

Jody L. McLeod
MAYOR

Bruce Thompson
TOWN ATTORNEY

Steve Biggs
TOWN MANAGER



Bob Satterfield
R.S. "Butch" Lawter, Jr.
Art Holder
Jason Thompson
COUNCIL MEMBERS

Michael Grannis
MAYOR PRO TEM

TOWN COUNCIL MEETING

DECEMBER 19, 2011

AGENDA

MAYOR AND TOWN COUNCIL

**MAYOR JODY L. MCLEOD
MAYOR PRO TEM MICHAEL GRANNIS
COUNCILMAN BOB SATTERFIELD**

**COUNCILMAN ART HOLDER
COUNCILMAN R.S. "BUTCH" LAWTER, JR.
COUNCILMAN JASON THOMPSON**

TOWN STAFF

**STEVE BIGGS, TOWN MANAGER
SHERRY L. SCGGINS, TOWN CLERK
BRUCE THOMPSON II, TOWN ATTORNEY**

AGENDA
THE WORK SESSION MEETING OF THE CLAYTON TOWN COUNCIL

MONDAY, DECEMBER 19, 2011
7:30 PM

THE CLAYTON CENTER
COUNCIL CHAMBERS

1. **CALL TO ORDER**
Pledge of Allegiance
Invocation – Mayor Jody L. McLeod
2. **ADJUSTMENT OF THE AGENDA**
3. **ACTION AGENDA**
 - a. Draft minutes from the December 5, 2011, regular / organizational meeting and the December 5, 2011, closed session meeting.
 - b. Certificate of sufficiency and resolution fixing the date of public hearing for annexation petition 2011-11-01 for property located at 277 Guy Road slated for Tuesday, January 3, 2012.
 - c. Public notice to receive citizen input for a proposed economic development incentive grant slated for Tuesday, January 3, 2012.
 - d. Public notice to receive citizen input on Community Development Block Grant for Economic Development project constructing water, sewer, and street including drainage improvements that serve Automatic Rolls of North Carolina slated for Tuesday, January 3, 2012.
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
 - a. Introduction of new Town of Clayton employee(s).
 - b. Presentation of annual Town of Clayton audit report.
5. **ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**
 - a. Presentation of planned development district, PDD-MU 2011-87, for Spring Branch Medical Center.
 - b. Presentation of ordinance amendments within Chapter 155 of the Unified Development Ordinances:
 - Revisions within Article 2 relating to Zoning Districts;
 - Revisions within Article 3 relating to Specific Use Standards;
 - Revisions within Article 4 relating to General Development Standards; and
 - Revisions to Section 302 (G) modifying the screening requirements for the foundation of manufactured homes located within manufactured home parks.
 - c. Presentation of Supplement to the license agreement between the North Carolina Railroad Company and Town of Clayton.

- d. Presentation of NCDOT agreement for NC 42 Widening Project.
- e. Presentation of resolution for adoption of the Johnston County Debris Management Plan.
- f. Presentation of Per Diem Allowance.
- g. Presentation of 2011 Annual Certification of Firefighters.

6. ITEMS CONTINGENT FOR THE REGULAR MEETING

7. ITEMS FOR DISCUSSION

- a. Discussion of requirements for backflow prevention program for business accounts.
- b. Discussion on fire department staffing arrangements.

8. OLD BUSINESS

- a. Loading zone request from Medlin's Office Supply.
- b. Designating Barbour Street as a one way street (south) between Main Street to Horne Street and amending the prohibited parking to include the 100 and 200 blocks of the east side of Barbour Street and prohibit parking on the west side of Barbour Street from the corner of Second Street to the property line for 212 South Barbour Street.

9. STAFF REPORTS

- a. Town Manager
- b. Town Attorney
- c. Town Clerk
 - Calendar of Events
- d. Other Staff

10. OTHER BUSINESS

- a. Informal Discussion & Public Comment.
- b. Council Comments.

11. ADJOURNMENT

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 3a

Meeting Date: 12/19/11

TITLE: DRAFT MINUTES FROM THE DECEMBER 5, 2011, REGULAR / ORGANIZATIONAL MEETING AND THE DECEMBER 5, 2011, CLOSED SESSION MEETING.

DESCRIPTION: Minutes.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

12-19-11

Approval.

**DRAFT minutes from
12/5/2011 regular /
Organizational meeting.**

****DRAFT minutes from
12/5/2011 closed session
Will be hand-delivered.**

**MINUTES
CLAYTON TOWN COUNCIL
DECEMBER 5, 2011**

The first regular / organizational meeting of the Clayton Town Council for the month of December was held on Monday, December 5, 2011, at 7:30 PM at Town Hall, 111 East Second Street.

PRESENT: Mayor Jody L. McLeod, Mayor Pro Tem Michael Grannis, Councilman Bob Satterfield, Councilman R. S. "Butch" Lawter, Councilman Alex Harding, Councilman Art Holder and Candidate Elect / Councilman Jason Thompson.

ALSO PRESENT: Steve Biggs, Town Manager; Brenton McConkey, Town Attorney; Sherry Scoggins, Town Clerk; Nancy Medlin, Deputy Town Manager; David DeYoung, Planning Director; Lee Barbee, Fire Chief; Larry Bailey, Parks & Recreation Director; Bruce Naegelen, Downtown Development Coordinator; Johnny Stanley, Purchasing Agent

ITEM 1. CALL TO ORDER

Mayor McLeod called the meeting to order at 7:30 PM.

The Clayton Fire Department Honor Guard posted colors.

The following members of Boy Scout Pack 124 led the Pledge of Allegiance: Shane Carroll, Kenny Fraleigh, David Harris, Matthew Kallam, Collin Kieffer, Blake Miller, A. J. Powers, William Strickland, Marc Powers (Den Leader) and Jonathan Barnes (Den Leader).

Mayor McLeod gave the invocation.

ITEM 2. ADJUSTMENT OF THE AGENDA

Town Manager Steve Biggs requested the following adjustments of the agenda:

- Item 13a, Closed session to discuss an economic development opportunity in accordance with NC GS 143-318.11 (a) (4)

It was the consensus of the Council to approve the adjustments of the agenda.

ITEM 3. ACTION AGENDA

Councilman Holder motioned to approve the action agenda as presented; Councilman Harding seconded the motion. The motion carried unanimously at 7:34 PM with the following action agenda items being approved:

- Item 3a. Draft minutes of the November 21, 2011, work session meeting and draft minutes of the November 21, 2011, closed session meeting.
- Item 3b. Youth Art Month proclamation.
- Item 3c. Text amendment for the Planning Board as found in the Town Code of Ordinances Book.
- Item 3d. Resolution directing the clerk to investigate annexation petition 2011-11-01 located at 277 Guy Road for the unincorporated portion of the parcel.
- Item 3e. Final acceptance request for public water, sewer, and associated storm drainage utilities for Woods at Glen Laurel.
- Item 3f. Warranty acceptance for public sewer utility for Cambridge Corner / O'Reilly Auto Parts.

ITEM 4. OLD BUSINESS

- Item 4a. Public hearing for text amendment to the Town's Unified Development Ordinance for the Board of Adjustment as found in the Town Code of Ordinances Book.

Planning Director David DeYoung provided an overview of the proposed text amendment.

Mayor McLeod opened the public hearing at 7:34 PM. As no one came forward, Mayor McLeod closed the public hearing at 7:35 PM.

Councilman Satterfield motioned to approve the ordinance amendment as presented; Mayor Pro Tem Grannis seconded the motion. Motion carried unanimously 7:35 PM.

ITEM 5. ORGANIZATIONAL MEETING

- Item 5a. Comments from outgoing official Councilman Alex Harding.

Councilman Alex Harding stated his thanks to supporters over the past eight years and for their trust to represent them. He stated much has been accomplished during the peak and trough during this recession. He quoted from Patrick Lencioni's The Five Dysfunctions of a Team, "That a meeting without conflict and debate is a meeting that should not be held." He stated the sometimes heated debates resulted in conservative fiscal policies that will position Clayton for a prosperous future. He stated he hopes future Council's will continue to act in an ethical and humble manor as it decides how to spend tax payer money. He added he hopes the Council will continue to be open and transparent in all of its decisions. He stated it is not about the elected officials, the Town Manager or the Town government; but it is all about the number one

customer – its citizens. He stated he also hoped future Councils will recognize the government is here to provide basic services in a cost effective and quality manor and that social matters and national matters will be left to the state and federal legislatures. He wished the newest Council member the best of luck.

Item 5b. Recognition of outgoing official Councilman Alex Harding.

Mayor McLeod stated that in public service, you hope you left it better than you found it when you got here. He stated that is the case with Alex Harding. He stated he came to Clayton and he has made a difference for its citizens. He thanked Mr. Harding for his service

Mayor Pro Tem Grannis thanked Mr. Harding for his participation. He added from his perspective Mr. Harding has made a difference with this board. He stated he has learned about budgets through Mr. Harding.

Item 5c. Administration of oaths of office to the newly elected Clayton Town Council members by Mr. Will Crocker, Clerk of Superior Court to:

- R.S. “Butch” Lawter, Jr. as Councilman
- Jason Thompson as Councilman
- Jody L. McLeod as Mayor

Mr. Will Crocker, Clerk of Superior Court administered the oath of office to R.S. “Butch” Lawter, Jason Thompson, and Jody L. McLeod.

Item 5d. Comments from the newly sworn elected officials:

- Councilman R.S. “Butch” Lawter, Jr.
- Councilman Jason Thompson
- Mayor Jody L. McLeod

Councilman Butch Lawter thanked his wife and son for being here tonight. He stated he recalled his son being two the first time he took his oath in 1999 in the old Town Hall. He stated he had to learn the processes of government. He stated he loves the Town of Clayton and enjoys being involved. He stated serving is about the citizens of Clayton. He stated when making a decision it will be what he believes is best for the Town.

Councilman Thompson stated his thanks to God for a great Town to live in, family and friends for support, those who voted, the employees for all they do, and Councilman Alex Harding for nearly a decade of service. He stated he is looking forward to serving the citizens. He stated he understands everything takes time and is looking forward to working with all the Council members. He stated as a team, much can be accomplished over the next four years.

Mayor McLeod stated his thanks to the citizens and the Town staff. He stated the Town has the best Town Manager and phenomenal department heads. He stated the Town Council is made up of leaders working the people’s agenda and doing what is best for Clayton. He stated the team is what makes Clayton stand out above other places. He stated he is honored to serve as the Mayor of Clayton.

ITEM 6. RECESS FOR RECEPTION – Everyone is invited to the reception.

Mayor McLeod announced a recess at 8:00 PM; Mayor McLeod called the meeting back to order at 8:27 PM.

ITEM 7. MAYOR PRO TEM SELECTION AND COUNCIL LIAISON APPOINTMENTS

Item 7a. Nomination and selection of Mayor Pro Tem.

Councilman Satterfield motioned to nominate Councilman Michael Grannis to serve as Mayor Pro Tem; Councilman Lawter seconded the motion. Motion for Councilman Grannis to serve as Mayor Pro Tem carried unanimously.

Item 7b. Distribution of Council liaison and committee assignments: Mayor McLeod.

Mayor McLeod made the following Council liaison and committee assignments:

COMMITTEE	COUNCIL LIAISON
Board of Adjustment (BOA)	N/A
Downtown Development Association (DDA)	Michael Grannis
Fire Advisory Board	Bob Satterfield
Library Board	Art Holder
Planning Board	Bob Satterfield
Public Art Advisory Board	Jody L. McLeod
Recreation Advisory Committee	R.S. “Butch” Lawter, Jr.
Triangle J COG – Delegate	R.S. “Butch” Lawter, Jr.
Triangle J COG – Alternate	Jason Thompson
NC League of Municipalities – Delegate	Jody L. McLeod
CAMPO^	Jody L. McLeod
EletriCities – Delegate	Robert J. Ahlert
ElectriCities – Alternate	Jody L. McLeod

^Delegate to CAMPO must be an elected official.

***The Town Council can appoint a commissioner and up to two alternate commissioners to serve. The appointments can be made by motion at a Town Council meeting. Persons appointed to serve must take an oath; one copy of the oath is to be forwarded to ElectriCities and one copy is to be forwarded to the Town Clerk. The oath carries with the commissioner until a new commissioner is appointed.**

ITEM 8. INTRODUCTIONS & SPECIAL PRESENTATIONS

No Introductions and Special Presentations were presented to the Council.

ITEM 9. ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA

Item 9a. Resolution of request for NCDOT participation in construction of a new access point at West Clayton Elementary along HWY 42 West.

Town Manager Biggs stated this item was brought to the Town at the request of the Johnston County School Board. He stated the Town has been involved in concerns of congestion, particularly in the afternoons in the area around West Clayton Elementary School. He stated this was initially reviewed from an enforcement stand point and it made it worse. He stated a structural change to the queuing area is being sought. He stated the School Board and School Administration have been working with NCDOT and have kept the Town informed. He stated a project was agreed upon and the Town received a request to endorse the project through a form of adopting a resolution and an offer to participate with a contribution of \$1,000.

Councilman Satterfield motioned to approve the resolution as presented; Mayor Pro Tem Grannis seconded the motion. Motion carried unanimously.

ITEM 10. ITEMS FOR DISCUSSION

Item 10a. Discussion of scheduling and logistics for the 2011-2012 Council Retreat.

Town Manager Steve Biggs stated he is seeking from Lyle Sumek, facilitator, alternate dates for a Council retreat. He stated he requested a date of sooner rather than later and that the Council is flexible with meeting dates deviating from the Thursday and Friday format. He added locations and costs are being considered. He stated transportation and housing are a consideration with Mr. Sumek.

Based upon question by Council, Town Manager Biggs stated a two-day retreat rather than a three-day retreat is being requested.

ITEM 11. STAFF REPORTS

Item 11a. Town Manager

Town Manager Biggs stated no additional report.

Item 11b. Town Attorney

Town Attorney Brenton McConkey stated no additional report.

Item 11c. Town Clerk

- Ethics Training opportunities for “newly” elected officials
- Calendar of Events

Town Clerk Sherry Scoggins stated the North Carolina League of Municipalities, NCLM, has announced ethics training will be available at its Annual Conference in Charlotte.

Item 11d. Other Staff

Other staff did not have a report for Council.

ITEM 12. INFORMAL DISCUSSION AND PUBLIC COMMENT

Item 12a. Informal Discussion & Public Comment

Ms. Donna White, Johnston County Board of Education, thanked the Council for its cooperation for the West Clayton Elementary School project.

Item 12b. Council Comments.

Mayor Pro Tem Grannis welcomed Councilman Thompson to the team.

ITEM 13. OTHER BUSINESS

Item 13a. Closed session to discuss an economic development opportunity in accordance with NC GS 143-318.11 (a) (4).

Councilman Satterfield motioned to go into closed session to discuss an economic development opportunity; Councilman Lawter seconded the motion. Motion carried unanimously at 8:38 PM.

Councilman Satterfield motioned to return to open session; Councilman Lawter seconded the motion. Motion carried unanimously at 8:58 PM.

ITEM 14. ADJOURNMENT

Councilman Satterfield motioned to adjourn; Councilman Lawter seconded the motion. Motion carried unanimously at 8:58 PM.

Duly adopted by the Town Council this [REDACTED] day of December 2011, while in regular session.

ATTEST:

Jody L. McLeod
Mayor

Sherry L. Scoggins, MMC
Town Clerk

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 3b

Meeting Date: 12/19/11

TITLE: CERTIFICATE OF SUFFICIENCY AND RESOLUTION FIXING THE DATE OF PUBLIC HEARING FOR ANNEXATION PETITION 2011-11-01 FOR PROPERTY LOCATED AT 277 GUY ROAD SLATED FOR TUESDAY, JANUARY 3, 2012.

DESCRIPTION: A citizen initiated annexation petition was received from North Carolina District of the Assemblies God Inc for the contiguous unincorporated portion of parcel located at 277 Guy Road (parcel number 05G02014Q).

This item is slated for public hearing on Tuesday, January 3, 2012.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-21-11	Presentation.	Resolution & Map.
12-05-11	Approval.	Resolution & Map.
12-19-11	Approval & Public notice.	Certificate of sufficiency, Resolution & map.



**ANNEXATION PETITION 2011-11-01
277 Guy Road,
Unincorporated portion of parcel no. 05G02014Q
Owner – NC District Council of Assemblies of God Inc
CONTIGUOUS, 1.88 acres (out of a 3.93 acre tract)**

CERTIFICATE OF SUFFICIENCY

To the Town Council of the Town of Clayton, North Carolina:

I, Sherry L. Scoggins, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Clayton, this 12th day of December 2011.

**Sherry L. Scoggins, MMC
Town Clerk**

ANNEXATION PETITION 2011-11-01
277 Guy Road,
Unincorporated portion of parcel no. 05G02014Q
Owner – NC District Council of Assemblies of God Inc
CONTIGUOUS, 1.88 acres (out of a 3.93 acre tract)

TOWN OF CLAYTON
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Clayton, North Carolina, that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at The Clayton Center, Council Chambers, 111 East Second Street, at 7:30 PM on Tuesday, January 3, 2012.

Section 2. The area proposed for annexation is described as follows: The contiguous unincorporated portion of parcel number 05G02014Q being 1.88 acres of a 3.93 acre tract, located at 277 Guy Road, owned by NC District Council of the Assemblies of God Inc, and legal description available in Deed Book 3288 Page 503 as recorded at the Johnston County Register of Deeds.

Section 3. Notice of the public hearing shall be published in the Clayton News-Star, a newspaper having general circulation in the Town of Clayton, at least ten (10) days prior to the date of the public hearing.

Duly adopted this 19th day of December 2011, while in regular session.

ATTEST:

Jody L. McLeod
Mayor

Sherry L. Scoggins, MMC
Town Clerk

Annexation 2011-11-01

2.21 Acres

Crossroads Church of Clayton

Annexation Petitioner: NC District Council of
the Assemblies of God Inc

Property Owner: NC District Council of
the Assemblies of God Inc

Parcel Number(s) Portion of 05G02014Q

Town Council Date(s): December 19, 2011
January 3, 2011



Map produced by Town of Clayton
Date: December 7, 2011

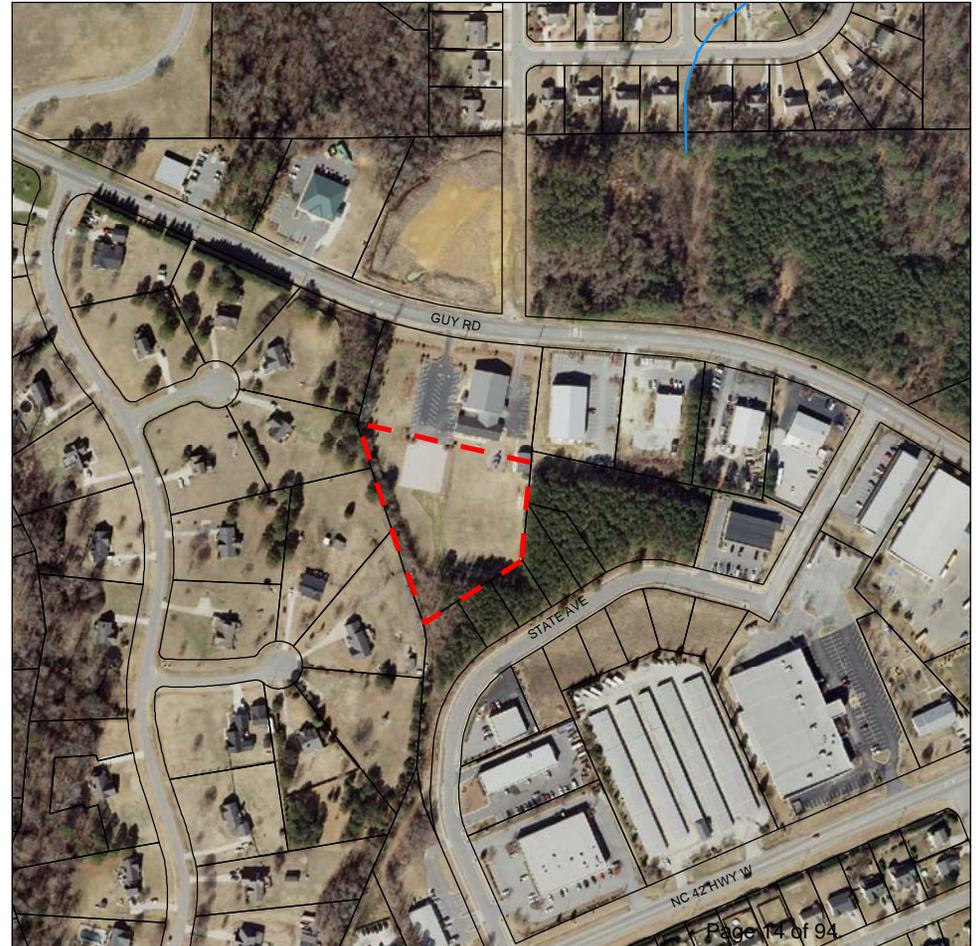
Disclaimer: Town of Clayton assumes no legal
responsibility for the information represented here.

Aerial Photography Date: February/March 2010

Scale: 1" = 400'

 Town Limits

1



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 3c

Meeting Date: 12/19/11

TITLE: PUBLIC NOTICE TO RECEIVE CITIZEN INPUT FOR A PROPOSED ECONOMIC DEVELOPMENT INCENTIVE GRANT SLATED FOR TUESDAY, JANUARY 3, 2012.

DESCRIPTION: This item is slated for public hearing on Tuesday, January 3, 2012.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-19-11	Public notice.	N/A.

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 3d

Meeting Date: 12/19/11

TITLE: PUBLIC NOTICE TO RECEIVE CITIZEN INPUT ON COMMUNITY DEVELOPMENT BLOCK GRANT FOR ECONOMIC DEVELOPMENT PROJECT CONSTRUCTING WATER, SEWER, AND STREET INCLUDING DRAINAGE IMPROVEMENTS THAT SERVE AUTOMATIC ROLLS OF NORTH CAROLINA SLATED FOR TUESDAY, JANUARY 3, 2012.

DESCRIPTION: This item is slated for public hearing on Tuesday, January 3, 2012; and is to receive citizen input on the amounts approved and proposed for the CDBG-ED Grant Budget below:

CDBG-ED Grant Budget

<u>Activity</u>	<u>Approved</u>	<u>Proposed Amendment</u>
Street	\$453,660	\$418,732
Water	\$156,756	\$110,996
Sewer	\$ 89,584	\$170,272
Total CDBG Grant	\$700,000	\$700,000

The budget amendment transfers \$34,928 CDBG-ED grant funds from the “Water” and \$45,760 CDBG-ED grant funds from the “Sewer” activity lines where under expenditures were realized to the “Street” budget line activity where an over expenditure occurred.

If the proposed amendment is acceptable to the Town Council, the action requested by the Council is a letter to the CDBG-ED administrator stating the Town Council approves the proposed amendment.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u> 12-19-11	<u>Action:</u> Public notice.	<u>Info. Provided:</u> N/A.
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**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 4a

Meeting Date: 12/19/11

TITLE: INTRODUCTION OF NEW TOWN OF CLAYTON EMPLOYEE(S).

DESCRIPTION: Introductions.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-19-11	Introduction.	N/A

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 4b Meeting Date: 12/19/11

TITLE: PRESENTATION OF ANNUAL TOWN OF CLAYTON AUDIT REPORT.

DESCRIPTION: A representative of Anderson Smith & Wike PLLC will provide an overview of the Town's FY 2010-2011 audit.

RELATED GOAL: Financially Responsible Town Government Providing Quality Service

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-19-11	Presentation.	

220 East Washington Street
 Post Office Box 697
 Rockingham, North Carolina 28380
 (910) 895-2899

815 South Main Street
 Laurinburg, North Carolina 28352
 (910) 277-2795

Other Office Locations:
 Gastonia, North Carolina
 Statesville, North Carolina

TO: Town of Clayton

FROM: Ken Anderson, CPA

DATE: December 19, 2011

RE: Available Fund Balances, Tax Collection Percentages and Other Audit Information

Fund Balance information as follows:

	<u>Unrestricted General</u>	<u>General</u>	<u>Water and Sewer</u>	<u>Electric</u>
Year End June 30, 2011 32% - General	\$ 4,868,682	\$ 7,652,348	\$ 25,623,718	\$ 9,553,234
State Statute change	705,181	-	-	-
Powell Bill change	(72,294)	-	-	-
Public Improvements change	(286,418)	-	-	-
Prior Period Adjustment	(549,767)	(549,767)		
Capital Reserve combining	861,729	-		
Change in Net Assets	73,592	73,592	2,393,180	111,567
Other Financing Sources	364,468	364,468	-	-
Year End June 30, 2010 24% - General	3,772,191	7,764,055	23,230,538	9,441,667
Year End June 30, 2009 37% - General	5,737,562	7,964,423	23,645,010	9,231,180
Year End June 30, 2008 35% - General	5,819,819	7,819,084	23,397,584	9,556,817

Property tax collection percentages are as follows:

	<u>Overall</u>	<u>Excluding Vehicle</u>	<u>Vehicle</u>
Year End June 30, 2011	98.53%	99.22%	90.27%
Year End June 30, 2010	98.85%	99.47%	91.13%
Year End June 30, 2009	98.96%	99.72%	90.47%
Year End June 30, 2008	98.99%	99.79%	89.56%

TOWN OF CLAYTON, NC
AUDIT REPORT COMMENTS
JUNE 30, 2011

AUDIT REPORT

1. PAGE 1 **INDEPENDENT AUDITOR'S REPORT**
The City received an unqualified opinion on their June 30, 2011 Financial Statements = GOOD REPORT
2. PAGE 19 **REVENUES OVER EXPENDITURES - GENERAL FUND**
Current Year Revenues exceeded Expenditures by \$73,592.
3. PAGE 23 **CHANGE IN FUND BALANCE - WATER & SEWER FUND**
Current Year Revenues exceeded Expenditures by \$2,393,180.
4. PAGE 23 **CHANGE IN FUND BALANCE – ELECTRIC FUND**
Current Year Revenues exceeded Expenditures by \$111,567.
5. PAGE 34 **BUDGET OVER-EXPENDITURES**
The Town had seven Budget Over-expenditures listed at Note 2
6. PAGE 48 **CHANGES IN LONG TERM LIABILITIES – DEBT**
Governmental Activities Debt increased from \$18,755,540 to \$23,670,271 or a current year increase of \$4,914,731.

Business Type Activities Debt decreased from \$12,957,797 to \$11,261,523 or a current year decrease of \$1,696,274.
7. PAGE 52 **CHANGE IN AN ACCOUNTING PRINCIPLE**
General Fund - \$ 549,767 Reduction in beginning Fund Balance
Water & Sewer Fund - \$ 822,276 Reduction in beginning Fund Balance
Changed from accrual basis of accounting to cash basis for various construction related revenues due to revenue realization issues and to more accurately reflect those revenues.
8. PAGE 117 & **COMPLIANCE AUDITS**
118 The Town was subject to two Single Audits. The Powell Bill Grant Expenditures within the General Fund (A-1)(State Grant) and the Community Development Block Grant within the Automatic Rolls CDBG Fund (C-6) (Federal Grant). Both Audits received Unqualified Opinions and had no Findings and or Questioned costs.

THE TOWNB AUDIT REPORT WAS SUBMITTED TO THE LOCAL GOVERNMENT COMMISSION OCTOBER 27, 2011 AND WAS ACCEPTED.

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 5a

Meeting Date: 12/19/11

TITLE: PRESENTATION OF PLANNED DEVELOPMENT DISTRICT, PDD-MU 2011-87, FOR SPRING BRANCH MEDICAL AND COMMERCIAL PARK.

DESCRIPTION: The applicant is requesting modification of the master plan for Spring Branch Medical and Commercial Park; formerly approved by Council as PDD-MU 08-08. In addition to master plan modification, the applicant is requesting the Council review the subdivision request. This is located within the Town's Small Area Plan for HWY 42 and within the Town's corporate limits.

This item is slated for evidentiary hearing on Tuesday, January 3, 2012.

RELATED GOAL: Manage Growth Producing Developments

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-19-11	Presentation & Public Notice.	Application, Staff Report, Master Site Plan, Preliminary Subdivision Plan, Streetscape Guidelines, & Map.



Town of Clayton
 Planning Department
 111 E. Second Street, Clayton, NC 27520
 P.O. Box 879, Clayton, NC 27528
 Phone: 919-553-1545
 Fax: 919-553-1720

SUBDIVISION APPLICATION

Pursuant to Article 7, Section 155.706 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Town of Clayton to approve a Subdivision (major, minor, final plat, or exempt) application. Applicants seeking subdivision approval shall schedule a pre-application conference with the Planning Director in accordance with Section 155.702(A).

Subdivision applications must be accompanied by nine (9) sets of the application, nine (9) sets of required plans, an Owner's Consent Form (attached) and the application fee. The application fees are as follows:

- *Minor Subdivision: \$200.00 +5.00/lot.*
- *Major Subdivision: 2-15 Lots = \$200.00 +5.00/lot; 16-40 Lots = \$300.00 +5.00/lot; 41-80 Lots = \$400.00 +5.00/lot; 81+ Lots = \$500.00 +5.00/lot; and. Open Space Subdivision = \$500.00 + \$5/lot.*
- *Final Plat: \$250.00*
- *Exempt Map/Recombination: \$50.00*

All fees are due when the application is submitted. Please note that Section 155.702(B) of the Unified Development Code requires a Neighborhood Meeting for all Major Subdivision applications.

SUBDIVISION TYPE:

Application Type:

- Minor Subdivision
 Preliminary ^{per Beth} Major Subdivision "11/11"
 Final Plat
 Exempt Map
 Recombination
 Master Plan "11/11"

SITE INFORMATION:

Name of Project: Spring Branch Medical and Commercial Park
 Acreage of Property: 50.93 ac.
Preliminary Plat Approval Date (if applicable): _____
Parcel ID Number: 164800-63-4931
 Tax ID: 05F02035B
Location: HWY 42 West
Section(s): _____
 Phase(s): 1-3
Number of Lots (Existing): 8
 (Proposed): 7
 Min. Lot Size: 43,355 sf
Zoning District: Pud-Mu B3
 Planned Development? (Y/N): Y
 Electric Provider: Progress Energy
Specific Use: Bank, Retail, Assisted Living, Medical Office, Multi-Family, Hotel
Recreation/Open Space Requirement:
 Fee in lieu
 Land Dedication (acreage) _____

FOR OFFICE USE ONLY

File Number: PSD 2011-87
 Date Received: NOV - 1 2011
 Amount Paid: \$750

OWNER INFORMATION:

Name: UACFE, LLC. c/o The Lundy Group
Mailing Address: PO Box 33279, Raleigh NC 27656
Phone Number: (919) 821-7890 Fax: (919) 821-2070
Email Address: gguillois@lundygroup.com

APPLICANT INFORMATION:

Applicant: The Lundy Group
Mailing Address: PO Box 33279, Raleigh, NC 27656
Phone Number: (919) 821-7890 Fax: (919) 821-2070
Contact Person: Gabe Guillois
Email Address: gguillois@lundygroup.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

The following items must accompany a Subdivision Plan application. This information is required, except where otherwise noted:

- Required plans (please see the plan requirements checklist below).
- Road Name Approval Application (if applicable).
- A signed and sealed traffic impact analysis (if required).
- Verification of wastewater allocation (granted or requested).
- Verification of approval for the potable water and waste water system improvements from North Carolina Department of Environment and Natural Resources (NCDENR).
- Verification of approval for individual well and septic systems from Johnston County Department of Environmental Health Services (if applicable).
- Driveway permits (Town of Clayton or NCDOT encroachment with associated documentation).
- A copy of proposed deed restrictions and/or covenants (if applicable).

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town of Clayton to approve the subject Subdivision Plan. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

James P. Baker, Jr
Print Name

James P. Baker Jr
Signature of Applicant

11/1/11
Date



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-1545
Fax: 919-553-1720

STAFF REPORT

Application Number: S 2011-87
Project Name: Spring Branch Medical & Commercial Park
NC PIN: 164800-63-4931
Town Limits/ETJ: Town Limits
Applicant: The Lundy Group
Owners: UACFE, LLC

Agents: Gabe Guillois

Neighborhood Meeting: Held November 14, 2011

PROJECT LOCATION: The project is located on NC 42 Hwy W between Johnston Memorial Hospital and Johnson Estate Road, within in the town limits.

REQUEST: The request is for approval for a modification to the subdivision plan. The modification includes adjustments to parcel boundaries, locations and an adjustment to phasing lines.

SITE DATA:

Acreeage: 50.90 acres
Number of Lots: 16
Open Space: 1.84 acres
Present Zoning: PD-MU and Thoroughfare Overlay District I (TOD I)
Proposed Zoning: PD-MU Underlying B-3 (Highway Business)
Existing Use: Vacant / Medical Office
Impervious Surface: 75% maximum impervious surfaces

DEVELOPMENT DATA:

Proposed Use: Mixed-Use Development – Three Phases
Parcels: 16 Parcels
Buildings: To be determined during Site Plan approval process
Number of Stories: To be determined during Site Plan approval process
Required Parking: To be determined during Site Plan approval process
Proposed Parking: To be determined during Site Plan approval process

ENVIRONMENTAL: No environmental concerns.

ADJACENT ZONING AND LAND USES:

North: Zoning: PD-MU
 Existing Use: Vacant

South: Zoning: R-E
 Existing Use: Residential and Vacant

East: Zoning: PD-MU
 Existing Use: Hospital and Medical Offices

West: Zoning: R-E
 Existing Use: Residential and Vacant

STAFF ANALYSIS AND COMMENTARY:

The overall land use and proposed development plan is consistent with the principals of the Small Area Plan adopted in 2007. The modified proposed uses, commercial, retail, restaurant, bank, drugstore, medical office, hotel, assisted living facility and multi-family (as indicated in the revised Traffic Impact Analysis (TIA)) are complimentary to the development pattern envisioned along NC 42 Hwy W corridor.

- **Consistency with the Strategic Growth Plan**

The proposed uses are consistent with the Strategic Growth Plan and the Small Area Plan.

- **Consistency with the Unified Development Code**

The proposed subdivision modification is consistent with and meets the applicable requirements of the Unified Development Code (UDC).

- **Compatibility with Surrounding Land Uses**

The overall land use for the subject property is generally compatible with the surrounding area. As stated previously the subject site is located within the Small Area Plan. A revised TIA study has been provided by the applicant, and is under review by the Town and NCDOT.

- **Landscaping and Buffering**

The subdivision is part of a PD-MU Development. Therefore the required perimeter property buffer shall a Class “C” landscape buffer.

- **Signs**

Applicant is requesting Common Signage Plan approval for the site.

- **Site Design**

NA

- **Architecture**

NA

- **Waivers/Deviations/Variances from Code Requirements**

None requested.

OTHER:

FIRE PROTECTION: The Town of Clayton Fire Department will provide fire protection.

SCHOOL IMPACTS: NA

PARKS AND RECREATION: NA

ACCESS/STREETS: The site will be accessed from NC 42 Hwy W and Johnson Estate Road per NCDOT driveway approval.

WATER/SEWER PROVIDER: Town of Clayton

ELECTRIC PROVIDER: Progress Energy

RECOMMENDATION:

Staff is recommending approval of the modification of the subdivision.

CONDITIONS OF APPROVAL

Previous Conditions:

1. All requirements and conditions of approval for PD-MU 08-08 shall be applicable to this preliminary plan.
2. Cross access agreements, where required, shall be in force prior to issuance of lot recording or site plan approval.
3. A site plan for development of each lot shall be approved by the Planning Board prior to initiation of construction on each lot, except lots 14 and 15. Plans for development on those lots shall be approved by the Town Council.
4. The final cross section for the vehicular, bicycle and pedestrian connection to Johnston Medical Center shall be approved by the Public Works Director and be subject to the required agreement between the owners of the subject property and JMC.

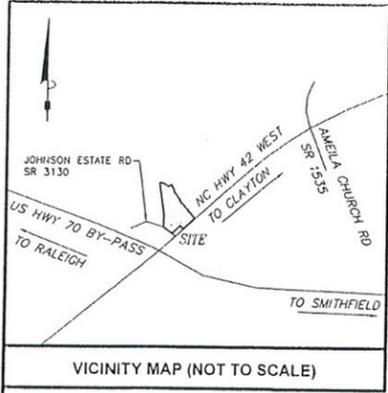
5. Development standards for the B-3 Highway Business district shall be applicable, except where otherwise specified.

New Conditions:

6. An updated wastewater allocation request must be approved by the Town Manager.
 7. The revised Traffic Impact Analysis must be approved to the issuance of a Zoning Compliance Permit.
 8. The perimeter landscaping along NC Hwy 42 West must be installed prior to the issuance of a Certificate of Occupancy for Phase I.
-

PLANNING BOARD RECOMMENDATION:

During the November 28, 2011 Planning Board meeting the board unanimously recommend approval of S 2011-87 Spring Branch Medical and Commercial Park to Council, with the conditions as indicated.



SITE DATA

DEVELOPMENT NAME: SPRING BRANCH MEDICAL AND COMMERCIAL PARK

TOTAL AREA CONTAINED WITHIN TRACT: 50.93 AC. (2,218,510.80 SF)

OWNER
UACFE, LLC
12 LAFOY DRIVE
CLAYTON, NC 27527

DEVELOPER
THE LUNDY GROUP
PO BOX 33279
RALEIGH, NC 27656

PROPERTY LOCATED IN TOWN LIMITS

ZONED: PD-MU B-3 (UNDERLYING)

SITE PLAN APPROVAL BY PLANNING BOARD REQUIRED FOR EACH LOT

PERIMETER OF PROPERTY SHALL BE A TYPE "C" LANDSCAPE BUFFER

MAXIMUM LOT IMPERVIOUS = 75%

HOA WILL MAINTAIN ALL STORMWATER BMP MEASURES

RESOURCE CONSERVATION AREA: 3.38 AC.

WATER SYSTEM OWNER: TOWN OF CLAYTON
IRRIGATION TO BE PROVIDED

SEWAGE SYSTEM OWNER: TOWN OF CLAYTON

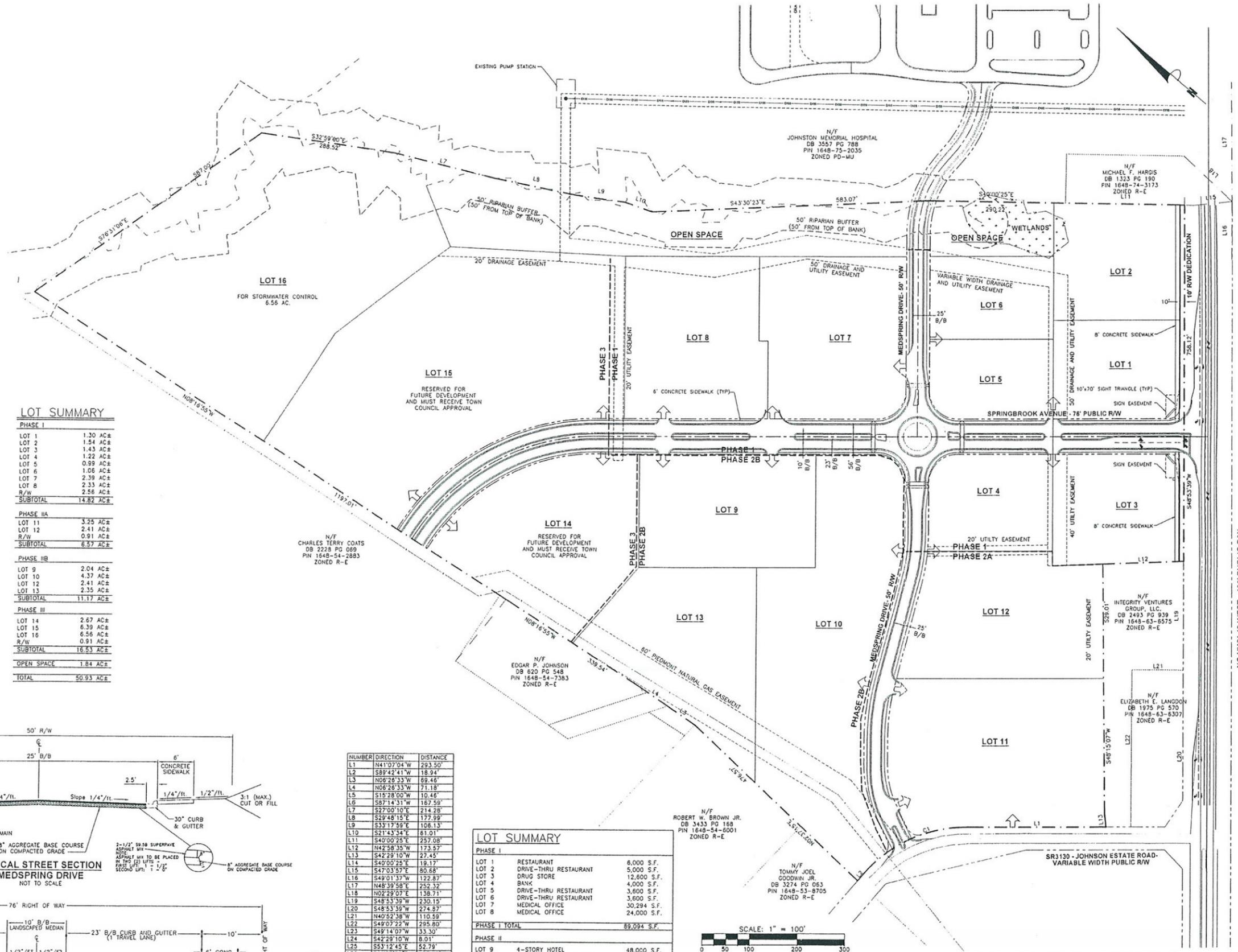
ELECTRICAL PROVIDER: PROGRESS ENERGY

BUILDING SETBACKS REQUIRED:
STREET YARD: 25'
SIDE STREET: 25'
SIDE: 30' (ABUTTING RESIDENTIAL)
SIDE: 15' (INTERIOR)
REAR: 30'

ENGINEER:
DALTON ENGINEERING AND ASSOCIATES, PA.
446 EAST MAIN STREET
CLAYTON, NC 27520
(919) 550-4740

LOT SUMMARY

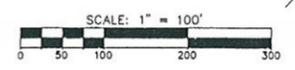
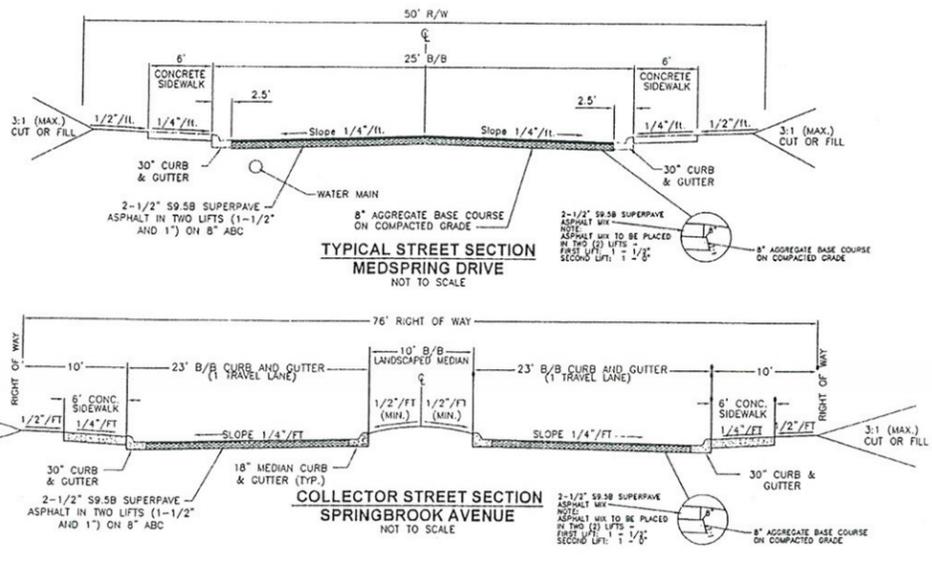
PHASE I	
LOT 1	1.30 AC±
LOT 2	1.54 AC±
LOT 3	1.43 AC±
LOT 4	1.22 AC±
LOT 5	0.99 AC±
LOT 6	1.06 AC±
LOT 7	2.39 AC±
LOT 8	2.33 AC±
R/W	2.56 AC±
SUBTOTAL	14.82 AC±
PHASE IIA	
LOT 11	3.25 AC±
LOT 12	2.41 AC±
R/W	0.91 AC±
SUBTOTAL	6.57 AC±
PHASE IIB	
LOT 9	2.04 AC±
LOT 10	4.37 AC±
LOT 12	2.41 AC±
LOT 13	2.35 AC±
SUBTOTAL	11.17 AC±
PHASE III	
LOT 14	2.67 AC±
LOT 15	6.39 AC±
LOT 16	6.56 AC±
R/W	0.91 AC±
SUBTOTAL	16.53 AC±
OPEN SPACE	1.84 AC±
TOTAL	50.93 AC±



NUMBER	DIRECTION	DISTANCE
L1	N41°07'04"W	293.50'
L2	S89°42'41"W	18.94'
L3	N08°28'33"W	89.46'
L4	N08°28'33"W	71.18'
L5	S15°28'00"W	10.46'
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L7	S27°00'10"E	214.28'
L8	S29°48'15"E	177.99'
L9	S33°17'59"E	106.13'
L10	S21°43'34"E	81.01'
L11	S40°00'25"E	257.08'
L12	N42°58'35"W	173.57'
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L32	S48°55'26"W	49.28'
L33	S02°37'15"W	24.67'
L34	S68°40'07"E	62.14'
L35	S89°42'21"W	320.02'
L36	S52°53'53"E	460.78'

LOT SUMMARY

LOT	USE	AREA
LOT 1	RESTAURANT	6,000 S.F.
LOT 2	DRIVE-THRU RESTAURANT	5,000 S.F.
LOT 3	DRUG STORE	12,800 S.F.
LOT 4	BANK	4,000 S.F.
LOT 5	DRIVE-THRU RESTAURANT	3,800 S.F.
LOT 6	DRIVE-THRU RESTAURANT	3,800 S.F.
LOT 7	MEDICAL OFFICE	30,294 S.F.
LOT 8	MEDICAL OFFICE	24,000 S.F.
PHASE I TOTAL		89,094 S.F.
PHASE II		
LOT 9	4-STORY HOTEL	48,000 S.F.
LOT 10	RETAIL SHOPPING CENTER	70,000 S.F.
LOT 11	77-BED ASSISTED LIVING FACILITY	32,000 S.F.
LOT 12	MEDICAL OFFICE	30,000 S.F.
LOT 13	MEDICAL OFFICE	30,000 S.F.
PHASE II TOTAL		210,000 S.F.
PHASE III		
LOT 14	MULTI-FAMILY	40 UNITS
LOT 15	MULTI-FAMILY	95 UNITS
PHASE III TOTAL		135 UNITS



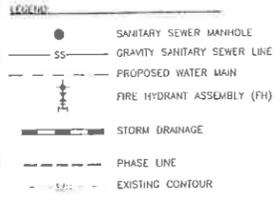
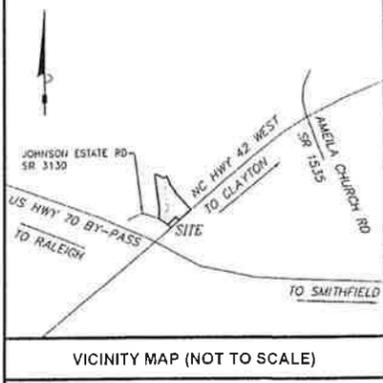
MASTER PLAN FOR THE SPRING BRANCH MEDICAL AND COMMERCIAL PARK
CLAYTON TOWNSHIP - JOHNSTON COUNTY, NC



Dalton Engineering and Associates, P.A.
446 East Main Street
P.O. Box 426
Clayton, NC 27520
(919) 550-4740
Fax (919) 550-4741

Job: 10001 Date: 11/1/11 Revision: 001
File: SITE Drawn: CSB Sheet: Page 28 of 94

NOV 17 2011
Town of Clayton Planning Department



SITE DATA

DEVELOPMENT NAME: SPRING BRANCH MEDICAL AND COMMERCIAL PARK

TOTAL AREA CONTAINED WITHIN TRACT: 50.93 AC. (2,218,510.80 SF)

OWNER: UACFE, LLC, 12 LAFAY DRIVE, CLAYTON, NC 27527

DEVELOPER: THE LUNDY GROUP, PO BOX 33279, RALEIGH, NC 27656

PROPERTY LOCATED IN TOWN LIMITS

ZONED: PD-MU B-3 (UNDERLYING)

SITE PLAN APPROVAL BY PLANNING BOARD REQUIRED FOR EACH LOT

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MAXIMUM LOT IMPERVIOUS = 75%

HOA WILL MAINTAIN ALL STORMWATER BMP MEASURES

RESOURCE CONSERVATION AREA: 3.38 AC.

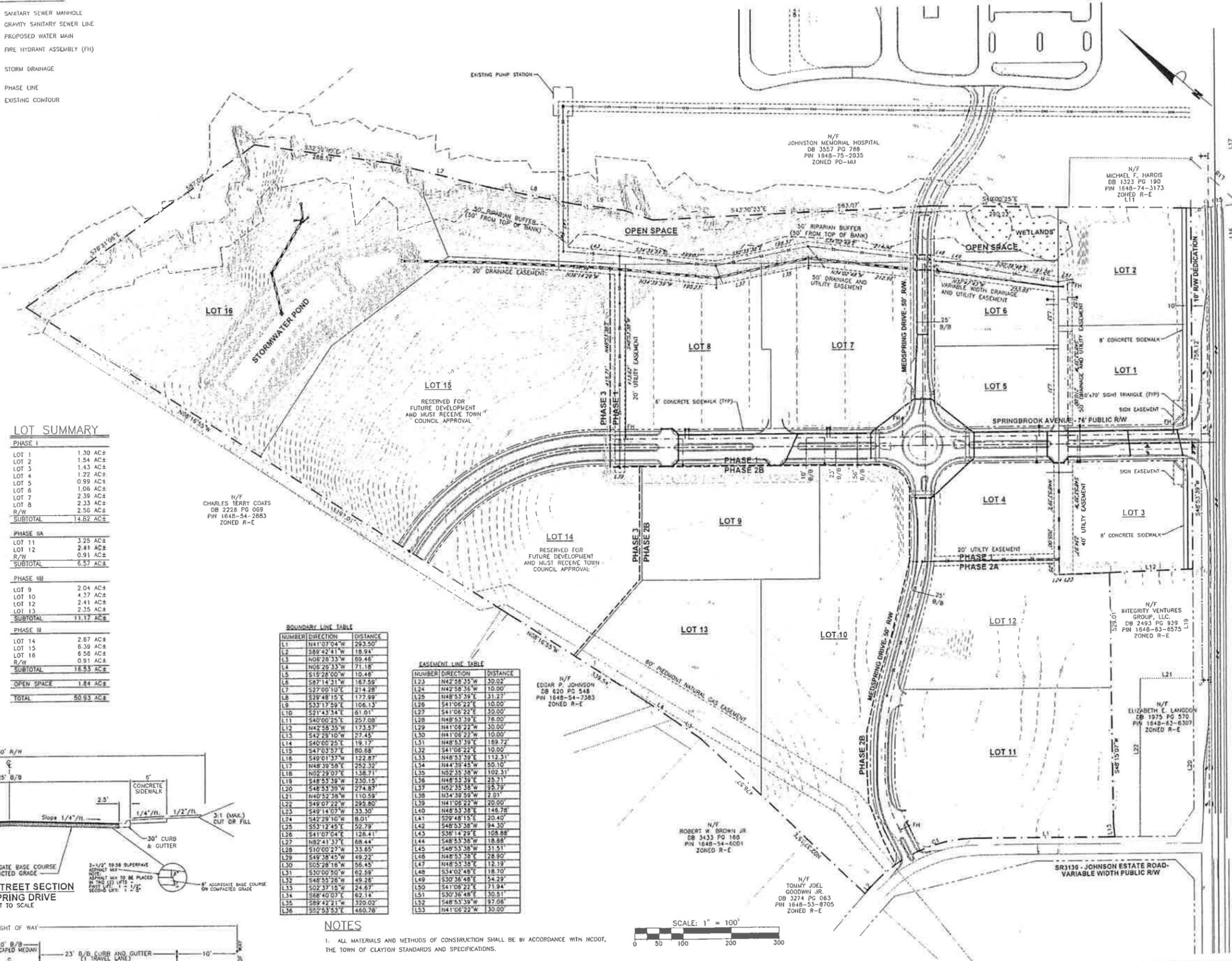
WATER SYSTEM OWNER: TOWN OF CLAYTON
IRRIGATION TO BE PROVIDED

SEWAGE SYSTEM OWNER: TOWN OF CLAYTON

ELECTRICAL PROVIDER: PROGRESS ENERGY

BUILDING SETBACKS REQUIRED:
STREET YARD: 25'
SIDE STREET: 25'
SIDE: 30' (ABUTTING RESIDENTIAL)
SIDE: 15' (INTERIOR)
REAR: 30'

ENGINEER: DALTON ENGINEERING AND ASSOCIATES, PA., 446 EAST MAIN STREET, CLAYTON, NC 27520, (919) 550-4740



LOT SUMMARY

PHASE I	
LOT 1	1.30 AC±
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LOT 15	6.39 AC±
LOT 16	6.56 AC±
R/W	0.91 AC±
SUBTOTAL	16.53 AC±

OPEN SPACE	
	1.84 AC±

TOTAL	
	50.93 AC±

BOUNDARY LINE TABLE

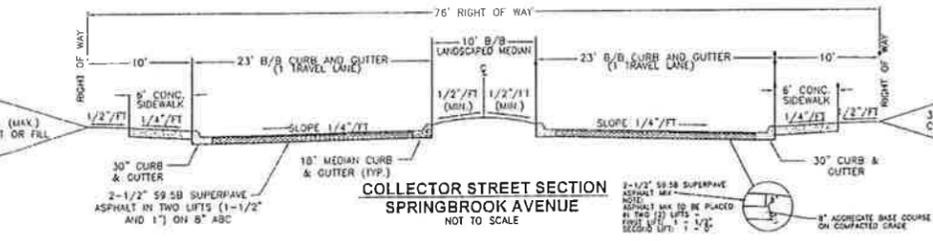
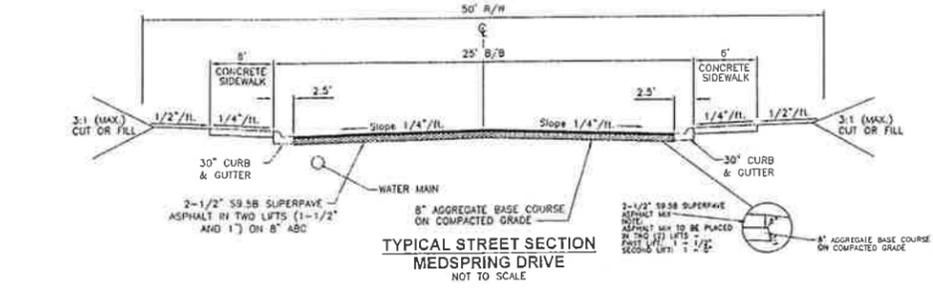
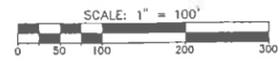
NUMBER	DIRECTION	DISTANCE
L1	N41°07'04" W	293.50'
L2	S89°42'41" W	18.94'
L3	N08°28'33" W	89.46'
L4	N85°23'33" W	71.18'
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L10	S71°43'54" E	61.01'
L11	S40°00'25" E	257.08'
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L31	S30°00'50" W	62.56'
L32	S48°53'38" W	49.26'
L33	S32°37'15" W	24.67'
L34	S88°40'07" E	62.14'
L35	S89°42'21" W	320.02'
L36	S52°53'53" E	480.76'

EASEMENT LINE TABLE

NUMBER	DIRECTION	DISTANCE
L23	N42°58'35" W	30.02'
L24	N42°58'36" W	10.00'
L25	N48°53'39" E	31.27'
L26	S41°06'22" E	10.00'
L27	S41°06'22" E	30.00'
L28	N48°53'39" E	76.00'
L29	N41°06'22" W	30.00'
L30	N41°06'22" W	10.00'
L31	N48°53'39" E	189.72'
L32	S41°06'22" E	10.00'
L33	N48°53'39" E	112.31'
L34	N44°39'45" W	50.10'
L35	N52°35'38" W	102.31'
L36	N48°53'39" E	25.71'
L37	N52°35'38" W	95.79'
L38	N34°39'59" W	71.01'
L39	N41°06'22" W	20.00'
L40	N48°53'38" E	146.76'
L41	S09°48'15" E	20.40'
L42	S48°53'38" W	94.30'
L43	S36°14'29" E	108.88'
L44	S48°53'38" W	18.88'
L45	S48°53'38" W	31.51'
L46	N48°53'38" E	28.90'
L47	N48°53'38" E	12.19'
L48	S34°02'49" E	18.70'
L49	S30°36'48" E	54.29'
L50	S41°06'22" E	71.84'
L51	S30°36'48" E	30.51'
L52	S48°53'39" W	97.06'
L53	N41°06'22" W	30.00'

NOTES

- ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE IN ACCORDANCE WITH NCDOT, THE TOWN OF CLAYTON STANDARDS AND SPECIFICATIONS.
- LOTS FRONTING ALONG NC 42 SHALL BE LIMITED TO ONE SINGLE LOADED BAY OF PARKING WITH THE SPACES LOCATED ON THE BUILDING SIDE OF THE DRIVE.
- THE DEVELOPER SHALL PAY A FEE IN LIEU OF CONSTRUCTION FOR 1/2 OF A 41' B/W ROADWAY SECTION INCLUDING A 6" SIDEWALK FOR THE NC HWY 42 FRONTAGE AND THE JOHNSON ESTATE ROAD FRONTAGE.
- CROSS ACCESS AGREEMENT BETWEEN LOTS SHALL BE PROVIDED PRIOR TO RECORDING OF LOTS.
- UNIFIED ARCHITECTURAL SIGNAGE CRITERIA SHALL BE PROVIDED PRIOR TO ISSUANCE OF BUILDING PERMITS.
- PEDESTRIAN ACCESS CONNECTING TO THE JOHNSON MEMORIAL HOSPITAL PROPERTY SHALL BE PROVIDED AT A LOCATION ACCEPTABLE TO BOTH PARTIES.
- A PROPERTY OWNERS ASSOCIATION SHALL BE CREATED TO PROVIDE MAINTENANCE OF COMMON AREAS, SHARED STORMWATER MANAGEMENT DEVICES, AND STREETScape LANDSCAPING.



**PRELIMINARY SUBDIVISION PLAN
FOR THE
SPRING BRANCH MEDICAL
AND COMMERCIAL PARK
CLAYTON TOWNSHIP - JOHNSTON COUNTY, NC**

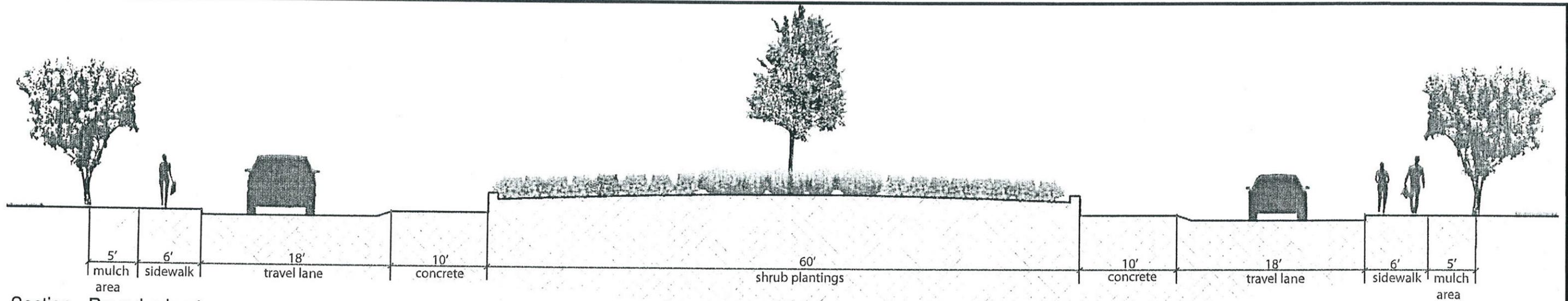
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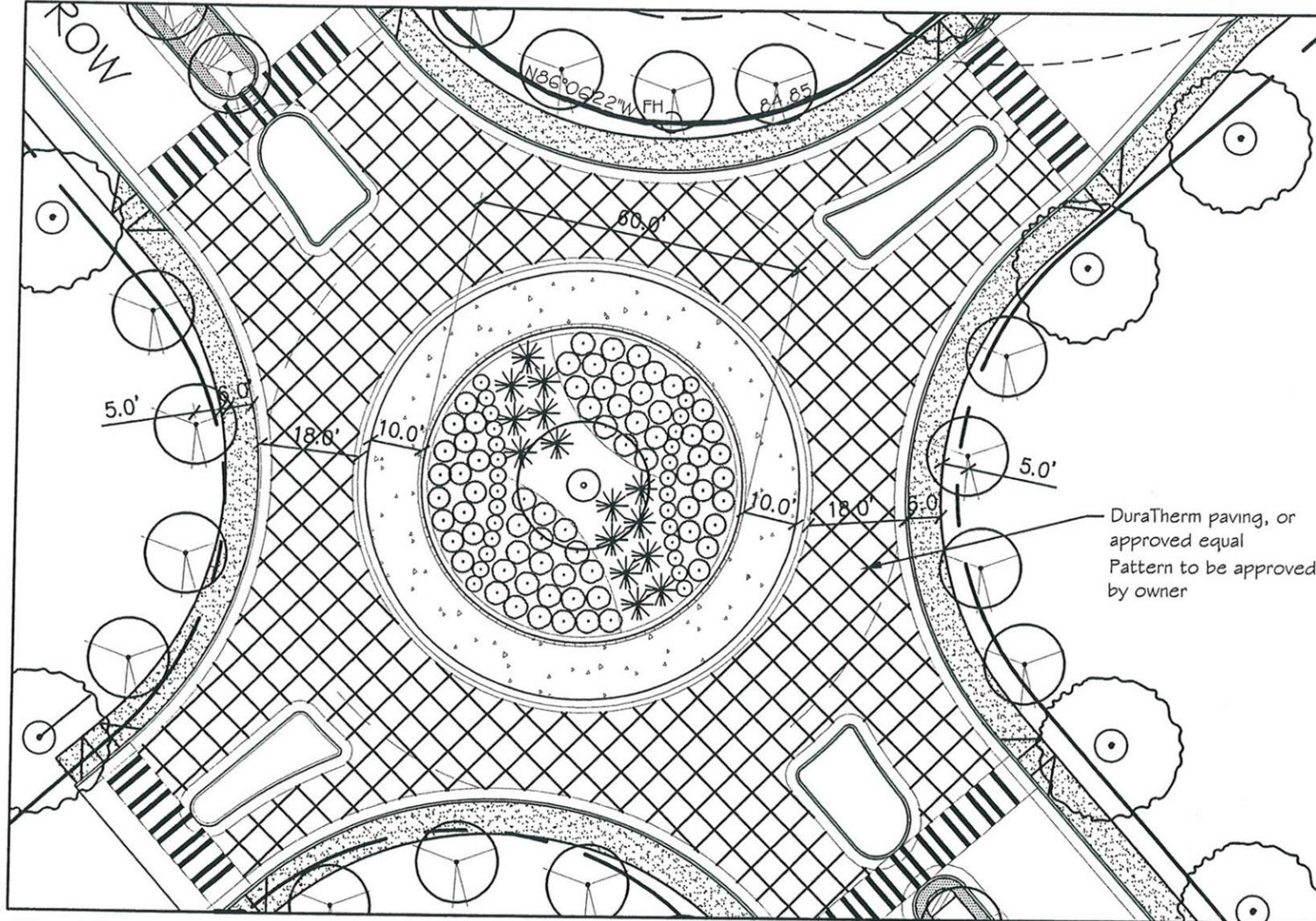
(919) 550-4740
Fax (919) 550-4741

Job: 10001 Date: 11/1/11 Revision: 001
File: SITE Drawn: CSB Sheet: 1 OF 1

REVISION 001: ADDRESSED COMMENTS PER TOWN OF CLAYTON - 11/15/11

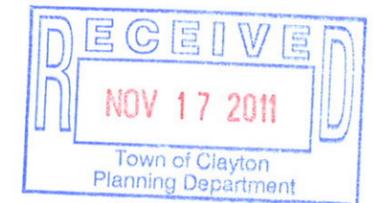


Section - Round-a-bout



Plan View - Round-a-bout 1"=30'-0"

Spring Branch Medical Park, Clayton, NC
Streetscape Guidelines



MP 2011-87A Master Plan Modification Spring Branch Medical & Commercial Park

50.93 Acres

Off of NC 42 Hwy W

Modification of MP 2011-87A Master Plan Spring Branch
Medical & Commercial Park

Subdivision Petitioner: The Lundy Group

Property Owner(s): UACFE LLC

University Commons Medical LLC

Parcel Number(s) 05F02035B (Parent Parcel #)



Map produced by TOC/Planning

Date: November 18, 2011

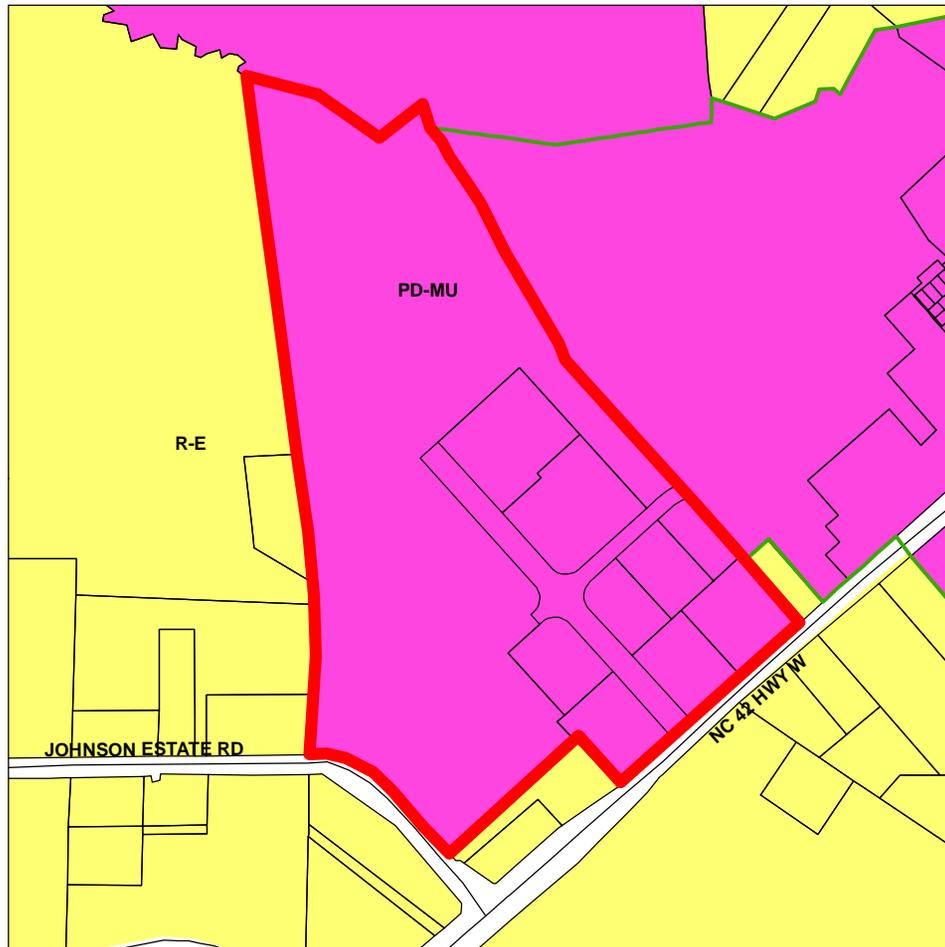
Disclaimer: Town of Clayton assumes no legal
responsibility for the information represented here.

Aerial Photography Date: February/March 2010

Scale: 1" = 600'

Town Limits 

1



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 5b

Meeting Date: 12/19/11

TITLE: PRESENTATION OF ORDINANCE AMENDMENTS WITHIN CHAPTER 155 OF THE UNIFIED DEVELOPMENT ORDINANCES:

- REVISIONS WITHIN ARTICLE 2 RELATING TO ZONING DISTRICTS;
- REVISIONS WITHIN ARTICLE 3 RELATING TO SPECIFIC USE STANDARDS;
- REVISIONS WITHIN ARTICLE 4 RELATING TO GENERAL DEVELOPMENT STANDARDS; AND
- REVISIONS TO SECTION 302 (G) MODIFYING THE SCREENING REQUIREMENTS FOR THE FOUNDATION OF MANUFACTURED HOMES LOCATED WITHIN MANUFACTURED HOME PARKS.

DESCRIPTION: These items are slated for public hearing at the Tuesday, January 3, 2012, Council meeting.

RELATED GOAL: Manage Growth Producing Developments & Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-19-11	Presentation & Public Notice.	Ordinance Amendments.

TOWN OF CLAYTON

Amendment to the Code of Ordinances: Chapter 155

Unified Development Code

BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA to amend Unified Development Code Article 2: Zoning Districts, Article 3: Specific Use Standards, and Article 4: General Development Standards with the following:

Please see attached Exhibits "A", "B" and "C" for amendments.

Duly adopted this ____ day of 2011, while in regular session.

Jody L. McLeod

Mayor

ATTEST:

APPROVED AS TO FORM:

Sherry L. Scoggins, MMC

Town Clerk

Brenton W. McConkey

Town Attorney

EXHIBIT A
ARTICLE 2 – ZONING DISTRICTS

155.202 ~~PERMITTED~~ LAND USES REGULATIONS

(B) ~~Permitted land use~~ Use regulations table. The ~~permitted land~~-use regulations table is subject to the explanation as set forth below.

(2) ~~Permitted-u~~ Uses. The following table lists the principal uses ~~permitted~~ regulated by this chapter for general use districts. For special use districts see § 155.200(B), for overlay districts see § 155.204, for planned development districts see § 155.203(K), and for accessory structures and uses see § 155.305.

Reason for amendment: Glitch – Correctly state section, table and use types.
--

155.204 OVERLAY DISTRICT STANDARDS

(A) *Thoroughfare Overlay Districts.*

(1) *Street yard requirements.*

(b) For purposes of this section, the street yard area is determined by multiplying the lot frontage, less driveways, times the average required width to determine required street yard area. There shall be no structures allowed in this street yard, except as follows:

6. In both the TOD I and TOD II, one on-premises sign not exceeding ~~six~~four feet in height and 24 square feet ~~if the lot has a minimum frontage of 100 feet on the thoroughfare.~~

~~7. In the TOD II, one on-premises sign not exceeding six feet in height and 24 square feet, if the lot has a minimum frontage of 100 feet on the thoroughfare.~~

Reason for amendment: Glitch – Sign height allowance within the TOD’s is arbitrary.

Notes:

Underlined language indicates proposed new language.

Language ~~crossed out~~ indicates language proposed to be deleted.

EXHIBIT B
ARTICLE 3 – SPECIFIC USE STANDARDS

155.306 TEMPORARY USES

(C) *Temporary use permit required.* The following temporary uses are allowed in the frequency stated below, except that no property shall have more than four of the events listed below in one calendar year. ~~*Example: A temporary use permit for a carnival would be counted in considering whether to issue a temporary use permit for a non-profit special event.*~~

(3) *Non-profit special events.* Special events run by non-profit, ~~eleemosynary~~ charitable organizations occurring no longer than seven consecutive days once every three months.

Reason for amendment: Wording – Uncommon word use correction. Eliminate Example.
--

§ 155.307 WIRELESS TELECOMMUNICATION FACILITIES.

(A) *Definitions.* For purposes of this section, and where not inconsistent with the context of a particular section, the defined terms, phrases, words, abbreviations, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words in the present tense include the future tense, words used in the plural number include words in the singular number and words in the singular number include the plural number. The word "shall" is always mandatory, and not merely directory.

~~**BOARD.** The Board of Commissioners.~~

CONSULTANT FEE(S). Set by the ~~Board of Commissioners and set forth~~ Town Council in the Town's schedule of fees.

(F) *Special use permit application and other requirements for a new wireless telecommunications facility or for increasing the footprint, height, profile or number of co-locations of the structure to be attached to.*

(1) (a) All applicants for a special use permit for wireless telecommunications facilities, including new towers or support structures or that otherwise increases the footprint, height, profile or number of co-locations or any modification of such facility beyond the conditions of an approved special use permit shall comply with the requirements set forth in this section. The ~~Board of Commissioners (Board)~~ Town Council is the officially designated agency or body of the Town to whom applications for a special use permit for wireless telecommunications facilities must be made, and that is authorized to review, analyze, evaluate and make decisions with respect to granting or not granting or revoking special use

Notes:

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Language ~~crossed out~~ indicates language proposed to be deleted.

permits for wireless telecommunications facilities. The ~~Board~~Town Council may at its discretion delegate or designate the Planning Board or other official agencies or officials of the Town or outside consultants to accept, review, analyze, evaluate and make recommendations to the ~~Board~~Town Council with respect to the granting or not granting or revoking special use permits for wireless telecommunications facilities. However, outside consultants shall have no authority to make or change policy for the Town.

(5) No wireless telecommunications facilities shall be installed, constructed or modified until the application is reviewed and approved by ~~the Board~~Town Council, and the special use permit has been approved and a building permit has been issued.

(6) Any and all representations made by the applicant to the ~~Board~~Town Council on the record during the application process, whether written or verbal, shall be deemed to have been relied upon in good faith by the Town. Any verbal representation shall be treated as if it were made in writing.

(9) The applicant shall include a statement in writing:

(a) That the applicant's proposed wireless telecommunications facilities shall be maintained in a safe manner, and in compliance with all conditions of the special use permit, without exception, unless specifically granted relief by the ~~Board~~Town Council in writing, as well as all applicable and permissible local codes, ordinances, and regulations, including any and all applicable Town, state and federal laws, rules, and regulations; and

(24) An applicant shall submit to the Town the number of completed applications determined to be needed at the pre-application meeting. However, applications will not be transmitted to the ~~Board~~Town Council for consideration until the application is deemed complete.

(G) Requirements for an application for the first antenna to be attached to an approved wireless telecommunications structure within the parameters of an approved special use permit.

(1) There shall be no special use permit required for an application to attach the first antenna array on an approved wireless telecommunications facility within the parameters of an approved special use permit, unless for good cause such shall be required by ~~the Board of Commissioners~~Town Council or Planning Director. Instead, approval shall result in issuance of a building permit by the appropriate administrative officer.

(H) Streamlined requirements for an application to co-locate on an existing telecommunications facility within the parameters of an approved special use permit.

(3) There shall be no special use permit required for an application to modify or to co-locate an antenna array on an existing and properly permitted wireless

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telecommunications facility so long as the co-location or modification does not exceed the parameters of the conditions of the approved special use permit, unless for good cause such shall be required by ~~the Board of Commissioners~~Town Council or Planning Director. Instead, approval shall result in issuance of a building permit by the appropriate administrative officer.

(P) *Retention of expert assistance cost to be borne by applicant.*

(3) There shall be four categories of consultant fees, such being: lease negotiations fee; application assistance and review fee; application amendment fee; and public hearing fee. Said fees shall be set forth in the Town's published schedule of fees and may be adjusted from time to time by ~~the Board of Commissioners~~Town Council.

(Q) *Procedural requirements for a special use permit.*

(3) A special use permit shall be issued for a wireless telecommunications structure upon ~~Board~~Town Council review and approval, but the building permit for said telecommunications structure shall not be issued until an applicant has provided substantiating documentation under the section governing the placement of the first antenna array prior to construction of a new wireless telecommunications facility.

(R) *Action on an application for a special use permit for wireless telecommunications facilities.*

(5) If the Town denies the special use permit for wireless telecommunications facilities, then the applicant shall be notified of such denial at the ~~Board~~Town Council meeting and in writing within 30 calendar days of Town Council~~the Board's~~ action and shall set forth in writing the reason or reasons for the denial.

Reason for amendment: Glitch – Text replacement.
--

Notes:

Underlined language indicates proposed new language.

Language ~~crossed out~~ indicates language proposed to be deleted.

EXHIBIT C
ARTICLE 4 – GENERAL DEVELOPMENT STANDARDS

155.401 OFF-STREET PARKING AND LOADING.

PART 1. OFF-STREET PARKING

(C) *Off-street parking requirements.*

(3) *Design standards.*

(b) Dimensions.

4. Parking spaces using geometric standards other than those specified above may be approved if developed and sealed by a registered engineer with expertise in parking facility design subject to a determination by the ~~Public Works Director~~Town Engineer, that the proposed facility will satisfy off-street parking requirements as adequately as would a facility using those specified above.

(c) Surfacing.

1. Surfacing required. Except as provided below, where off-street facilities are provided for parking or any other vehicular use area, they shall be surfaced with asphalt bituminous, concrete or dustless material approved by the ~~Public Works Director~~Town Engineer and shall be maintained in a smooth, well-graded condition.

2. Grass lawn parking.

A. Grass lawn or other pervious parking surfaces may be permitted for specific uses as set forth below, provided they are approved by the ~~Public Works Director~~Town Engineer. Where provided, such alternative parking surfaces shall be maintained in a smooth, well-graded condition. If parking demand is such that the grass or lawn is caused to be damaged or destroyed to the extent that it ceases to grow, then paving of such an area in accordance with this section may be required.

(d) Landscaping. Off-street parking areas in excess of 1,500 square feet or five spaces shall provide landscaped areas in accordance with the following requirements.

2. Interior landscaping.

A. Interior islands. An interior landscaped island shall be provided ~~for~~ every ten parking spaces. Each island shall contain a minimum of ~~200~~

Notes:

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Language ~~crossed out~~ indicates language proposed to be deleted.

150 square feet of landscape area with a minimum width of eight feet inside the curb and include a minimum of one tree with a minimum caliper of two and one-half inches. ~~Planting islands shall be evenly distributed throughout the parking area, with no parking space located more than 100 feet from a planting island.~~ Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees where approved by the Planning Director.

(j) Drainage. Parking lots shall not drain onto or across public sidewalks or into adjacent property, except into a natural watercourse or a drainage easement. In already developed areas where this condition would be impossible to meet, the ~~Public Works Director~~Town Engineer may exempt the applicant from this requirement, provided that adequate provision is made for drainage.

PART 2. OFF-STREET STACKING

(D) *Off-street stacking requirements.* The following vehicle stacking standards shall apply unless otherwise expressly approved by the ~~Public Works Planning~~ Director. The ~~Public Works~~Planning Director may require additional stacking spaces where trip generation rates suggest that additional spaces will be needed.

(1) *Minimum number of spaces.* Off-street stacking spaces shall be provided as follows:

	MINIMUM SPACES	MEASURED FROM
Automated teller machine	3	Machine
Bank teller lane	4	Teller or window
Car lubrication stall	2	Entrance to stall
Car wash stall, automated	4	Entrance to wash bay
Car wash stall, hand-operated	3	Entrance to wash bay
Day care drop off	3	Passenger loading area
Gasoline pump island	2	Pump island
Parking area, controlled entrance	4	Key code box
Restaurant drive -thru	6	Order box
Restaurant drive-thru	4	Order box to pick-up window
Valet parking	3	Valet stand
School drop-off (Public and Private)	Determined by Public Works <u>Planning</u> Director	
Other	Determined by Public Works <u>Planning</u> Director	

Notes:

Underlined language indicates proposed new language.
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(2) *Design and layout.* Required stacking spaces are subject to the following design and layout standards:

(a) Dimensions. Stacking spaces shall be a minimum of ~~eight~~ 10 feet by 20 feet in size.

(b) Location. Stacking spaces shall not impede on- or off-site traffic movements or movements into or out of off-street parking spaces.

(c) Design. Stacking spaces shall be separated from other internal driveways by raised medians if deemed necessary by the ~~Public Works Director~~ Planning Director for traffic movement and safety.

§ 155.402 LANDSCAPING SCREENING AND BUFFERING

PART 2. BUFFERS

(E) *Buffers*

(7) *Planting in easements.*

(d) Trees may be planted in underground utility easements with ~~Planning Director~~ Town Engineer approval, provided the root structure of the proposed tree is not anticipated to extend more than three feet below the ground. Shrubs may be planted, provided they are only within the outer three feet of the easement. Where such trees and shrubs are planted, the property owner shall be responsible for replacement of such required vegetation if maintenance or other utility requirements require their temporary removal.

(8) *Permitted structures in buffer area.*

(b) Berms. Where berms are placed within any required buffer area, they shall meet the following requirements.

1. Berms shall have a minimum average height of ~~two and one-half feet~~ 30 inches with side slopes of not less than four feet horizontal for each one foot vertical.

2. Slopes in excess of four feet horizontal for each one foot vertical may be permitted if sufficient erosion control methods are taken and deemed by the ~~Public Works Director~~ Town Engineer to be maintainable.

Reason for amendment: Glitch – Text replacement to provide correct authority for determination

Notes:

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§ 155.403 SIGNS

(E) *Elements of a common signage plan.* An application for a common signage plan shall be filed with the Planning Director by utilizing the same form used for other sign permits. In addition, the applicant shall indicate the standards of consistency of all signs on the subject property with regard to:

(1) Colors: a maximum of four, including white and black; may be used. Federal and state registered trademarks may be employed in addition to the specified colors, but may not exceed 12 square feet in copy area.

(F) *Specific sign regulations.*

(1) *On-premises signs.* The total amount of on- premises signage area permitted on any lot shall not exceed one and one-quarter times the amount of street frontage. On lots with frontage on more than one street, the longest dimension may be used to calculate the maximum area permitted. When no freestanding sign other than a ground sign or monument sign is proposed, a 10% increase in permitted sign area shall be allowed.

(c) Freestanding signs (pole, monument, ground signs). These signs are permitted as set forth herein. Any freestanding sign which exceeds eight feet in height may be erected only after a plan for such sign has been approved by the Planning Board.

2. Number. One freestanding sign shall be allowed on any lot, subject to the criteria herein, provided a ~~pole~~-sign shall only be allowed on a lot which contains 100 feet or more of frontage on the street to which such sign is to be oriented. If a common signage plan is approved by the Planning Director, two freestanding signs may be allowed on a lot or development having a minimum frontage of 300 feet on each of two adjacent streets, or more than 600 lineal feet of frontage on a single street, but only one may be a ~~pole~~-sign. When a lot or development subject to the terms of an approved common signage plan contains more than 1,500 linear feet of frontage on a single street, or has frontage of 300 feet or more on each of three adjacent streets, a maximum of three freestanding signs may be allowed, but there shall be only one ~~pole~~-sign permitted. When more than one freestanding sign is to be constructed, the total permitted sign area of all signs shall not exceed the standard set forth in this subsection, and the total amount of freestanding sign area shall not exceed .25 square feet per linear foot of frontage on the adjacent street of greatest length.

3. Setback. No portion of any freestanding sign may extend over any public right-of- way, or be located within 15 feet of any interior side lot line. ~~Further, no sign may be constructed within 20 feet of a right-of way in a~~

Notes:

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~~Thoroughfare Overlay District, or within 30 feet of a right of way in a Thoroughfare Overlay District II, except as permitted in those regulations.~~

Reason for amendment: Glitch – Redundant or incorrect text.

Notes:

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TOWN OF CLAYTON
Amendment to the Code of Ordinances: Chapter 155
Unified Development Code

BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA to amend 155.302 (G)(1)(a) with the following:

§ 155.302 RESIDENTIAL USE STANDARDS.

(G) Manufactured home parks.

(1) General requirements.

(a) Notwithstanding the criteria set forth in division (F) above, manufactured homes located within manufactured home parks shall be in accordance with all of the requirements of division (F) above, except divisions (F)(2), ~~and (F)(3) and (F)(4)~~ shall not apply to manufactured homes located in manufactured home parks ~~existing at the time of the adoption of this chapter~~. All new or replacement manufactured homes located in manufactured home parks ~~existing at the time of the adoption of this chapter~~ shall be a minimum of 12 feet in width, measured at the narrowest part of the shortest axis of the home, and shall contain a minimum of 480 square feet of enclosed and heated living area. The foundation area of the manufactured home shall be completely screened with faux panels simulating a brick, rock or stone finish.

Duly adopted this ____ day of 2011, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Sherry L. Scoggins, MMC
Town Clerk

Brenton W. McConkey
Town Attorney

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 5c

Meeting Date: 12/19/11

**TITLE: PRESENTATION OF SUPPLEMENT TO THE LICENSE AGREEMENT
BETWEEN THE NORTH CAROLINA RAILROAD COMPANY AND
THE TOWN OF CLAYTON.**

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-19-11	Presentation.	First Supplement to the License Agreement.

Railroad Use Only
NS Activity No. 1149930
NCRR File No. o_h-095+4582
AC: t0001458

First Supplement to The License Agreement

This First Supplement to the license agreement is made by and between the North Carolina Railroad Company, a North Carolina corporation (“NCR”), the Town of Clayton, a municipal corporation, (“Licensee”), and Norfolk Southern Railway Company (“Operating Railroad”), is a consenting party to this agreement, and is effective as of the later of the dates that each party signed as shown below (“Effective Date”).

WITNESSETH:

WHEREAS, NCR, and Licensee entered into that certain Agreement dated and effective the 25th day of February, 2010 (the “Agreement”) concerning certain real property located in Johnston County, the Town of Clayton, North Carolina as described in Exhibit A1, A2, A3, A4, A5, and A6 (“Premises”) in said Agreement.

WHEREAS, the parties desire to modify the Agreement to increase the area to be licensed, to allow additional uses of the Premises, to identify Norfolk Southern Railway Company as the Operating Railroad, to have the Operating Railroad sign the Agreement as a consenting party, and for the Licensee to ratify and reaffirm the terms and conditions of the Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants of NCR, Licensee, and the Operating Railroad, and for other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, NCR, Licensee, and the Operating Railroad, hereby contract and agree each with the other as follows:

1. Norfolk Southern Railway Company is the Operating Railway, as defined in the Agreement.
2. Article 2 on the Agreement is hereby modified by deleting “Exhibit A1, A2, A3, A4, A5 and A6,” and inserting “Exhibit A-1, A-2, A-3, A-4, A-5, A-6, A-7 and A-8.”
3. Replace Exhibit A1, A2, A3, A4, A5 and A6, dated February 23, 2010 with Exhibit A-1, A-2, A-3, A-4, A-5, A-6, A-7 and A-8, and dated November 17, 2011.

4. Article 3 of the Agreement is hereby modified by deleting the first full sentence of the Article and inserting the following language : “Licensee will use the Premises solely for the purpose of:

i. grass and shrub maintenance, consistent with the Landscaping Standards Supplement as set forth in Exhibit B attached hereto, identified as Area 1 on Exhibits A-1, A-2, A-3, A-4, A-5, A-6, A-7 and A-8; and

ii. parking, at a distance no closer than thirty (30’) feet from the track centerline, including the maintenance and removal of parking surfaces, as they exist as of the Effective Date of this Agreement, and any grass and shrub maintenance consistent with the Landscaping Standards Supplement as set forth in Exhibit B attached hereto, identified as Area 2 on Exhibits A-1, A-2, A-3, and A-4; and

iii. installation, maintenance, and removal of required barriers, either natural, or man-made, along the north and east boundaries of Area 3 on Exhibit A-2; said area being further described and under an agreement made and entered into the 3rd of January 1990 between Southern Railway Company, predecessor to Norfolk Southern Railway Company, and the Town of Clayton, under Norfolk Southern Railway’s Old Custodian Number 2950-424, New Custodian Number 12642; barriers, if natural, are to be consistent with the Landscaping Standards Supplement as set forth in Exhibit B attached hereto; barriers, if man made, require written pre-approval by NCR and the Operating Railroad; and

iv. locating, setting up, installing, and removing game booths (facing away from the tracks), amusement rides, and temporary fencing, or ropes, all being no closer than fifty five (55) feet from the centerline of the track, and being for duration of the annual “ Harvest Festival”, any grass mowing to be consistent with the Landscaping Standards Supplement as set forth in Exhibit B attached hereto, in the location identified as Area 4 on Exhibit A-2, and A-3; and

v. locating, occupying, using, maintaining, repairing and removing the existing brick monument and associated electrical and lighting, as identified on Exhibit A-8; said sign was previously under an agreement effective the 1st of August, 1966, and terminated the 23rd of April, 2003, between Southern Railway Company, predecessor to Norfolk Southern Railway Company, and the Town of Clayton, under Norfolk Southern Railway’s Old Custodian Number 2736-55, New Custodian Number 131996.”

5. Article 3 of the Agreement is hereby modified by deleting the second sentence in the first paragraph and inserting the following language “Improvements located on the Premises, as of the Effective Date, or to be constructed upon the Premises by the Licensee per Article 3.iii. of this First Supplement, shall be and remain the personality of the Licensee including asphalt parking, a brick monument and associated electrical and lighting, and any pre-approved improvements per Article 3. iii.”

6. Article 3 of the Agreement is hereby modified by inserting the following three paragraphs after the third paragraph:

“Licensee shall install and maintain during the term of this License Agreement wooden posts at least four (4) inches by four (4) inches and at least three (3) feet above the ground no more than six (6) feet apart along the side of the Premises used for parking nearest the railroad tracks or other such means to prevent the parking of cars outside the Premises. Said posts or other such devices shall be installed to the sole satisfaction of Company. If posts are not installed to the satisfaction of Company, Company shall have the right to terminate this License Agreement immediately.

There shall be no parking of any vehicle, or equipment, upon the Premises that is of a height that might interfere with visibility of the traveling public, or the Operating Railroad, and in particular located at any public or private road crossing within fifty (50) feet measured perpendicular in either direction of the centerline of the closest track and three hundred (300) feet measured parallel of the track in either direction of the closest edge of the roadway , and then tapering from that 50/300 foot point in each quadrant to a point that is twenty-seven (27) feet measured perpendicular from the center line of the closest track and five hundred (500) feet measured parallel to the closest edge of the roadway.

By virtue of this license agreement the town may execute control over the Premises for the protection of the property and public.”

7. Licensee hereby acknowledges that they have read and agreed to all terms and conditions of the Agreement and agree to be bound by those terms and conditions as if contained in the original Agreement.

8. Except as amended herein, NCRR, Licensee, and the Operating Railroad acknowledge and agree that all other terms, conditions and provisions of the Agreement not otherwise inconsistent herewith are hereby ratified and reaffirmed and remain in full force and effect. Unless otherwise herein amended, all defined terms from the License used herein shall have the same meanings as used in the Agreement.

(Signatures on Next Page)

IN WITNESS WHEREOF, the parties hereto have executed this License:

LICENSOR:

NORTH CAROLINA RAILROAD COMPANY

By: _____

Printed Name: _____

Title: _____

Date: _____

LICENSEE

TOWN OF CLAYTON

By: _____

Printed Name: _____

Title: _____

Date: _____

CONSENTED TO BY:

NORFOLK SOUTHERN RAILWAY COMPANY

By: _____

Printed Name: _____

Title: _____

Date: _____

Operating Railroad and Certificate of Insurance Information:

Name: Norfolk Southern Railway Company
Address: Attn. Risk Management
Three Commercial Place
Norfolk, VA 23510-2191

EXHIBIT A-1 -- November 17, 2011

Milepost h-095 plus 4,582 (+/-) Feet
 Clayton, Johnston County, North Carolina



Area(s) Licensed by North Carolina Railroad Company to the Town of Clayton (+/- 740,312 Sq. Ft.)



Area 1



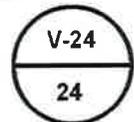
Area 2



Area 3



Area 4



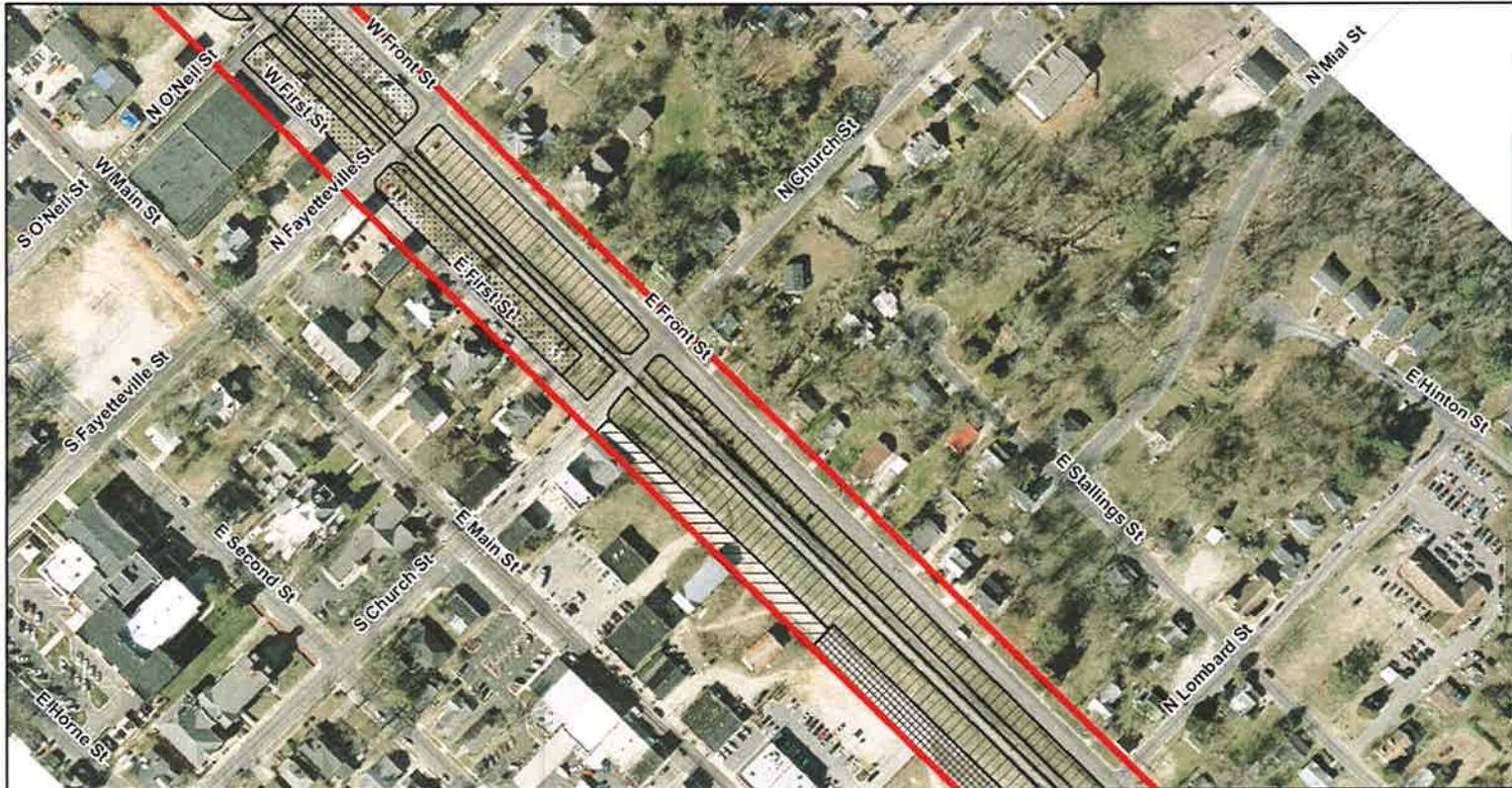
Parcel No. 6



This map has been prepared by the North Carolina Railroad Company (NCRRC) principally for its purposes by utilizing information received from various private and governmental sources available to the public and compiled into its Geographic Information System (GIS). As GIS mapping is a representation of information from various sources, it is not intended to be a substitute for a sealed land survey prepared by a registered North Carolina surveyor. The primary source of the data shown on the map should be consulted for verification and to confirm the fitness thereof for any particular use. This information is not intended for use by third parties without approval by NCRRC.

EXHIBIT A-2 -- November 17, 2011

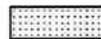
Milepost h-095 plus 4,582 (+/-) Feet
 Clayton, Johnston County, North Carolina



Area(s) Licensed by North Carolina Railroad Company to the Town of Clayton (+/- 740,312 Sq. Ft.)



Area 1



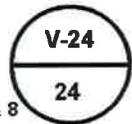
Area 2



Area 3



Area 4



Parcel No. 6, 7 & 8



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7

EXHIBIT A-3 -- November 17, 2011

Milepost h-095 plus 4,582 (+/-) Feet
Clayton, Johnston County, North Carolina

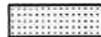
8



Area(s) Licensed by North Carolina Railroad Company to the Town of Clayton (+/- 740,312 Sq. Ft.)



Area 1



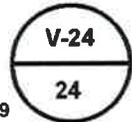
Area 2



Area 3



Area 4



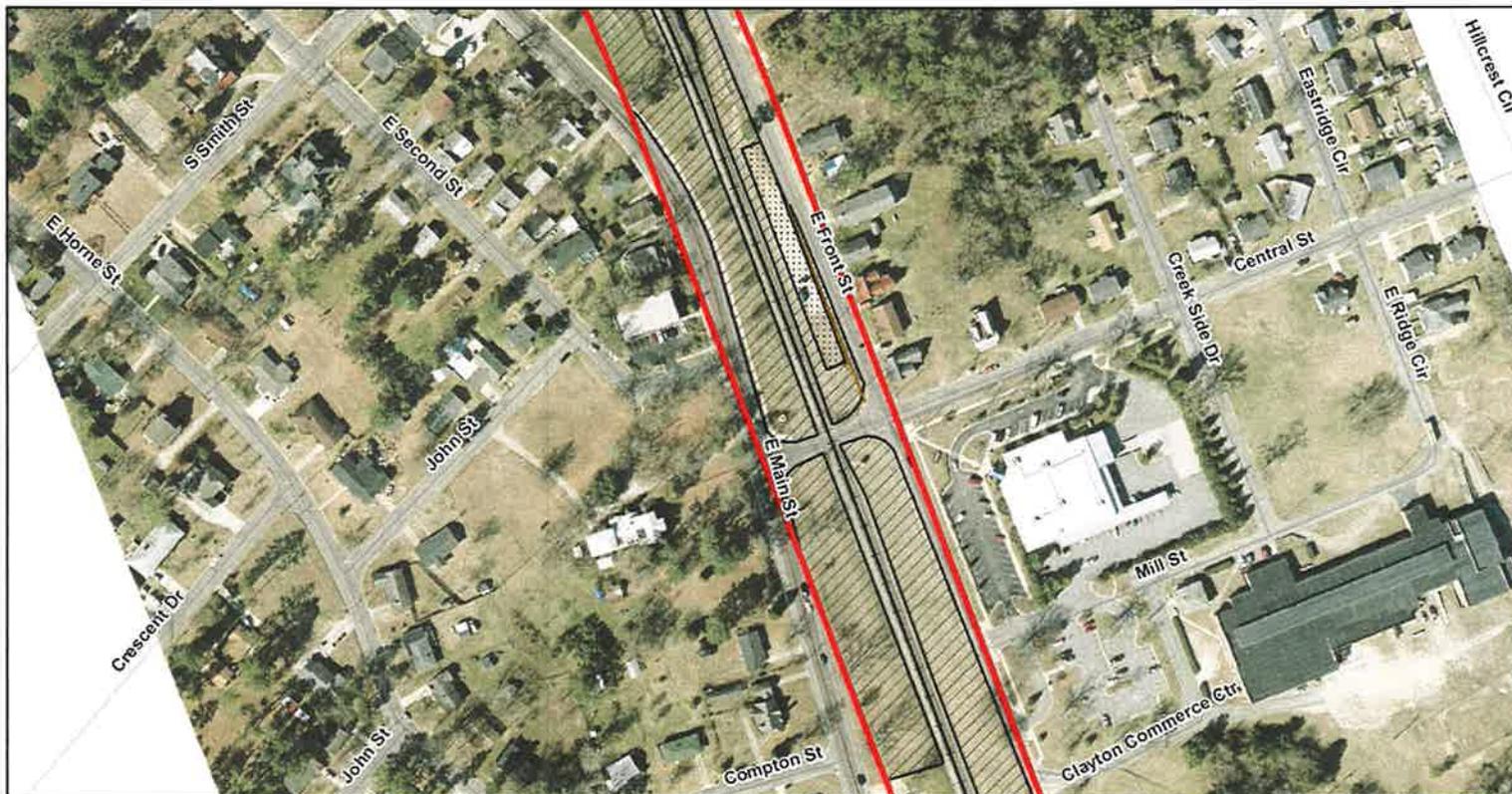
Parcel No. 6, 7, 8 & 9



This map has been prepared by the North Carolina Railroad Company (NCRR) principally for its purposes by utilizing information received from various private and governmental sources available to the public, and compiled into its Geographic Information System (GIS). As GIS mapping is a representation of information from various sources, it is not intended to be a substitute for a sealed land survey prepared by a registered North Carolina surveyor. The primary sources of the data shown on the map should be consulted for verification and to confirm the fitness thereof for any particular use. This information is not intended for use by third parties without approval by NCRR.

EXHIBIT A-4 -- November 17, 2011

Milepost h-095 plus 4,582 (+/-) Feet
 Clayton, Johnston County, North Carolina



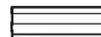
Area(s) Licensed by North Carolina Railroad Company to the Town of Clayton (+/- 740,312 Sq. Ft.)



Area 1



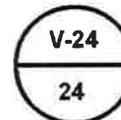
Area 2



Area 3



Area 4



Parcel No. 9



This map has been prepared by the North Carolina Railroad Company (NCRR) primarily for its purposes by utilizing information received from various private and governmental sources available to the public, and compiled into its Geographic Information System (GIS). As GIS mapping is a representation of information from various sources, it is not intended to be a substitute for a sealed land survey prepared by a registered North Carolina surveyor. The primary sources of the data shown on the map should be consulted for verification and to confirm the fitness thereof for any particular use. This information is not intended for use by third parties without approval by NCRR.

EXHIBIT A-5 -- November 17, 2011

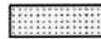
Milepost h-095 plus 4,582 (+/-) Feet
 Clayton, Johnston County, North Carolina



Area(s) Licensed by North Carolina Railroad Company to the Town of Clayton (+/- 740,312 Sq. Ft.)



Area 1



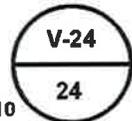
Area 2



Area 3



Area 4



Parcel No. 9 & 10



This map has been prepared by the North Carolina Railroad Company (NCR) primarily for its purposes by utilizing information received from various private and governmental sources available to the public, and compiled into its Geographic Information System (GIS). As GIS mapping is a representation of information from various sources, it is not intended to be a substitute for a sealed land survey prepared by a registered North Carolina surveyor. The primary sources of the data shown on the map should be consulted for verification and to confirm the fitness thereof for any particular use. This information is not intended for use by third parties without approval by NCR.

EXHIBIT A-6 -- November 17, 2011

Milepost h-095 plus 4,582 (+/-) Feet
 Clayton, Johnston County, North Carolina



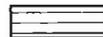
Area(s) Licensed by North Carolina Railroad Company to the Town of Clayton (+/- 740,312 Sq. Ft.)



Area 1



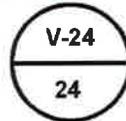
Area 2



Area 3



Area 4



Parcel No. 10



This map has been prepared by the North Carolina Railroad Company (NCRP) primarily for its purposes by utilizing information received from various private and governmental sources available to the public and compiled into its Geographic Information System (GIS). As GIS mapping is a representation of information from various sources, it is not intended to be a substitute for a sealed land survey prepared by a registered North Carolina surveyor. The primary sources of the data shown on the map should be consulted for verification and to confirm the fitness thereof for any particular use. This information is not intended for use by third parties without approval by NCRP.

EXHIBIT A-7 -- November 17, 2011

Milepost h-095 plus 4,582 (+/-) Feet
 Clayton, Johnston County, North Carolina



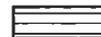
Area(s) Licensed by North Carolina Railroad Company to the Town of Clayton (+/- 740,312 Sq. Ft.)



Area 1



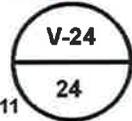
Area 2



Area 3



Area 4



Parcel No. 10 & 11



This map has been prepared by the North Carolina Railroad Company (NCRR) primarily for its purposes by utilizing information received from various private and governmental sources available to the public, and compiled into its Geographic Information System (GIS). As GIS mapping is a representation of information from various sources, it is not intended to be a substitute for a sealed land survey prepared by a registered North Carolina surveyor. The primary sources of the data shown on the map should be consulted for verification and to confirm the fitness thereof for any particular use. This information is not intended for use by third parties without approval by NCRR.

EXHIBIT A-8 -- November 17, 2011

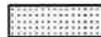
Milepost h-095 plus 4,582 (+/-) Feet
Clayton, Johnston County, North Carolina



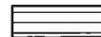
Area(s) Licensed by North Carolina Railroad Company to the Town of Clayton (+/- 740,312 Sq. Ft.)



Area 1



Area 2



Area 3

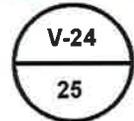


Area 4



This map has been prepared by the North Carolina Railroad Company (NCRRC) principally for its purposes by utilizing information received from various private and governmental sources available to the public and compiled into its Geographic Information System (GIS). As GIS mapping is a representation of information from various sources, it is not intended to be a substitute for a sealed land survey prepared by a registered North Carolina surveyor. The primary sources of the data shown on the map should be consulted for verification and to confirm the fitness thereof for any particular use. This information is not intended for use by third parties without approval by NCRRC.

Parcel No. 1



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 5d

Meeting Date: 12/19/11

TITLE: PRESENTATION OF NCDOT AGREEMENT FOR NC 42 WIDENING PROJECT.

DESCRIPTION: At the November 7, 2011, Council meeting, the Clayton Town Council approved the Temporary Easement for the NC 42 HWY widening project in front of Fire Station 2.

The attached utility agreement is between NCDOT and the Town of Clayton and clarifies the expectation of each entity for the NC HWY 42 widening project.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-19-11	Presentation.	First Supplement to the License Agreement.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

October 26, 2011

WBS ELEMENT: 34552.3.2 (R-3825A)
COUNTY: Johnston
DESCRIPTION: NC 42 from US 70 in Clayton to 0.31 miles east of SR 1902 (Glen Laurel Road).
SUBJECT: Utility Agreement – Town of Clayton

Mr. Tim Simpson
Director of Public Works
PO Box 879
Clayton, NC 27528



Dear Mr. Simpson:

Enclosed are duplicate originals of a Utility Agreement to adjust and relocate municipally owned water and sewer lines.

After you have reviewed this agreement, please have the appropriate authority approve and execute the agreement. Once signed, originals should be returned to the Utility Agent for Departmental execution. One fully executed agreement will be sent back to you for your file.

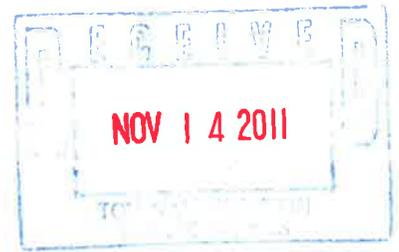
If revisions are necessary, please email Dayton Martin, Utility Agent, at daytonmartin@ncdot.gov or call (919) 707-7172, to make the appropriate changes. I will promptly forward the revised agreement back to you for review and execution.

Sincerely,

J. Robert Memory
State Utility Agent

Enclosures

cc: Mr. John Rouse, PE
Mr. Corey McLamb, PE
Mr. David Boyd



NORTH CAROLINA
JOHNSTON COUNTY

UTILITY AGREEMENT

DATE: 10/24/2011

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

Project: R-3825 A

AND

WBS Elements: 34552.3.2

TOWN OF CLAYTON

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department" and the Town of Clayton, hereinafter referred to as the "Municipality";

WITNESSETH:

WHEREAS, the Department has prepared and adopted plans to make certain street and highway improvements under Project R-3825A, in Johnston County, said plans consists of improvements to NC 42 from US 70 in Clayton to 0.31 mile east of SR 1902 (Glen Laurel Road); Johnston County; said project having a right-of-way width as shown on the project plans on file with the Department's office in Raleigh, North Carolina; and,

WHEREAS, the parties hereto wish to enter into an agreement for certain utility work to be performed by the Department's construction contractor with full reimbursement by the Municipality for the costs thereof as hereinafter set out.

NOW, THEREFORE, it is agreed as follows:

1. The Department shall place provisions in the construction contract for Project R-3825A Johnston County, for the contractor to adjust and relocate water and sewer lines. Said work shall be accomplished in accordance with project special provisions, cost estimate attached hereto as Exhibit "A" and the plan sheets attached hereto as Exhibit "B".
2. The Municipality shall be responsible for water and sewer lines cost as shown on the attached Exhibit "B". The estimated cost to the Municipality is \$92,500 as shown on the attached Exhibit "A". It is understood by both parties that this is an estimated cost and is subject to change. The Municipality shall reimburse the Department for said costs as follows:

- A. Upon completion of the utility work, the Department shall submit an itemized invoice to the Municipality for cost incurred. Billing will be based upon the actual bid prices and actual quantities used.
 - B. Reimbursement shall be made by the Municipality in one final payment within sixty (60) days of said invoice.
 - C. If the Municipality does not pay said invoice within sixty (60) days of the date of the invoice, the Department shall charge a late payment penalty and interest on any unpaid balance due in accordance with G.S. 147-86.23 and G.S. 105.241.21.
 - D. Any cost incurred due to additional utility work requested by the Municipality after award of the construction contract, shall be solely the responsibility of the Municipality. The Municipality shall reimburse the Department 100% of the additional utility cost.
3. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment hereinabove provided, North Carolina General Statute 136-41.3 authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by North Carolina General Statute, Section 136-41.1, until such time as the Department has received payment in full.
 4. Upon the satisfactory completion of the relocations and adjustments of the utility lines covered under this Agreement, the Municipality shall assume normal maintenance operations to the said utility lines. Upon completion of the construction of the highway project, the Municipality shall release the Department from any and all claims for damages in connection with adjustments made to its utility lines; and, further, the Municipality shall release the Department of any future responsibility for the cost of maintenance to said utility lines. Said releases shall be deemed to be given by the Municipality upon completion of construction of the project and its acceptance by the Department from its contractor unless the Municipality notifies the Department, in writing, to the contrary prior to the Department's acceptance of the project.
 5. It is further agreed that the following provisions shall apply regarding the utilities covered in this Agreement.

- A. The Municipality obligates itself to service and to maintain its facilities to be retained and installed over and along the highway within the Department's right-of-way limits in accordance with the mandate of the North Carolina General Statutes and such other laws, rules, and regulations as have been or may be validly enacted or adopted, now or hereafter.

 - B. If at any time the Department shall require the removal of or changes in the location of the encroaching facilities which are being relocated at the Municipality's expense, the Municipality binds itself, its successors and assigns, to promptly remove or alter said facilities, in order to conform to the said requirement (if applicable per G.S. 136-27.1), without any cost to the Department.
6. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the Municipality by authority duly given.

L.S. ATTEST: TOWN OF CLAYTON
BY: _____ BY: _____
TITLE: _____ TITLE: _____
DATE: _____

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Approved by _____ of the local governing body of the Town of Clayton as attested to by the signature of _____ Clerk of said governing body on _____ (Date)

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

(FINANCE OFFICER)
Federal Tax Identification Number

Remittance Address:
Town of Clayton

DEPARTMENT OF TRANSPORTATION
BY: _____
(STATE HIGHWAY ADMINISTRATOR)
DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)

**PRELIMINARY ESTIMATE
FOR BUDGETING PURPOSES ONLY
SUBJECT TO CHANGE WITHOUT NOTICE**

0318000000-E	300	FOUNDATION CONDITIONING MATERIAL, MINOR STRUCTURES	100 TON
0320000000-E	300	FOUNDATION CONDITIONING GEOTEXTILE	600 SY
1693000000-E	654	ASPHALT PLANT MIX, PAVEMENT REPAIR	8 TON
5325600000-E	1510	6" WATER LINE	380 LF
5589100000-E	1515	1" AIR RELEASE VALVE	1 EA
5648000000-N	1515	RELOCATE WATER METER	1 EA

Oct 18, 2011 2:12 pm

North Carolina Department Of Transportation
Project Quantities Estimate Report (With break down)
WBS: 34552.3.2

Page : 2 of 2

ItemNumber	Sec #	Description	Quantity	Unit Cost	Amount
5709400000-E	1520	8" FORCE MAIN SEWER	1,575 LF		

1412/Oct18/Q4746.0/D54961800000/E15

Total Length Of Project : .0 miles

**PRELIMINARY ESTIMATE
FOR BUDGETING PURPOSES ONLY
SUBJECT TO CHANGE WITHOUT NOTICE**

Total Cost for the
Town of Clayton is
\$ 92,500.00

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 5e

Meeting Date: 12/19/11

**TITLE: PRESENTATION OF RESOLUTION FOR ADOPTION OF THE
JOHNSTON COUNTY DEBRIS MANAGEMENT PLAN.**

DESCRIPTION: At its November 7, 2011, meeting, the Johnston County Board of Commissioners adopted the Johnston County Debris Management Plan. This plan supersedes all other plans dated before October 1, 2011.

The Johnston County Debris Management Plan is slated for the Johnston County web site in January. As the plan is voluminous, citizens may view it in the office of the Town Clerk.

RELATED GOAL: Beautify the Town of Clayton

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-19-11	Presentation.	Resolution.

**TOWN OF CLAYTON
RESOLUTION FOR ADOPTION OF THE
JOHNSTON COUNTY DEBRIS MANAGEMENT PLAN**

WHEREAS, the County of Johnston has developed a Debris Management Plan that was adopted by the Johnston County Board of Commissioners on November 7, 2011; and

WHEREAS, the Debris Management Plan describes the debris management processes that will be enacted following a natural disaster or other major incident affecting Johnston County, will serve as a supporting document to the Johnston County Emergency Operations Plan, and will provide organizational structure and guidance for field operations in the clearance, removal, and disposal of debris caused by a natural disaster or other major incident; and

WHEREAS, the Town of Clayton, North Carolina, for the benefit of its citizens and for the purposes of greater economic relief and efficiency, wishes to adopt this Debris Management Plan by resolution.

NOW, THEREFORE, BE IT RESOLVED that the Town of Clayton, hereby adopts the Johnston County Debris Management Plan and agrees as follows:

- The Town, in order to best serve the interests of its citizens and to protect them from imminent health and safety hazards, agrees to operate within the parameters as set forth in the Johnston County Debris Management Plan.
- Within the Town's boundaries, the Town shall have the authority to direct the execution of debris removal within the scope of operation as set forth in the Debris Management Plan.
- The Town will bear any costs, associated with the work performed within its boundaries, which are not eligible for reimbursement by FEMA.
- The Town agrees to hold harmless and indemnify the County for any cost, damage or liability arising from the services performed by the Town within its boundaries under the Debris Management Plan.

Duly adopted this the ____ day of _____ 2012, while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Sherry L. Scoggins, MMC
Town Clerk

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 5f

Meeting Date: 12/19/11

TITLE: PRESENTATION OF PER DIEM ALLOWANCE.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

12-19-11

Presentation.

Current and Proposed
Travel Rates.

TRAVEL RATES

I. TRAVEL REIMBURSEMENT

A. Mileage:

Personal vehicle mileage is reimbursed at the Internal Revenue Service allowable rate.

B. Per Diem Allowance:

Breakfast	\$ 6.00
Lunch	\$ 8.00
Dinner	\$14.00
Gratuity	\$ 3.50

Notes:

- All meals will be paid at the per diem rate.
- Any meal included as part of a school or meeting and included in registration will be paid at that rate and no per diem will be allowed.
- Per diem rates will apply to out of county travel and only during the duration of the school, meeting, or conference. *Breakfast per diem will be provided for events starting earlier than 8:30 AM. Dinner per diem will be provided when return travel (to Johnston County and/or primary residence) is not completed by 6:30 PM.*
- Exclusions from Per Diem Policy:
 - Breakfast per diem will not be provided when a "Breakfast Bar" is included with registration or lodging.*
 - Actual meal expense will be reimbursed with a receipt from an on-site motel restaurant when transportation or alternative accommodations are not available or practical.*

C. Motel and Hotels:

Motels and Hotels will be reimbursed at the actual charge for accommodations including applicable taxes.

D. Phone:

A wellness check phone allowance of \$3.00 for each two nights of out-of town stay will be provided upon request.

TOWN'S PER DIEM POLICY

I. TRAVEL REIMBURSEMENT

A. **Personal Automobile:**

Personal vehicle mileage is reimbursed at the Internal Revenue Service allowable rate.

B. **Per Diem Allowance:**

Breakfast	\$ 8.00/day*
Lunch	\$10.00/day
Dinner	<u>\$16.00/day</u>
	\$34.00/day

*No breakfast on day of departure.

C. Town of Clayton employees seeking reimbursement for travel expenses are to follow the Town of Clayton Travel, Food, and Beverage Policy effective (DATE).

Duly adopted this day of 2012 while in regular session.

(ATTEST)

Jody L. McLeod,
Mayor

Sherry L. Scoggins, MMC
Town Clerk

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 5g

Meeting Date: 12/19/11

TITLE: PRESENTATION OF ANNUAL CERTIFICATION OF FIREFIGHTERS.

DESCRIPTION: In accordance with NC GS 58-86-25, the Clayton Fire Department respectfully submits its 2011 roster of “eligible firemen” to the governing board. After the 2011 roster is certified, it is remitted to the North Carolina State Firemen’s Association. The Firemen’s Association shall provide a list of those persons meeting the eligibility requirements to the State Treasurer by January 31 of each year. This certified list determines eligibility for the \$50,000 line-of-duty death benefit as well as eligibility for Pension Fund credit.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-19-11	Presentation.	2011 Roster.

North Carolina State Firemen's Association
323 West Jones Street, Suite 401
Raleigh, NC 27603
1-800-253-4733

2011
ANNUAL CERTIFICATION OF FIREFIGHTERS

North Carolina General Statute 58-86-25 requires that all certified fire departments submit a complete roster of its eligible firemen annually. This certified list determines eligibility for the \$50,000 line-of-duty death benefit as well as eligibility for Pension Fund credit. Failure to accurately and promptly report this information is violation of G.S. 58-86-25 and will automatically result in a loss or reduction of benefits.

REPORT BY FIRE DEPARTMENT CHIEF

As Fire Department Chief, I have determined that the attached roster is a valid and accurate list of all eligible firemen, within the definition contained in North Carolina General Statute 58-86-25.

Name of Fire Department Clayton Fire Department

Fire Department Mailing Address P.O. Box 879

City Clayton State NC Zip Code 27528

Name of Fire Chief H. Lee Barbee
(Please print or type)

Signature of Fire Chief H. Lee Barbee

Date _____ Daytime Telephone (919) 553-1520

County Johnston

CERTIFICATION BY GOVERNING BODY

Pursuant to G.S. 58-86-25, the governing body of a fire department operated by (i) a county is the county board of commissioners, (ii) a city is the city council, (iii) a sanitary district is the sanitary district board, (iv) a corporation, whether profit or nonprofit, is the corporation's board of directors and (v) any other entity is that group designated by the board. Therefore, in our capacity as the governing body of the above-named fire department, we certify and find that the attached roster is a valid and accurate list of all eligible firemen in accordance with G.S. 58-86-25.

Name of Governing Body Clayton Town Council

Name of Governing Body Official Jody L. McLeod
(Please print or type)

Authorized Signature _____ Title Mayor

Date _____ Daytime Telephone (919) 553-5002



North Carolina State Firemen's Association

323 W. Jones Street, Ste. 401 ~ Raleigh, NC 27603
 919.821.2132 (p) | 919.821.9382 (f) | www.ncsfa.com

Department Roster Clayton

Printed: 11/21/2011

Lee Barbee
 Clayton
 P. O. Box 879
 Clayton, NC 27520

Department Information

Roster Last Updated: 11/10/2011 | 01:40 pm

Dept ID: 100064	Paid Thru: 12/31/2011
Type: FDC / Fire Dept Combo	Work: (919) 553-1520
Chief: Lee Barbee	Fax:
County: Johnston	E-Mail: lbarbee@townofclaytonnc.org

Payment Information

Department Summary

Name on Credit Card: _____
 Credit Card: _____
 Expiration Date: _____
 Signature: _____

Paid: <u>67</u>
Volunteer: <u>1</u>
Retired: <u>12</u>

#	SSN/ID	Full Name / DOB	Address	Phone #/ Cell #	GEN/ EMAIL	MAR	P/V/R	CERT? (circle one)
1	[REDACTED]	A. C. Atkinson	[REDACTED] Pagan Street, Clayton, NC 27520	[REDACTED]	M	M	R	Y / N
2	[REDACTED]	Anthony W. Atkinson	[REDACTED] Gasper Dr, Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
3	[REDACTED]	Donald P. Ayres	[REDACTED] Wraggate, Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
4	[REDACTED]	Lee Barbee	[REDACTED] Summit Rd, Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
5	[REDACTED]	Jason J. Barbour	[REDACTED] Hammonds Way, Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
6	[REDACTED]	Ronald Hocutt Barbour	[REDACTED] NC 42 Hwy W, Clayton, NC 27520	[REDACTED]	M	M	R	Y / N
7	[REDACTED]	Bryan Belvin	[REDACTED] S. Howell Rd., Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
8	[REDACTED]	M. W. Benson	[REDACTED] Hamilton Drive, Summfield, NC 27577	[REDACTED]	M	M	R	Y / N
9	[REDACTED]	R. M. Benson	[REDACTED] Hamilton St., Clayton, NC 27520	[REDACTED]	M	M	R	Y / N
10	[REDACTED]	S. R. Benson	[REDACTED] S. Orlus 70 W, Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
11	[REDACTED]	Brady Lee Botkin	[REDACTED] Hamilton Rd, Clayton, NC 27520	[REDACTED]	M	M	P	Y / N

bbotkin@townofclaytonnc.org

12	[REDACTED] 2855 [REDACTED] 2835	Henry Jordan Bayette [REDACTED] 1988	[REDACTED] Rd., [REDACTED] NC 27520	[REDACTED] 228 [REDACTED]	[REDACTED] S P	Y / N
13	[REDACTED] 2880 [REDACTED]	Royce Mitchell Boyette [REDACTED] 1987	[REDACTED] Street, Clayton, NC 27527	[REDACTED] 352-2470	M S P	Y / N
14	[REDACTED] 338 [REDACTED]	James W. Boykin, Jr. [REDACTED] 1983	[REDACTED] Hogan Cir., Clayton, NC 27527	[REDACTED] 330 [REDACTED]	M S P jbxfinal@gmail.com	Y / N
15	[REDACTED] 3870 [REDACTED]	Philip Michael Brady [REDACTED] 1983	[REDACTED] Atkinson Farm Circle, Cameron, NC 27529	[REDACTED] 591-2001	M M P pmbrady2@gmail.com	Y / N
16	[REDACTED] 4117 [REDACTED]	Jonathan Braswell [REDACTED]	[REDACTED] Dr., Clayton, NC 27520	[REDACTED] 380-3707	M S P kickercomp15@hotmail.com	Y / N
17	[REDACTED] 420 [REDACTED]	W. M. Bridges [REDACTED] 1982	[REDACTED] Matthews Circle, Clayton, NC 27520	[REDACTED] 502-4341	M M R	Y / N
18	[REDACTED] 4810 [REDACTED]	Brian Buckman [REDACTED] 1984	[REDACTED] Downswoth Drive, Clayton, NC 27527	[REDACTED] 333-1084	M S P bgbuckman231@gmail.com	Y / N
19	[REDACTED] 5075 [REDACTED]	Edward Byrd [REDACTED] 1983	[REDACTED] Box 1479, Clayton, NC 27528	[REDACTED] 702-0107	M S P	Y / N
20	[REDACTED] 5902 [REDACTED]	Christopher J Carter [REDACTED]	[REDACTED] Twin Acres Roa., Clayton, NC 27520	[REDACTED] 333-4459	M S P	Y / N
21	[REDACTED] 6721 [REDACTED]	Russell G. Clawson [REDACTED]	[REDACTED] A Polhill Rd., Clayton, NC 27520	[REDACTED] 332-3302	M M P rustyclawson@aol.com	Y / N
22	[REDACTED] 70510 [REDACTED]	Stephen Jacob Corker [REDACTED] 1983	[REDACTED] [REDACTED] 0	[REDACTED] 703-8050	M M P	Y / N
23	[REDACTED] 7017 [REDACTED]	Benjamin Currie [REDACTED] 1978	[REDACTED] Palmer Ct, Clayton, NC 27520	[REDACTED] 332-3209	M M P ben.currie@co.wake.nc.us	Y / N
24	[REDACTED] 70418 [REDACTED]	Billy Irvan Daughtry [REDACTED] 1988	[REDACTED] St. Barbour St., Clayton, NC 27520	[REDACTED] 333-9987	M M R	Y / N
25	[REDACTED] 7850 [REDACTED]	Jonathan Davis [REDACTED] 1989	[REDACTED] O'Hara St., Clayton, NC 27520	[REDACTED] 332-5366	M S P jonathang.davis@yahoo.com	Y / N
26	[REDACTED] 8438 [REDACTED]	Russell Davis [REDACTED] 1988	[REDACTED] Nightshade Lane, Cameron, NC 27529	[REDACTED] 318-1257	M S P russ4529@yahoo.com	Y / N
27	[REDACTED] 8211 [REDACTED]	Jason D. Dean [REDACTED]	[REDACTED] [REDACTED]	[REDACTED] 333-2896	M M P jddcfd@aol.com	Y / N
28	[REDACTED] 8338 [REDACTED]	Roy Ellis [REDACTED] 2026	[REDACTED] Compton Street, Clayton, NC 27520	[REDACTED] 553-7485	M M R	Y / N
29	[REDACTED] [REDACTED]	Kenneth D Evans [REDACTED] 1988	[REDACTED] Hogan Circle, Clayton, NC 27527	[REDACTED] 333-9526	M M P evanskms@earthlink.net	Y / N
30	[REDACTED] 8900 [REDACTED]	Claude Austin Foster [REDACTED] 1971	[REDACTED] Winding Wood Dr., Clayton, NC 27520	[REDACTED] 553-8937	M M P	Y / N
31	[REDACTED] [REDACTED]	Daniel Fox [REDACTED] 1973	[REDACTED] Raccoon Run, Clayton, NC 27527	[REDACTED] 310-7285	M M P firefoxfd@hotmail.com	Y / N
32	[REDACTED] 9388 [REDACTED]	Cole Gilbert [REDACTED] 1988	[REDACTED] Deer Trail, Clayton, NC 27527	[REDACTED] 553-9079	M S P	Y / N
33	[REDACTED] 9549 [REDACTED]	James Gilchrist [REDACTED] 1974	[REDACTED] Loop Road, Clayton, NC 27527	[REDACTED] 303-6325	M M P jgilchrist74@aol.com	Y / N
34	[REDACTED] 9900 [REDACTED]	Danny Lee Harden, Jr. [REDACTED] 1986	[REDACTED] Wilson Jones Road, Clayton, NC 27520	[REDACTED] 553-0918	M M P	Y / N
35	[REDACTED] 9973 [REDACTED]	Paul Gregory Harris li [REDACTED] 1984	[REDACTED] High Chapel Dr., Clayton, NC 27527	[REDACTED] 553-1879	M S P	Y / N
36	[REDACTED] 9985 [REDACTED]	Daryle Wayne Harris [REDACTED] 1989	[REDACTED] Wilson Jones Rd, Clayton, NC 27520	[REDACTED] 553-8628	M S P	Y / N
37	[REDACTED] 9990 [REDACTED]	Carl P. Hengsberger Jr. [REDACTED] 1974	[REDACTED] Roswick Ln, Clayton, NC 27520	[REDACTED] 333-7145	M S P	Y / N

38	[REDACTED]	Kenneth William Herring	234 Smith Drive, Clayton, NC 27520	[REDACTED]	M	S	P	Y / N
39	[REDACTED]	J. I. Hester	109 Buchanan Road, Clayton, NC 27520	[REDACTED]	M	M	R	Y / N
40	[REDACTED]	James H. Hill	703 Garrison Ave., Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
41	[REDACTED]	Michael Hine	105 N. Robertson Street, Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
42	[REDACTED]	E. D. Hockaday	1405 Amelia Church Rd., Clayton, NC 27528	[REDACTED]	M	M	R	Y / N
43	[REDACTED]	Joshua B Holloman	[REDACTED]	[REDACTED]	M	S	P	Y / N
44	[REDACTED]	Charles M. Jones	700 Johnson Dr., Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
45	[REDACTED]	Robert Komar	117 Manchester Trail, Clayton, NC 27527	[REDACTED]	M	M	P	Y / N
46	[REDACTED]	Garrett Lane	105 Sandy Creek Drive, Clayton, NC 27520	[REDACTED]	M	S	P	Y / N
47	[REDACTED]	Paul Lang	155 Felicia Court, Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
48	[REDACTED]	Benjamin Ryan Lawson	1740 Engadown Drive, Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
49	[REDACTED]	Samuel Martin	18 N. Trafalgar Ct., Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
50	[REDACTED]	Jimmy D. Mclaurin	121 Cricket Hollow Run, Clayton, NC 27520	[REDACTED]	M	S	P	Y / N
51	[REDACTED]	Nancy T. Medlin	P. O. Box 879, Clayton, NC 27520	[REDACTED]				Y / N
52	[REDACTED]	Mark Morris	1045 Elizabeth Ct., Clayton, NC 27520	[REDACTED]	M	S	P	Y / N
53	[REDACTED]	Mac VU Nguyen	[REDACTED]	[REDACTED]	M	M	P	Y / N
54	[REDACTED]	Michael Nixon	218 Hood Farm Road, Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
55	[REDACTED]	George Pettiford	101 Kentucky Derby Drive, Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
56	[REDACTED]	Revis Brian Pounds	120 Ranch Rd., Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
57	[REDACTED]	Travis Price	[REDACTED]	[REDACTED]	M	M	P	Y / N
58	[REDACTED]	Ronnie Wayne Privette	1001 Dianna Lane, Wendell, NC 27591	[REDACTED]	M	S	P	Y / N
59	[REDACTED]	Stephen Renken	172 Slansburg Lane, Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
60	[REDACTED]	Sam E Robertson	110 E. Home Street, Clayton, NC 27520	[REDACTED]	M	M	R	Y / N
61	[REDACTED]	Brian Ruksznis	101 Hammond Tr., Clayton, NC 27520	[REDACTED]	M	M	P	Y / N
62	[REDACTED]	R. N. Satterfield	1045 Warden Way, Clayton, NC 27520	[REDACTED]	M	M	R	Y / N
63	[REDACTED]	Andrew Shaw	1050 Park Road, Clayton, NC 27520	[REDACTED]	M	S	P	Y / N

64	[REDACTED] Stephen Smith	[REDACTED] Rd, Clayton, NC 27520	[REDACTED] 6	M	M	P	Y / N
				wmmss@yahoo.com			
65	[REDACTED] Joshua Spivey	[REDACTED] N Union Road, Clayton, NC 27529	[REDACTED] 9098	M	S	P	Y / N
				clevelandcowboy03@yahoo.com			
66	[REDACTED] Matthew Vann Springer	[REDACTED] Portsmouth Village Drive, Clayton, NC 27520	[REDACTED] 3149	M	M	P	Y / N
67	[REDACTED] Kevin L. Stancil	[REDACTED] Willow Drive, Clayton, NC 27520	[REDACTED] 0292	M	S	P	Y / N
				kevinleemicgroup@yahoo.com			
68	[REDACTED] Larry J. Such	[REDACTED] Horseman's Ridge, Clayton, NC 27520	[REDACTED] 1111	M	M	P	Y / N
				Larrysuch@ncmail.net			
69	[REDACTED] Matthew Sutphin	[REDACTED] Steel Bridge Road, Clayton, NC 27520	[REDACTED] 7208	M	S	P	Y / N
70	[REDACTED] Charles C. Sutton	[REDACTED] Bridge Ln., Clayton, NC 27520	[REDACTED] 2615	M	M	P	Y / N
71	[REDACTED] Test B Test	[REDACTED] Bw 879, Clayton, NC 27520	[REDACTED] 1920			V	Y / N
72	[REDACTED] Candler Gatlin Thornton	[REDACTED] Glennells Lane, Wendell, NC 27591	[REDACTED] 3002	M	S	P	Y / N
				cthorn9@gmail.com			
73	[REDACTED] J. P. Tuttle, Jr.	[REDACTED] S Page St, Clayton, NC 27520	[REDACTED] 9510	M	M	P	Y / N
				jptuttle@mindspring.com			
74	[REDACTED] Matthew Vessie	[REDACTED] Sarazen Dr, Clayton, NC 27527	[REDACTED] 210	M	M	P	Y / N
				mpv1000@ncrr.com			
75	[REDACTED] Jeffrey Scott Williams	[REDACTED] Doublestone Court, Clayton, NC 27520	[REDACTED] 2856	M	M	P	Y / N
76	[REDACTED] Allen Williford	[REDACTED] East Garner Road, Raleigh, NC 27610	[REDACTED] 1248	M	M	P	Y / N
				allen.williford@gmail.com			
77	[REDACTED] James R Wood	[REDACTED] Winston Road, Clayton, NC 27520	[REDACTED] 3819	M	M	P	Y / N
78	[REDACTED] Kevin Wood	[REDACTED] Winston Road, Clayton, NC 27520	[REDACTED] 3819	M	M	P	Y / N
79	[REDACTED] B. D. Worlds	[REDACTED] Twin Acres, Clayton, NC 27520	[REDACTED] 3893	M	M	R	Y / N
				homesun1@aol.com			
80	[REDACTED] John Yeaman	[REDACTED] Tyler Court, Clayton, NC 27529	[REDACTED] 2111	M	M	P	Y / N
81	[REDACTED] Paul Zais	[REDACTED] London Court, Clayton, NC 27520	[REDACTED] 2803	M	M	P	Y / N

Clayton

Paid: 67

Vol: 1

Retired: 12

NOTE(s):

Please find a blank invoice enclosed with your packet.

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 7a

Meeting Date: 12/19/11

TITLE: DISCUSSION OF REQUIREMENTS FOR BACKFLOW PREVENTION PROGRAM FOR BUSINESS ACCOUNTS.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-19-11	Discussion.	Memorandum.

December 19, 2011

Memorandum

To: Mayor Jody L. McLeod
Michael Grannis, Mayor Pro Tem
Bob Satterfield, Councilman
R.S. "Butch" Lawter, Councilman
Art Holder, Councilman
Jason Thompson, Councilman

From: Steve Biggs, Town Manager

Subject: Backflow Preventer Program - Non Residential Accounts

Background

Backflow devices are basic mechanical devices with a valve system designed to prevent the backflow of water from the customer's plumbing system into the public water supply. The reason for these devices is to protect the public water supply and by extension water consumers from bacteria and chemicals that may exist in the plumbing, on fixtures, or in containers on the customer side of the water distribution system. The Town of Clayton is required by State (Title 10, Chapter 10, North Carolina Administrative Code) and Federal (Pub. L. 93-523 Safe Drinking Water Act) regulations to adopt and implement a backflow and cross connection prevention program.

The Town of Clayton Code of Ordinances includes Chapter 53, Cross-connection and Backflow Protection. The Chapter is enforced under the Public Works Department. The ordinance requires that upon notification all commercial and industrial consumers shall install an approved backflow prevention assembly. To date the approach for achieving compliance has been to require that every in ground irrigation system must have a device installed and all newly constructed or renovated commercial accounts must install a device. Only recently has the database of existing businesses without devices been developed with the intent of serving notice and achieving full, system-wide compliance.

Considerations

The ordinance offers the Town all authority necessary for implementation of the program. The ordinance does not need to be amended to achieve full, Town-wide compliance.

As is the case with many code related and other health and safety installations, retrofitting of devices tends to be more complicated and expensive. Post construction installation of backflow devices can be an expensive undertaking, often running into thousands of dollars. While the risk is absolute and real with several area jurisdictions having experienced system contamination from the consumer side of the supply in recent years, the Town's focus to date has been on new construction. Based on input from compliant customers, further evaluation of the risk involved, and instruction from the Town Council the program will soon take the next step of seeking full compliance with all commercial accounts.

At this time approximately 369 accounts are in compliance with the ordinance. Also, based on review of the records we believe approximately 418 customer connections do not have the required backflow prevention device. Keep in mind that a single location, such as an apartment complex or strip center, may include several or even dozens of customer connections.

Conclusions

The purpose of this report is to offer background on the responsibility and authority of the Town in dealing with this matter and to provide the Council with information on the extent of customers who will receive contact in the near future regarding the need to install a compliant device. This report also serves as the initial public notice of the pending program implementation although a full public notification process including direct mail will be undertaken. The program will receive full attention in the next calendar year with the intent and expectation of achieving full compliance.

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 7b

Meeting Date: 12/19/11

**TITLE: DISCUSSION OF FIRE DEPARTMENT STAFFING
ARRANGEMENTS.**

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
12-19-11	Discussion.	Memorandum.

December 19, 2011

Memorandum

To: Mayor Jody L. McLeod
Michael Grannis, Mayor Pro Tem
Bob Satterfield, Councilman
R.S. "Butch" Lawter, Councilman
Art Holder, Councilman
Jason Thompson, Councilman

From: Steve Biggs, Town Manager

Subject: Fire Department - Follow-up to Budget Discussion

Background

During the budget presentation I mentioned that the Council could anticipate discussion during the fiscal year of the potential need for adjustments to fire department staffing. By means of this memo and attachment I wish to initiate that dialogue.

In January of 2011 we added a 24/7/365 engine company operating out of Station II on Highway 42. At that time we also transitioned to having our on-call complement of staff organized into three rotating shifts. The attached memo details the current extent of staff readiness for fire department operations. It is intended to serve as background and foundation for additional, future discussions about staffing and services as we work towards the next budget cycle.

Considerations

At this time the engine company operating out of Station Two does not have on-site, formalized and direct supervision. The staffing allotment does not include an Officer. This was a known deficiency at the time of implementation and a circumstance that is being monitored. The Chief and I have held a series of interviews with all staff and Officers (part time) that are involved with or impacted by this circumstance. At this time the status remains less than ideal but workable.

Different than what we expected, transition to the three rotating shifts (A, B, C) for designation of on-call responsibility appears to have created an unacceptable burden on our part-time staff. The initial expectation, in large part based on input, was that they would view the new shift system as relief from being essentially on-call all the time. In reality the informality of the old system implied a lesser burden than the absolute requirement for availability under the new system.

Also, we are seeing that the cost associated with “backfill” by on-call staff when an engine company is deployed to a response means that the difference in cost between an engine company and utilizing the on-call staff is not as great as might be expected. This memo does not go into details regarding cost, but that topic will be the focus of a future Town Council based discussion.

An additional issue, as you will notice from the attachment, the engine company assigned to Station Two serves as the first out engine for all calls to both districts after hours. The result is that response times have improved compared to when we utilized exclusively “on-call” staff for all responses (prior to January 2011), but for the Station One service area the results still may not meet our expectations. Again, that is the point of additional, future evaluation and dialogue.

Finally, the CFD does not provide any extent of medical response as part of standard operations. Many neighboring departments do provide medical response. When specifically called upon by EMS for manpower support the CFD will respond but CFD does not roll for medical calls as a first responder and does not have a formalized EMT program. This item will require extensive evaluation, both operationally and financially, and consideration of a medical responder program may influence how we decide the other issues raised above.

Conclusions

It is our intent to break the issues noted above into separate evaluations and discussions with no decisions expected until the full course of evaluation and discussion has taken place. This first step is intended to bring all members to a common point of understanding for both the status of operations and the challenges going forward. The next step will include an analysis of the financial implications of adding a second engine company and an evaluation of response times.

Description of 2011 CFD Operational Staffing

- On Duty Administrative and Command Staff (Station 1)
 - Daytime staffing
 - Fire Chief
 - Fire Marshal
 - Training/Safety Officer
 - Lieutenant
 - Administrative Support Specialist
 - Nighttime, Weekends and Holidays
 - 1-Part Time Battalion Chief (On-call) for each of A,B, and C Shifts (3 Total, 1 Vacant) Vacant position being filled by Fire Chief
- Station #1 Operations Staff
 - 24/7/365-
 - 1-Full Time Fire Equipment Operator (4 Slots Total)
 - 8 am to 5 pm (M-F)
 - 2- Full Time Equivalent (FTE) Firefighters (slots being filled by Part Time Staff)
 - Nighttime, Weekends and Holidays
 - 1-Part Time Captain (On-Call)- each of A,B,C Shifts (3 Total Slots)
 - 10- Part Time Firefighters (On-Call, backfill for engine company) ABC Shift (29 Total part-time personnel.)
- Station #2 Operations Staff
 - 24/7/365
 - 1-Full Time Fire Equipment Operator (3 Slots Total)
 - 2- FTE Firefighters- 12/24 hour ABC Shift (slots being filled by Part Time Staff)
 - Nighttime, Weekends and Holidays
 - 1-Part Time Captain (On-Call) ABC Shift (3 Total Slots)
 - 6- Part Time Firefighters (On-Call, backfill) ABC Shift (18 Total)
- Operational Policies
 - Part time staff is divided into three shifts (ABC) and assigned to either Station 1 or Station 2.
 - Standby On-Call personnel receive compensation for shift duty
 - Weeknights; one hour pay for each 12 hour shift of standby
 - Weekend/Holidays; one hour pay each 12 hour shift of standby X 2 for 24 hours
 - Standby shift staff backfill each station for all incidents and respond with additional apparatus if needed per CFD Standard Operating Guidelines
 - Backfill staff also stand by for 2nd duty incidents until first duty crew clears

- Compensation to part time, on-call staff for each incident is one hour minimum and all time to the ¼ hour after the first hour
- Intangible Aspects
 - Adverse impacts on part time staff lifestyles (family and children) with related unavailability (Based on feedback.)
 - For each one hour of standby compensation provided (per person on shift) the community receives 12 hours of On-call crew coverage
 - Shift staffing is increased for weather related and special events
 - Part Time (On-call) staffing available for large fire or unusual rescue incidents
 - Summary, Current Status
 - A single 24 hour, 3 man Engine Company (Station 2)
 - Response to all calls in district
 - First out engine for all night, weekend, holiday calls in both districts
 - A single 9 hour, daytime 3 man Engine Company (Station 1)
 - Daytime response to calls within district
 - On-Call support by Three Duty Shifts (A,B,C) assigned to a single station for backfill and large events
 - CFD does not provide medical responder service except and unless called for manpower support by EMS. It does not provide “First Responder” service

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 8a

Meeting Date: 12/19/11

TITLE: LOADING ZONE REQUEST FROM MEDLIN'S OFFICE SUPPLY.

DESCRIPTION: Ms. Jennifer Lawrence of Medlin Office supply forwarded an email request for a loading zone on Lombard Street adjacent to the "Pittman Jewelers" building.

At the November 21, 2011, Council meeting, Council requested a map of the area proposed for loading zone. In follow up to Council request, the GIS does not reflect an alley behind the businesses.

Per Town Ordinance 73.42 "Commercial Loading Zones," if the Council designates an area as a commercial loading zone, then it may be used for loading and unloading of material and goods for a period of time not to exceed 30 minutes.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
11-21-11	Presentation.	Email & Excerpt of Town Ordinances 73.40 – 73.42.
12-19-11	Discussion.	Email, Excerpt of Town Ordinances 73.40 – 73.42, & GIS Map.

Sherry Scoggins

From: Jennifer Lawrence [jmlawrence@embarqmail.com]
Sent: Friday, November 04, 2011 3:07 PM
To: Sherry Scoggins
Subject: Re: Loading Zone Request

Hello Sherry, I am emailing you to ask the Town Council to please consider designating a 'Loading Zone' area for

Medlin Office Supply, on Lombard Street, adjacent to the 'Pittman Jewelers' building. We often have quantities of supplies and furniture to load into the vans for deliveries, and are not able to park close by because the nearby spaces are taken by local employees. The hours of 8:00 am until 11:00 am should normally cover the time we would need.

We thank you very much for your consideration of this request

Best regards, Jennifer M Lawrence / President - Medlin Office Supply

----- Original Message -----

From: Sherry Scoggins <sscoggins@townofclaytonnc.org>
To: Jennifer Lawrence <jmlawrence@embarqmail.com>
Sent: Mon, 31 Oct 2011 09:57:01 -0400 (EDT)
Subject: Loading Zone Request

Good morning,

Mr. Crowder stopped by the office a few weeks ago inquiring about a loading zone for Medlin's. After researching the available electronic records and index cards of the minutes, no request for Medlin Office Supply was found.

If you would like this item considered by the Town Council, please remit a letter describing your request. If this is received by the end of this week, it can be included on the November 21st work session agenda.

Sincerely,

Sherry L. Scoggins, MMC

NCAMC President

Clerks: The Hub of the Wheel

Town Clerk

Town of Clayton

TRUCKS

§ 73.30 PARKING TRUCKS AND TRAILERS IN RESIDENTIAL DISTRICTS.

(A) It shall be unlawful to park or leave standing within a residential zone, any truck or truck and trailer combination with an individual or overall length of 25 feet or more or any trailer on any street. Owners of the above-stated vehicles shall use private property for parking and storing such vehicles within the town.

(B) Vehicles left parked or standing in a prohibited area as a result of an emergency stop shall not be in violation of this section for a period of one day, provided the location does not create a traffic hazard necessitating immediate removal of the vehicle.

(C) This section shall not apply to trucks actively delivering or receiving merchandise from a residence or providing a service to a residence.
(Ord. passed 8-17-87; Am. Ord. 2004-09-03, passed 9-20-04) Penalty, see § 73.99

LOADING AND UNLOADING ZONES

§ 73.40 COMPLIANCE WITH SIGNS REQUIRED.

Whenever vehicle loading and unloading zones are designated, and when signs are placed, erected, or installed giving notice thereof, it shall be unlawful for any person to stop, stand, or park any vehicle for any purpose or period of time except in accordance with this subchapter.
(Ord. passed 8-17-87) Penalty, see § 73.99

§ 73.41 PASSENGER LOADING ZONES.

Certain streets or parts thereof are designated as passenger loading and unloading zones, and no person

shall stop, stand, or park a vehicle therein for any purpose other than the expeditious loading or unloading of passengers, and then only for a period not to exceed ten minutes.

(Ord. passed 8-17-87) Penalty, see § 73.99

§ 73.42 COMMERCIAL LOADING ZONES.

Certain streets or parts thereof are designated as commercial loading and unloading zones, and no person shall stop, stand, or park a vehicle therein, unless posted as such, for any purpose other than the expeditious unloading and delivery, or pickup and loading, of materials and goods, and then only for a period not to exceed 30 minutes.

(Ord. passed 8-17-87) Penalty, see § 73.99

OFFICIAL SIGNS OR MARKERS

§ 73.50 APPLICABILITY.

(A) The provisions of this subchapter prohibiting the standing or parking of a vehicle shall apply at all times or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or an official traffic-control device.

(B) The imposition of a time limit on parking on any official sign shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing, or parking of vehicles in specified places or at specified times.

(Ord. passed 8-17-87) Penalty, see § 73.99

§ 73.51 NO PARKING SIGNS.

When signs or markers are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets so designated.

(Ord. passed 8-17-87) Penalty, see § 73.99



*** DISCLAIMER ***
 Johnston County assumes no legal responsibility for the information.

Query Parcel 1

Tag: 05011038
 NCPin: 166917-12-6241
 Mapsheet No: 166917
 Owner Name1: DOWNTOWN INVESTMENT GROUP LLC
 Owner Name2: A NC LIMITED LIABILITY CO
 Mail Address1: PO BOX 495
 Mail Address2:
 Mail Address3: CLAYTON NC 27520-0000
 Site Address1: Not Available
 Site Address2: Not Available
 Book: 09999
 Page: 9999
 Market Value: 214350
 Assessed Acreage: 1
 Calc Acreage: 0.23
 Sale Price: 120000
 Sale Date: 2001-07-09



1 inch = 75 feet
 (The scale is only accurate when printed landscape on a 8.5x11in size sheet with page scaling set to none.)
 Date November 23, 2011

Query Parcel 2

Tag: 05011042

NCPin: 166917-12-4140

Mapsheet No: 166917

Owner Name1: PITTMAN, ELTON

Owner Name2: PITTMAN, LAURA LEE

Mail Address1: P O BOX 478

Mail Address2:

Mail Address3: CLAYTON NC
27520-0478

Site Address1: Not Available

Site Address2: Not Available

Book: 01626

Page: 0190

Market Value: 83480

Assessed Acreage: 1

Calc Acreage: 0.06

Sale Price: 0

Sale Date: 1997-08-21

Query Parcel 3

Tag: 05011041

NCPin: 166917-12-5155

Mapsheet No: 166917

Owner Name1: LEE, HUBERT

Owner Name2: LEE, BONNIE

Mail Address1: 2236 SHOTWELL RD

Mail Address2:

Mail Address3: CLAYTON NC
27520-8223

Site Address1: Not Available

Site Address2: Not Available

Book: 03797

Page: 0974

Market Value: 101910

Assessed Acreage: 0.09

Calc Acreage: 0.08

Sale Price: 0

Sale Date: 2009-12-30

Query Parcel 4

Tag: 05011041

NCPin: 166917-12-5155

Mapsheet No: 166917

Owner Name1: LEE, HUBERT

Owner Name2: LEE, BONNIE

Mail Address1: 2236 SHOTWELL RD

Mail Address2:

Mail Address3: CLAYTON NC
27520-8223

Site Address1: Not Available

Site Address2: Not Available

Book: 03797

Page: 0974

Market Value: 101910

Assessed Acreage: 0.09

Calc Acreage: 0.08

Sale Price: 0

Sale Date: 2009-12-30

Query Parcel 5

Tag: 05011040

NCPin: 166917-12-5173

Mapsheet No: 166917

Owner Name1: LEE, HUBERT

Owner Name2: LEE, BONNIE

Mail Address1: 2236 SHOTWELL RD

Mail Address2:

Mail Address3: CLAYTON NC
27520-8223

Site Address1: Not Available

Site Address2: Not Available

Book: 03797

Page: 0974

Market Value: 124880

Assessed Acreage: 0.13

Calc Acreage: 0.14

Sale Price: 0

Sale Date: 2009-12-30

Query Parcel 6

Tag: 05011039

NCPin: 166917-12-5011

Mapsheet No: 166917

Owner Name1: BLACKLEY, ERNEST L

Owner Name2: BLACKLEY, JOYCE L
DBA

Mail Address1: 228 E MAIN ST

Mail Address2: BLACKLEY'S RENTALS

Mail Address3: CLAYTON NC
27520-0000

Site Address1: Not Available

Site Address2: Not Available

Book: 01899

Page: 0392

Market Value: 98840

Assessed Acreage: 1

Calc Acreage: 0.05

Sale Price: 100000

Sale Date: 2000-01-05

Query Parcel 7

Tag: 05011038A

NCPin: 166917-12-6059

Mapsheet No: 166917

Owner Name1: COOPER, W J JR

Owner Name2:

Mail Address1: P O BOX 209

Mail Address2:

Mail Address3: LOUISBURG NC
27549-0000

Site Address1: Not Available

Site Address2: Not Available

Book: 03973

Page: 0424

Market Value: 135290

Assessed Acreage: 1

Calc Acreage: 0.34

Sale Price: 0

Sale Date: 2011-04-18

Query Parcel 8

Tag: 05011037

NCPin: 166917-11-6901

Mapsheet No: 166917

Owner Name1: GALA C HOGG REVOCABLE
TRUST

Owner Name2: HOGG, GALA C TRUSTEE

Mail Address1: 110 PECAN LANE

Mail Address2:

Mail Address3: CLAYTON NC 27527-0000

Site Address1: Not Available

Site Address2: Not Available

Book: 03596

Page: 0789

Market Value: 147970

Assessed Acreage: 1

Calc Acreage: 0.26

Sale Price: 0

Sale Date: 2008-09-03

Query Parcel 9

Tag: 05011044

NCPin: 166917-12-7140

Mapsheet No: 166917

Owner Name1: PARKER, DORIS V

Owner Name2: MITCHINER,
HERMAN A (ET AL)

Mail Address1: P O BOX 598

Mail Address2:

Mail Address3: CLAYTON NC
27520-0598

Site Address1: Not Available

Site Address2: Not Available

Book:

Page:

Market Value: 41800

Assessed Acreage: 1

Calc Acreage: 0.09

Sale Price: 0

Sale Date:

Query Parcel 10

Tag: 05011035

NCPin: 166917-12-8012

Mapsheet No: 166917

Owner Name1: MITCHINER, HOWARD E
JR

Owner Name2: HEIRS OF

Mail Address1: P O BOX 598

Mail Address2:

Mail Address3: CLAYTON NC 27520-0598

Site Address1: Not Available

Site Address2: Not Available

Book: 00481

Page: 0161

Market Value: 82370

Assessed Acreage: 1

Calc Acreage: 0.32

Sale Price: 0

Sale Date: 1960-01-01

Query Parcel 11

Tag: 05011034

NCPin: 166917-11-6884

Mapsheet No: 166917

Owner Name1: PARKER, DORIS V

Owner Name2: MITCHINER, HERMAN A (ET
AL)

Mail Address1: P O BOX 598

Mail Address2:

Mail Address3: CLAYTON NC 27520-0598

Site Address1: Not Available

Site Address2: Not Available

Book: 01072

Page: 0685

Market Value: 225480

Assessed Acreage: 1

Calc Acreage: 0.33

Sale Price: 0

Sale Date: 1987-01-01

Query Parcel 12

Tag: 05011034

NCPin: 166917-11-6884

Mapsheet No: 166917

Owner Name1: PARKER, DORIS V

Owner Name2: MITCHINER, HERMAN A (ET
AL)

Mail Address1: P O BOX 598

Mail Address2:

Mail Address3: CLAYTON NC 27520-0598

Site Address1: Not Available

Site Address2: Not Available

Book: 01072

Page: 0685

Market Value: 225480

Assessed Acreage: 1

Calc Acreage: 0.33

Sale Price: 0

Sale Date: 1987-01-01

Query Parcel 13

Tag: -----

NCPin: -----

Mapsheet No: -----

Owner Name1: -----

Owner Name2: -----

Mail Address1: -----

Mail Address2: -----

Mail Address3: -----

Site Address1: -----

Site Address2: -----

Book: -----

Page: -----

Market Value: -----

Assessed Acreage: -----

Calc Acreage: -----

Sale Price: -----

Sale Date: -----

**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

Agenda Item: 8b

Meeting Date: 12/19/11

TITLE: DESIGNATING BARBOUR STREET AS ONE WAY STREET (SOUTH) BETWEEN MAIN STREET TO HORNE STREET AND AMENDING THE PROHIBITED PARKING TO INCLUDE THE 100 AND 200 BLOCKS OF THE EAST SIDE OF BARBOUR STREET AND PROHIBIT PARKING ON THE WEST SIDE OF BARBOUR STREET FROM THE CORNER OF SECOND STREET TO THE PROPERTY LINE OR 212 SOUTH BARBOUR STREET.

DESCRIPTION: At its October 17, 2011, Council meeting, it was the consensus of the Council to have this item brought back for additional discussion.

At the request of staff, this item was tabled at the 11/7/2011 Council meeting.

RELATED GOAL: Administrative

ITEM SUMMARY:

<u>Date:</u>	<u>Action:</u>	<u>Info. Provided:</u>
10-17-11	Discussion.	
11-07-11	Discussion.	Ordinance Amendment.
11-21-11	Discussion.	Ordinance Amendment.
12-19-11	Discussion.	Ordinance Amendment.

**TOWN OF CLAYTON
AMENDMENT TO THE CODE OF ORDINANCES
CHAPTER 74: PARKING SCHEDULES**

BE IT HEREBY ADOPTED THAT THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA amends its Code of Ordinances with the following:

Amend the following section of CHAPTER 74: Parking Schedules, Schedule I, Prohibited Parking to read as follows:

Street	Location	Ord. No.	Passage Date
Barbour Street	100 and 200 block, east side		
Barbour Street	200 block, west side from the corner of the Second Street to the beginning of property line for 212 S Barbour Street		

Duly adopted this ____ day of ____ 2012, while in regular session.

(SEAL)

Jody L. McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Sherry L. Scoggins, MMC
Town Clerk

Brenton W. Thompson
Town Attorney

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 9c

Meeting Date: 11/21/11

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Downtown Development Association Mtg – Monday, December 12, 2011 @ 7:30 PM in Room GS 223
- Council Mtg – Monday, December 19, 2011 @ 7:30 PM
- ~~Board of Adjustment Mtg – Wednesday, December 21, 2011 @ 6 PM – Canceled~~
- Christmas Holiday – Monday, December 26, 2011 & Tuesday, December 27, 2011
- Planning Board Mtg – **WEDNESDAY**, December 28, 2011 @ 7 PM
- New Year’s Day Holiday – Monday, January 2, 2012
- Council Mtg – **TUESDAY**, January 3, 2012
- Martin Luther King Birthday Holiday – Monday, January 16, 2012
- Council Mtg – **TUESDAY**, January 17, 2012
- Board of Adjustment (Organizational) Mtg – Wednesday, January 18, 2012 @ 6 PM
- Planning Board (Organizational) Mtg – Monday, January 23, 2012 @ 7 PM
- Main Street Conference (**Hosted by the Town of Clayton**) – January 25 – 27, 2012
- Council Mtg – Monday, February 6, 2012 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, February 15, 2012 @ 6 PM
- Council Mtg – Monday, February 20, 2012 @ 7:30 PM
- Planning Board Mtg – Monday, February, 27, 2012 @ 7 PM
- Council Mtg – Monday, March 5, 2012 @ 7:30 PM
- Board of Adjustment Mtg – Wednesday, March 21, 2012 @ 6 PM
- Planning Board Mtg – Monday, March 26, 2012 @ 7 PM
- Good Friday Holiday – Friday, April 6, 2012
- Board of Adjustment Mtg – Wednesday, April 18, 2012 @ 6 PM
- Planning Board Mtg – Monday, April 23, 2012
- Board of Adjustment Mtg – Wednesday, May 16, 2012 @ 6 PM
- Memorial Day Holiday – Monday, May 28, 2012
- Planning Board Mtg – **TUESDAY**, May 29, 2012 @ 7 PM
- Town Hall Day – Wednesday, June 6, 2012
- Board of Adjustment Mtg – Wednesday, June 20, 2012 @ 6 PM
- Planning Board Mtg – Monday, June 25, 2012 @ 7 PM
- Independence Day Holiday – Wednesday, July 4, 2012
- NCLM Annual Conference hosted in Charlotte – October 21-23, 2012

Date:
12-19-11

Action:
N/A.

Info. Provided:
Calendar of Events.