loss in usefulness in a PARTF-assisted facility shall be mitigated to DNCR's satisfaction. Mitigation of facilities may include relocation or replacement with facilities of similar monetary value and recreation usefulness taking into consideration the age of the facilities and their current use. Alternative forms of mitigation, including cash repayment, shall be based on the DNCR-approved value of the facility at the time of conversion.

Exceptions to the PARTF Requirements for Mitigation

DNCR may consider and approve requests for exceptions to the PARTF requirements for mitigation as part of a conversion proposal, when requested and approved by DNCR prior to the conversion. Upon approval of an exception, DNCR may waive the mitigation requirement or approve alternative methods of mitigation. Exceptions may fall within one of the following categories:

- a. The addition of underground utility easements when it has been demonstrated to the satisfaction of DNCR that there will be no significant impacts on the recreational value of the PARTF-assisted property or facilities (**See Appendix F**).
- b. Lease agreements that can be demonstrated to DNCR's satisfaction to have minimal impact on the public recreation value of the PARTF-assisted property or facilities and when any proceeds will be dedicated to maintenance or development of the project area.
- c. Sale or transfer of a small percentage of the project area to another unit of government for public recreation purposes when it can be demonstrated to DNCR's satisfaction that the impact on the recreational and/or resource protection values of the project area is negligible and when any proceeds will be dedicated to maintenance or development of the project area.
- d. Easements granted for the purpose of crossing PARTF-assisted trails, when the Grantee has written guidelines in place for evaluating requests for trail crossings and minimizing their impacts on trail use.
- e. Sale or transfer of the project area to another eligible PARTF Grantee that will assume all of the current grant contract obligations.

Requirements for Replacement Property

1. To be approved, a replacement property must be:

- a. of reasonably equivalent or superior location and offer reasonably equivalent or superior recreation and/or natural resource values;
 - b. within the Grantee's service area;
 - c. consistent all current application requirements for new PARTF acquisition applications;
 - d. provide for or be part of a viable public recreation area; and
 - e. meet all current State Environmental Policy Act (SEPA) standards and be demonstrated as safe for recreational use.
2. The value of the replacement property must be equal or greater than the fair market value (FMV) of the property to be converted, based on the DNCR-approved appraisal(s) of the converted and replacement parcels completed at the time of conversion. If the current FMV of the property to be converted is less than the FMV at the time PARTF assistance was provided, the substitute parcel must have a dollar value at least equal to the original FMV.
3. If only a portion of the project area is proposed for conversion, it is within DNCR's discretion to determine the size of the parcel that will be converted, based on the impact of the conversion on overall project area and the land remaining in public recreation. If PARTF-assistance was used to acquire property that was an addition to an existing park or recreation area, DNCR may also consider the impact of the conversion on the overall park or recreation area in determining the acreage that will be converted.
4. Approved replacement parcels shall be encumbered by the same obligations and conditions as specified in the Grant Contract and North Carolina Administrative Rules for the converted parcel, as amended.

Unapproved/ Unresolved Conversions

1. Recipients of PARTF assistance that convert any portion of the project area without approval of DNCR are in violation of their Grant Contract. DNCR may take corrective actions called for in the Grant Contract.
2. Requests will be considered for mitigation of a conversion that has taken place; however, undertaking a conversion without prior approval represents a violation of this policy and subjects the Grantee to corrective action.
3. Upon discovery of an unapproved conversion, if a Grantee does not implement DNCR-approved mitigation measures within a time frame established by DNCR, the recipient may, at DNCR's discretion, be considered ineligible for PARTF assistance for a period determined by DNCR and the Parks and Recreation Authority.

Additional Requirements

1. It is the responsibility of the Grantee to address issues of local concern prior to forwarding a conversion request to DNCR.
2. For project areas that have also received grant assistance under other programs, such as the Land and Water Conservation Fund, the most stringent of the program requirements will govern any proposed conversion.
3. It is the responsibility of Grantees and DNCR to know the facilities built with PARTF assistance as well as the boundaries of PARTF-assisted areas and to ensure these areas and / or facilities remain dedicated to public recreation.

Steps to Request a Proposed Conversion

1. **Contact a regional consultant** - Grantees are encouraged to contact DNCR field representatives, their RRS regional consultant, to discuss their potential conversion and receive assistance on how to proceed. The regional consultant is the single point of contact for a Grantee for the PARTF grant program, including requests for a conversion.
2. **Submit an Initial Proposal** - Prior to submitting a request to convert property or facilities with PARTF assistance, a Grantee must submit an initial proposal to their regional consultant that includes:
 - a. A description of the PARTF-assisted land (size and location) and / or facilities that the Grantee is proposing to convert as well as the replacement land and / or facilities proposed as mitigation.
 - b. The reasons why the conversion is being requested including why the conversion is necessary.
 - c. A request for the conversion signed by a representative of the local government such as the parks and recreation director or a similar position.
3. **Receive an Approval to Proceed from DNCR** – DNCR will respond to the initial proposal with either an approval to proceed with the conversion request or a disapproval of the request.
4. **Prepare a Request for a Conversion** – All conversion requests must include basic information about the PARTF-assisted project, the reasons for the conversion, an analysis of the alternatives

considered, and a description of the public involvement process conducted for the conversion. These elements are described in item # 5. A conversion request will have different elements depending on whether the request is to convert property (item # 6) or facilities (item # 7).

- 5. Elements Needed for All Conversions** - Conversion requests must be submitted in writing to DNCR via the Grantee's regional consultant prior to the conversion taking place. Requests must include the following information, subject to minor modification on a case-by case basis by DNCR staff:
- a. **Basic Information** - Brief history of the project and site:
 - i. grant number and project name,
 - ii. completion date,
 - iii. grant amount,
 - iv. historic and current uses of the project area and facilities,
 - v. current plat map and site plan of the project area,
 - vi. A description of the PARTF-assisted land (size and location) and / or facilities that the Grantee is proposing to convert as well as the replacement land and / or facilities proposed as mitigation.
 - vii. proposed uses for the converted land and/ or facilities.
 - b. **Justification of the Conversion** – The Grantee must describe the reasons why the proposed conversion is necessary.
 - c. **Analysis of the Alternatives to the Conversion** – The Grantee must demonstrate that they have reviewed and exhausted all reasonable alternatives before proposing a conversion. The Grantee must include the list of reasonable alternatives that were considered and why the alternatives should be rejected.
 - d. **30-Day Comment Period** - Prior to submitting a conversion request to DNCR, a Grantee must provide the public a well-publicized opportunity of at least 30 days to review the proposed site conversion and mitigation proposals. Publication of the opportunity for public review must include all of the channels normally used by the community to publicize its official actions, including publication in a newspaper of general circulation and posting of the notice at the property proposed for conversion. If the PARTF-assisted property or facilities are regional in nature and/or is supported by multiple jurisdictions, for example a linear park, the public comment opportunity must be publicized to all residents of all of the affected communities. The conversion request must include:
 - i. A description of the process used to gather public input on the proposed conversion and mitigation sites
 - ii. The evidence of the public notice
 - iii. A certified copy of the minutes of the public meeting used to gather public comment.
 - iv. The comments received during the 30-day comment period.
 - v. The steps the Grantee has taken to address the issues raised by the public regarding both the conversion and the proposed mitigation. DNCR may request additional information regarding the steps taken to address local concerns.
 - e. **Conduct a Public Meeting** - The Grantee's governing body must hold a well-publicized public meeting to discuss the proposed conversion and mitigation and pass a resolution supporting the request to convert a PARTF-assisted site. The notice for this meeting should include the same channels as the notice for the public review period, including

publication in a newspaper of general circulation in the affected areas at least 7 days prior to the meeting. The notice must also clearly state that the conversion issue is on the agenda and formal action is expected to be taken at this meeting. The meeting must be held and the resolution dated after the public's opportunity to review the proposal.

- f. **Resolution from the Governing Body** - A certified copy of a resolution from the Grantee's governing body supporting the proposed conversion and committing to providing the required mitigation (see attached Sample Resolution, page 55).

6. **Elements Needed for Conversions of PARTF-Assisted Property**

- a. A description of the PARTF-assisted land including size and location. If less than the entire project area will be converted, a description of the impact of the conversion on the land within the project area that will remain in public recreation use. Estimated fair market value (FMV) of the parcel proposed for conversion based on an appraisal.
- b. Description of the proposed replacement parcel, including:
 - i. Current ownership and five year history of conveyance
 - ii. Property uses and conditions
 - iii. Proposed uses once acquired by the Grantee
 - iv. Description of how the parcel is equal or superior in recreational value and/or resource protection values of the parcel to be converted.
 - v. Estimated fair market value (FMV) of the parcel proposed for conversion. All appraisals must be produced by a licensed appraiser. The appraiser must certify that each appraisal was completed using the Universal Standard of Professional Appraisal Practices.
 - vi. If the Grantee is requesting an alternative form of mitigation, or to be exempted from mitigation, include a description of the proposed mitigation and a rationale for the request, including an explanation of why replacement is not feasible.
- c. Prepare a survey map(s) that displays the converted and replacement areas. The map(s) must include a surveyor's stamp and signature and must be signed and dated by the Grantee's chief elected official.
- d. Preliminary site plan for the replacement property showing the proposed uses.
- e. SEPA Environmental Assessment for the converted and the replacement properties. An environmental review of the converted site was a part of the PARTF grant selection process and is required for replacement property.
- f. A commitment to acquire the replacement property within 90 days of the conversion taking place or for conversions that have already taken place, within 90 days of the mitigation being approved.

7. **Elements Needed for Conversions of PARTF-Assisted Facilities**

- a. A description of the PARTF-assisted facilities including size, public use, and location. If not all the facilities at a PARTF project site will be converted, a description of the impact of the conversion on the land within the project area that will remain in public recreation use.
- b. A description of the proposed mitigation (replacement or repayment). If the Grantee is requesting an alternative form of mitigation, or to be exempted from mitigation, include

- a description of the proposed mitigation and a rationale for the request, including an explanation of why replacement is not feasible.
- c. If repayment is the proposed mitigation, the Grantee must provide an estimate of the value of the facility at the time of the conversion.
- d. A commitment to replace the facility(s) within two years of the conversion taking place.
- e. An updated site plan reflecting the proposed mitigation.

DNCR Review of Conversion Requests

Conversion requests will be reviewed and evaluated by DNCR. Based on this review, DNCR, with advice from the Parks and Recreation Authority, may deny or accept the request as proposed or request modifications. Grant Contract amendments will be executed to finalize all approved conversions and to incorporate any conditions imposed by DNCR as part of the mitigation approval.

Evidence of Compliance with the Mitigation Requirements

The Grantee will be required to provide documentation of compliance with the required mitigation to DNCR within the timeframes established at the time of the final conversion approval.

Checklist for Proposed Conversions

Check Items Included	
	A) Grant information
_____	1. Grant number
_____	2. Project Name
_____	3. Completion date
_____	4. Grant amount
_____	5. Brief history of the use of the area
_____	6. Current uses of the project area and / or facilities
_____	7. Current plat map
_____	8. Site plan of the project area
_____	9. A description of the PARTF-assisted land (size and location) and / or facilities that the Grantee is proposing to convert as well as the replacement land and / or facilities proposed as mitigation.
_____	10. Proposed uses for the converted land and/or facilities
	B) Reasons for the Proposed Conversion
_____	1. Justification
_____	2. Analysis of Alternatives
	C) Public Input Process
_____	1. A description of the process used to gather public input on the proposed conversion and mitigation sites
_____	2. The evidence of the public notice
_____	3. Evidence of Public Comments from the 30-day comment period
_____	4. A certified copy of the minutes of the public meeting used to gather public comment.
_____	5. The steps the Grantee has taken to address the issues raised by the public regarding both the conversion and the proposed mitigation.
_____	6. Governing Board's approved resolution.
	D) Elements Needed for Conversions of Property

_____	1. A description of the PARTF-assisted land including size and location.
_____	2. Appraised fair market value of the PARTF-assisted property
_____	3. SEPA Environmental Assessment for the Converted Property
_____	4. Description of the Replacement Property
_____	a. Ownership history and five year history of conveyance
_____	b. Current and proposed use of the property
_____	c. Recreational value of the property
_____	d. Appraised fair market value of the property proposed as replacement.
_____	e. Alternative form of mitigation, if requested
_____	f. Plat map with metes and bounds signed by chief elected official
_____	g. Preliminary site plan for the replacement property showing proposed uses.
_____	h. SEPA Environmental Assessment for the replacement property
_____	i. Commitment to acquire replacement property within 90 days
	E) Elements Needed for the Conversion of Facilities
_____	1. A description of the PARTF-assisted facilities including size, public use, and location. If not all the facilities at a PARTF project site will be converted, a description of the impact of the conversion on the land within the project area that will remain in public recreation use.
_____	2. A description of the proposed replacement facilities.
_____	3. If the Grantee is requesting an alternative form of mitigation, or to be exempted from mitigation, include a description of the proposed mitigation and a rationale for the request, including an explanation of why replacement is not feasible.
_____	4. If repayment is the proposed mitigation, the Grantee must provide an estimate of the value of the facility at the time of the conversion.
_____	5. A commitment to replace the facility(s) within two years of the conversion taking place.
_____	6. An updated site plan reflecting the proposed mitigation.

**A RESOLUTION AUTHORIZING CONVERSION OF A NORTH CAROLINA PARKS AND RECREATION TRUST
FUND GRANT SITE**

WHEREAS, the **Local government** received a N.C. Parks and Recreation Trust Fund (PARTF) grant in 20xx, (DNCR contract number #) from the North Carolina Department of Natural and Cultural Resources (DNCR) to assist in the acquire of **xx** acres for its **Park Project Name**; and

WHEREAS, in accordance with the grant criteria of PARTF, a declaration of restrictions was recorded in the County of **NAME** Registry restricting the use of the **xx** number of acres converted acres to public recreation; and

WHEREAS, the **Local government** has reviewed and considered public comments and subsequently approves **the reason(s) for a conversion** such that the land will no longer meet the PARTF grant criteria; and

WHEREAS, the governing body of the Local government hereby determines that it is necessary and in the public interest to convert **xx** number of acres of land to non-recreation use and to provide at least equivalent valued replacement land; and

WHEREAS, the **Local government**, upon approval by the North Carolina Department of Natural and Cultural Resources, has selected a **xx-acre name of alternative park site** as replacement property for the PARTF grant, which will include a declaration of restrictions to be recorded in the County of **Name** Registry:

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE **LOCAL GOVERNMENT**, THAT:

1. The **Local government** requests to convert the use of the **xx** acres having an address **Street in City, NC**, and requests DNCR approval to release the declaration of restrictions recorded in Deed Book **xxx**, County of **Name** Registry.
2. The **Local government** shall provide at least equivalent valued replacement property of approximately **xx** acres, located at the **location of alternative site** in **City, NC**, being a portion of that parcel having PIN # **xxxxx** and upon approval by DNCR shall record a declaration of restrictions on that approximate **xx**-acre portion of the property restricting its use to public recreation in perpetuity.

Typed or Printed Name and Title of Mayor or Chairman of County Commissioners

Adopted this **day of month, 20xx.**

I, **xxx**, Clerk of the Local government, do hereby certify that the foregoing is a true copy of a resolution which was duly adopted by local governing body, council or commission of the Local government at its meeting on **month, day, year.**

Witness my hand and the official seal of the **Local government** on this the _____ **day of month, 20xx.**

xxx, Town and/or County Clerk

(Local Government Seal)

Appendix E: Resolution to Terminate / Withdraw a PARTF Project

**A RESOLUTION AUTHORIZING LOCAL GOVERNMENT NAME TO REQUEST
TERMINATION/WITHDRAWAL OF A NORTH CAROLINA PARKS AND RECREATION TRUST FUND GRANT**

WHEREAS, the local government name applied for and received a grant in 20xx from the North Carolina Parks and Recreation Trust Fund (PARTF) to assist with project / park name in the amount of \$xxx,xxx; and

WHEREAS, the local government name and the Department of Natural and Cultural Resources entered into a contract (DNCR contract number) to complete the PARTF project with in a three year period.

WHEREAS, the local government name has decided not to go forward with the PARTF project, and

WHEREAS, the local government name has informed the public through a public hearing on date to accept public comment about the proposed action to request withdrawal of the PARTF grant award.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE local government name requests that the Department of Natural and Cultural Resources withdraw the PARTF grant award and terminate the contract (DNCR contract number); and

local government name shall absorb all current, past and future expenses incurred with the project and will absolve the Department of Natural and Cultural Resources of any past or future liability from the project.

Name and Title of the Chief Elected Official

Adopted this the xxx day of month, 20xx.

I, name, Clerk of the local government name, do hereby certify that the foregoing is a true copy of a resolution which was duly adopted by the name of governing board at its meeting on date.

Witness my hand and the official seal of the local government on this the day of month, 20xx.

Name and Title of Local Government's Clerk

Appendix F: Process for Requesting an Underground Utility Easement

Underground Utility Easements

DNCR may consider and approve the addition of underground utility easements on a park site acquired with PARTF assistance when the local government sponsor can demonstrate to the satisfaction of DNCR that there will be no significant impacts on the public recreational value of the PARTF assisted property or facilities.

Steps Required to Request an Underground Utility Easement:

Contact the Regional Consultant – Grantees are encouraged to contact their DNCR field representative – their RRS regional consultant, to discuss their proposed utility easement and receive assistance on how to proceed. The regional consultant is the single point of contact for the PARTF program, including utility easement proposals.

- a) Describe the proposed easement (purpose, who/what it will serve, other alternatives considered and justification for placing the easement within the park boundaries).
- b) What is the size (width and length) of the easement and how much park acreage will be needed for the easement?
- c) Describe the possible impacts on the park and the effect on PARTF-assisted facilities, both positive and negative.
- d) Local sponsor's assurance that no rights or interests will be granted in the park property by the Grantee.
- e) Local sponsor's assurance that the intended present and future use of the PARTF project will not be impaired by the easement.
- f) Local sponsor's assurance that the park property will be restored to its pre-existing condition prior to the placement of the easement.
- g) Two copies of an updated as-built site plan for the PARTF project using the instructions found in Appendix C (page 39). The site plan must show the proposed utility easement's location in relation to existing or planned park facilities (especially PARTF-assisted facilities). The Grantee should keep one copy of the site plan submitted for their PARTF project file.
- h) Additional points that must be adhered to:
 - i) The easement will be placed in an area of the park that will have the least negative impact on the public's use of the park.
 - ii) The maintenance service widths of the easement must be kept to a minimum.
 - iii) Any manholes will be constructed at ground level.

DNCR Review of Utility Easement Requests

Underground utility easement requests will be reviewed and evaluated by DNCR. Based on this review, DNCR may accept or deny the request as proposed or request modifications or additional information.

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