

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**

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## **TOWN COUNCIL MEETING**

**JANUARY 17, 2012**

### **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**

**TUESDAY, JANUARY 17, 2012**  
**7:30 PM**

**THE CLAYTON CENTER**  
**COUNCIL CHAMBERS**

1. **CALL TO ORDER**  
Pledge of Allegiance – Led by Boy Scout Troop 726  
Invocation – Mayor Jody L. McLeod
2. **ADJUSTMENT OF THE AGENDA**
3. **ACTION AGENDA**
  - a. Draft minutes from the December 19, 2011, work session and draft minutes from the January 3, 2012, regular meeting.
4. **INTRODUCTIONS AND SPECIAL PRESENTATIONS**
  - a. Introduction of new Town of Clayton employee(s).
5. **ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**
  - a. Presentation of Purchasing Policy and Procedures.
  - b. Presentation of resolution requesting the Local Government Commission to sell the Town's water and sewer system revenue bond anticipation notes at private sale [action requested].
  - c. Presentation of bid tabulation for the elevated water storage tank project and resolution for elevated water storage tank project
  - d. Presentation of amendment to the fiscal year 2011-2012 budget.
  - e. Presentation of warranty acceptance request for public water, sewer, and associated storm drainage utilities for Cobblestone Subdivision Phase 6-C, Bevington Court.
  - f. Presentation of Proclamation: Proclaiming February as National African American History Month.
6. **ITEMS CONTINGENT FOR THE REGULAR MEETING**
7. **ITEMS FOR DISCUSSION**
  - a. Fire department staffing report [tracking purposes – this item is slated for the 2/6/2012 Council meeting].
8. **OLD BUSINESS**
9. **STAFF REPORTS**
  - a. Town Manager
    - Year to Date Financial and Tax Collection Report

- 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: 1/17/12

**TITLE: DRAFT MINUTES FROM THE DECEMBER 19, 2011, WORK SESSION AND DRAFT MINUTES FROM THE JANUARY 3, 2012, REGULAR MEETING.**

**DESCRIPTION: Minutes.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

**Date:**

**Action:**

**Info. Provided:**

1-17-12

Approval.

DRAFT minutes from  
12/19/11 & 1/3/12.

**MINUTES  
CLAYTON TOWN COUNCIL  
DECEMBER 19, 2011**

The second regular meeting of the Clayton Town Council for the month of December was held on Monday, December 19, 2011, at 7:30 PM at Town Hall, 111 East Second Street.

**PRESENT:** Mayor Pro Tem Michael Grannis , Councilman R. S. “Butch” Lawter Jr., Councilman Art Holder, and Councilman Jason Thompson.

**ABSENT:** Mayor Jody L. McLeod and Councilman Bob Satterfield

**ALSO PRESENT:** Steve Biggs, Town Manager; Brenton McConkey, Town Attorney; Sherry Scoggins, Town Clerk; Nancy Medlin, Deputy Town Manager; David DeYoung, Planning Director; Tommy Roy, Information Services Technician; Lee Barbee, Fire Chief

**ITEM 1. CALL TO ORDER**

Mayor Pro Tem Grannis called the meeting to order at 7:33 PM and led the Pledge of Allegiance. Mayor Pro Tem Grannis gave the invocation.

**ITEM 2. ADJUSTMENT OF THE AGENDA**

As there was no adjustment of the agenda, it was the consensus of the Council to proceed with the agenda as presented.

**ITEM 3. ACTION AGENDA**

Councilman Holder motioned to approve the action agenda as presented; Councilman Lawter seconded the motion. The motion carried 4-0 with the following action agenda item being approved at 7:34 PM:

- Item 3a. Draft minutes from the December 5, 2011, regular / organizational meeting and the December 5, 2011, closed session meeting.
- Item 3b. 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.
- Item 3c. Public notice to receive citizen input for a proposed economic development incentive grant slated for Tuesday, January 3, 2012.
- Item 3d. 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.

**ITEM 4. INTRODUCTIONS & SPECIAL PRESENTATIONS**

Item 4a. Introduction of new Town of Clayton employee(s).

Fire Chief Lee Barbee introduced the following new Town of Clayton firefighters:

- Brady Botkin (not in attendance)
- Phillip Brady
- Brian Buckman
- Jamie Gilchrist (not in attendance)
- Danny Harden
- Ben Lawson
- MacVu “Mac” Nguyen
- Mickey Nixon (not in attendance)
- Ronnie Privette
- Kevin Stancil
- Candler Thornton (not in attendance)
- Allen Williford

Item 4b. Presentation of annual Town of Clayton audit report.

Mr. Ken Anderson of Anderson Smith & Wike PLLC provided an overview of the fiscal year 2010-2011 audit; herewith attached and incorporated. He added the audit received an unqualified opinion.

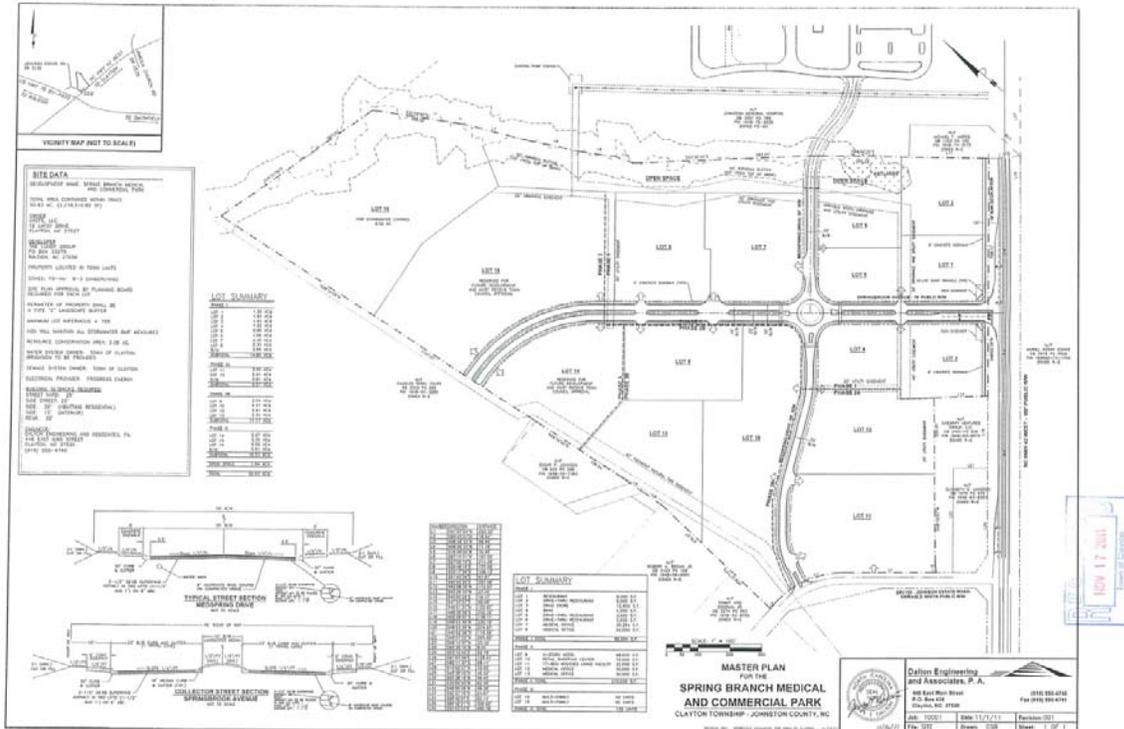
**ITEM 5. ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA**

Item 5a. Presentation of planned development district, PDD-MU 2011-87, for Spring Branch Medical Center.

Planning Director David DeYoung provided a PowerPoint presentation; herewith attached and incorporated. He stated this is a modification to formerly approved planned development district request PDD 08-08. He stated Phase I is currently under development and Lot 7 is currently under construction with an office building.

Planning Director DeYoung stated the proposed plan is divided into four phases with 16 parcels. He stated the first phase will consist of restaurants, drug store, bank and a medical /professional office. He stated phase two will consist of hotel, retail and assisted living facility. He stated phase three is multi-family. He stated access remains on HWY 42 and the secondary entrance will be Johnson Estate Road. He stated there will ultimately be a cross access with Johnston Medical Center Clayton.

Planning Director DeYoung displayed the proposed master plan for PDD 2011-87:



Planning Director DeYoung provided an overview of the roundabout. He stated it is under construction and it is a tight radius for a large truck.

Planning Director DeYoung stated the requested modifications are consistent with the Town’s Strategic Growth Plan and this type of development is being promoted within this corridor. He provided an overview of the staff conditions for the revised planned development district request.

Councilman Lawter questioned if Johnson Estate Road is private or public.

Planning Director DeYoung stated Johnson Estate Road is an NCDOT maintained road. He stated NCDOT has granted a driveway access permit for this project.

Mayor Pro Tem Grannis stated he would like supporting documentation that a 53 foot tractor trailer can adequately maneuver the roundabout. He added he would like to see easements for lots 10, 11, and 12 for deliveries. He added a concern is a large rig making deliveries to those lots.

Based upon question by Council, Planning Director DeYoung provided an overview of the changes of the lots from PDD 08-08 to PDD 2011-87.

Based upon question by Council, Planning Director DeYoung stated the developer is working with Johnston Medical Center Clayton on the cross access. He stated the developer is willing to install the cross access.

**Mayor Pro Tem Grannis stated he would like this addressed during the presentation.**

**Councilman Lawter stated there is an NCDOT permit for Johnson Estate Road. He requested the applicant address the functionality of the access located at Johnson Estate Road.**

**Item 5b. 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.**

**Planning Director David DeYoung provided a PowerPoint overview of the requested amendments; herewith attached and incorporated.**

**Town Manager Biggs questioned if the amendment for the manufactured homes is for those replaced and not retroactive.**

**Planning Director DeYoung stated affirmative and that it is intended for new or replacement manufactured homes.**

**Item 5c. Presentation of Supplement to the license agreement between the North Carolina Railroad Company and Town of Clayton.**

**Town Manager Steve Biggs stated this consolidates the multiple agreements the Town has with the North Carolina Railroad Company, NCRR, and without charge to the Town. He added the Town will have code enforcement on the railroad right-of-way. He stated there are requirements for curb stops and the NCRR will be flexible.**

**Mayor Pro Tem Grannis questioned if this agreement accommodates parking from Church to Lombard.**

**Town Manager Biggs stated Church to Lombard Street is complicated. He stated the area around Church Street is actually with Norfolk Southern.**

**Based upon question by Council, Town Manager Biggs stated the agreement does not include the area at Stallings Street.**

**Item 5d. Presentation of NCDOT agreement for NC 42 Widening Project.**

Town Manager Steve Biggs stated this project is slated to bid this spring. He stated there are utility conflicts and it is the Town's responsibility to relocate those utilities with an estimated cost of \$92,500. He added this will be budgeted in the next fiscal year budget.

Item 5e. Presentation of resolution for adoption of the Johnston County Debris Management Plan.

Town Manager Steve Biggs stated Johnston County and a number of municipalities have agreed to cooperate with a contract for solid waste in the event of a disaster.

It was the consensus of the Council to place this item on the consent agenda.

Item 5f. Presentation of Per Diem Allowance.

Town Manager Steve Biggs stated in reviewing this item, it was realized this item had not been reviewed in ten years. He provided an overview of the proposed Per Diem Allowance.

It was the consensus of the Council to place this item on the consent agenda.

Item 5g. Presentation of 2011 Annual Certification of Firefighters.

It was the consensus of the Council to place this item on the consent agenda.

#### **ITEM 6. ITEMS CONTINGENT FOR THE REGULAR MEETING**

No items contingent for the regular meeting were presented.

#### **ITEM 7. ITEMS FOR DISCUSSION**

Item 7a. Discussion of requirements for backflow prevention program for business accounts.

Town Manager Steve Biggs stated this is a report item. He stated the Town has an ordinance in which businesses in Town must install a backflow prevention device. He stated the purpose of the backflow prevention device is to protect the public health from contamination in the water lines. He stated authority is assigned to the Town by a combination of State and Federal regulations. He stated to date, the focus of the program is ensuring these devices are in place for in-ground irrigation systems, new construction, and substantial rehabilitation of commercial projects. He stated the last few months the Town has put together a database of business accounts that do not currently have backflow prevention devices. He stated about 350 businesses have these devices. He

stated about 400 customer connections are pending and notices will go out to those customers and with a deadline to come into compliance with the ordinance. He added the Town will work with the customers as cooperatively as possible. He stated no action is required at this time.

**Item 7b. Discussion on fire department staffing arrangements.**

Town Manager Steve Biggs stated this is an information item. He stated during the budgetary process it was mentioned that staff would come back to discuss fire department staffing. He stated the Town is doing a good job with fire preparedness response. He stated this past January a full-time engine company was assigned to station two and it significantly improved the response time. He stated it was also realized in making those changes it addressed staffing but it did not address command. He stated that is an item needing further review. He stated there is also a need to review three rotating shifts for on-call staff. He stated the goal is to bring forward an analysis on each of the issues for the Council's review and direction for the upcoming budget process. He stated the final issue is more complicated and has to do with medical response service. He stated the Town has a good quality EMS service. He stated there are costs and ramifications that accompany that program. He added this would require additional training and certification of staff. He stated this is an issue that requires Council review and direction.

Mayor Pro Tem Grannis stated that is a great idea. He stated several years ago there was an evaluation presented to the Council. He stated it would be beneficial to find out where the Town is since that initial evaluation.

Councilman Lawter questioned what the medical responders would provide in comparison to EMS.

Town Manager Biggs stated if the Town received a call requiring a medical response, the Town would go; however, that is not the case today. He stated it often results in the fire department being the first on the scene. He clarified there would not be transport to the hospital unless EMS requested additional manpower. He stated the Town personnel would receive a higher level of training.

Based upon question by Council, Town Manager Biggs stated the income stream comes from the emergency medical services is the transport. He stated the Town would not realize a revenue stream for this service.

Councilman Thompson stated there is a small subsidy provided to those departments who are first responders.

Based upon question by Council, Town Manager Biggs stated there may be grant funding available through fire services to add staffing at the same time of implementation of service.

Councilman Thompson stated this comes down to public expectation. He added the proximity of fire stations enables fire apparatus to respond faster than EMS. He stated the response time is critical for the care of the patient.

Councilman Lawter stated this may be an item for 2013 and 2014. He stated he would like to explore opportunities for EMS to be part of the Town.

Councilman Holder stated the question is what would be the ideal set up and the cost and what would be the bare minimum set up and the cost.

**ITEM 8. OLD BUSINESS**

**Item 8a. Loading zone request from Medlin’s Office Supply.**

Town Manager Biggs stated an area map and the excerpt from the Town Code of Ordinances for a loading zone were included.

Mayor Pro Tem Grannis questioned if this would be painted or signed.

Town Manager Biggs stated this would be signed. He stated from the intersection to 25 feet back would be painted as no parking and then the space would be signed.

Councilman Lawter stated this is the only business to come before the Council and his preference is to leave as is until they hear from more than one business.

Town Manager Biggs stated Mr. Naegelen could poll the businesses.

Councilman Holder stated in looking at the businesses in that area, the one needing a loading zone is Medlin Office Supply.

Councilman Lawter questioned who would police the loading zone.

Town Manager Biggs stated he would like to think the responsible business owners would police themselves.

Town Manager Biggs stated this will be brought back to the January 3<sup>rd</sup> meeting for a vote.

Councilman Holder stated the Town does not want a truck blocking a travel lane to unload.

**Mayor Pro Tem Grannis stated he concurs. He stated he has seen big rigs on Main Street.**

**Town Manager Biggs stated the thru trucks are a problem. He stated the signage is being surveyed to determine adequacy and seek designation from NCDOT for a truck route.**

**Mayor Pro Tem Grannis stated with respect to loading zones downtown, there is need for the businesses near Medlin's.**

**Item 8b. 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.**

**Based upon question by Council, Town Manager Biggs stated the curb line will most likely be changed to reflect the one-way and the addition of signage.**

**It was the consensus of the Council to place this item on the consent agenda.**

## **ITEM 9. STAFF REPORTS**

**Item 9a. Town Manager**

**Town Manager Steve Biggs stated facilitator Lyle Sumek is not available January 17<sup>th</sup>. He stated the next available dates are February 27 – 29. He stated if this works for the Council, he will confirm those meeting dates.**

**Town Manager Steve Biggs stated this past Thursday four bids were opened for the elevated water storage tank project. He stated the original construction estimate was \$2.6 million and it was based on a bid opening that occurred two years ago when the project was first initiated. He stated through the bid process the Town was able to specify three designs: composite style, fluted steel column style, and multi-leg column style. He stated the funding source allowed life cycle costing. He stated the composite style has a lower maintenance cost. He stated the multi-leg column style tank was the lowest cost at \$1.759 million. He stated the same bidder, Caldwell Tanks, included a bid for the composite style of \$1.847 million. He stated when the numbers were put into the spreadsheet to include life cycle costing the composite style was the lowest bid. He stated the Town will receive the preferred style of tank and save about \$800,000.00 from the original estimated cost. He stated that is the result of reduction in labor costs, material costs, and the overall state of the economy. He added staff will discuss with the funding agency the opportunity to potentially**

use the savings for other infrastructure. He stated there is no need for action this evening.

Item 9b. Town Attorney

Town Attorney Brenton McConkey stated no additional report.

Item 9c. Town Clerk

Town Clerk Sherry Scoggins stated no additional report.

Item 9d. Other Staff

Other staff did not have a report.

**ITEM 10. OTHER BUSINESS**

Item 10a. Informal Discussion & Public Comment.

No informal discussion and public comment were presented to the Council.

Item 10b. Council Comments.

No Council comments were presented.

**ITEM 11. ADJOURNMENT**

With there being no further business brought before the Council, Councilman Lawter motioned to adjourn; Councilman Holder seconded the motion. Motion carried 4-0 at 9:19 PM.

Duly adopted by the Town Council this 17th day of January 2012, while in regular session.

ATTEST:

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Jody L. McLeod,  
Mayor

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Sherry L. Scoggins, MMC  
Town Clerk

**MINUTES  
CLAYTON TOWN COUNCIL  
JANUARY 3, 2012**

The first regular meeting of the Clayton Town Council for the month of January was held on Tuesday, January 3, 2012, 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 Art Holder, and Councilman Jason Thompson.

**ABSENT:** Councilman R. S. "Butch" Lawter Jr.

**ALSO PRESENT:** Steve Biggs, Town Manager; Brenton McConkey, Town Attorney; Sherry Scoggins, Town Clerk; David DeYoung, Planning Director; Christie Starnes, Library Director; Tim Simpson, Public Works & Utilities Director; Robert McKie, Finance Director; Bruce Naegelen, Downtown Development Coordinator; Tommy Roy, Information Services Technician

**ITEM 1. CALL TO ORDER**

Mayor McLeod called the meeting to order at 7:32 PM. Mayor McLeod gave the invocation.

**ITEM 2. ADJUSTMENT OF THE AGENDA**

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

- Add as Item 4b, Introduction of new Town of Clayton employee.
- Table Item 5b, Public hearing to receive citizen input for a proposed economic development incentive grant to the Monday, February 6, 2012, Council meeting.

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 Satterfield seconded the motion. The motion carried 4-0 at 7:33 PM with the following action agenda items being approved:

- Item 3a. Resolution for adoption of the Johnston County Debris Management Plan.
- Item 3b. Per Diem Allowance.
- Item 3c. 2011 Annual Certification of Firefighters.

Item 3d. Designation of 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.

#### **ITEM 4. INTRODUCTIONS AND SPECIAL PRESENTATIONS**

Item 4a. Presentation by the Public Art Advisory Board for the artist in residence.

Suzette Rodriguez, Chair of the Public Art Advisory Board, provided an overview of the joint meeting held in January 2010 in which the artist in residence program was discussed. She stated the intent of the artist in residence program is to allow an artist to identify public art in public places and spend time with the residents to learn about community values to come up with ideas for the next public art piece. She stated the artist in residence program was included in the fiscal year 2011-2012 budget. She stated all the candidates interviewed were well qualified. She stated one candidate had the desired qualities – artistic merit, proven track record, and ability to engage people as an advocate for the arts. She stated the Public Art Advisory Board would like to formally recommend Jody Servon of Greensboro as the first conceptual artist in residency. She provided an overview of Ms. Servon’s background. She stated the artist in residence would be available for six hours per week between now and April 6<sup>th</sup>. She stated Ms. Servon would attend community and Town administrative meetings. She stated at the end of the residency, Ms. Servon will submit a proposal for an art project. She stated her thanks to the Council.

Mayor McLeod provided an overview of the candidate. He added the main reason Ms. Servon applied is that she had not seen a call for qualifications such as this.

Based upon question by Council, Ms. Rodriguez stated the artist in residence will have an office at the Clayton Center.

Item 4b. Introduction of new Town of Clayton employee.

The following new Town of Clayton employee was introduced:

- Christie Starnes, Library Director

## **ITEM 5. PUBLIC HEARINGS**

**Item 5a. Public hearing for annexation petition 2011-11-01 for property located at 277 Guy Road.**

**Mayor McLeod announced the public hearing for annexation petition 2011-11-01 at 7:43 PM. As no one came forward to speak for or against this item, Mayor McLeod closed the public hearing at 7:43 PM.**

**Mayor Pro Tem Grannis questioned if the building at the front of the property is the church.**

**Town Manager Biggs stated affirmative.**

**Mayor Pro Tem Grannis motioned to approve annexation petition 2011-11-01 for property located 277 Guy Road; Councilman Holder seconded the motion. Motion carried 4-0.**

**Item 5b. Public hearing to receive citizen input for a proposed economic development incentive grant.**

**This item was tabled to the Monday, February 6, 2012, Town Council meeting.**

**Item 5c. Public hearing 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.**

**Robert McKie, Finance Director, stated the public hearing is a formality and required by the CDBG. He stated the figures will remain, but the verbiage needs to be restated as:**

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

**Mayor McLeod announced the public hearing for the citizen input on the Community Development Block Grant for Economic Development project for Automatic Rolls of North Carolina at 7:46 PM. As no one came forward to speak for or against this item, Mayor McLeod closed the public hearing at 7:46 PM.**

Mayor Pro Tem Grannis motioned to approve the CDBG grant budget with the changes noted by Finance Director Robert McKie in the amount of \$700,000; Councilman Satterfield seconded the motion. Motion carried 4-0.

Item 5d. Public hearing for proposed ordinance amendments within Chapter 155 of the Unified Development Ordinances:

- Revisions within Article 2 relating to Zoning Districts;
- Revisions within Article 3 relating to Special 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.

Planning Director David DeYoung provided the following overview of the text amendments to Chapter 155 of the Town Code of Ordinances; herewith attached and incorporated into the public record.

Mayor Pro Tem Grannis questioned what stacking parking means.

Planning Director DeYoung stated stacking or queuing is in the code for restaurants, drive-thru, and gas stations. He stated 10 x 20 is the standard used in codes. He stated an eight foot width is typically for smart cars.

Based upon question by Council, Planning Director DeYoung stated the code specifies the parking spaces are 9 x 19. He stated many of the islands do meet the present requirement and the 150 square is a standard size. He added this is noted in a different section of the UDO.

Councilman Satterfield stated he has concerns with section 302 for the modification for screening because the park owners have not provided input.

Town Manager Steve Biggs stated he had communication with one park owner who has a couple of units ready to move in. He stated if this is not acted on this evening, he would request the Council acknowledge this is in place rather than the current requirement so those units can be moved in.

Mayor McLeod stated the only issue he foresees is the unwanted panels are the most economical. He stated the faux stone ones are a little expensive and are more durable. He added he does not want to hold up business.

Councilman Satterfield stated he will defer to what the Town Manager wants to do as long as it can be re-visited. He stated Mr. Evans had approached him requesting a meeting.

Planning Director DeYoung stated the manufactured home park on 70 is underpinning with brick for those on display. He stated the faux brick is more expensive. He added the proposal is less expensive than the current brick and mortar.

Councilman Satterfield stated his preference is to meet with the owners to discuss.

Mayor McLeod stated this has been noticed as a public hearing and anyone wishing to speak to come forward. As no one came forward, Mayor McLeod closed the public hearing at 8:10 PM.

Councilman Satterfield motioned to approve the ordinance amendments to Chapter 155 as presented; Councilman Thompson seconded the motion. Motion carried 4-0.

Item 5e. Evidentiary hearing for planned development district, PDD-MU 2011-87, for Spring Branch Medical Center located on NC 42 HWY West and adjacent to Johnston Medical Center Clayton.

Mayor McLeod announced the hearing for planned development district and preliminary subdivision request PDD-MU 2011-87 for Spring Branch Medical Center located on NC 42 HWY West and adjacent to Johnston Medical Center Clayton at 8:10 PM.

Town Attorney Brenton McConkey introduced the hearing procedures for a planned development district and preliminary subdivision request. He explained that planned development districts in which preliminary subdivision requests are being considered are different in certain respects from the capacity in which the Town Council normally functioned. Mr. McConkey stated the typical planned development review requires the Town Council to function in a legislative capacity; however, a planned development district that includes a preliminary subdivision plat requires a hybrid legislative and quasi-judicial public hearing. He stated this is due to the legislative nature of the rezoning process and the quasi-judicial nature of the subdivision process. He stated this means the Town Council acts essentially as a court of law. He stated the Town Council will hold one hearing to consider both the rezoning to the planned development district and the approval of the preliminary plat. He stated with respect to the review of the preliminary plat during this hybrid hearing there is a burden that the applicant meet the four criteria found in the Town's Unified Development Code. He stated anyone opposed to the application must put on evidence of a similar kind showing the criteria have not been met. He stated testimony must be given under oath. He stated all testimony provided to the

Council must be competent and material and substantial. He stated pursuant to the North Carolina General Statutes, competent evidence does not include opinion testimony of lay witnesses on certain matters. He stated hearsay evidence will not be admitted. He stated the Town Council will find the criteria contained in the Unified Development Code and make its decision based on the evidence and testimony presented at the hearing. He stated following the hearing the Council will make separate motions on the approval of the rezoning and the approval of preliminary plat. He added the Council will take separate votes on each motion. Town Attorney McConkey stated his role during the hearing is to monitor all evidence and testimony to ensure that it complies with North Carolina law, the Town's Code of Ordinances and procedures and all other applicable requirements.

Mayor McLeod called all those wishing to give evidence, whether for or against the planned development district and preliminary subdivision plat request, to come forward and be sworn in. Town Clerk Sherry Scoggins administered the oath to: David DeYoung, Steve Biggs, and Gabriel Guillois.

Planning Director David DeYoung provided the following PowerPoint presentation of PDD-MU 2011-87:

**PLANNING DEPARTMENT**

**PDD-MU 2011-87**

**Spring Branch Medical & Commercial Park**

**Request:**

- ◆ Modification to the approved Master Plan, Subdivision Plan, phasing and uses for the Spring Branch PD-MU - located on the north side of NC 42 HWY west, adjacent to Johnston Memorial Hospital.
- ◆ The Master Plan, Subdivision Plan, phasing and uses were approved as a part of PD-MU 2008-08



PLANNING DEPARTMENT

NORTH CAROLINA  
CLAYTON  
1909

## Spring Branch Master Plan

**Site Data:**

- ◆ 50.90 acre parcel
- ◆ Planned Development – Mixed Use (PD-MU) Zoning
- ◆ Phase 1 is under construction
- ◆ Mixed use development



Planning Director DeYoung stated lot 7 in phase one is currently under construction.

PLANNING DEPARTMENT

NORTH CAROLINA  
CLAYTON  
1909

## Spring Branch Master Plan

**Proposed Plan:**

- ◆ The site will remain subdivided into 16 parcels but in four phases. Proposed uses include:
  - Phase 1
    - Restaurant(s)
    - Drug Store
    - Bank
    - Medical/Professional Office
  - Phase IIa and IIb
    - Hotel
    - Retail
    - Assisted Living facility
    - Medical/Professional office
  - Phase 3
    - Multi-family

**Access:**

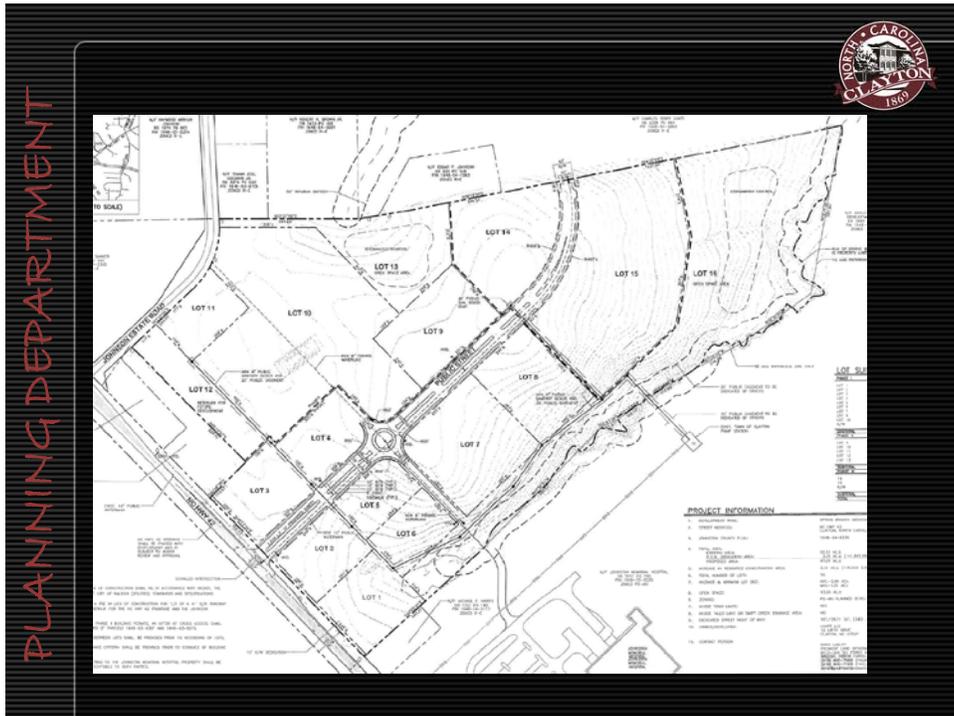
- ◆ Access is proposed from NC 42 HWY W and Johnson Estate Road. Cross-access is provided to the hospital



Planning Director DeYoung stated lot 11 is for an assisted living facility. He stated this was a site plan approval by the Planning Board contingent upon approval of the overall master plan.



Planning Director DeYoung stated lots 15 and 16 will come before the Council for site plan approval as those were not included in the original approval. He stated access is off of HWY 42. He stated the roundabout has been constructed. He stated the plan includes a future connection to Johnston Medical Center Clayton.

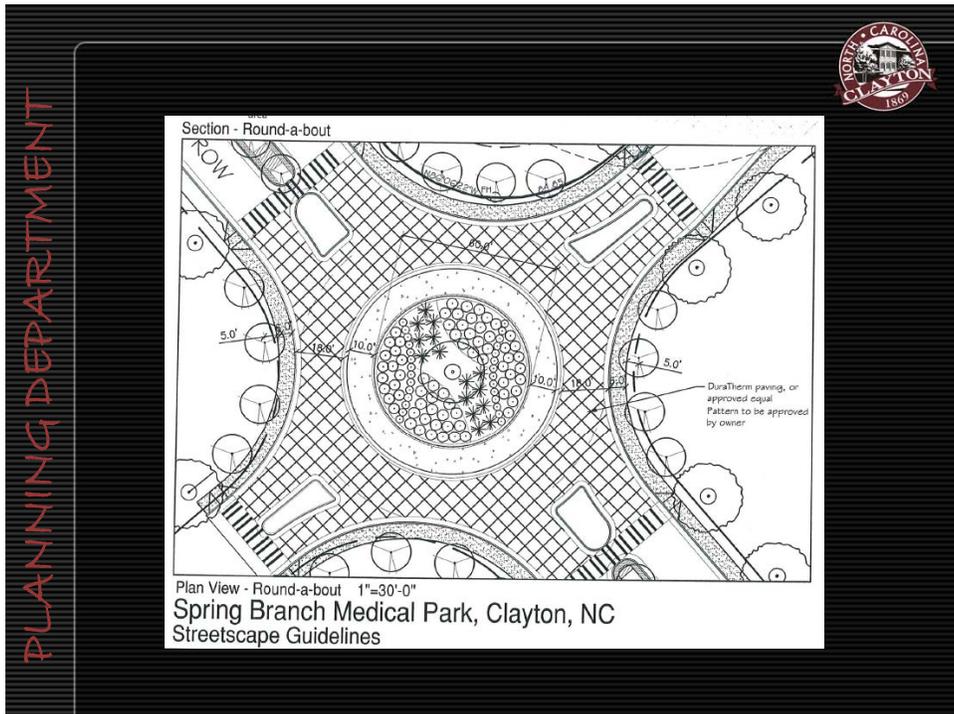


Planning Director DeYoung stated this is the original plan, PDD 08-08. He stated lot 11 and lot 12 were smaller and linear in the original proposal.

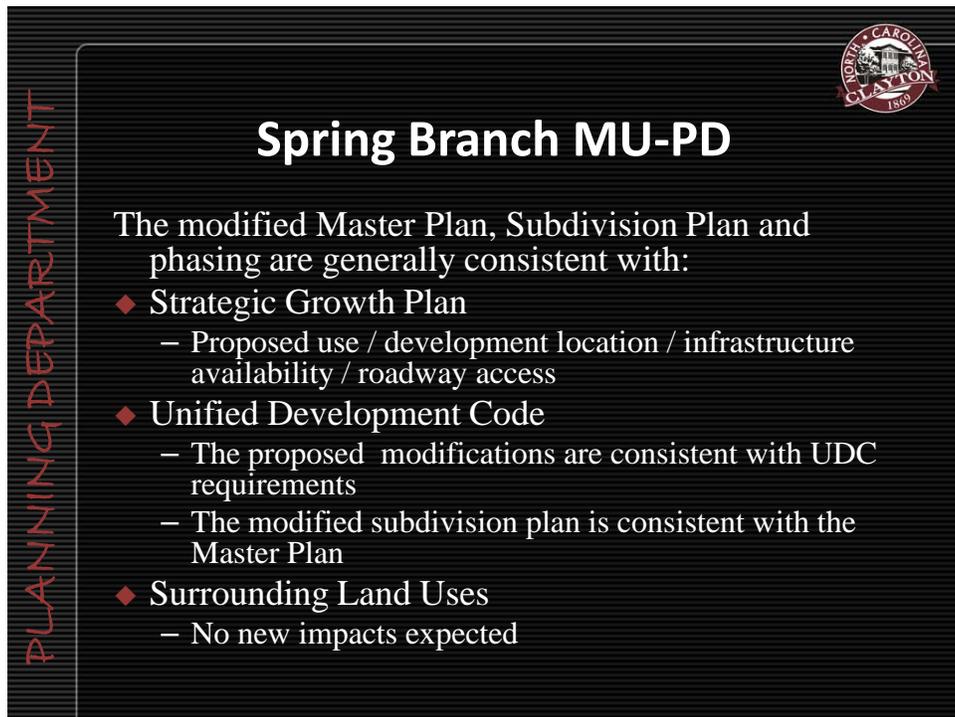




Planning Director DeYoung displayed the proposed phasing plan. He stated phase one is approved and lot 7 is under construction. He stated Phase 2A includes a community parcel and a parcel for the assisted living facility.



Planning Director DeYoung stated the roundabout was part of the previous approval for PDD 08-08. He stated at the time of approval, there was discussion of the difficulty of trucks to maneuver. He stated in speaking with the applicant, the applicant did not indicate there would be 53 foot trucks in the facility. He stated staff is confident the roundabout is doable.



**PLANNING DEPARTMENT**

**Spring Branch MU-PD**

The modified Master Plan, Subdivision Plan and phasing are generally consistent with:

- ◆ Strategic Growth Plan
  - Proposed use / development location / infrastructure availability / roadway access
- ◆ Unified Development Code
  - The proposed modifications are consistent with UDC requirements
  - The modified subdivision plan is consistent with the Master Plan
- ◆ Surrounding Land Uses
  - No new impacts expected



[Remainder of page left blank intentionally.]

PLANNING DEPARTMENT



## Spring Branch Master Plan

- ◆ Staff is recommending approval subject to the following Conditions:  
*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.

PLANNING DEPARTMENT



## Spring Branch Master Plan

*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 Director DeYoung stated the applicant is in attendance.

Mr. Gabriel Guillois with the Lundy Group stated they did not realize they would get to phase two as quickly as they did. He stated this is a good thing because this will allow them to complete the major infrastructure: storm water, water and sewer, electricity, telephone, and cable. He stated there has been some widening on HWY 42 and the striping is forthcoming. He stated lot 11 is being sold to Smith/Packet and they will construct the assisted living facility. He stated they (Smith/Packet) are going to submit an initial GCAP application along with civil drawings and if all goes well construction is slated for the end of February with completion by the end of the year.

As no one else came forward to speak, Mayor McLeod called the Council into inquiry at 8:21 PM.

Mayor Pro Tem Grannis stated he is the one who brings up the concern of the roundabouts and the 53 foot tractor trailer rigs. He stated he is curious why there will be no 53 foot tractor trailers in this development.

Mr. Guillois stated a 53 foot tractor trailer is a concern to him as well. He stated he does not want tires in the landscaping and damage to the curbing. He stated the uses thus far that he does not foresee a large tractor trailer coming through. He stated one thing looked at early on when there was a potential grocery store anchor was securing a second entrance to bring in the trucks. He stated there are two active grocery stores looking in this area. He stated Harris Teeter is not looking at this site, at least not in the foreseeable future. He stated if at that point he would like to use Johnson Estate Road to bring in the trucks. He stated Lowe's Foods prefers the other side of the street.

Mayor Pro Tem Grannis questioned restaurants.

Mr. Guillois stated any restaurants would be along the front in the smaller parcels. He stated he does not know what restaurant would bring in that size truck as that size truck is usually reserved for a food or department store. He stated the roundabout is designed like the ones at NC State.

Mayor Pro Tem Grannis stated he has seen the roundabout and he likes the look. He stated he is not convinced that it will take a 53 footer. He added the other concern about the restaurant is that he owns a restaurant and two of his three purveyors use 53 footers. He added he is a smaller restaurant with 76 seats.

Mr. Guillois stated he is more concerned with the turn radius of the master plan. He stated he has medical office buildings that will need to bring in large pieces of medical equipment. He stated before the pavement is laid, a truck will come out so they can see how it maneuvers. He stated they do something similar with

the Waste Management trucks. He stated they are concerned about trucks getting through and curbs being cracked and damaged.

As there was no additional inquiry, Mayor McLeod called the Council into deliberation at 8:25 PM.

**Mayor Pro Tem Grannis motioned:**

Based on the substantial and competent evidence and testimony presented to the Town Council on this matter, the Council finds and concludes that Subdivision Application **PDD-MU 2011-87**, subject to the conditions recommended by the Planning Board and Planning Staff:

1. All requirements and conditions of approval for PDD-MU 08-08 shall be applicable to this preliminary plan:
  - All plans for public infrastructure and private streets shall be approved by the Town of Clayton Public Works Department and applicable fees must be paid prior to building permit issuance. Approval of a wastewater allocation is required in conjunction with this application.
  - Payment of fee-in-lieu of street improvements on NC 42 West (1/2 of 41' b-b with sidewalk) shall be paid to the Town prior to recording plats or issuance of building permits. Any further improvements specified by the TIA shall be subject to agreement by the Town of Clayton, NCDOT, and the developer to be determined prior to issuance of building permits.
  - Driveway connections to NC 42 West shall be approved by NCDOT prior to issuance of building permits.
  - A three party agreement between the Town, Johnston Medical Center, and the developer of this site that in phase one of this site the developer will prepare and plan and construct out or post security for connectivity to the Johnston Medical Center site; and the agreement would include that Johnston Medical Center would tie into that stub at the time of developing their second phase. If posting security is a problem for the developer of this site due to the present financial environment, then the stub out may be deferred to phase two.
  - Architectural Guidelines for the entire development shall be approved by the Planning Board prior to issuance of building permits.
  - The final phase of development must be approved by the Town Council and utility allocation shall be a part of such approval.
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 15 and 16. 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 Clayton shall be approved by the Public Works

Director and be subject to the required agreement between the owners of the subject property and JMC-C.

5. Development standards for the B-3 Highway Business District shall be applicable, except where otherwise specified.
6. An updated wastewater allocation request must be approved by the Town Manager.
7. The revised Traffic Impact Analysis must be approved prior 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.

And with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representatives:

- (1) That the subdivision meets all required specifications of the Town Unified Development Ordinance;
- (2) That the subdivision will not be detrimental to the use or orderly development of other properties in the surrounding area and will not violate the character of existing standards for development of properties in the surrounding area;
- (3) That the subdivision design will provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will provide for the unified and orderly use of or extension of public infrastructure, and will not materially endanger the environment, public health, safety, or the general welfare; and
- (4) That the subdivision will not adversely affect the general plans for the orderly growth and development of the town and is consistent with the planning policies adopted by the Town Council.

Councilman Holder seconded the motion. Motion carried 4-0.

**Mayor Pro Tem Grannis motioned to approve:**

Based upon satisfactory compliance with the above four stated findings and fully contingent upon acceptance and compliance with all conditions as previously noted herein I move to approve Subdivision Application **PDD-MU 2011-87**.

Councilman Holder seconded the motion. Motion carried 4-0.

## **ITEM 6. OLD BUSINESS**

Item 6a. Supplement to the license agreement between the North Carolina Railroad Company and Town of Clayton.

Town Manager Steve Biggs stated this item has been amended and is available for adoption. He stated this agreement is a collaborative effort between the Town and the NCRR.

Mayor Pro Tem Grannis stated under article 3 of item 6 on page 3 that posts need to be placed in certain locations.

Town Manager Biggs stated that requirement has been discussed and the NCRR is amenable to curb stops or a proposal that involves landscaping. He stated the intent is there are areas in the state with steeper topography and the possibility of cars rolling into the area of the tracks. He stated Clayton has modest topography.

Mayor Pro Tem Grannis stated he also noticed no parking in certain areas and that the Town would not have issue with that.

Town Manager Biggs stated affirmative. He stated that language was included so that if there were a train and vehicle accident, the NCRR is absolved. He stated the NCRR expectation of the Town is the Town issuing a violation citation to the operator of the vehicle.

Mayor Pro Tem Grannis questioned if the Town Attorney has reviewed.

Town Attorney McConkey stated it has not been reviewed and he would be happy to review it.

Town Manager Biggs stated it was not submitted to the Town Attorney because the NCRR has worked cooperatively with the Town.

Mayor Pro Tem Grannis questioned if the Town Manager is satisfied with the agreement.

Town Manager Biggs stated in the affirmative.

Mayor Pro Tem Grannis motioned to approve the supplement to the license agreement between the North Carolina Railroad Company and the Town of Clayton. Councilman Holder seconded the motion. Motion carried 4-0.

Item 6b. NCDOT agreement for NC 42 Widening Project.

Town Manager Steve Biggs stated this enables the Town to include its scope of work for the utilities in the NCDOT contract for the widening project. He stated this type of collaboration has been done in the past and is favorable for the Town.

Councilman Satterfield motioned to approve the NCDOT agreement for the NC 42 Widening Project as presented; Councilman Thompson seconded the motion. Motion carried 4-0.

Item 6c. Loading zone request from Medlin's Office Supply.

Town Manager Steve Biggs stated this is a loading zone request to be located on North Lombard.

Councilman Satterfield motioned to approve. Councilman Thompson seconded the motion.

Councilman Holder questioned the possibility of additional requests for loading zone parking requests for downtown.

Councilman Satterfield stated this is a 30 minute designation for any of the area businesses that are loading.

Town Manager Biggs stated this is a 30 minute designation for the purpose of loading and unloading. He stated to follow up with Councilman Holder's inquiry he could meet with Downtown Development Coordinator Bruce Thompson to discuss the need for loading zones in downtown. He stated proactively, a survey could be done to find out if this is something this is needed.

It was the consensus of the Council to take the proactive, survey approach.

Mayor Pro Tem Grannis questioned if this is a general loading zone or a specific loading zone for a particular business.

Town Manager Biggs stated it is a general loading zone.

Council voted 4-0 in favor of the loading zone request.

## **ITEM 7. NEW BUSINESS**

No new business was presented.

## **ITEM 8. STAFF REPORTS**

Item 8a. Town Manager

Town Manager Steve Biggs stated this is the peak collection week for property taxes. He stated a revenue report on tax collection will be made at the next meeting.

**Item 8b. Town Attorney**

Town Attorney Brenton McConkey stated no additional report.

**Item 8c. Town Clerk**

Town Clerk Sherry Scoggins stated no additional report.

**Item 8d. Other Staff**

Other staff did not have a report.

**ITEM 9. OTHER BUSINESS**

**Item 9a. Informal Discussion and Public Comment**

No informal discussion and public comment were presented.

**Item 9b. Council Comments.**

Councilman Satterfield questioned on the extension of Front Street.

Town Manager Steve Biggs stated the Town has been working with NCDOT and the developer on this item. He stated NCDOT has had regulatory items that have held up the item. He stated the original project schedule stands. He stated the Town was hoping to be under design during the fall and ready to bid in the spring. He stated because of the delay on the NCDOT side, the request for qualifications, RFQ, process has not yet begun for a civil engineer. He stated staff is working to get this out to bid by October 1<sup>st</sup>.

Councilman Satterfield stated he was not here for the first responder discussion. He stated he spoke with Councilman Thompson before the meeting. He stated he is pretty much in agreement. He stated he is not against it and he believes Clayton can do a better job.

Town Manager Biggs stated the report at the last Council meeting was focused on the addition of supervisory capacity within the department to deal with the addition of the engine company. He stated the evaluation also identified the commitment to a second staffing at station one. He stated in looking at the full scope of potential changes, these are the kinds of things that will be profoundly impacted if the first responder program were implemented. He stated the first responder came to the surface as a result of the other factors. He stated staff is not requesting a Council decision at this time.

Councilman Satterfield stated it has also come to his attention that the Clayton Fire Department is running code blue calls.

Town Manager Biggs stated they will respond when dispatched for additional staffing.

Councilman Satterfield stated he would like to know why the Town is being dispatched to these types of calls. He stated if there is a perception of EMS staffing or monetary constraints, the County needs to be notified. He stated as far as he knows, it is the County's responsibility to provide that service.

Town Manager Biggs stated it is the County's responsibility. He stated the Town is dispatched when there is a not adequate EMS service in place to provide that emergency response.

Councilman Satterfield stated his question is why there is not adequate service. He stated if there is not adequate service, EMS may need to apply to the state for a rescue tax and get money in there. He stated the citizens of Clayton should not be paying twice for a service.

Town Manager Biggs stated it has been the Town's approach to go through a systematic evaluation of alternatives and discard alternatives that do not meet service perspective as desirable and evaluate what the Town can afford. He stated the reason the Town has used this process is to avoid sticker shock. He stated quality budget work will be done before a decision is made on the service.

Mayor Pro Tem Grannis stated he appreciates the information. He stated if there is a service issue and the Town is subjected to supporting that, but again there is a cost associated with that. He questioned if the EMS service is insufficient and why. He stated his concern is where the money would come from and if this is a justifiable service of the Town.

Mayor McLeod stated it would behoove the Town to have conversation with the Johnston County and EMS to express Town concerns other than them reading it in print. He stated the Town has one EMS station and we are not seeing it keeping up the pace of growth.

Mayor Pro Tem Grannis stated there is a buffer issue at West Clayton Elementary and questioned the status.

Town Manager Biggs stated there has been conversation with Jake Jacobs who is the Deputy Superintendant and he has assured him it was a condition of approval and they plan to meet that condition. He stated he does not have the

schedule on when it will occur.

Mayor Pro Tem Grannis stated he would like a report from Parks and Recreation regarding playground equipment and the types for placement at East Clayton Park. He stated he is a proponent of having playground equipment for physically challenged children in the same location. He stated he has not talked with Parks and Recreation Director Bailey.

Town Manager Biggs stated he knows that has not been programmed. He stated the playground equipment has not been selected.

Mayor Pro Tem Grannis questioned the retreat.

Town Clerk Sherry Scoggins stated this will follow the same format as when the retreat was held at the Comfort Suites. She stated the Council will meet with Mr. Sumek on February 28<sup>th</sup> for a full-day and then Council will meet with Mr. Sumek on March 22<sup>nd</sup> to fine-tune what was previously done. She added the scheduling of the phone interviews is a work in progress.

Mayor McLeod stated there is a four by eight piece of glass propped against the Law Enforcement Center on the Second Street side.

#### Item 10. ADJOURNMENT

Councilman Holder motioned to adjourn; Mayor Pro Tem Grannis seconded the motion. Motion carried 4-0 at 8:54 PM.

Duly adopted by the Town Council this 17th day of January 2012, while in regular session.

ATTEST:

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Jody L. McLeod  
Mayor

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Sherry L. Scoggins, MMC  
Town Clerk

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

Agenda Item: 4a

Meeting Date: 1/17/12

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

DESCRIPTION: Introduction(s).

RELATED GOAL: Administrative

ITEM SUMMARY:

| <u>Date:</u> | <u>Action:</u>   | <u>Info. Provided:</u> |
|--------------|------------------|------------------------|
| 1-17-12      | Introduction(s). | N/A.                   |

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

**Agenda Item: 5a**

**Meeting Date: 1/17/12**

**TITLE: PRESENTATION OF PURCHASING POLICY AND PROCEDURES.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Financially Responsible Town Government Providing Quality Service**

**ITEM SUMMARY:**

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|----------------|------------------------|
| 1-17-12      | Presentation.  | Policy.                |

**Town of Clayton**  
**Purchasing Policy and Procedures**  
**Effective May 1, 2012**



## Summary - Purchasing Procedures at a Glance

### **To purchase materials or equipment:**

1. Review Budget to ensure availability of funds.
2. Submit Requisition Request in New World Systems (NWS). If item qualifies as a Fixed Asset, then select appropriate Fixed Asset Item.
3. Purchase Order is created in NWS after completion of electronic approval process.
4. Order executed for goods or services requested.
5. Physical receipt of goods or services.
6. Complete electronic Receipt of Goods function in NWS.
7. Approve invoice for payment.
8. Complete Fixed Asset Input Form, if applicable.

### **To purchase professional services:**

1. Coordinate Request for Proposal (RFP), Request for Bid (RFB), or Request for Qualifications (RFQ) with Purchasing Officer, Department Head, Deputy Town Manager, or Town Manager as deemed appropriate (Refer to Mini Brooks Act).
2. Review and selection of “best suited” firm.
3. Negotiate contract.
4. Execute Contract. Most service contracts must be executed by the Town Manager unless otherwise delegated.
5. If the contract includes a pre-audit statement, then it must also be executed by the Finance Director.
6. Service contracts must be kept on file with the Town Clerk.

**NOTE: The above summary is only intended to be an overview of the basic purchasing procedures.**

# **Purchasing Policy and Procedures**

## **Mission Statement**

The mission of the Purchasing Policy and Procedures is to guide employees on how to procure the highest possible quality of goods and services for the Town of Clayton at the lowest possible cost. It is designed to support all departments and associated functions. When utilized correctly in conjunction with process planning, project planning, good judgment, and common sense, the policies and procedures established herein will enable Town staff to obtain necessary equipment, materials, supplies, and services efficiently and economically. All staff members are responsible for exercising good stewardship in the use of public resources.

To achieve this mission, certain guidelines and procedure have been established and must be followed in order to ensure budgetary control over Town resources, compliance with applicable federal, state and local government regulations, and maximum value for funds being expended. Each Supervisor and Department Head, in conjunction with the Town Manger and Deputy Town Manager, will ensure compliance and manage purchasing activity within available resources to meet present and future needs and help the Town to meet its service and operational goals.

## **General Purchasing Guidelines**

### **Local Buying**

1. The Town intends to purchase from vendors located in Clayton or within Johnston County whenever feasible. Exclusive or favorable preference to local vendors is not required.
2. A reasonable effort will be made to include local vendors that supply goods and services needed by the Town in the competitive purchasing process.
3. Purchase decisions must be made on best value and statutorily prescribed guidelines.

### **Authorization Limits**

1. Departments have direct departmental purchasing authority for purchases up to \$500 and can be made without an approved Purchase Order (PO). Department Heads may utilize a threshold below \$500 at their discretion.  
Exceptions:
  - Departments are not authorized to make inventory item purchases without an approved PO regardless of the dollar amount.
  - Computer and related items: All computer, software and related items (printers, scanners, monitors, etc.) must be coordinated through and approved by the Deputy Town Manager.
2. Purchasing Card (PCard): For purchases \$500 dollars or less the PCard is the preferred method of payment except for food and per diem meal allowance purchases, which are prohibited. The PCard Program is designed to streamline the order and payment for purchases with a total cost of \$500 or less. Other forms of payment include invoice billing and check requests. Petty cash is only an acceptable form of payment in the event of an emergency.

3. All purchases exceeding \$500, including contracts, must be processed through the requisition process in New World Systems (NWS) so an approved PO can be issued. Refer to Purchasing Requisition/Purchase Order Preparation below.
4. Exceptions to the \$500 limit are registration fees and travel related items, such as airfare and lodging. The PCard is the preferred method of payment for registration fees, airfare, and lodging. Refer to the Travel, Food, and Beverage Policy for specific details.
5. Splitting the cost of a purchase that exceeds the established PO threshold into two or more transactions that are within the threshold will be considered “stacking”, which is prohibited.

### **Approval Process**

1. The approval process will practice the one-over-one principle, which means consultation with and gaining the agreement of an individual one senior to the individual making the decision or taking the action.
2. \$500 or less: Department Head or authorized designee signature approval is required for all non-PCard purchases. Electronic approval in Works is required for all PCard purchases.
3. Over \$500: Approval is required in accordance with the electronic workflow process setup in NWS. Signature approval by the Department Head or authorized designee is required when electronic workflow approval isn't available.

### **Purchasing Requisition/Purchase Order Preparation**

1. Purchases of goods and services, including contracts, greater than \$500 and all Inventory Items: A Requisition Request must be completed in NWS prior to ordering the goods or service. Refer to Instructions to Prepare a Requisition in NWS for specific details.
2. If the cost of the goods or service is unknown, then assign the Requisition Request to the Town Purchasing Officer. The Purchasing Officer will obtain a price quote and inform the department before proceeding further.
3. Blanket Purchase Orders: If a Department has recurring charges with a vendor in excess of \$500 for goods and services and the final dollar amount is unknown, then a blanket PO needs to be utilized. A blanket PO can cover a period not to exceed six (6) months. Accounts Payable is authorized to pay invoices associated with a blanket PO without a separate PO for each invoice.
4. The PO is not valid unless signed by the Finance Director.
5. Obtaining supplies, materials, equipment, or services without a valid PO is considered an unauthorized purchase except in specifically defined emergency situations. Unauthorized purchases will be classified as personal and the purchaser may be held responsible for the expenditure and subject to disciplinary action.

### **Receipt of Goods**

1. The Receipt of Goods process in NWS must be utilized for all Inventory Items and is the preferred method of receipt for all other POs. Refer to Instructions to Complete a Receipt of Goods in NWS for specific details.
2. The original packing list must be forwarded to Accounts Payable for all goods that do not require a PO as evidence that the goods were received prior to payment of the invoice. The receiving department must acknowledge receipt by writing the actual quantity received and receipt date on the packing list.

## **Special Procurement Procedures**

### **Emergency Purchase**

1. In the event of an emergency, the Town Manager, Deputy Town Manager, or Department Head or an authorized designee may purchase goods or services directly from any vendor **only** when immediate procurement is essential to prevent delays in work, which may adversely impact the life, health, or safety of the citizens or employees of the Town of Clayton.
2. Each Department must exercise good judgment and use established vendors when making emergency purchases. Always obtain the best available price and limit the purchase to only the items that are required to resolve the emergency.
3. Each Department needs to anticipate its needs to prevent emergency situations whenever feasible. Emergency orders are generally more costly since there is no time for negotiation between the Town and the vendor. Poor planning or the lack thereof does not constitute an emergency situation.

### **Sole Source Vendor**

1. If only one (1) vendor is available or capable of providing a specific good or service in a manner that meets the Town's requirements, then the Department Head can waive the competitive pricing requirements.
2. The Department Head must document the justification for utilizing a "sole source" vendor in the Purchase Requisition.

### **State of North Carolina Term Contracts**

1. The Purchasing Officer may utilize State Term Contracts and area HUB vendors as a means to procure any capital and non-capital items, if feasible, to ensure compliance with the North Carolina General Statutes and to maximize the value of taxpayer dollars spent.
2. Departments need to consult the Purchasing Officer regarding the utilization of State Term Contracts and/or area HUB vendors.

## **Competitive Bids**

### **Formal Bids for Equipment, Materials, or Supplies**

1. Purchases of equipment (apparatus), materials, or supplies with an estimated total cost exceeding \$90,000 must utilize a formal bid process consistent with the parameters of G.S. 143-129(a).
2. The Town may choose to utilize formal bid process for purchases with an estimated total cost between \$50,000-\$90,000 if doing so is expected to produce a best cost value and more competitive purchasing environment.
3. Purchases greater than or equal to \$90,000 or other purchases involving a formal bid process will require the Department Head or designee in conjunction with the Purchasing Officer to develop and prepare specifications for the bidding process, generally in the form of an RFP.
4. The Town may utilize an outside consultant to assist with the development of standard specifications for complicated or specialized purchases.

5. The Purchasing Officer and Department Head are responsible for ensuring compliance with the applicable North Carolina General Statutes (NCGS), including and not limited to, advertisement and receipt of sealed bids.
6. Bid bonds may be required or waived consistent with NCGS requirements and depending on the complexity and evaluation of value for the Town in the overall purchasing process.
7. The Department Head or designee and Purchasing Officer will review the bids and perform an evaluation to select the bid that is deemed “in the best interest of the Town”. The Department Head or designee will make a formal recommendation of the award, including the supporting documentation, to the Town Manager, Deputy Town Manager, Finance Director, and Town Council.
8. The Department Head or designee will notify the successful bidder. The Purchasing Officer will initiate a Purchase Order in NWS after formal approval and adoption by Town Council.

**Informal Bids for Materials and Supplies (\$10,000-\$89,999.99)**

1. Upon receipt of a Purchase Requisition generated in NWS, the Purchasing Officer will typically utilize an informal bidding process for all purchases greater than or equal to \$10,000 and less than \$89,999.99, generally in the form of a Request for Bids (RFB).
2. The RFB will be sent to a minimum of three (3) qualified vendors, when feasible.
3. The Purchasing Officer will review and evaluate each RFB submitted to determine the best available quote and notify the vendor awarded the bid.

**Purchase of Materials and Supplies (Less than \$10,000)**

1. Upon receipt of a Purchase Requisition generated in NWS, the Purchasing Officer will request a minimum of three (3) written price quotes from qualified vendors, when feasible.
2. The Purchasing Officer will review and evaluate each quotation submitted to determine the best available quote and notify the vendor awarded the purchase.

**Formal Construction or Repair Contracts (\$300,000 and above)**

1. Construction projects with a cost greater than or equal to \$300,000 require a formal contract. The responsibility for projects that meet the above criteria, including the specification development, will be assigned to the applicable Department Head, the designated engineer, and other Town officials deemed necessary. The Purchasing Officer may be utilized to coordinate the formal competitive bidding process, if desired.
2. All formally bid construction or repair contracts shall require development of specifications prepared by a registered architect or engineer.
3. The Department Head and Purchasing Officer, if utilized, will review the bids and perform an evaluation to select the bid that is deemed “in the best interest of the Town”.
4. The Department Head will make a formal recommendation of the award, including the supporting documentation, to the Town Manager, Deputy Town Manager, Finance Director, and Town Council.
5. Recommendations will be made on selection of the lowest responsible, responsive bid taking into consideration quality, performance, timeline specified in bid, and compliance with G.S. 143-128.2.

6. Methods for awarding contracts for repair or construction projects may include any one of the approaches outlined in G.S. 143-128 (a.1).
7. The Department Head or designee will notify the successful bidder and initiate a Purchase Order in NWS after formal approval and adoption by Town Council.

**Informal Construction or Repair Contracts (Less than \$300,000)**

1. Construction, renovation, and repair projects with a cost less than \$300,000 may follow an informal bid process but still require a formal contract. The responsibility for projects that meet the above criteria, including the specification development, will be assigned to the applicable Department Head, the designated engineer, and other Town officials deemed necessary. The Purchasing Officer may be utilized to coordinate the informal bidding process, if desired.
2. Construction contracts that affect life safety systems with a cost of \$100,000 or more and repairs to include major structural change in framing or foundation support systems or additions to public buildings with a cost of \$135,000 or more shall require development of specifications prepared by a registered architect or engineer.
3. The preparation of a RFB is recommended.
4. The bid will be awarded to the lowest bidder deemed “in the best interest of the Town”. Upon approval by the Town Manager, the contract will be executed and the Department Head or designee will initiate a Purchase Order in NWS.

# **Purchasing Card (PCard) Roles and Responsibilities**

## **Cardholder Responsibilities**

1. Cardholders act as purchasing agents of the Town and must comply with the Town Purchasing Policy and Procedures.
2. Sign the Cardholder Agreement prior to issuance of a PCard.
3. Do not lend or share their PCard and must keep their PCard secure and account number confidential.
4. Use PCard for Town business only.
5. Do not split the cost of a purchase that is over the assigned transaction limit into two or more charges that are within the transaction limit.
6. Provide the original receipt or record of purchase for each transaction to the Finance Department on a weekly basis but no later than 5:00 pm each Thursday. Receipts will be affixed to 8-1/2 x 11 sheet of paper with the Cardholders name on top.
7. Login to the Works Portal to review each transaction and execute the Sign Off function on a weekly basis but no later than 5:00 pm each Thursday. If a holiday falls on a Thursday, then the previous business day will be substituted for compliance purposes.
8. Notify Bank of America directly if unauthorized transactions occur.
9. Coordinate returns directly with the vendor.

## **Supervisory Responsibilities (Department Director)**

1. Determine eligibility and request issuance of PCard for employees under their responsibility through coordination with the Finance Department.
2. Obtain appropriate transaction documentation from Cardholder if required by departmental practice.
3. Login to the Works Portal to review and approve Cardholder transactions on a weekly basis but no later than 5:00 pm each Thursday. If a holiday falls on a Thursday, then the previous business day will be substituted for compliance purposes.
4. Initiate appropriate action when misuse becomes apparent.
5. Notify Finance Department of Cardholder account changes.

## **Program Administrator Responsibilities**

1. Finance Director shall serve as the Program Administrator and is responsible for the overall Procurement Card Program.
2. Manage Cardholder training.
3. Manage enrollment, account setup and maintenance in the Works Portal.
4. Manage card activation.
5. Manage maintenance of onsite Cardholder records.
6. Serve as a liaison between the Bank and Cardholders.
7. Authority to recommend termination of a PCard for misuse.

## **Program Accountant Responsibilities**

1. Verify completion of reconciliation process in the Works Portal.
2. Verify original receipt or purchase record received for each transaction.
3. Close each transaction after completion of sign off and approval in the Works Portal.
4. Reconcile monthly credit card statement.

5. Affix receipts or purchase record to associated credit card statement.
6. Conduct Cardholder training.
7. Fulfill delegated responsibilities for new user and card requests in the Works Portal.
8. Notify Program Administrator of any discrepancies, issues, or problems.

Duly adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2012 while in regular session and effective May 1, 2012.

ATTEST:

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Jody L. McLeod  
Mayor

---

Sherry L. Scoggins, MMC  
Town Clerk

## **TOWN OF CLAYTON**

### **Employee Cardholder Agreement**

I, \_\_\_\_\_ (employee name), hereby acknowledge being issued a PCard. As the holder of this Card, I agree to comply with the following terms and conditions regarding my use of the Card.

- I understand that I am being entrusted with property of the Town of Clayton--a PCard--with which I will be making financial commitments on behalf of the Town.
- I understand that the Town is liable to Bank of America for all charges made on the PCard.
- I agree to use this PCard for approved Town business purchases only and agree not to use it for personal purchases under any circumstances. I understand that there will be audits of the monthly statements regarding this PCard and management will take appropriate action in the event of misuse.
- I will follow the established policy and procedures for the use of the PCard. Failure to do so or any abuse and/or misuse of the PCard may result in revocation of my use privileges and/or disciplinary action(s) up to and including dismissal and criminal prosecution, in accordance with disciplinary policies of the Town of Clayton.
- I have been given a copy of the Town of Clayton Purchasing Policy and Procedures and understand the requirements and responsibilities for PCard use.
- I agree to return the Purchasing Card immediately upon request or separation from employment (including termination, transfer, resignation or retirement).
- If the PCard is lost or stolen, I agree immediately to notify Bank of America and the PCard Program Administrator.

- I am aware of my responsibility for reporting any misuse of this PCard.

\_\_\_\_\_  
**EMPLOYEE SIGNATURE**

\_\_\_\_\_  
**DATE**

cc: PCard Program Administrator

Revised: **May 1, 2012**

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

**Agenda Item: 5b**

**Meeting Date: 1/17/12**

**TITLE: PRESENTATION OF RESOLUTION REQUESTING THE LOCAL GOVERNMENT COMMISSION TO SELL THE TOWN'S WATER AND SEWER SYSTEM REVENUE BOND ANTICIPATION NOTES AT PRIVATE SALE [ACTION REQUESTED].**

**DESCRIPTION: Attached**

**RELATED GOAL: Financially Responsible Town Government Providing Quality Service**

**ITEM SUMMARY:**

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|----------------|------------------------|
| 1-17-12      | Presentation.  | Resolution.            |

**TOWN OF CLAYTON  
RESOLUTION REQUESTING THE LOCAL GOVERNMENT COMMISSION  
TO SELL THE TOWN'S WATER AND SEWER SYSTEM  
REVENUE BOND ANTICIPATION NOTES AT PRIVATE SALE**

**WHEREAS**, the Town of Clayton, North Carolina (the "Town") acting by and through its Town Council (the "Council"), is authorized by The State and Local Government Revenue Act of North Carolina, N.C.G.S. § 159-80 to issue revenue bonds and notes; and

**WHEREAS** the Council has determined that it is necessary to extend its existing water and sewer lines (the "Project"); and

**WHEREAS**, the Council expects to issue not to exceed \$1,604,000 in the aggregate principal amount of the Town's Water and Sewer System Revenue Bonds (the "Bonds") to finance the Project, and, in connection therewith, to issue its Water and Sewer System Revenue Bond Anticipation Notes (the "Notes") to be repaid with the proceeds of the Bonds; and

**WHEREAS**, the Town Manager has filed with the Local Government Commission of North Carolina (the "LGC") an application for its approval of the Bonds and the Notes, on a form provided by the LGC and make certain findings therefore; and

**WHEREAS**, it is anticipated that the Notes will be sold to a financial institution following a request for proposals at a private sale;

**NOW, THEREFORE**, the Town Council for the Town of Clayton, in a regularly scheduled meeting on January 17, 2012, does hereby request the LGC to sell the Notes at private sale and without advertisement pursuant to G.S.159-123 of the North Carolina General Statutes.

This resolution shall take effect immediately.

Duly adopted this 17<sup>th</sup> day of January 2012, while in regular session.

**ATTEST:**

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**Jody L. McLeod,  
Mayor**

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

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

Agenda Item: 5c

Meeting Date: 1/17/12

**TITLE: PRESENTATION OF BID TABULATIONS FOR THE ELEVATED WATER STORAGE TANK PROJECT AND RESOLUTION FOR ELEVATED WATER STORAGE TANK PROJECT.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Financially Responsible Town Government Providing Quality Service**

**ITEM SUMMARY:**

Date:

Action:

Info. Provided:

1-17-12

Presentation.

Bid tabulation &  
Resolution.



ENGINEERING  
PLANNING  
ARCHITECTURE

January 5, 2012

Mr. Steve Biggs  
Town Manager  
Town of Clayton  
P.O. Box 879  
Clayton, NC 27528

Re: Recommendation of Award  
Elevated Water Storage Tank  
Clayton, NC  
EDA Project No. 04-01-06424  
TWC No. 2756-AX

Dear Mr. Biggs:

Enclosed are the Bid Tabulations for the Elevated Water Storage Tank Project for bids received December 15, 2011. Bids were requested for either of three tank styles and Bidders were allowed to bid on one or all tank styles. The tank styles included the composite type, fluted steel column type, and multi-leg column type.

The apparent low bid for each tank style was evaluated in a Life Cycle Cost Analysis that incorporated capital cost, present worth of annual O&M costs, and present worth of salvage value to determine the total present worth of each tank style. Results of this analysis indicate that the composite tank style is the most cost effective solution for this project. A copy of the Life Cycle Cost Analysis is attached herein.

Therefore, the Low Bidder for the Elevated Water Storage Tank Project is Caldwell Tanks, Inc. from Louisville, KY with a low Bid of \$1,847,000.00. The Low Bidder is properly licensed to perform the work in accordance with Chapter 87 of the North Carolina General Statutes.

We recommend that the Town of Clayton accept the low bid in the amount of \$1,847,000.00 and make tentative award of the Contract to Caldwell Tanks, Inc. subject to funding agency approval.

Should you have any questions or need additional information, please let us know.

Sincerely,

THE WOOTEN COMPANY

Charles W. Davis, P.E.

Enclosures

c: Tim Simpson, Town of Clayton  
Julia Johnson, USDA-Rural Development

120 North Boylan Avenue  
Raleigh NC 27603-1423

919.828.0531  
fax 919.834.3589

**ELEVATED STORAGE TANK  
TOWN OF CLAYTON, NORTH CAROLINA**

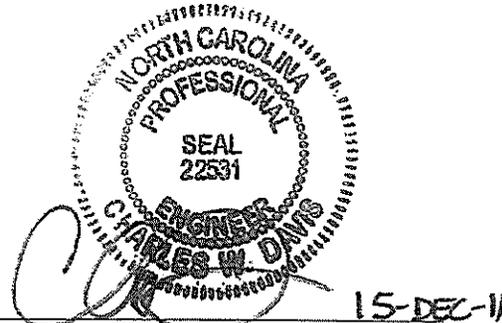
**BID DATE/TIME:** December 15, 2011 @ 1:00 P.M.

TWC No. 2756-AX

| CONTRACTORS  | LIC. NO. | CLASS.                                       | BID BOND | 1.0 MG COMPOSITE STYLE | 1.0 MG FLUTED STEEL COLUMN STYLE | 1.0 MG MULTI-LEG COLUMN STYLE | REMARKS                    |
|--|----------|--|----------|------------------------|----------------------------------|-------------------------------|----------------------------|
| <b>CB &amp; I, INC.</b><br>3600 Mansell Road, Suite 230<br>Alpharetta, GA 30022                  | 15262    | UL: S (Concrete Cons.)<br>S (Metal Erection) | 5%       | \$1,987,000.00         | NO BID                           | NO BID                        |                            |
| <b>CALDWELL TANKS, INC.</b><br>4000 Tower Road<br>Louisville, KY 40219                           | 2508     | UL:PU  | 5%       | \$1,847,000.00         | \$2,227,000.00                   | \$1,759,000.00                | <b>APPARENT LOW BIDDER</b> |
| <b>LANDMARK STRUCTURES, INC.</b><br>1665 Harmon Road<br>Fort Worth, TX 76177                     | 49304    | UL: S(Metal Erection)                        | 5%       | \$2,066,000.00         | NO BID                           | NO BID                        |                            |
| <b>PHOENIX FABRICATORS &amp; ERECTORS, INC.</b><br>182 S. County Road 900 East<br>Avon, IN 46123 | 21640    | UL: S(Metal Erection)                        | 5%       | \$1,927,602.00         | NO BID                           | \$1,967,900.00                |                            |

This is to certify that the bids tabulated herein were publicly opened and read aloud at 1:00 p.m. on the 15<sup>th</sup> day of December, 2011, in the Town of Clayton, Operations Center located at 653 Highway 42 West, Clayton, North Carolina, and that all said bids were accompanied by either a certified check or bidder's bond except as otherwise noted.

**THE WOOTEN COMPANY**  
120 N. Boylan Avenue  
Raleigh, NC 27603  
License No. F-0115

  
 Charles W. Davis, P.E.

| Life Cycle Cost Analysis (Over 20 Year Design Period) |                       |                       |                       |
|---|-----------------------|-----------------------|-----------------------|
| "Real" Federal Discount Rate : 2.80 %                 |                       |                       |                       |
|   | Legged Steel Tank     | Fluted Steel Column   | Composite Tank        |
| Construction Cost                                     | \$1,759,000.00        | \$2,227,000.00        | \$1,847,000.00        |
| Annual O&M <sup>1</sup>                               | \$28,000.00           | \$36,000.00           | \$17,000.00           |
| Present Worth (PW)<br>(P/A, 2.8%, 20)                 | \$424,368.00          | \$545,616.00          | \$257,652.00          |
| Salvage Value @ Yr 40 <sup>2</sup>                    | (\$820,866.67)        | (\$1,039,266.67)      | (\$861,933.33)        |
| Present Worth (PW)<br>(P/F, 2.8%, 40)                 | (\$271,953.13)        | (\$344,309.05)        | (\$285,558.51)        |
| <b>Total Present Worth</b>                            | <b>\$1,911,414.87</b> | <b>\$2,428,306.95</b> | <b>\$1,819,093.49</b> |

Notes:

- 1 - Annual O&M Costs consist of the following:
  - Tank Inspection & Report - every year
  - Tank Wash-Out (i.e. silt removal) - every 2 years
  - Tank Clean-Out (i.e. wall film removal) - every 4 years at same time as tank wash-out
  - Paint tank exterior - every 8 - 10 years (\* costs above include tank repaint every 10 years)
  - Paint tank interior (wet) - every 10 - 15 years (\*costs above include tank repaint every 15 years)
  - Paint tank interior (dry) - every 10 - 15 years (\*costs above include tank repaint every 15 years)
- 2 - 40-yr salvage value calculated based upon 75 year tank life.

**Operation and Maintenance Costs  
20 year Design Period**

**Legged Tank**

| Task                           | Interval       | Cost          | Annual Cost         |
|--------------------------------|----------------|---------------|---------------------|
| Inspect & Prepare Report       | Every Year     | \$ 1,500.00   | \$ 1,500.00         |
| Wash out Tank (i.e. silt)      | Every 2 years  | \$ 2,500.00   | \$ 1,250.00         |
| Clean-out Tank (i.e.wall film) | Every 4 years  | \$ 1,000.00   | \$ 250.00           |
| Paint Tank Exterior            | Every 10 years | \$ 204,000.00 | \$ 20,400.00        |
| Paint Tank Interior            | Every 15 years | \$ 68,000.00  | \$ 4,533.33         |
| Total Annual Cost              |                |               | \$ 27,933.33        |
| Use                            |                |               | <b>\$ 28,000.00</b> |

**Fluted Steel Column**

| Task                           | Interval       | Cost          | Extended Total      |
|--------------------------------|----------------|---------------|---------------------|
| Inspect & Prepare Report       | Every Year     | \$ 1,500.00   | \$ 1,500.00         |
| Wash out Tank (i.e. silt)      | Every 2 years  | \$ 2,500.00   | \$ 1,250.00         |
| Clean-out Tank (i.e.wall film) | Every 4 years  | \$ 1,000.00   | \$ 250.00           |
| Paint Tank Exterior            | Every 10 years | \$ 234,000.00 | \$ 23,400.00        |
| Paint Tank Interior (wet)      | Every 15 years | \$ 72,000.00  | \$ 4,800.00         |
| Paint Tank Interior (dry)      | Every 15 years | \$ 67,600.00  | \$ 4,506.67         |
| Total Annual Cost              |                |               | \$ 35,706.67        |
| Use                            |                |               | <b>\$ 36,000.00</b> |

**Composite**

| Task                           | Interval       | Cost         | Extended Total      |
|--------------------------------|----------------|--------------|---------------------|
| Inspect & Prepare Report       | Every Year     | \$ 1,500.00  | \$ 1,500.00         |
| Wash out Tank (i.e. silt)      | Every 2 years  | \$ 2,500.00  | \$ 1,250.00         |
| Clean-out Tank (i.e.wall film) | Every 4 years  | \$ 1,000.00  | \$ 250.00           |
| Paint Tank Exterior            | Every 10 years | \$ 90,000.00 | \$ 9,000.00         |
| Paint Tank Interior (wet)      | Every 15 years | \$ 70,000.00 | \$ 4,666.67         |
| Total Annual Cost              |                |              | \$ 16,666.67        |
| Use                            |                |              | <b>\$ 17,000.00</b> |

**TOWN OF CLAYTON  
RESOLUTION OF AWARD OF BID  
FOR THE ELEVATED WATER STORAGE TANK**

**WHEREAS,** the Town of Clayton publicly advertised for bids to be received for the construction of the Elevated Water Storage Tank Project on December 15, 2011; and

**WHEREAS,** the Town of Clayton exhibited good faith efforts to notify minority and women owned businesses of said project and encouraged bidding; and

**WHEREAS,** the BIDS were publicly opened on the stated date; and

**WHEREAS,** the low Bidder is Caldwell Tanks, Inc. for the bid amount of \$1,847,000.00; and

**WHEREAS,** the Town has secured funding from USDA – Rural Development, NC Rural Center, and Economic Development Administration (EDA) to fund the construction of said project; and

**WHEREAS,** the Town of Clayton intends to construct said project in accordance with the approved plans and specifications,

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

The Town of Clayton award construction of the Elevated Water Storage Tank Project to Caldwell Tanks, Inc. in the amount of \$1,847,000.00, subject to funding agency and Local Government Commission approval.

Duly adopted this the \_\_\_\_ of February, 2012, while in regular session.

\_\_\_\_\_  
Jody L. McLeod,  
Mayor

**ATTEST:**

\_\_\_\_\_  
Sherry L. Scoggins, MMC,  
Town Clerk

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

**Agenda Item: 5d**

**Meeting Date: 1/17/12**

**TITLE: PRESENTATION OF AMENDMENT TO THE FISCAL YEAR 2011-2012 BUDGET.**

**DESCRIPTION: Amendment reflects the receipt of forfeited tower deposits for three closed tower accounts, which will be utilized to purchase software that interfaces with New World Systems to update and enhance parcel information.**

**RELATED GOAL: Financially Responsible Town Government Providing Quality Service**

**ITEM SUMMARY:**

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|----------------|------------------------|
| 1-17-12      | Presentation.  | Budget Amendment.      |

**Town of Clayton  
Amendment to the FY 11-12 Budget**

**BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON** that the following amendments shall be made to the FY 11-12 Budget:

**Fund:     General Fund**

| <u>Line Item</u>    | <u>Previous<br/>Appropriation</u>                 | <u>Adjustment</u> | <u>Revised<br/>Appropriation</u> |
|---------------------|---|-------------------|----------------------------------|
| <b>Expenditures</b> |   |                   |                                  |
| 100-42-02-52 60     | Operating Expense – Equipment Purchase<br>\$1,020 | +28,371           | \$29,391                         |
| <b>Revenue</b>      |   |                   |                                  |
| 100-40-00-48 97     | Miscellaneous Income<br>\$5,000                   | +28,371           | \$33,371                         |

**-Explanation:** Amendment necessary to reflect the receipt of forfeited tower deposits for three closed tower accounts, which will be utilized to purchase software that interfaces with New World Systems to update and enhance parcel information.

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

\_\_\_\_\_  
Jody L. McLeod  
Mayor

Attest:

\_\_\_\_\_  
Sherry L. Scoggins, MMC  
Town Clerk

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

**Agenda Item: 5e**

**Meeting Date: 1/17/12**

**TITLE: PRESENTATION OF WARRANTY ACCEPTANCE REQUEST FOR PUBLIC WATER, SEWER, AND ASSOCIATED STORM DRAINAGE UTILITIES FOR COBBLESTONE SUBDIVISION, PHASE 6-C, BEVINGTON COURT.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|----------------|------------------------|
| 1-17-12      | Presentation.  | Memorandum.            |

# TOWN OF CLAYTON OPERATIONS CENTER

"SERVICE"

ELECTRIC SERVICE  
(919) 553-1530

VEHICLE MAINTENANCE  
(919) 553-1530



"ENVIRONMENT"

PUBLIC WORKS  
(919) 553-1530

WATER RECLAMATION  
(919) 553-1535

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## MEMORANDUM

To: Sherry Scoggins, Town Clerk

From: Chris Rowland, Construction Inspector 

Copy: Steven Sanderson, PE, Sanderson Engineering  
David DeYoung, Planning Director

Date: December 22, 2011

Subject: Cobblestone SD, Phase 6-C (Bevington Court)

Please place a warranty acceptance request for the subject public water, sewer, & associated storm drainage utilities on the next available agenda. As-built drawings have been reviewed and accepted. Following Council acceptance, the utilities will be subject to a one-year warranty period. Following the warranty period, a final inspection will be done and all deficient items corrected prior to final acceptance.

**received**  
12-23-2011 ALA

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

Agenda Item: 5f

Meeting Date: 1/17/12

**TITLE: PRESENTATION OF PROCLAMATION: PROCLAIMING FEBRUARY AS NATIONAL AFRICAN AMERICAN HISTORY MONTH.**

**DESCRIPTION: Attached.**

**RELATED GOAL: Administrative**

**ITEM SUMMARY:**

| <u>Date:</u> | <u>Action:</u> | <u>Info. Provided:</u> |
|--------------|----------------|------------------------|
| 1-17-12      | Presentation.  | Proclamation.          |

**TOWN OF CLAYTON**  
**PROCLAIMING FEBRUARY AS NATIONAL AFRICAN AMERICAN HISTORY MONTH**

WHEREAS, recognition of National African American History Month originated in 1926 by historian Carter G. Woodson as “Negro History Week; and

WHEREAS, Mr. Woodson chose the second week of February because it marked the birthdays of two Americans who greatly influenced the lives and social conditions of African Americans: former President Abraham Lincoln and abolitionist and former slave Frederick Douglass; and

WHEREAS, Mr. Woodson’s goal in establishing “Negro History Week” was to bring about attention to the African American people’s contributions throughout history; and

WHEREAS, Black History Month, subsequently renamed National African American History Month, was established in 1976 to recognize the significant contributions to “American History” made by people of African heritage and is an expansion of Mr. Woodson’s “Negro History Week”; and

WHEREAS, the month of February is appropriately designated as National African American History Month with the following important dates that align with a study of National African American history:

- 2/23/1868 –Civil rights leader and co-founder of the NAACP W.E.B DuBois was born.
- 2/03/1870 –The 15<sup>th</sup> Amendment was passed allowing African American men to vote.
- 2/25/1870 – Hiram Revels was the first African American U. S. Senator to take office.
- 2/12/1909 – The National Association for the Advancement of Colored People (NAACP) was founded.
- 2/21/1965 – Malcolm X was shot.

WHEREAS, National African American History Month affords special opportunity to become more knowledgeable about African American heritage, and to honor the many African American leaders who have contributed to the progress of our community and nation.

NOW, THEREFORE, the honorable Mayor and Town Council of the Town of Clayton, North Carolina, do hereby recognize the month of February as “**NATIONAL AFRICAN AMERICAN HISTORY MONTH.**” Let it also be proclaimed that all citizens in the Clayton area are encouraged to join in celebrating the diversity and character of our community and highlight the importance of sharing our culture, customs and traditions with those around us.

DULY PROCLAIMED this [ ] day of February 2012, while in regular session.

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Jody L. McLeod,  
Mayor

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

Agenda Item: 7a

Meeting Date: 1/17/12

**TITLE: FIRE DEPARTMENT STAFFING REPORT [TRACKING PURPOSES].**

**DESCRIPTION:** This item was discussed at the December 19, 2011, meeting with no action requested by the Council.

**RELATED GOAL:** Administrative

**ITEM SUMMARY:**

| <u>Date:</u> | <u>Action:</u>  | <u>Info. Provided:</u> |
|--------------|-----------------|------------------------|
| 12-19-11     | Discussion.     | Memorandum.            |
| 01-03-12     | Discussion.     | N/A.                   |
| 1-17-12      | N/A – Tracking. |                        |
| 2-06-12      |                 |                        |

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

Agenda Item: 9a

Meeting Date: 1/17/12

TITLE: TOWN MANAGER.

DESCRIPTION: Year to date financial and tax collection report.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:

Action:

Info. Provided:

1-17-12

Information.

Distributed at the 1/17 mtg.

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

Agenda Item: 9c

Meeting Date: 1/17/12

**TITLE: TOWN CLERK**

**DESCRIPTION: Calendar of Events:**

- 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
- Retirement Reception for Library Director Betty Coats – Saturday, January 21, 2012 from 11 AM to 1 PM, Clayton Center
- Planning Board (Organizational) Mtg – Monday, January 23, 2012 @ 7 PM
- Clayton Chamber of Commerce 61<sup>st</sup> Annual Installation & Awards Ceremony – Tuesday, January 24, 2012 at the Clayton Center
- 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
- Council Retreat – Tuesday, February 28, 2012, 8 AM – 5 PM, location TBA
- 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
- Council Retreat, Follow-up Meeting – Thursday, March 22, 2012, time and location to be announced
- 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:

1-17-12

Action:

N/A

Info. Provided:

Calendar of Events