

MA Land Conservation Conference

MARCH 25, 2017



All images courtesy of accredited Scenic Hudson (NY). Background: Conserved farmland at Old Mudd Creek Farm in Livingston, NY/Robert Rodriguez, Jr., photographer. Banner images - left to right: Hudson River kayaker at Scenic Hudson's Foundry Dock Park in Cold Spring, NY/Nick Zungoli, photographer; Flowerbeds at Scenic Hudson's Foundry Dock Park in Cold Spring, NY/Robert Rodriguez, Jr., photographer; Cattle on conserved farmland at Northwind Farm in Red Hook, NY/Robert Rodriguez, Jr., photographer; View of the Hudson River and Catskill Mountains from Scenic Hudson's Poets' Walk Park in Red Hook, NY/Robert Rodriguez, Jr., photographer.

Keepers and Chuckers

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KEEPERS & CHUCKERS



INSPIRATION

Be inspired to protect the great work of your land trust.



TOOLS

Learn about tools to help ensure success.



ACTION

Leave with a jump start on your records and steps to help you take action.



GOOD RECORD MANAGEMENT

- LEGAL DEFENSE
- DAILY OPERATIONS
- HISTORIC RECORD
- LEGAL OBLIGATIONS
- PUBLIC REPUTATION

EXAMPLES OF RECORDS

- Legal Agreements
- Appraisals
- Financial Records
- Donor Acknowledgement
- Tax Documents
- BDRs/Management Plans
- Monitoring Reports
- Maps/Surveys



CRITICAL RECORDS

Irreplaceable Document	Original Required	Duplicate Required
Legal agreements, deeds, conservation easements, amendments, etc.	yes	yes
Critical correspondence (such as correspondence with the landowner related to project goals, tax and legal matters, notifications, approvals, enforcement, other key matters the organization determines essential to the defense of the transaction, etc.)	yes	yes
Baseline documentation reports for conservation easements	yes	yes
Title insurance policies or evidence of title investigation	yes	yes
Surveys, if any*	yes	yes*
Full appraisals (or summary appraisals if full appraisals are not available) used to substantiate the purchase price or used by the landowner to substantiate the tax deduction	yes	no
Forms 8283 for projects where the landowner claimed a federal tax deduction (The organization's "original" can be a copy of the landowner's signed original)	yes	no
Conservation easement monitoring reports	yes	no
Fee property inspection records essential to the stewardship and defense of the property	yes	no
Contracts and leases relative to long-term land management activities (Original retained only for as long as it and applicable statute of limitations is in effect)	yes	no

RECORDS STORAGE

EXAMPLES?

- Fireproof cabinet/safe
- Separate location
- Electronic storage
- Make duplicates



RECORD RETENTION

Program		Off-site storage	Paper (secure)	Original in Fireproof Safe	Original in Fireproof Cabinet	Electronic	Paper (unsecure)	Retention Period
Admin	Expired insurance policies						X	3 years
Admin	Employment applications		X					3 years
Admin	Employment personnel records (after termination)		X					3 years
Admin	Internal reports (survey results, program reports, organizational studies)	X				X	X	3 years
Admin	Invoices (utilities, rent, office equipment, professional services, etc.)	X				X	X	5 years
Admin	Accident reports and claims for settled cases		X					7 years
Admin	Payroll and related records						X	7 years
Admin	Employee W-4 forms		X					7 years
Admin	Contracts and leases	X				X	X	7 years after termination
Admin	Current Insurance policies			X		X		Permanent
Admin	Bills of sale and personal property and vehicle titles			X				Permanent
Admin	Digital back-ups of computer records	X				X		Permanent
Admin	General correspondence of historical significance	X		X		X	X	Permanent
Admin	Board meeting materials and minute books	X				X	X	Permanent
Admin	Articles of Incorporation & by-laws	X		X		X	X	Permanent
Finance	Bank statements						X	5 years
Finance	QB reconciliations						X	5 years
Finance	Deposit slips						X	5 years
Finance	Pledges (fulfilled)						X	5 years
Finance	Biannual financial reports to the Board	X				X		5 years
Finance	Operating budgets	X				X	X	5 years
Finance	Accounts payable and receivable ledgers - Quickbooks	X				X		7 years
Finance	Pledges (outstanding notes receivable)						X	7 years
Finance	Check stubs from major project or operating donations						X	7 years
Finance	Brokerage statements & transaction reports						X	10 years
Finance	Accountant audit reports & 990 tax return	X		X		X		Permanent
Finance	Chart of accounts - Quickbooks	X				X		Permanent
Finance	Finance & Investment Policy and Procedures	X				X	X	Permanent
Fund	Donor remittance slips (except those accompanying large donations)						X	Current year
Fund	Tickets, receipts, etc pmts received in connection with fundrsng events						X	3 years
Fund	Samples of advertising copy of events	X				X	X	10 years
Fund	Samples of fundraising solicitations					X		10 years
Fund	Database of donor contributions	X				X		Permanent
Fund	Acknowledgements for donations larger than \$5,000	X				X		Permanent
Land	Non-critical correspondence	X				X	X	Until project closing
Land	Invoices (fee and conservation easement management)	X				X	X	5 years
Land	Expired option records	X				X	X	7 years
Land	Corporate resolutions	X		X		X	X	Permanent

RECORDS POLICY & PROCEDURES

PHILOSOPHY

CREATION &
COLLECTION

RETENTION &
STORAGE

RESPONSIBILITY



- Land Trust Culture
- Age and Maturity of Organization
- Size (all volunteer/staff) & Budget
- Financial Complexity
- Portfolio of Conserved Land

RECORDS POLICY & PROCEDURES

PHILOSOPHY

CREATION &
COLLECTION

RETENTION &
STORAGE

RESPONSIBILITY



- Key Documents
- Drafts/Notes
- Signatures
- Originals/Copies
- Paper/Electronic/Both

RECORDS POLICY & PROCEDURES

PHILOSOPHY

CREATION &
COLLECTION

RETENTION &
STORAGE

RESPONSIBILITY



- Organizing
- Location
- Permanent Protection
- Accessibility

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RESPONSIBILITY

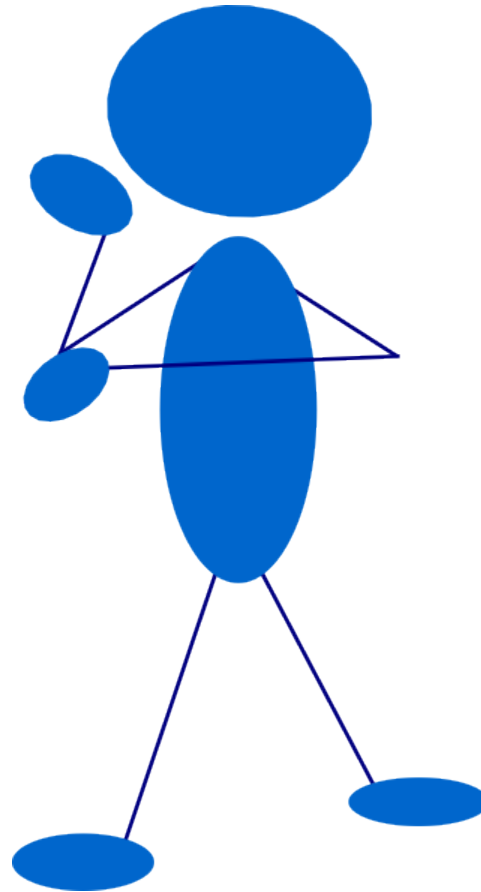


- Designated staff/volunteers
- Create templates & procedures
- Clear assignments of responsibility

ADDITIONAL RESOURCES

- Land Trust Alliance Learning Center
- Standards and Practices Curriculum Guides
 - *Nonprofit Law and Recordkeeping, Volume II*
 - *Acquiring Land and Conservation Easements*
 - *Managing Conservation Easements in Perpetuity*
- IRS Publication 4221-PC

What about
all of those
boxes in my
closet?



QUESTIONS

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