Jody L. McLeod
MAYOR

Bruce Thompson
TOWN ATTORNEY

Steve Biggs
TOWN MANAGER

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

Michael Grannis
MAYOR PRO TEM

TOWN COUNCIL MEETING

JANUARY 7, 2013

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. SCOGGINS, TOWN CLERK
BRUCE THOMPSON II, TOWN ATTORNEY

P. O. Box 879 - Clayton, North Carolina 27528 - Office (919) 553-5002 - Fax (919) 553-8919

AGENDA
THE REGULAR MEETING OF THE CLAYTON TOWN COUNCIL

MONDAY, JANUARY 07, 2013 THE CLAYTON CENTER
6:30 PM COUNCIL CHAMBERS

1. CALL TO ORDER

   Pledge of Allegiance
   Invocation – Mayor Jody L. McLeod

2. ADJUSTMENT OF THE AGENDA

3. CONSENT AGENDA
   (Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Council may request to have an item removed from the consent agenda for further discussion.)
   a. Draft minutes from the December 17, 2012, work session meeting and draft minutes from the December 17, 2012, closed session meeting.
   b. Adoption of the memorandum of understanding with Johnston County Health Department on Closed Points of Dispensing Partner Program.
   c. Extension of Archer Lodge Fire Department services agreement.
   d. Roster for the Clayton Fire Department personnel for the pension fund.
   e. Warranty acceptance for asphalt pavement located at Cobblestone Subdivision, Phase 7D, 7E, & 7F.

4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

5. PUBLIC HEARINGS
   a. Public hearing for annexation petition 2012-11-01; the unincorporated portion of the Creekside Commons Subdivision.
   b. Evidentiary hearing for preliminary subdivision request SUB 2012-96 for East Village Unit M2 & M3.

6. OLD BUSINESS
   a. Policies relating to Town Square and Horne Square.
   b. Johnston County Economic Development Commission.
   c. Status of John Street sewer improvement project.
   d. Status of 110 West Front Street, former Red & White Store.

7. **NEW BUSINESS**

8. **STAFF REPORTS**
   a. **Town Manager**
   b. **Town Attorney**
   c. **Town Clerk**
      - **Calendar of Events**
   d. **Other Staff**

9. **OTHER BUSINESS**
   a. **Informal Discussion & Public Comment.**
   b. **Council Comments.**

10. **ADJOURNMENT**

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 3a **Meeting Date:** 1/7/13

TITLE: DRAFT MINUTES FROM THE DECEMBER 17, 2012, WORK SESSION MEETING AND DRAFT MINUTES FROM THE DECEMBER 17, 2012, CLOSED SESSION MEETING.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:	Action:	Info. Provided:
1-07-13	Approval.	DRAFT minutes of 12/17/12 regular meeting. *****DRAFT minutes of 12/17/12 closed session Meeting will be hand-Delivered.***

MINUTES
CLAYTON TOWN COUNCIL
DECEMBER 17, 2012

The second regular meeting of the Clayton Town Council for the month of December was held on Monday, December 17, 2012, at 6:30 PM at Town Hall, 111 East Second Street.

PRESENT: Mayor Pro Tem Michael Grannis, Councilman Bob Satterfield, Councilman R. S. "Butch" Lawter Jr., Councilman Art Holder, and Councilman Jason Thompson.

ABSENT: Mayor Jody L. McLeod

ALSO PRESENT: Steve Biggs, Town Manager; Katherine Ross, Town Attorney; Nancy Medlin, Deputy Town Manager; Sherry Scoggins, Town Clerk; David DeYoung, Planning Director; Tim Simpson, Public Works & Utilities Director; John McCullen, Town Engineer; Bruce Naegelen, Downtown Development Coordinator; Lee Barbee, Fire Chief

ITEM 1. CALL TO ORDER

Mayor Pro Tem Grannis called the meeting to order at 6:32 PM. Mayor Pro Tem Grannis gave the invocation.

ITEM 2. ADJUSTMENT OF THE AGENDA

The following adjustments of the agenda were requested:

- **Item 10c, Authorizing resolution by governing body of the applicant for NC building restoration and reuse grants program for the renovations to the Bartex Business Center Building located at 700 West Main Street for the new business Deep River Brewery and Zogreo LLC.**
- **Item 10d, Closed session to receive instruction by Council on contract negotiation for real property in accordance with NC GS 143-318.11(a)(5)**

It was the consensus of the Council to proceed with the agenda with the adjustments.

ITEM 3. ACTION AGENDA

Councilman Holder motioned to approve the action agenda as presented; Councilman Lawter seconded the motion. The motion carried 5-0 with the following action agenda items approved at 6:34 PM:

Item 3a. Draft minutes from the December 3, 2012, closed session and the December 3, 2012, regular meeting.
Item 3b. Certificate of sufficiency and resolution of public notice fixing the date of public hearing on the question of annexation petition 2012-11-01.
Item 3c. Public notice of evidentiary hearing for preliminary subdivision request SUB 2012-96, East Village Units M2 & M3.

ITEM 4. INTRODUCTIONS & SPECIAL PRESENTATIONS

Item 4a. Introduction of new Town of Clayton employees.

The following Town of Clayton employee was introduced:
- Scotty Henley, Interim Clayton Center Executive Director

Item 4b. Presentation of fiscal year 2011-2012 Town of Clayton audit.

Mr. Ken Anderson CPA and auditor for the Town of Clayton provided the following handout, Exhibit A, Audit Report; herewith attached and incorporated into the record. He provided the following overview:
- Five years of trend information for each of the funds
- Five years of information on tax collection
- Town received an unqualified opinion on June 30, 2012, financial statements (= Good Report)
- No compliance type audits for the year
- No budget over expenditures during the year
- Report submitted to the Local Government Commission on October 26, 2012
    - It was accepted

Town Manager Biggs stated a future staff presentation will be the overall financial fitness of the Town. He stated those figures will be compared to the budget figures.

Town Manager Biggs stated the Town is working with Davenport and Associates on a future presentation to provide a thorough analysis of the Town's debt capacity.

Item 4c. Presentation by a representative of Johnston County Health Department on Closed Points of Dispensing Partner Program.

Fire Chief Lee Barbee introduced Mr. Steve Strickland, Assistant Health Director of Johnston County Health Department.

Mr. Steve Strickland provided a PowerPoint presentation; herewith attached and incorporated as Exhibit B, SNS. He provided the following overview:
- SNS = Strategic National Stockpile

- POD = Point of Dispensing
- Overview of the SNS process
- Closed POD is not open to the public, for organization staff and family, and organization must have 50 or more members
- Provided an overview of advantages and disadvantages

Mr. Strickland stated this is his first presentation to a Town Council.

Councilman Lawter questioned who sets the priority on where and who is selected for PODS.

Mr. Strickland stated they will work with the closed PODS and prioritize.

Councilman Satterfield questioned if first to sign on, would be first to be served.

Mr. Strickland stated the more PODS, the better the continuity for the public. He added he would like to see every Town government as a closed POD.

Based upon question from Council, Mr. Strickland stated this process has been going on for some time with businesses. He stated local governments play a vital role in providing services.

Mayor Pro Tem Grannis questioned how long a Push package would last.

Mr. Strickland stated it varies depending on what is in the Push package.

Mayor Pro Tem Grannis stated this is worth discussion among the Council and he added he sees significant advantages to this program.

Town Manager Biggs acknowledged Fire Chief Barbee for bringing this program opportunity to the Town for preparedness.

Mr. Strickland added they have a great working relationship with Chief Barbee.

Based upon question by Council, Town Manager Biggs stated the next step is the adoption of the memorandum of understanding. He added that can be placed on the consent agenda.

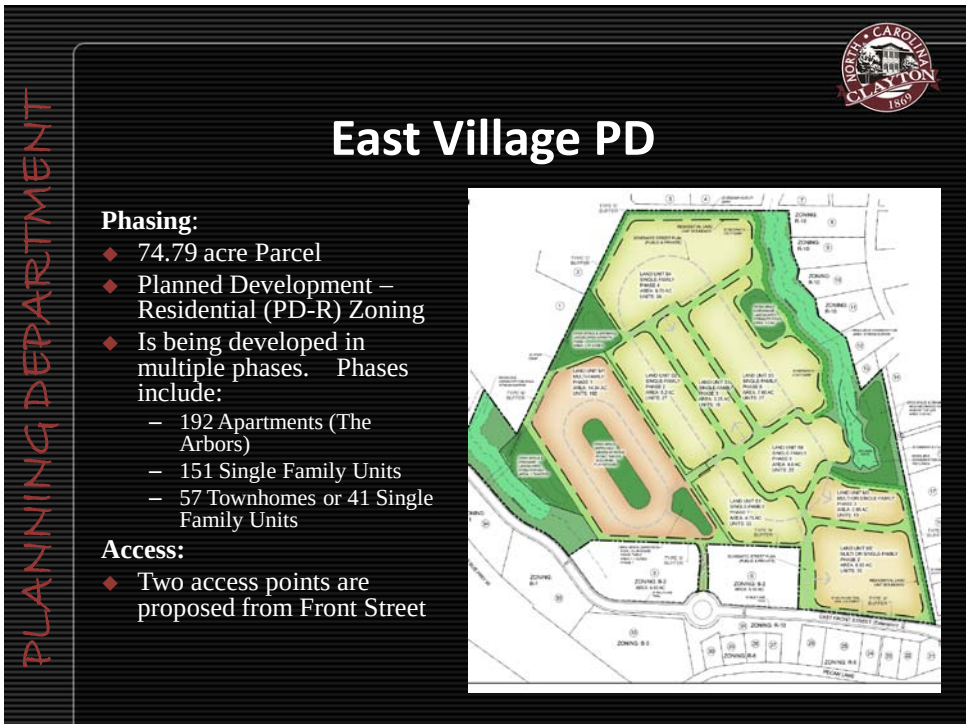
It was the consensus of the Council to place this item on the consent agenda.

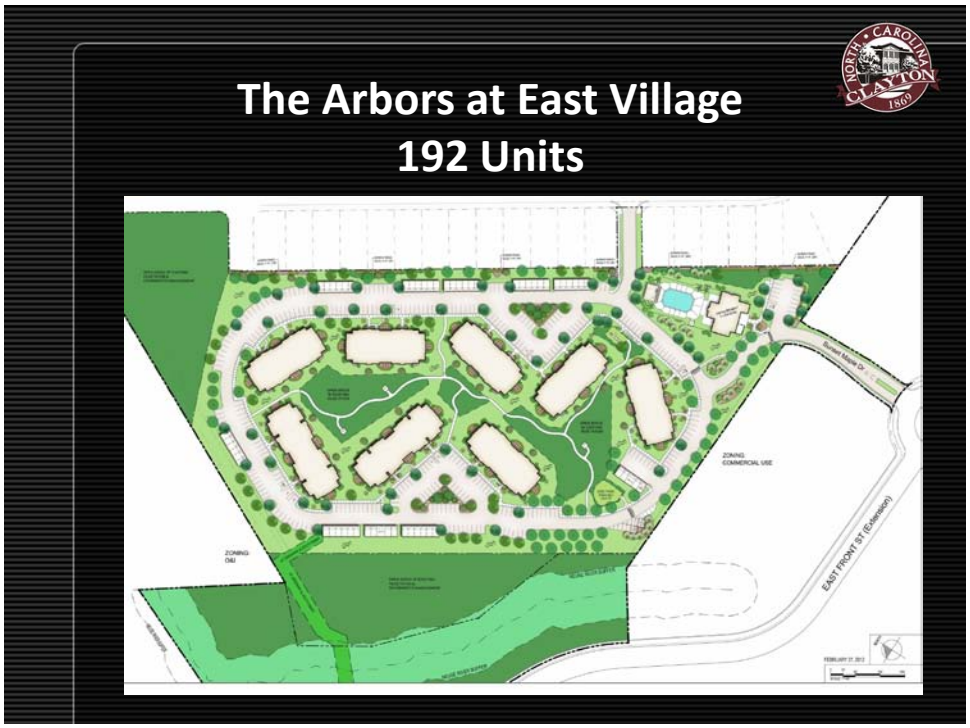
Mayor Pro Tem Grannis thanked Chief Barbee.

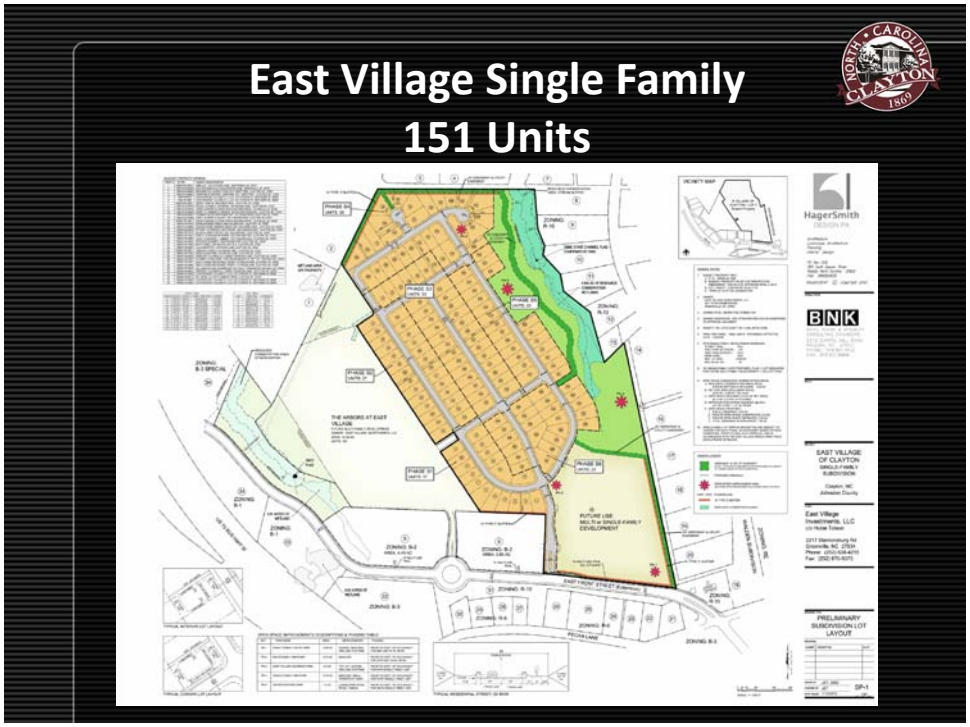
ITEM 5. ITEMS SCHEDULED FOR THE REGULAR MEETING AGENDA

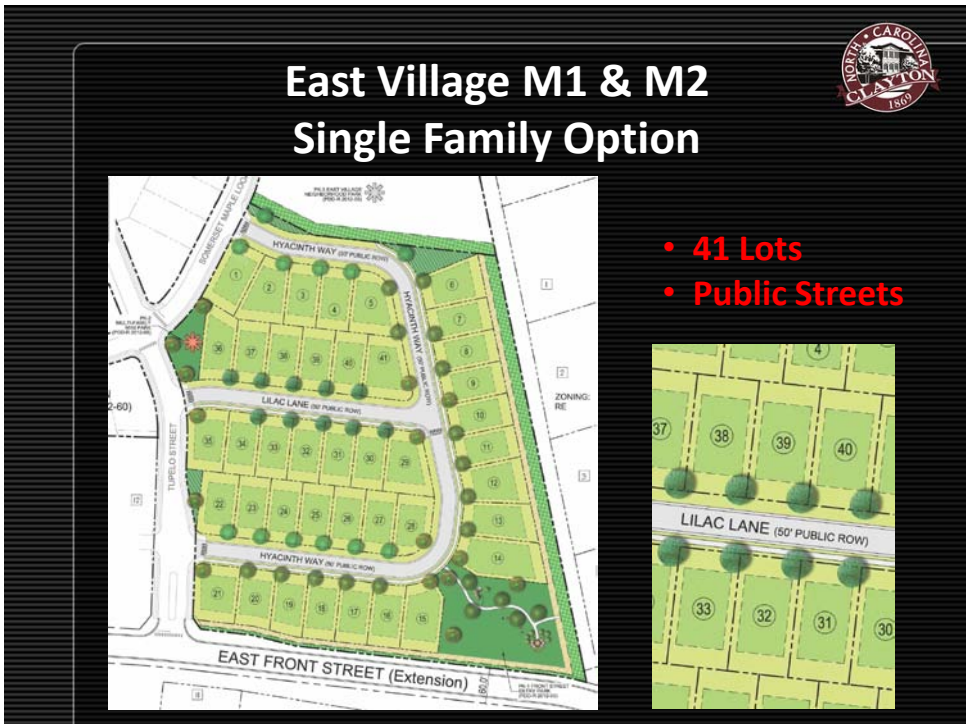
Item 5a. Presentation of preliminary subdivision request SUB 2012-96 for East Village Units M2 & M3.

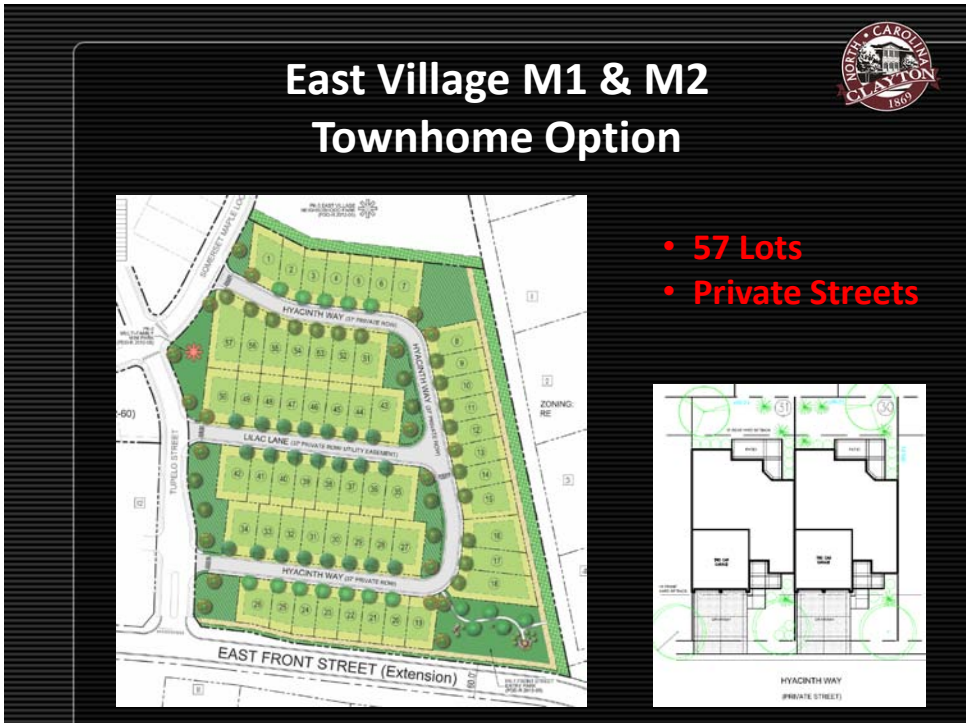
Planning Director David DeYoung provided the following PowerPoint presentation and overview of SUB 2012-96:




The Arbors at East Village
192 Units
ZONING
COMMERCIAL USE
ZONING
O&I
EAST FRONT ST (Extension)


East Village Single Family
151 Units
HagerSmith
BNK
EAST VILLAGE OF CLAYTON
PRELIMINARY SUBDIVISION LOT LAYOUT


East Village M1 & M2
Single Family Option
• 41 Lots
• Public Streets
HYACINTH WAY
LILAC LANE
TUPELO STREET
EAST FRONT STREET (Extension)
ZONING: RE
LILAC LANE (50' PUBLIC ROW)


East Village M1 & M2
Townhome Option
• 57 Lots
• Private Streets
HYACINTH WAY
LILAC LANE
TUPELO STREET
EAST FRONT STREET (Extension)
ZONING: RE
HYACINTH WAY
(PRIVATE STREET)

PLANNING DEPARTMENT

East Village M1 & M2

Landscaping

- A perimeter landscape buffer has been provided for the entire development. Detailed site specific landscape plans will be submitted with each phase.

Recreation and Open Space:

- The development is exceeds the recreation and open space requirements.
- The developer has specified the proposal for recreation amenities for the development and the timeframe for completion of each amenity as a part of the planned development approval.

Traffic:

- A traffic impact analysis has been reviewed by the Town and NCDOT. Identified roadway improvements are necessary as a part of the development.

PLANNING DEPARTMENT

East Village M1 & M2

The two subdivision options are generally consistent with:

- Strategic Growth Plan
  - Proposed use / development location / infrastructure availability / roadway access
- Unified Development Code
  - The Subdivision options are consistent with UDC requirements
  - The Subdivision options are consistent with the approved Master Plan
- Recommendation
  - Staff is recommending approval of the two preliminary subdivision options, consistent with the approved Master Plan

Planning Director DeYoung stated staff is recommending approval of the two proposed subdivision requests. He stated when one of the two subdivision options is chosen the other dies.

Councilman Satterfield questioned if there is currently an approved 50 foot right of way in the subdivision.

Planning Director DeYoung stated affirmative.

Councilman Satterfield stated if the variance is given for the 37 foot right of way, this would be for the townhouses.

Planning Director DeYoung stated this would be a waiver to the townhome subdivision.

Councilman Lawter questioned for the townhome option if there would be any restrictions for on street parking since the road will be narrow.

Planning Director DeYoung stated restrictions were not required for on street parking, now that there has been discussion about making it a public right-of-way. He added on street restriction on public right-of-way would be a Town Council decision. He stated the developer has expressed that he will bring forth a plan that will only permit parking in certain areas.

Mayor Pro Tem Grannis stated the townhome version the roads would be public.

Planning Director DeYoung stated that is the intent. He stated there was some discussion that the private roads would not receive the same maintenance as the remaining streets of the subdivision.

Mayor Pro Tem Grannis questioned the purpose of the 37 foot right-of-way.

Planning Director DeYoung stated it is a typical cross section for a private road as listed in the Town's Code.

Mayor Pro Tem Grannis stated he is not please with that because it is a deviation and could potentially open the door for future requests. He added he would like to see documentation from the fire department or emergency services to assure the Council that if there is parking on one or both sides that it will not be an issue. He stated he is seeking an assurance that emergency vehicles can access the area.

Planning Director DeYoung stated that the section of pavement would be the same as the remainder of the project. He stated if the Council grants the waiver, the width of the road would be the same. He stated if there is a problem within the townhome section, there will also be a problem with the single family section.

Mayor Pro Tem Grannis stated all the more reason to see documentation.

Councilman Lawter stated the road section is 27 and the townhome would then have five feet on either side for sidewalk; whereas if it were in the single family it would be grassy and then sidewalk.

Planning Director DeYoung stated that is correct. He stated when the master plan was approved for this project, sidewalk was approved on one side and then there is a greenway that goes around the development.

Councilman Lawter questioned if valley curve is in the proposed townhomes and standard curb and gutter are in the proposed single family.

Planning Director DeYoung stated he believes that is the recommendation.

This item is slated for an evidentiary hearing at the Monday, January 7, 2013, Council meeting.

Item 5b. Presentation of policies relating to Town Square and Horne Square.

Town Manager Steve Biggs stated when first managing Town Square and its proximity to the Town Hall, it was assigned to the management of the Clayton Center and the related use policy of the Clayton Center. He stated the policy revision is requested as Town Square has not been desirable as a rental property and is more in line for non-profit uses. He added the addition of Horne Square is an outdoor space that allows parking and programmed space. He stated it is recommended to make Town Square more like Horne Square and disassociate it from the Clayton Center.

It was the consensus of the Council to assign this item to Old Business.

Item 5c. Presentation of extension for the Archer Lodge Fire Department services agreement.

Town Manager Steve Biggs provided an overview of the Archer Lodge Fire Department services agreement. He stated this is a good agreement for both entities.

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

Item 5d. Presentation of roster for the Clayton Fire Department personnel for the pension fund.

Town Clerk Sherry Scoggins stated this is an administrative item that comes before the Council annually. She stated there is one amendment and it is the deletion of Danny Harden.

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

Item 5. Presentation of warranty acceptance for asphalt pavement located at Cobblestone Subdivision, Phase 7D, 7E, & 7F.

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

No items for discussion were presented.

ITEM 8. OLD BUSINESS

Item 8a. Status of 110 West Front Street, former Red & White Store.

Town Attorney Katherine Ross stated the appeal for the order issued by the Town on November 16, 2012, has been withdrawn. She stated she has had communication with Mr. Cook, counsel for Ms. Smith, and a general contractor. She stated a process is being developed to make repairs in a timely fashion. She stated it is her recommendation to not take action. She stated this will be monitored.

Town Attorney Ross stated the order has 60 days before the Town would take action. It was her recommendation to leave it on for that timeframe.

It was the consensus of the Council to have this item tracked on the agenda.

Item 8b. Status of John Street sewer improvement project.

Town Manager Steve Biggs stated there are easements necessary in order to replace an existing private sewer service line with a public line. He stated the Town has sought easements from each of the property owners. He stated the permanent easement from the Clayton Townhomes Homeowners Association was received today. He stated there are three temporary easements that have not been received.

Town Manager Biggs stated in order to move forward with legal process of securing the easements, the request is for Council to suspend its rules and adopt the resolutions for the initiation of condemnation.

Councilman Satterfield motioned to suspend the Council's rules in order to take action. Councilman Lawter seconded the motion. Motion carried 5-0.

Councilman Holder motioned to adopt the three resolutions as presented; Councilman Thompson seconded the motion. Motion carried 5-0 at 7:22 PM.

ITEM 9. STAFF REPORTS

Item 9a. Town Manager

Town Manager Steve Biggs stated no additional report.

Item 9b. Town Attorney

Town Attorney Katherine Ross stated no report.

Item 9c. Town Clerk

Town Clerk Sherry Scoggins stated no report.

Item 9d. Other Staff

Other staff did not have a report.

ITEM 10 OTHER BUSINESS

Item 10a. Informal Discussion & Public Comment.

Mr. James Lipscomb, HomeTowne Realty of 328 East Main Street in Clayton, made the following comments:

- Request to research the zoning code on the prohibition of chain link fences in residential areas so that it may be used in the back yards
- Request to ride by Municipal Park on Stallings Street and brighten it up with lighting as it is dark in the evenings

Mr. Gary Rauen, 144 Kentucky Derby Drive, stated he appreciated the assistance of Stacy Beard. He stated his neighborhood does not have a homeowners association, but he is here on behalf of the residents on Kentucky Derby Drive, Churchill Downs, and Sarasota Lane off of Bobbitt. He stated on those three streets are 57 homes. He stated a meeting was held on Saturday and 49 residents attended and two weeks before that was another meeting in which 51 residents attended. He stated a lot of concerns were addressed by the information provided by Stacy Beard. He stated he sent two letters to Public Works Director Tim Simpson. He stated there was no threat in those letters. He stated the resident on 144 Kentucky Derby Drive spoke with Mr. Simpson and the resident of 144 Kentucky Derby Drive stated that Mr. Simpson was not going to respond to the letter because the letter was threatening and intimidating. He stated he then requested information through the Town Clerk's office and everything requested from the Town Clerk was provided in a timely manner. He

stated last Thursday he received a call from Stacy Beard in which Ms. Beard inquired on his thoughts on the information from the Town Clerk's office. He stated the information was received timely, professionally and he added he had a problem with the information requested from Mr. Simpson. He stated he gave Ms. Beard the request. He stated the phone call was at 4 PM and by 9:45 PM Ms. Beard sent the information. He stated he heard a motion this evening to go after property because easements were not released and there are people on Kentucky Derby Drive that have not signed easements. He stated at no time were copies provided by the Wooten Company on whether these would be vented system, manhole covers, or contamination valves that periodically release odor. He stated he believes this is a legitimate question. He stated when the Wooten Company came, there was nothing about odor in the air. He stated he did not know what the carbon filter system was, scrubber system was, but today he does know those things. He stated what he sees is the most costly system to prevent odor release. He stated if that is true, he appreciates that. He stated there are questions that have not been addressed. He stated one item in Mr. Simpson's letter is the easement that no trees would be cut down and Mr. Biggs talked about the 10 foot right of way. He stated people have trees and sheds on the 10 foot right of way and that has not been addressed. He stated the concern is they do not want to hold up the project, but it is a project that they cannot even tie into. He stated if this is in your backyard and you could not tie onto it, some of these things would be asked. He stated they would like to see the plan. He stated Ms. Beard told him that the Wooten Company is putting together a document so they can see the layout of the project. He stated in 2007 this project was approved but it did not happen due to the economy. He stated at no time after 2007 when that plan was put on hold did he obtain or through research that he can find a chance for public comments that the Town was going to restart this plan. He stated he does not know if it was posted, if it was in the newspaper, if it was anywhere. He stated he does not know from 2007 to 2012 with no mention in the minutes other than the plumbing. He stated he would like to identify where the project sunset and now all of sudden it is there without public comments and without any notice. He stated he never met Mr. Simpson and he has no intent to be intimidating. He stated he finds it odd that a commissioner of the city refuses to respond to a letter. He stated Mr. Simpson could have picked up the phone. He stated he wants to make sure rights are protected.

Town Manager Biggs stated Ms. Beard gave him a call based on a conversation in preparation that Mr. Simpson, she and he were doing for a comprehensive response to the questions. He stated it was much more relevant to give a response to all the residents and that was done.

Mr. Rauen stated he appreciated the response from Ms. Beard.

Town Manager Biggs stated there was a concern about the delay from Mr. Rauen's original request and when the response could be sent out. He added

the mailing was sent out on Friday. He stated Mr. Simpson brought the letter to him. He stated the questions in the letter were fundamentally different than the information requested from the Town Clerk. He stated what the Town Clerk provided were public documents. He stated the letter was much more comprehensive. He stated it was his fault there is a perceived unresponsiveness from the Town. He stated a mailing was sent to a corridor of 500 feet on either side of the proposed project and extended it to any impacted subdivisions.

Mr. Rauen stated the information from the Town Clerk was provided readily. He stated the information from Mr. Simpson was not as simplistic as what was asked of the Town Clerk. He questioned based on what he is hearing that he will get another response from the Town Manager.

Town Manager Biggs stated anything requested will be given. He stated based upon what was heard today on wanting to know specific manhole locations and combination valves is being handled by the engineer.

Mr. Rauen stated it was received and he appreciated that. He stated there are a couple of residents on the street that are former employees …. He stated it is not the intent to burn the bridge he just wants to get the questions answered. He stated it was a past disgruntled employee that he will have a hard time because he has had a hard time at the meeting. He stated there are legitimate concerns. He stated one he heard is it will be 50 feet from a resident's backdoor so there will be a manhole… He stated if he gave Ms. Beard the response, it is different from Wooten. He stated Wooten stated all the manholes will be level with the ground. He stated some of the information from the Town are these will protrude up to 30 inches. He stated there is a difference of 30 inches sticking up in the backyard of a manhole. He stated he does not know today if those manhole covers, if they are suppose to have rubber gaskets around them and not supposed to leak fumes… He questioned if the manhole covers with the contamination valves are going to be vented. He stated again, they are not trying to stop the project and no one in the group has mentioned hiring an attorney. He added he did not say that if you don't respond to him, that you would hear form an attorney.

Town Manager Biggs stated he is not aware that anyone has characterized the letter as threatening.

Mr. Rauen stated he will talk with the neighbor. He stated he was trying to gather information. He stated he will get a map from the Wooten Company displaying the contamination valves are, where the candy cane valves are, and those manhole covers are.

Town Manager Biggs stated there is no such thing as a contamination valve. He stated a map from the Wooten Company will be sent showing the location of

manholes associated with the project and combination valves will be. He stated there is a difference of a combination valve…

Mr. Rauen stated that is what he meant. He questioned would that be received.

Town Manager Biggs stated absolutely.

Mr. Rauen stated his appreciation for answering the questions. He stated he had no intent…. He stated one of the things stressed was there is no reason to seek an attorney. He stated his understanding is the three properties who have not released easements, which have not done the John Street sewer….

Town Manager Biggs stated the Town has not sought eminent domain or condemnation or action from the Council.

Mr. Rauen questioned at some point if those easement rights requested and all the information such, and manhole covers sticking up from the ground… He stated if the easement that was sought and it was from the Wooten Company, and it stated they would come in and bury it under the ground, fill it in and grass seed and never know and never see. He stated the concern of the residents is that they may be looking at an eight foot wide manhole cover in the backyard. He questioned if that is a concern.

Town Attorney Ross stated having not been involved in the drafting of the easement and not representing you (Mr. Rauen), she is not in a position to answer that question.

Mr. Rauen stated that sounds like a legal answer. He stated if that is an issue, is it the Town Council's position that when the Council hires a subcontractor to provide a service for the Town that if there is going to be manhole covers protruding from the ground that all those things…..and if there is going to be a time of air being emitted to the air, should that be part of the requirement when submitting the easements. He questioned should that not be something to make sure to protect the resident's rights. He questioned if he would provide a copy of what was signed by the resident's to the Council.

Town Manager Biggs stated the Town has copies of the easements.

Mr. Rauen questioned if that was provided to the Town Council. He questioned if it shows anything about manhole covers and vents.

Town Manager Biggs stated those would be on file in the [Town] Clerk's office.

Mr. Rauen requested the Council receive a copy for review. He questioned if Council was aware that the easement rights did not have all the information as far as manholes sticking out of the ground.

Town Manager Biggs stated he does not agree with that.

Mr. Rauen questioned that he does not agree that the easements don't say that.

Town Manager Biggs clarified that that is not a relevant point to the easement. He stated that the Town operates many miles of sewer lines. He stated when there is an easement it is for a sewer lines and related appurtenances. He stated every place the Town operates sewer lines, which is quite literally 100s of miles, within all of the residential neighborhoods, there are manholes, combination valves, and this is a common and characteristic project performed on a frequent basis in the Town and exists as infrastructure.

Mr. Rauen stated based on facts as they are it is not important then when getting the easement right to make sure the resident.....

Town Manager Biggs stated he knows what he said.

Mr. Rauen stated he would not get into the legality of it. He stated there are two reasons for easements to be overturned. He stated if proper information, all the truthful and accurate information when someone get the information is not provided. He stated the second reason is that the project was sunset in 2007 and does not know if this was put back in the public. He stated nothing was seen in meeting notices. He stated that is another reason for easements to be overturned. He stated he does not want to cause trouble. He stated as a resident that it is not important for the Town Council...

Town Manager Biggs stated that is not what he said.

Mr. Rauen requested that the Town Council review the easement as a resident.

Item 10b. Council Comments.

Councilman Thompson stated he echoes Mr. Lipscomb's request on Municipal Park. He stated he would like for staff to review.

Councilman Lawter stated our opening mentioned the folks in Connecticut. He stated he would like to reach out to the Teem family in Clayton on the loss of their son, Hogan. He stated this family is truly involved in all aspects of the Town. He stated Ms. Teem just finished a term on the Recreation Advisory Committee and Mr. Teem is a member of the Planning Board, and Hogan participated in the Recreation program. He added the family fully supported the July 4 celebration and volunteered.

Councilman Holder stated Hogan was very active in the church.

Item 10c. Authorizing resolution by governing body of the applicant for NC building restoration and reuse grants program for the renovations to the Bartex Business Center Building located at 700 West Main Street for the new business Deep River Brewery and Zogreo LLC.

Councilman Lawter motioned to approve the resolution as presented. Councilman Holder and Councilman Thompson simultaneously seconded the motion. Motion carried 5-0 at 7:50.

Item 10d. Closed session to receive instruction by Council on contract negotiation for real property in accordance with NC GS 143-318.11(a)(5)

Councilman Satterfield motioned to go into closed session. Councilman Thompson seconded the motion. Motion carried 5-0 at 7:50 PM.

Councilman Satterfield motioned to return to open session. Councilman Thompson seconded the motion. Motion carried 5-0 at 8:14 PM.

ITEM 11. ADJOURNMENT

With there being no further business brought before the Council, Councilman Satterfield motioned to adjourn; Councilman Lawter seconded the motion. Motion carried 5-0 at 8:15 PM.

Duly adopted by the Clayton Town Council this _____ day of January 2013, while in regular session.

ATTEST:

_____
Jody L. McLeod,
Mayor

_____
Sherry L. Scoggins, MMC
Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 3b **Meeting Date: 1/7/13**

TITLE: ADOPTION OF THE MEMORANDUM OF UNDERSTANDING WITH JOHNSTON COUNTY HEALTH DEPARTMENT ON CLOSED POINTS OF DISPENSING PARTNER PROGRAM.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:	Action:	Info. Provided:
12-17-12	Presentation.	N/A.
1-7-13	Approval.	Memorandum of Understanding.

JOHNSTON COUNTY

CLOSED POINTS OF DISPENSING PARTNER PROGRAM PLANNING GUIDANCE

OCTOBER 2009

Memorandum of Understanding Regarding Closed Points of Dispensing for Mass Dispensing/Treatment

This Memorandum of Understanding is entered into by and between Johnston County Department of Public Health and Town of Clayton.

Name of Organization Town of Clayton

Address Post Office Box 879

City Clayton, NC 27528

Primary Contact Person Lee Barbee

Contact Phone Number 919-422-3021

Definitions:

1. Johnston County Department of Public Health (JCDPH)
2. Strategic National Stockpile (SNS)
3. Point of Dispensing (POD): Site used to dispense medications
4. Closed Point of Dispensing (POD): Site used to dispense to the organization's staff/staff family members ONLY
5. Provider: Organization that has agreed to be a Closed POD

The Centers for Disease Control and Prevention (CDC) has established a national program to assist states in the event of a catastrophic event.

The CDC, through the North Carolina Department of Health and Human Services, will provide the Strategic National Stockpile (SNS), which includes medications and supplies, to JCDPH.

The JCDPH approves the transfer of a pre-determined quantity of medication and supplies to Town of Clayton.

The JCDPH wishes to collaborate with the Town of Clayton to enhance the ability to respond to a catastrophic biological event or other threat of epidemic proportion.

The Parties Agree To The Following:

Organization Agrees:

1. To request medications according to the number of staff and identified household members.

2. To assume responsibility of dispensing medications to the identified individuals by the Provider's trained staff at a site chosen by the Provider with no liability assumed by the JCDPH.

3. To utilize pharmaceuticals in accordance with the policies and procedures outlined in the Johnston County Public Health Emergency Operations Plan and the Provider's own Mass Dispensing Plan that is on file with the JCDPH Preparedness Coordinator.

4. To dispense medication per established protocols provided by the JCDPH under the supervision of appropriate licensed medical personnel.

5. To provide any updates or changes in the Provider's Mass Dispensing Plan to the JCDPH.

6. To provide training and education to all Providers' staff that will be utilized in the Mass Dispensing Operations in regards to specifics of the Provider's Mass Dispensing Plan.

7. To identify employees by geographical residential jurisdiction and provide the information to the JCDPH.

8. To NOT charge employees/family members for medications, supplies or administration that have been provided through this agreement, except as permitted by the State of North Carolina or CDC.

9. To participate in any JCDPH-sponsored dispensing training/education opportunities.

10. To provide emergency point-of-contact information to ensure timely notification of the Provider in the event of a public health emergency and to notify JCDPH in writing within 30 days of any changes in point-of contact information.

11. To dispense medication and/or supplies in accordance with the guidance provided by JCDPH.

12. To maintain accurate inventory records of medications/supplies dispensed and to provide those records to the JCDPH in a timely manner.

13. To secure any unused medications/supplies until a time when the JCDPH can make arrangements for retrieval.

14. To compile and file an after-action report with the JCDPH, identifying shortfalls and accomplishments of the operation.

15. To provide or obtain adequate security for supplies as incident requires.

County Health Department Agrees:

1. To provide Mass Dispensing specific training/educational opportunities to the Provider's identified staff.

2. To provide pre-event planning and technical assistance, including but not limited to supply lists, POD layouts, fact sheets, dispensing algorithms. etc.

3. To conditionally ensure delivery/availability of the appropriate amount of medication in a reasonable, timely manner.

4. To provide coordination as outlined in the Johnston County Emergency Operations Plan to the Provider to the best of their ability.

5. To provide the Provider with proper standing orders and medical protocols regarding dispensing activities including but not limited to dosing, follow-up procedures and releasable information regarding the public health emergency situation.

6. To provide the Provider with consultation and assistance as needed and available for the given public health emergency.

7. To make arrangements to collect any unused medication as well as copies of all medical documentation.

8. To provide after-action consultation to the Provider.

It Is Mutually Agreed That:

1. The confidentiality of clients and client information will be maintained as written and enforced by the Health Insurance Portability and Accountability Act (HIPAA).

2. This Memorandum can be extended on a one year interval with agreement of both parties.

3. This Memorandum can be amended by mutual agreement of both parties at any time and may be terminated by either party upon 60 days notice in writing to the other party.

4. This Memorandum will not supersede any laws, rules or polices of either party.

5. This memorandum will go into effect only at the request and direction of the JCDPH.

6. The Provider will be considered a Closed POD in that it would not dispense medications/supplies to the "general public" but to identified staff, family members, contacts or specific groups identified in the Provider's Mass Dispensing Plan and the JCDPH SNS Plan.

7. The Provider will follow the dispensing directives of the JCDPH during Mass Dispensing Operations.

8. It is understood that the Provider's participation is completely voluntary and may not be utilized/available at the time of the dispensing event. If so, the Provider would not be considered a Closed POD and their identified clients, staff, etc would be required to attend a public POD operated by the JCDPH and would not receive any preferential treatment.

SIGNATURES:

My signature indicates agreement with the above stated agreements and conditions:

_____	_____
(Johnston County Health Director)	(Date)
_____	_____
(Provider Representative)	(Date)
_____	_____
(Provider Representative)	(Date)
_____	_____
Other	(Date)

SECTION 1: OVERVIEW

Introduction

Public Health can help prevent the spread and severity of these public health emergencies by rapidly dispensing medications to everyone in the affected area.

The "push" dispensing strategy involves pushing medications to partner agencies (Closed POD Partners) that then dispense the medications to the people at the organization such as their employees, employee family members and clients/patients, if applicable. The county will provide free medications, as available, from state and federal stockpiles to all Closed PODs based on the number of employees and their estimated family totals.

Purpose

The purpose of this document is to provide an overview of the Closed POD Partner Program and a detailed description of how to implement the program. This document will provide guidance on how to prepare the organization to be a Closed POD, how to get the medications/vaccinations once an event occurs and how to dispense the medications to employees, family members and clients/patients.

The following is an outline of information that is provided on the remaining pages.

- Section 2: Dispensing Plan
- Section 3: Receiving Medications
- Section 4: Dispensing Medications
- Section 5: Preparing the Organization
- Section 6: Attachments

How the Closed POD Partner Program Works

By participating in the Closed POD Partner Program, the organization will provide a valuable and appreciated service to their employees and their families. In addition, it will help employees avoid long wait times at the PODs if they can receive the medication where they work.

- Joining – The first step is for the organization to join the Closed POD Partner Program and sign the Memorandum of Understanding (MOU) at the beginning of this packet.

- Education & Training – The second step is for the agency/organization to educate and train their staff to the specified mass dispensing plan, including Incident Command System (ICS) 100.a and the National Incident Management System (NIMS) 701.

- Planning – Each organization should create a specific dispensing plan. A dispensing plan template (Attachment A) is available to assist in developing the organization's dispensing plan. Additional pre-event planning assistance is available through the Health Department.

- Activating – During a public health emergency in the area, the Health Department will contact the organization and provide instruction on activation. If the organization is activated, they will then activate their dispensing plan.

- Exercising – You always respond how you practice. Closed POD Partners are encouraged to participate in local health department exercises and drills designed to test the plan. Also, each agency/organization should hold internal exercises; either discussion-based or operational.

SECTION 2: PLANNING

Preparing the organization to dispense medications in a large-scale public health emergency can be accomplished by creating a dispensing plan that addresses the organization's specific needs. Each organization is unique in the number and type of its employees as well as in its business operations and/or the type of services offered and clients/patients served. All of these factors will affect how the organization dispenses medications to its employees and families.

The organization's plan will describe how the organization will prepare to dispense medications. It should include the following sections:

1. Contact Information – identify Closed POD Partner Coordinators.
2. Target Populations – identify to whom the organization will dispense medications.
3. Communications – list how the organization will communicate with the health department and employees before, during and after an emergency.
4. Planning – identify activities and plans needed to dispense medications to target population.
5. Inventory – create a system to manage inventory.
6. Dispensing – include protocols for screening and dispensing medications.
7. Reports – identify necessary reporting needs for you and the Health Department.
8. Deactivation – plan for the return of medications when the emergency is over.

Contact Information

This section of the organization's dispensing plan will identify the Closed POD Partner Coordinators and provide contact information. Contact information should be available for planning prior to an emergency and responding during an emergency.

Target Populations

This section of the plan will indicate to whom the organization will dispense medications (employees, employees' family members and clients/patients) and provide an estimated number of employees and

employee family members– both adults and children. This will enable the Health Department to estimate the amount of medications to provide in a public health emergency.

These numbers may change over time and may never be exact, but the organization should provide the best estimation at the time. In addition, the organization should update their plan regularly or whenever there is a significant change in the organization. If, during an emergency, the estimated numbers do not meet the needs of the organization, a request for more supplies may be made through the appropriate channels.

Communications

As a Closed POD Partner, it is important for the organization to communicate with its employees and/or clients/patients before the event, during the event and after the event. In this section of the dispensing plan, the organization should briefly describe how these communications will occur and who will be responsible for them. In addition, this section of the plan should contain contact information for Closed POD Partner planning questions and Closed POD Partner emergency contact information.

Before the event, the organization may communicate with employees about:

- Basics of the Closed POD Partner Program.
- The organization's dispensing plan.
- Roles and responsibilities of employees in an emergency involving Closed POD Partners.
- Basics on how medications will be dispensed to employees, their family members and clients.
- Information they should bring when the medications are dispensed to assist in screening for possible allergies and/or contraindications to make sure each person gets the best medication for him/her.

During the event, communicate with employees about:

- Where and when to report to work.
- Assigned Push Partner jobs and how to perform those jobs.
- Where and when they will receive their medications.
- What information they should have in order to receive their medications.
- Drug information sheets.
- How they can keep informed about the emergency.

After the event, communicate with your employees about:

- Important medication information.
    - Remind them to complete the full therapy. Are they taking their pills?
    - Remind them to take only as directed.
- The outcome of the organization's dispensing effort.
- Any questions or concerns they may have and how to find further information, as needed.

Planning: Receiving and Dispensing Medications

The four key preparation activities are 1) planning for receipt of medications/vaccinations, 2) getting materials ready that are needed when dispensing the medications/vaccinations, 3) identifying sites and

vehicles (if needed to deliveries to clients/patients) and 4) preparing employees for Closed POD Partner jobs.

1. ***Getting medications*** from the county is the organization's responsibility. The organization's plan should include a section regarding details of pick-up *and* security. Upon activation, the organization will be given the address and directions to the local distribution site. During the phone call, the Closed POD Partner Coordinator will need to notify the Health Department who the designated person(s) will be picking up the medications; only pre-identified personnel will be allowed onsite.

2. ***Getting materials ready*** involves copying enough required materials for the number of people to whom the organization will be dispensing medications. In this section of the dispensing plan, the organization will indicate how to copy and organize needed forms. Some sample forms required for recordkeeping can be requested from the Health Department.

   In addition to preparing forms to hand out with medications, forms for employee instructions should be prepared. Job Action Sheets are designed to assist the organization in carrying out Closed POD Partner responsibilities. The Job Action Sheet is where the organization can identify job assignments for Closed POD Partner responsibilities. Two job action sheets are included, 1) for the Closed POD Partner Coordinator and 2) for the Dispenser. You may decide to create additional job action sheets for other positions you identify to support your operation.

   Lastly, the Closed POD Partner Final Summary Form (Attachment E) should be readily available during an emergency. This is a brief form the organization will complete when finished dispensing medications. It provides a brief summary of the Closed POD Partner effort.

   All of the required forms should be filed with the dispensing plan in an easy-to-access location.

3. ***Getting site(s) and vehicle(s) ready*** involves designating a dispensing site(s) and identifying delivery vehicles (if applicable). The site address and contact information should be recorded as well as contact information for personnel responsible for driving or supplying the vehicles. If assets (building or vehicles) are not owned by the organization, an MOU should be signed between the organization and the supplying organization.

4. ***Getting staff ready*** involves describing how the organization will select and prepare employees for their Push Partner responsibilities.

Inventory Plans

In this section the organization will identify the person authorized to accept/pick up and sign for the medications from the county warehouse or designated POD and where they will be securely stored. The

organization will also identify who will perform the security escort, initial inventory and ongoing inventory duties. Lastly, the organization needs to identify a system that will track the inventory.

Dispensing Plans

As a Closed POD Partner, one of the main priorities is to protect the employees and their families. The organization will begin to dispense the medications as soon as they have been delivered. The organizational plan should address where dispensing will occur for employees and families. It should include exact locations within the building where an employee will report and any necessary identification needed to screen prior to dispensing. The plan should also prioritize employees in the event a minimum amount is received on the first shipment.

Reporting Plans

The Health Department has a responsibility to provide reports to the state and federal governments regarding medication dispensing. It is important all forms and reports are submitted back to the Health Department following the event. In addition to the Closed POD Partner Final Summary Form, some inventory reports (number of people medicated and remaining inventory numbers) may be requested during the event.

Deactivation: When the Emergency is over

After the event, any remaining medication will need to be returned to the Health Department. The organization's plan should include procedures for the inventory and return of those medications.

SECTION 3: PREPARING FOR THE MEDICATIONS

Request Medications

After completing and signing the Memo of Agreement (MOA is located in beginning of this document), the organization is ready to plan for the receipt of medications during an emergency. Upon declaration of a public health emergency, the Health Department Administrator or designee will contact the organization's Closed POD Partner Coordinator, or backup, to confirm that the organization is still able to dispense medications, to confirm that the numbers of medications needed have not changed and to let the organization know when and where an authorized employee can go to pick up medications.

The estimated numbers of employees and employees' family members will determine how many courses of medications the organization receives. If the organization notices during the dispensing operations that demand of meds is surpassing the organization's allotted supply, the organization may request additional medications before their stock runs out. The request should be made through the Health Department. The contact person, phone number for reporting and any additional supplies will be provided upon pick-up of the medications.

It is possible that not all requests will be filled immediately and your agency may only receive a partial shipment to begin with. In this case, the organization will receive instructions concerning an additional pick-up time and quantity. In these instances you may want to send one bottle home per employee and

have them share with family members until the additional supplies are received. In the rare event enough medications cannot be acquired by the local authorities or state authorities, the Health Department will contact your organization to suggest alternative sites where the organization's employees may get medications.

Prepare to Dispense Medications

Communicate. The first stage of preparation is communication. The organization should inform employees and clients that medications will be dispensed more conveniently at designated locations and they will not have to go to the general population PODs. Advise them to bring or have available a current list of the medications (prescription medications and over the counter drugs, vitamins, minerals and antacids) they take and of any known drug allergies. The organization should let the employees know how it plans to dispense medications once they are received.

There are two possible ways you will be dispensing medications: 1) pulling by dispensing through a line up and 2) pushing by having managers and other staff to deliver medications to the employees while they work.

Copy dispensing materials. The organization will need to make copies of the inventory form, medication screening form and drug information sheets (Samples can be obtained from the Health Department). Also, to support employees in the tasks they perform during an emergency, make copies of the Job Action Sheets (Attachment B) and provide them in advance (be sure to have extra copies to hand out during an emergency). The goal is to have everything prepared so that when the medications arrive the organization can start dispensing right away.

Get site(s) and vehicle(s) ready. The organization will need to prepare the site(s) and vehicle(s) if you are delivering medications to clients, for screening and dispensing. Prepare the designated space(s) and make sure an adequate number of the dispensing-related forms are taken to the site(s) and put in the vehicle(s).

Prepare staff for Closed POD Partner responsibilities. Employees need to get ready to perform their assigned functions, whether helping clients fill out the screening forms, answering questions, dispensing the medications at a specific site or delivering medications. If possible, there should be someone placed solely in charge of tracking the medications; who is not dispensing. This person can track the inventory and the forms, as well as provide information back to the Health Department (possibly the Closed POD Partner Coordinator). If someone other than the Coordinator is managing these responsibilities, it will be important to inform him or her how to order more medications from the Health Department, if needed.

Pickup medications at the Closed POD Partner Distribution Site. An employee of your organization who has been authorized to pick up medications must go to the Distribution Site location that was conveyed in the initial communication from the Health Department announcing the Closed POD Program activation. A security escort could be helpful to insure safety of those medications back to the organization.

The medications will be in unit-of-use bottles with the bottles packed into boxes or sacks. The organization may receive multiple boxes, some partially full, depending on the number of employees, employee family members and clients. Make sure the designated pick-up vehicle can accommodate all of the medications.

Once the medications are picked up, they should be stored in a secure location (at a minimum, a locked room) and stored in a climate controlled, secured location; each medication will have specific requirements for storing and administration (e.g. no extreme heat or cold). Only the person tracking inventory, and security, should have access to the medications to insure a quality control.

SECTION 4: DISPENSING THE MEDICATIONS

Screen for Appropriate Medication

The Health Department requires that each person receiving medications from a Closed POD Partner fill out the Name, Address & Personal History (NAPH) form. Employees who are picking up medications for family members need to list their family members on the same NAPH form. **EVERY person picking up medications MUST fill out a NAPH form.** This is important for quality control.

Screening is critical to ensuring that people get the medication that is best for them. Please note the NAPH form screens strictly for drug allergies. A medication interaction form is also available to handout to patients so they can review the form and ensure the medication they receive is right for them.

To help patients fill out the NAPH form correctly you should plan on the following:

- Signs – if your employee population is large and you expect long lines, putting signs up may help educate employees while they are waiting.
- Translators – if you have employees/clients that speak a different language, cannot read or write, are blind or have another disability, you may need to establish a special needs section and have additional staff assist these people.

Completed NAPH forms must be kept for each and every person to whom you dispense medications. These forms must be forwarded to the Health Department, along with the Closed POD Partner Final Summary Form after the event. If the organization has the resources to electronically capture all the data, please provide a basic spreadsheet listing the information on the NAPH form at the time of submittal. Capturing the data electronically helps to ensure the organization's employees, employee family members and clients receive the correct medication and can easily allow the Health Department to quickly search for medications in question.

Dispense Appropriate Medications and Drug Information Sheets

Once you have determined the appropriate medication in the screening/NAPH form process, you will be giving the client a designated quantity of pills. Be prepared to give the appropriate drug information sheet with the medications/vaccinations. However, it may not always be necessary to do this.

Symptomatic People

It is the policy of the Health Department to direct them to the nearest hospital, or designated facility. Make sure sick employees reporting to work are sent home or to the nearest hospital and are not allowed to stay onsite. Encouraging, or even allowing sick employees to report to and stay at work may spread the disease jeopardizing the lives of your employees, their family members and the clients/patients.

ATTACHMENT A:
CLOSED POD PARTNER DISPENSING PLAN TEMPLATE

The organization's Closed POD Partner coordinator designee can fill in this template by responding to the questions or use it to guide in the development of the organization's dispensing plan. Additional guidance is available through the Health Department. Sections 1-3 are required and the remaining are optional.

Name of Agency: _____

Address: _____
Street / City / State / Zip

1. Contact Information

Closed POD Partner Coordinator

Name: _____
(person assigned to coordinate the organization's Closed POD Partner activities and to communicate with the Health Department)

Coordinator Title: _____

Work Phone: _____ Cell Phone: _____

Pager: _____ Email: _____

Backup Coordinators *(in case Push Partner Coordinator is unavailable)*

Name: _____

Title: _____

Work Phone: _____ Cell Phone: _____

Pager: _____ Email: _____

Name: _____

Title: _____

Work Phone: _____ Cell Phone: _____

Pager: _____ Email: _____

2. Target Audience: *(check all that apply)*

Who

- ☐ Employees
- ☐ Employee Family Members

Quantity - *Estimate* *the number of people to whom you will dispense medications for each group below.*

Target Audience	Number of **Adults**	Number of Employee Family Members Adults and Children (Estimate)
Employees, volunteers & contractors		
Other:		

Language

Estimate the # of employees that prefer to speak a language other than English: _____

List the alternate languages: _____

3. Communications Plan

Before the Event

Do you plan to communicate with employees before the event? ___ yes __ no

If yes, describe how you will do this and who will do it *(use the bullet points below to help plan)*.

Responsible Person:_____

Description of Plan: _____

_____

_____

Before the event, communicate with your employees about:

- *Basics of the Closed POD Partner Program.*
- *Your organization's dispensing plan.*
- *Roles and responsibilities of employees in an emergency involving Closed POD Partners.*
- *Basics on how medications will be dispensed to employees, their family members and clients.*
- *Information they should bring when the medications are dispensed to assist in screening for possible allergies and/or contraindications—to make sure each person gets the best medication for him/her.*

During the Event

How do you plan to communicate with employees during the event?

Describe how you will do this and who will do it *(use the bullet points below to help construct your plan).*

Responsible Person:_____

Description of Plan: _____

_____

_____

During the event, communicate with your employees about:

- *Where and when to report to work (employees only).*
- *Closed POD Partner jobs and how to perform those jobs (employees only).*
- *Where and when they will receive their medications.*
- *What information they should have in order to receive their medications.*
- *Drug information, including what they should do if they have an adverse reaction to the medication.*
- *How they can keep informed about the emergency.*

After the Event

How do you plan to communicate with employees after the event?

Describe how you will do this and who will do it *(use the bullet points below to help construct your plan).*

Responsible Person:_____

Description of Plan: _____

_____

_____

After the event, you may communicate with your employees about:

- *During the recommended course of medications, are they taking their pills? It is important for everyone to take all of their pills (until they are finished).*
- *The outcome of your organization's dispensing effort.*
- *Any questions or concerns they may have and how to find further information, as needed.*

Redundant Communication Systems

Check all methods you will use:

Telephone: ☐ External information line ☐ Call center/phone bank

Electronic ☐ Website posting ☐ Mass email message

Hard copy: ☐ Blast faxes

In Person: ☐ Meeting/Presentation ☐ Visits to clients' homes

☐ Other? (*Please specify:*_____)

4. Planning

Activation

When an emergency has been declared, the Health Department Administrator will contact the Closed POD Partner Coordinator or back-up coordinator to inform them: 1) if the Closed POD Partner Program will be activated and 2) when and where to pick up medications. At that time, the organization's dispensing plan will be activated.

Once the Distribution Site is open, the Health Department will contact you to confirm that your organization still wants to dispense medications, to confirm the numbers needed (see table on first page) and to confirm that you have necessary documentation and resources required to pick up medications.

Form Copies

Estimate the number of copies you will need for each of the following:

Item	**Number Needed**
Dispensing Plan *(this document)*	
Medication NAPH forms (to be filled out by each person PICKING up meds)	
Job Assignment Form and Job Action Sheets	
Job Assignment Form	
Push Partner Coordinator	
Push Partner Dispenser	
Other:	
Other:	

Do you own a copier that you can use for this copying? ☐ yes ☐ no

If yes, list person responsible for making the copies: _____

Location of copier(s) to be used: _____

If no, list agency/location to make copies: _____

Address of copy location: _____

Contact# for copy location: _____

Sites

The amount of site preparation will depend on the number of people you plan to dispense medications to at your organization—whether it's a small number of employees, or a large number of employees and/or clients.

Number of sites needed to dispense: _____

Address of site(s): _____

Street / City / State / Zip

_____

Street / City / State / Zip

Are all sites owned by the organization? ☐ yes ☐ no

If no, are MOU's in place with site owners? ☐ yes ☐ no

What will you have to do to get site(s) ready (fill in those applicable) to screen for and dispense to staff and/or clients?

Site 1

Tables & Chairs ☐Onsite ☐ Need to bring onsite*

*If not onsite list contact person to retrieve:_____

Office Supplies ☐Onsite ☐ Need to bring onsite*

*If not onsite list contact person to retrieve:_____

Use the space below to create or attach a layout depicting table setup and flow of patients picking up meds.

Vehicles

What types of vehicles will be used to pickup meds from the county distribution center?

☐ Agency owned
☐ Employee owned
☐ Rented or partner agency*

List contact person for acquiring vehicles: _____

If delivering medications (e.g., to client homes), how many vehicles will be needed? _____
What types of vehicles will be used to deliver meds?

- ☐ Agency owned
- ☐ Employee owned
- ☐ Rented or partner agency*

List contact person for acquiring vehicles: _____
What will you have to do to get vehicles ready to screen for and dispense to clients?
Remember to organize copies of forms per site/vehicle and deliver them to site(s) and vehicle(s).

Staff

Identify responsible staff assisting with the organization's dispensing operation:

Role, name, Wk #, Cell#, Trained

Role	Name	Wk#	Cell#	Trained in role
Coordinator				
Coordinator				
Dispenser				
Dispenser				
List others				

5. Inventory

Receipt

Person(s) authorized to pick-up and sign for the medications *(please list all with authority)*:

- ☐ Closed POD Partner Coordinator
- ☐ Backup #1
- ☐ Backup #2
- ☐ Other: (*If other, please specify):* _____

The person(s) authorized to accept pick up medications must present 1) a business issued ID ***and*** *2) an organization ID or signed letter from the organization's Director/Owner explicitly authorizing that person to pick up the medications.*

Managing

Where do you plan to store the medications? *The medications should be stored in a secure location (at a minimum a locked room) and stored in a climate controlled area.*

All remaining medications must remain secured after dispensing is completed until the scheduled return of the medications to the Health Department.

6. Dispensing

Employees

Employees will be instructed to report to work for the medications or to the following location(s) to pick-up the medications for themselves and their families:

1. Building Name & Address: _____

   Room Number or Location: _____

2. Building Name & Address: _____

   Room Number or Location: _____

3. Building Name & Address: _____

   Room Number or Location: _____

Employees will be required to show: ☐ No ID ☐ Employee ID ☐ State Driver's License

Screening

NAPH Form - Every person picking up medications will be required to fill out one NAPH form for all of the individuals they are receiving medications for. Employees will not receive medication until a NAPH form has been completed and turned in. *(An electronic NAPH form may be obtained from the Health Department.)*

Drug Information Sheet – Every person picking up medication will receive a drug information sheet to ensure they are familiar with the medications they receive.

7. Reporting

Reports

The organization will provide all information requested by the Health Department. It is understood regular call-in reports of medication inventory may be required. These reports will be phoned into the Health Department at their designated schedule.

All patient NAPH forms will be returned to the Health Department and will be kept in a secure location until that transfer is made.

The organization will tally up for the end of the event:

Total # of Patients Seen (# of NAPH forms collected)
Overall total # of regimens dispensed (# of people listed on all NAPH forms)

The organization will be able to type in the information on the NAPH form in a basic Excel Spreadsheet prior to returning them to the Health Department. ☐ yes ☐ no

8. Deactivation

Returning Medications

When the emergency is over, the Health Department will inform the Closed POD Partner Coordinator, or backup, when and where to return leftover medications.

NAPH forms (and electronic file if available) should be returned at the same time.

ATTACHMENT B: JOB ACTION SHEETS

JOB ACTION SHEET – Closed POD PARTNER COORDINATOR

Position assigned to: Closed POD Partner Coordinator

Staff Name: _____

Mission: Act as lead contact person for the Health Department. Coordinate the overall Closed POD Partner effort at the organization.

Dispensing Plan

- ❑ Familiarize yourself with the Closed POD Partner Program Planning Guidance Document.
- ❑ Complete the organization's Closed POD Partner Dispensing Plan and provide an electronic copy to the Health Department.
- ❑ Review your Closed POD Partner Dispensing Plan periodically to ensure accuracy.
- ❑ Communicate the Closed POD Partner Dispensing Plan to your employees and inform staff of their responsibilities in the effort

Getting the Medications

- ❑ Get information about activation of the dispensing plan from the Health Department via email/phone.
- ❑ Request additional medications if initial estimates are insufficient by calling the contact number provided upon initial delivery
- ❑ Preparation/Set up logistics
- ❑ Communicate with your employees and clients that you will be dispensing medications
- ❑ Copy dispensing materials (screening/NAPH forms and drug information sheets)
- ❑ Send an authorized staff person to the Closed POD Partner Distribution Site to pick up medications

Dispensing the Medications

- ❑ Monitor dispensing of medications on-site
- ❑ Ensure appropriate screening and drug dispensing
- ❑ Ensure distribution of drug information sheets
- ❑ Monitor dispensing of medications (*at the facility, any deliveries, and/or at an alternate location*)
- ❑ Ensure appropriate screening and drug dispensing
- ❑ Ensure distribution of drug information sheets
- ❑ Provide inventory updates and patient counts to the Health Department, as requested
- ❑ Complete the Closed POD Partner Final Summary Form and submit to the Health Department at the end of the event

JOB ACTION SHEET – Closed POD PARTNER DISPENSER

Position assigned to: Dispensing

You report to: Push Partner Coordinator

Staff name: _____

Mission: Screen and, if appropriate, dispense medication per screening process for those with no contraindications to the standard prophylaxis with appropriate medication information sheet.

Prepare to Dispense

- ❑ Receive assignment from Closed POD Partner Coordinator
- ❑ Read this entire Job Action Sheet
- ❑ Familiarize self with screening process, dispensing of medications and medication information sheets

Dispense Medications

- ❑ Screen employees, employee family members, clients, and other designated persons for appropriate medications according to screening process/NAPH Form.
- ❑ Ensure a NAPH Form is completed for every person picking up medications
- ❑ Ensure that medication dispensed is properly labeled
- ❑ Distribute appropriate medication information sheets. Instruct recipients that they need to read the instructions about what to do if they are taking one of the listed drugs. In cases where drug information sheets are not distributed, inform recipients that they should go to the CDC website or the Johnston County Health Department website for information about the drugs they just received.
- ❑ Give Closed POD Partner Coordinator feedback about what is working well and what is not working well

IF YOU ENCOUNTER A PROBLEM WHILE DISPENSING, CONTACT YOUR CLOSED POD PARTNER COORDINATOR IMMEDIATELY

ATTACHMENT C: CLOSED POD PARTNER FINAL SUMMARY FORM

Included in this attachment is the Closed POD Partner Final Summary Form to be completed and submitted after the event.

Closed POD Partner Final Summary Form

The information for this form should be collected throughout the event and submitted to the Health Department within 48 hours after completion .of the organization's mass dispensing/vaccination campaign (all employees, employee family members, clients have received medication).

Organization Information:

Closed POD Partner organization name: _____

Organization address: _____

Closed POD Partner Coordinator name:_____

Coordinator work phone: _____

Coordinator email: _____

Activation/Start-up Information:

Time of activation (received initial phone call):_____

Time of medication pick-up at distribution center:_____

Initial quantity received: (Doxy/Cipro/Other) _____

Start time for employee prophylaxis: (Date/time employees instructed to arrive) _____

_____

Start time for client prophylaxis: (Date/time clients instructed to arrive)_____

_____

End time: (Date/time last prophylaxis issued) _____

Final Numbers:

Total number of people who went through: (number of NAPH forms) _____

Total number of people receiving medications: (number of bottle of pills issued) _____

Total number of medication bottles returning:

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 3c **Meeting Date: 1/7/13**

TITLE: EXTENSION FOR THE ARCHER LODGE FIRE DEPARTMENT SERVICES AGREEMENT.

DESCRIPTION: In 2000, the Clayton Town Council and Archer Lodge Fire Department executed an agreement for the provision of fire protection to the Riverwood Athletic Club by the Archer Lodge Fire Department for a term of ten years.
In 2008, the Clayton Town Council and Archer Lodge Fire Department executed an amendment and supplement to the service agreement to include the areas of Riverwood Athletic Club and those areas annexed for a term thru 2012.
The proposed second amendment and supplement service agreement between the Town of Clayton and Archer Lodge Fire Department provides that the Archer Lodge Fire Department would provide fire protection to the Riverwood Athletic Club and those areas annexed by the Town of Clayton for a five year term beginning January 1, 2013.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:	Action:	Info. Provided:
12-17-12	Presentation.	Service Agreement (2000), Amendment & Supplement Agreement (2008), & Second Amendment & Supplement Agreement (2012).
1-7-13	Approval.	Second Amendment & Supplement Agreement (2012).

STATE OF NORTH CAROLINA

COUNTY OF JOHNSTON

SECOND AMENDMENT AND SUPPLEMENT TO SERVICE AGREEMENT

This SECOND AMENDMENT AND SUPPLEMENT TO SERVICE AGREEMENT (this "Amendment") is entered into this _____ day of _____, 2013, by and between the TOWN OF CLAYTON, NORTH CAROLINA, a municipal corporation organized and existing under the laws of the State of North Carolina (the "Town"), and the ARCHER LODGE VOLUNTEER FIRE DEPARTMENT, a corporation organized and existing under the laws of the state of North Carolina (the "ALVFD") (collectively, the "Parties").

WITNESSETH:

WHEREAS, the ALVFD provides fire prevention services, fire suppression services, fire inspection services, first responder services, and related emergency response services (the "Services") within a certain geographic area in Johnston County, North Carolina (the "Area");

WHEREAS, the Parties entered into a Service Agreement (the "Original Agreement") on May 8th, 2000 under which the ALFVD agreed to perform the Services for the Riverwood Athletic Club for a term of 10 years;

WHEREAS, the parties further agreed to an extension of the Original Agreement by Amendment dated September 2, 2008; and,

WHEREAS, the Original Agreement and the September 2, 2008 Amendment have served the Town, the ALVFD, and the citizens well and acceptably; and

WHEREAS, both parties wish to extend the term of the Original Agreement, as amended, for the benefit of both parties, the residents, businesses, and property owners in the Riverwood Athletic Club and other Annexed Properties;

NOW, THEREFORE, for and in consideration of the mutual promises, covenants and stipulations contained in this Amendment, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **Term**. The term of the Agreement shall be extended for five years beginning January 1, 2013 unless sooner terminated pursuant to Paragraph 7 of this Amendment; provided however, the Parties may renew the Agreement for successive one (1) year terms by executing a written agreement prior to expiration of the then-current term or renewal term.

2. **Service**. The ALVFD shall provide the Services to the Properties on call, on demand and as otherwise needed, with service as equivalent as possible to the service enjoyed by the majority of the residents and properties within the Area, and in compliance with all applicable laws and regulations.

3. **Annexed Properties**. "Annexed Properties" will only include properties annexed by the Town following the submittal of an annexation petition and the Town's subsequent enactment of an annexation ordinance, as provided in Sections 160A-31 and 160A-58.1 of the North Carolina General Statutes. The Town shall provide to the ALVFD the location and, if available, the expected nature of development of any property to be included among the Annexed Properties at least six (6) months prior to the Town's adoption of an ordinance formally annexing the property.

4. **Compensation**. The Town shall pay to the ALVFD on a quarterly basis twenty-five percent (25%) of the estimated annual Archer Lodge Fire District property tax revenue that would have been derived from the taxable real property located within the Properties if those Properties had remained in the Archer Lodge Fire District and not been annexed by the Town. The Town shall calculate each quarterly payment based on the then-prevailing tax rate in the Archer Lodge Fire District.

5. **Call Pay**. Paragraph 4 of the Original Agreement is deleted in its entirety, and the Town shall not be responsible for paying "call pay" to the ALVFD for Services performed after the date of this Amendment.

6. **Reconciliation**. Prior to February 1 of each calendar year during the Term and any renewal term, the Town shall calculate and compare (i) the total payments made by the Town to the ALVFD pursuant to the Agreement during the immediately preceding calendar year with (ii) the gross estimated revenue the ALVFD would have derived from the Properties during that calendar year if all of the Properties had been constituencies of the Town for the entire calendar year. If the amount in (i) exceeds the amount in (ii), then the ALVFD shall immediately remit the difference to the Town. If the amount in (ii) exceeds the amount in (i), then the Town shall immediately remit the difference to the ALVFD. The compensation referenced in Paragraphs 4 and 6 of this Amendment and in Paragraph 10 of the Original Agreement shall be the only compensation or other remuneration to which the ALVFD shall be entitled for any performance or other actions or omissions by the ALVFD pursuant to the Agreement.

7. **Termination**. Paragraph 9 of the Original Agreement is amended to provide that either party may terminate the Agreement at any time by giving one (1) year's prior written notice to the other party.

8. **Notice**. The notice addresses in Paragraph 16 of the Original Agreement are amended as follows:

if to the Town: Mr. Steven Biggs
Town Manager
231 E. Second Street
Post Office Box 879
Clayton, North Carolina 27520

with a copy to: Katherine Ross, Esq.
Town Attorney
Post Office Box 389
Raleigh, North Carolina 27602-0389

if to the ALVFD: Mr.Philip Driver, Chief
Archer Lodge Volunteer Fire Department
6483 Covered Bridge Road
Clayton, North Carolina 27520

with a copy to: James W. Narron, Esq.
Narron, O'Hale, and Whittington, P.A.
Post Office Box 1567
Smithfield, North Carolina 27577

9. **Full Force and Effect**. The provisions of the Original Agreement shall remain in full force and effect unless amended by this Amendment. To the extent the Original Agreement conflicts with this Amendment, this Amendment will control.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement the day and year first above written.

TOWN OF CLAYTON, NORTH CAROLINA

By: _____
Jody L. McLeod, Mayor

ATTEST:

_____
Sherry L. Scoggins, Town Clerk

[AFFIX CORPORATE SEAL]

ARCHER LODGE VOLUNTEER FIRE DEPT

By: _____
_____, President

ATTEST:

_____
[INSERT]

[SEAL]

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 3d **Meeting Date: 1/7/13**

TITLE: CLAYTON FIRE DEPARTMENT PERSONNEL ROSTER FOR THE "ELIGIBLE FIREMEN" PENSION FUND.

DESCRIPTION: Each year the Clayton Town Council reviews the Annual Certification of Firefighters roster. NC GS 58-86-25 requires that all certified fire departments submit a complete roster of its eligible firemen annually. This certified list determines eligibility for the $50,000 line-of-duty death benefit as well as eligibility for Pension Fund credit. Failure to accurately and promptly report this information is a violation of the NC GS and will automatically result in loss or reduction of benefits. This item must be received by the NC State Firemen's Association no later than January 31, 2013.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:	Action:	Info. Provided:
12-17-12	Presentation.	Roster.
1-7-13	Approval.	Roster.

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

2012
ANNUAL CERTIFICATION OF FIREFIGHTERS
This form MUST be filled out and sent in for your Roster Renewal to be complete

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

REPORT BY FIRE DEPARTMENT CHIEF

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

Name of Fire Department Clayton Fire Department

Fire Department Mailing Address PO BOX 879

City Clayton State NC Zip Code 27528

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

Signature of Fire Chief _____

Date _____ Daytime Telephone (919) 553-1520

County Johnston

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

Name of Governing Body Clayton Town Council

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

Authorized Signature _____ Title Mayor

Date _____ Daytime Telephone (919) 553-5002 ext 5004

North Carolina State Firemen's Association

2013 Fire Department Roster

Clayton Fire Department

NC State Fireman's Association
323 West Jones Street, Suite 401
Raleigh, NC 27603
800-253-4733
919-821-9382

This Roster was last updated on 07/06/2012

Clayton Fire Department

PO Box 879
Clayton, NC 27520

Day Phone (919) 553-1520
Email lbarbee@townofclaytonnc.org

Member Id: 100064
Member Type: FDP / Fire Dept Paid
Department Chief: Lee Barbee
Paid thru: 12/31/2012
NCSFA Member Y Certification Letter 2011

Paid	63	Retired	12
Vol	0	Vacant	7
Total	82		
County:	Johnston		

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

ID/Name/DOB

101911 - A. C. Atkinson
[redacted]
101912 - Anthony W. Atkinson
[redacted]

146027 - Donald P. Ayres
[redacted]
101916 - Lee Barbee
[redacted]
101920 - Jason J. Barbour
[redacted]
101921 - Ronald Hocutt Barbo
[redacted]
145572 - Bryan Belvin
[redacted]
101925 - M. W. Benson
[redacted]
101926 - R. M. Benson
[redacted]
101927 - S. R. Benson
[redacted]
142961 - Royce Mitchell Boyet
[redacted]
105785 - James W. Boykin, Jr.
[redacted]
168068 - Philip Michael Brady
[redacted]

North Carolina State Firemen's Association

This Roster was last updated on 07/06/2012

142959 - Jonathan Braswell
[redacted]

101928 - W. M. Bridges
[redacted]

168069 - Brian Buckman
[redacted]

101957 - Edward Byrd
[redacted]

102647 - Christopher J Carter
[redacted]

101932 - Russell G. Clawson
[redacted]

106085 - Stephen Jacob Corker
[redacted]

101924 - Benjamin Currie
[redacted]

101934 - Billy Irvan Daughtry
[redacted]

145102 - Jonathan Davis
[redacted]

106070 - Russell Davis
[redacted]

101935 - Jason D. Dean
[redacted]

156644 - Roy Ellis
[redacted]

152492 - Kenneth D Evans
[redacted]

101971 - Claude Austin Foster
[redacted]

142960 - Daniel Fox
[redacted]

152474 - Cole Gilbert
[redacted]

168064 - James Gilchrist
[redacted]

149734 - Paul Gregory Harris Ii
[redacted]

120625 - Daryle Wayne Harris
[redacted]

145101 - Carl P. Hengsberger Jr.
[redacted]

101942 - Kenneth William Herring
[redacted]

101943 - J. I. Hester
[redacted]

North Carolina State Firemen's Association

NC State Fireman's Association
323 West Jones Street, Suite 401
Raleigh, NC 27603
800-253-4733
919-821-9382

This Roster was last updated on 07/06/2012

101945 - James H. Hill
[redacted]

128809 - Michael Hine
[redacted]

101947 - E. D. Hockaday
[redacted]

113714 - Joshua B Holloman
[redacted]

101949 - Charles M. Jones
[redacted]

152430 - Robert Komar
[redacted]

113729 - Garrett Lane
[redacted]

101953 - Paul Lang
[redacted]

[redacted]

128821 - Samuel Martin
[redacted]

101955 - Jimmy D. Mclaurin
[redacted]

142956 - Mark Morris
[redacted]

168065 - Mac VU Nguyen
[redacted]

168063 - Michael Nixon
[redacted]

105782 - George Pettiford
[redacted]

101960 - Revis Brian Pounds
[redacted]

113733 - Travis Price
[redacted]

134990 - Stephen Renken
[redacted]

101961 - Sam E Robertson
[redacted]

101922 - Brian Ruksznis
[redacted]

101963 - R. N. Satterfield
[redacted]

105742 - Andrew Shaw
[redacted]

124041 - Stephen Smith
[redacted]

North Carolina State Firemen's Association

NC State Fireman's Association
323 West Jones Street, Suite 401
Raleigh, NC 27603
800-253-4733
919-821-9382

This Roster was last updated on 07/06/2012

152429 - Joshua Spivey
[redacted]

113731 - Matthew Vann Sprir
[redacted]

168061 - Kevin L. Stancil
[redacted]

101965 - Larry J. Such
[redacted]

105808 - Matthew Sutphin
[redacted]

101966 - Charles C. Sutton
[redacted]

168059 - Candler Gatlin Thorn
[redacted]

101970 - J. P. Tuttle, Jr.
[redacted]

145099 - Matthew Vessie
[redacted]

121826 - Jeffrey Scott Willian
[redacted]

168066 - Allen Williford
[redacted]

140601 - James R Wood
[redacted]

101972 - Kevin Wood
[redacted]

101973 - B. D. Worlds
[redacted]

105717 - Paul Zais
[redacted]

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 3e **Meeting Date: 1/7/13**

TITLE: WARRANTY ACCEPTANCE FOR ASPHALT PAVEMENT LOCATED AT COBBLESTONE SUBDIVISION, PHASE 7D, 7E, & 7F.

DESCRIPTION: Attached.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:	Action:	Info. Provided:
12-17-12	Presentation.	Memorandum.
1-7-13	Approved.	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

MEMORANDUM

To: Sherry Scoggins, Town Clerk

From: Chris Rowland, Construction Inspector CR

Copy: Steven Sanderson, Sanderson Engineering
Rob Bailey, Walthom Group
David DeYoung, Planning Director

Date: November 13, 2012

Re: Cobblestone Subdivision, Phase 7D, 7E, & 7F

The referenced asphalt pavement has been installed. Please schedule Council action for the acceptance of this work, subject to a one-year warranty period. Upon expiration of the warranty period, pavement and base course condition will be evaluated and any identified faults corrected prior to final acceptance.

received
11-14-2012 SRS

653 Highway 42 West • P.O. Box 879 • Clayton, North Carolina 27520 • (919) 553-1530 • Fax (919) 553-1541

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 5a **Meeting Date:** 1/07/13

TITLE: PUBLIC HEARING ON THE QUESTION OF ANNEXATION PETITION 2012-11-01; THE UNINCORPORATED PORTION OF COBBLESTONE CREEK SUBDIVISION.

DESCRIPTION: Legislative process; slated for public hearing on 1/7/2013.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:	Action:	Info. Provided:
11-19-12	Presentation.	Resolution & Map.
12-3-12	Approval.	Resolution & Map.
12-17-12	Approval.	Certificate of sufficiency, Resolution, & Map.
1-7-13	Public hearing.	Annexation ordinance & Map.

Ordinance Number:

ANNEXATION PETITION 2012-11-01
Creekside Commons Subdivision off of Avondale Drive
Parcel: 05H03023 (unincorporated portion of parcel)
Owner – AIS Forestry & Farming LLC (Algie Stephens)
CONTIGUOUS, unincorporated portion 11.16 acres out of 26.5 +/- parcel

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF CLAYTON, NORTH CAROLINA

WHEREAS, the Town of Clayton has been petitioned under G.S. 160A-31 to annex the area described below; and

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

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall at 6:30 PM on January 7, 2013, after due notice by publication on December 19, 2012; and

WHEREAS, the Town of Clayton finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Clayton as of June 30, 2013:

Parcel ID 05H03023; containing 26.9 +/- acres of which 11.16 are outside the corporate limits; located in Creekside Commons Subdivision south of Cobblestone Subdivision and off of Avondale Drive; and as described in Deed Book 3894 Pages 791-793 available at the Johnston County Register of Deeds Office:

Known as the Smith Place and described as follows: BEGINNING at a stake in the Ferrell Springs Branch, corner of Lot No. 3 in the division of lands of J. B. Smith, deceased, and runs thence S 59 degrees 30' W 22 chains to a stake with pointers in a small branch; thence S 5 degrees E 1.50 chains; thence S 21 degrees E 11.63 chains; thence S 87 degrees E 4 chains to a maple in Ferrell Springs Branch; thence up the meanders of said branch to the beginning, containing 48 ½ acres, more or less, and being Lot No. 4 in the division of the lands of J. B. Smith, decease, and being the land conveyed to E. W. Davis by Norma B. Gower, unmarried by deed recorded in Book 485, Page 291. And for further reference and description, see Book 525, Page 47, Johnston County Registry.

Being the same property conveyed by Deed recorded in Book 1610, Page 33, Johnston County Registry, LESS AND EXCEPT any prior out conveyances.

Section 2. Upon and after June 30, 2013, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Clayton and shall be entitled to the same privileges and benefits as other parts of the Town of Clayton. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Clayton shall cause to be recorded in the office of the Register of Deeds of Johnston County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Duly adopted this 7th day of January 2013, while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Sherry L. Scoggins, MMC
Town Clerk

Katherine Ross,
Town Attorney

NORTH CAROLINA
JOHNSTON COUNTY

This _____ day of _____, 2013, personally appeared before me Sherry L. Scoggins, Clerk of the Town of Clayton, who, being duly sworn by me, says that she knows the common seal of the Town of Clayton and is acquainted with Jody L. McLeod, who is the Mayor and presiding member of said municipal corporation; and that she saw the said Mayor sign the foregoing instrument and saw the said common seal of said municipal corporation affixed to said instrument by said Mayor, and that she, the said Sherry L. Scoggins, signed her name in attestation of said instrument in the presence of said Mayor.

Witness my hand and notarial seal, this the day and year first above written.

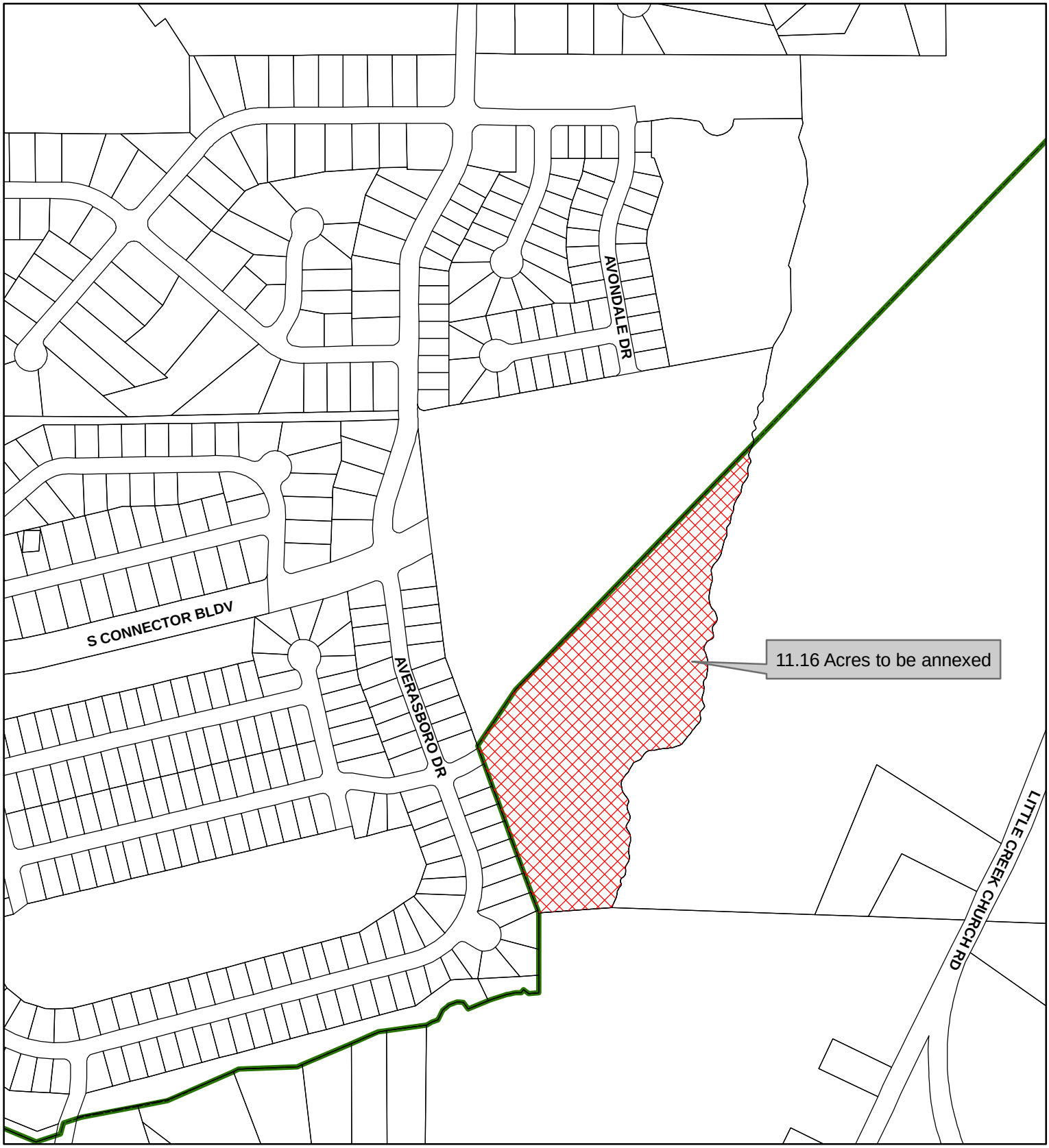
_____
Notary Public - Signature

(SEAL)

_____
Notary Public – Printed Name

Commission Expires: _____

County of Commission: Johnston



Annexation Map

J

Legend

- Clayton Town Limits
- Clayton ETJ
- Parcels

Applicant(s): AIS Forestry & Farming LLC
Property Owner(s): AIS Forestry & Farming LLC
Parcel Number(s) Portion of 05H03023
File Number(s): Annex 2012-11-01

Produced by: TOC Planning
November 15, 2012

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

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 5b **Meeting Date:** 1/7/13

TITLE: EVIDENTIARY HEARING FOR PRELIMINARY SUBDIVISION REQUEST SUB 2012-96 FOR EAST VILLAGE UNITS M2 & M3.

DESCRIPTION: The applicant, HagerSmith Design, is requesting the review of major subdivision request SUB 2012-96. The application is for the subdivision of land units M2 & M3 consisting of 9.35 acres. These two land units, located in the southwest corner of the East Village development, with frontage on the future East Front Street Extension, were approved for either multi-family or single-family development. In accordance with the two approved land uses, and in order for the developer to determine the ultimate best land use for this portion of the overall development tract, two subdivision options have been submitted for review.

At the December 17, 2012, Council meeting, Council requested documentation that emergency vehicles can access the proposal for the townhome site.

RELATED GOAL: Manage Growth Producing Quality Developments

ITEM SUMMARY:

Date:	Action:	Info. Provided:
12-17-12	Presentation & Public notice.	Application, Neighborhood Meeting information, staff Report, Townhome layout, Single-family subdivision Layout, & Site Plan.
1-7-13	Evidentiary hearing.	SUB Procedures, application, Neighborhood meeting info., Staff report, townhome Layout, single-family Subdivision layout, site plan, & motion form.

Town of Clayton
Subdivision Review Application
Hearing Procedure

1. **REGISTRATION.** Persons desiring to speak at an Evidentiary Hearing for review of a Subdivision Application must register with the Town Clerk by 5:00 PM on the day of the hearing. If time allotment remains for one side or the other once registered speakers have addressed the Council, additional speakers may be recognized by the Mayor to give testimony.

2. **HEARING.** The Mayor shall call the hearing and announce the case.

3. **RULES OF PROCEDURE.** The procedure by which testimony may be given shall be announced by the Town Attorney. The Town Attorney shall be responsible for keeping all testimony within acceptable legal guidelines.

4. **OATHS.** Oaths shall be administered to all speakers. A statement of oath shall be signed by all persons taking the oath.

5. **STAFF REPORT.** The Staff shall give its report.

6. **APPLICANT TESTIMONY.** The applicant shall be called to present their case. If the applicant or a representative is not present to give testimony, the Mayor shall call for a vote of the members present to continue the hearing for thirty days. The applicant shall be notified of such action. The applicant and those speaking in support of the application shall be provided a maximum of fifteen minutes to present their case. The Town Clerk shall keep time. The Mayor shall be responsible for keeping the testimony relevant and factual. No questions shall be asked by the Town Council at this time.

7. **OPPOSITION TESTIMONY.** Those speaking in opposition to the application shall be called upon to present their case. Those in opposition to the application shall be provided a maximum of fifteen minutes. If the opposition has not chosen speakers on their behalf, they shall be called in the order of registration or the order in which the oaths were signed. The Town Clerk shall keep time. The Mayor shall be responsible for keeping the testimony relevant and factual. No questions shall be asked by the Town Council at this time.

8. **APPLICANT REBUTTAL.** The applicant and/or those in support of the application shall be provided a maximum of five minutes to rebut testimony provided by the opposition. The Council may also ask questions of the applicant at this time.

9. **OPPOSITION REBUTTAL.** Those in opposition to the application shall be provided a maximum of five minutes to rebut testimony provided by the applicant. The Council may also ask questions of the opposition at this time.

10. **COUNCIL INQUIRY.** The Council shall ask any additional questions of the applicant, opposition, or staff at this time. There shall be no time limit except that the Mayor shall be responsible for keeping questions and responses relevant and factual.

11. **DELIBERATION.** The Mayor shall call the Council into deliberation. Once called into deliberation no person may address the Council and no questions may be asked by Council to the public.

12. **UTILITY ALLOCATION (WHEN APPLICABLE).** In the event of pending action on a utility allocation request related to the case and there being no additional testimony, the Council shall take action on a utility allocation in accordance with related policies and procedures.

13. **ACTION-FINDINGS FOR DECISION.** Once discussion of the evidence has been completed and action taken on the utility allocation (when applicable); each finding shall be discussed in turn and a motion, second and vote shall be made for each finding by selecting one of the three alternatives. A majority vote shall prevail. All four findings shall be addressed.

14. **ACTION-APPLICATION.** Once all four findings have been decided and based on the results of the evaluation and vote on those findings, the Council shall make a motion and vote to approve or deny the application.

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

SUBDIVISION APPLICATION

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

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

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

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

SUBDIVISION TYPE:

Application Type:

☐ ***Minor Subdivision*** ☒ ***Major Subdivision*** ☐ ***Final Plat*** ☐ ***Exempt Map***
☐ ***Recombination***

SITE INFORMATION:

Name of Project: East Village Residential Land Units M2 & M3 Subdivision Plan **Acreage of Property:** 9.35 Acres (Land Units M2 & M3)

Preliminary Plat Approval Date (if applicable): _____

166806-49-8659

Parcel ID Number: 166806-49-7689 & 166807-59-6372 **Tax ID:** 05037010E & 05037010B

Location: Fronts on future East Front Street Extension, with Walden Subdivision to the east

Section(s): _____ **Phase(s):** Phases 2 & 3 of PDD-R 2012-05, Master Plan Zoning & Phasing (Sheet MP-1)

Number of Lots (Existing): 1 **(Proposed):** (57) Townhouse Option or (41) Single-Family **Min. Lot Size:** 3,450 SF (Twnhse Option) 5,617 SF (Single-Family Optic

Zoning District: PD-R/ R-6 **Planned Development? (Y/N):** Y **Electric Provider:** CP&L

Specific Use: Residential Subdivision for Land Units M2 & M3 of East Village Master Plan Amendment (PDD-R 2012-05): Townhome & Single-Family options

Recreation/Open Space Requirement: ☐ **Fee in lieu** ☒ **Land Dedication (acreage)** 2.05 Acres- Greenway & Utility Easement previously approved, as part of Master Plan Amendment (PDD-R 2012-05)

FOR OFFICE USE ONLY

File Number: PSD 2012-96 Date Received: 10/1/2012 Amount Paid: $685.00

OWNER INFORMATION:

Name: East Village Investments, LLC, LLC c/o Hubie Tolson

Mailing Address: 2217 Stantonburg Rd, Greenville, NC 27834

Phone Number: 252-638-4215 **Fax:** 252-638-7456

Email Address: hubie@uhfdevelopmentgroup.com

APPLICANT INFORMATION:

Applicant: HagerSmith Design

Mailing Address: 300 S Dawson St, Raleigh, NC 27601

Phone Number: 919-821-5547 **Fax:** 919-828-4050

Contact Person: Jimmy Thiem

Email Address: jthiem@hagersmith.com

REQUIRED PLANS AND SUPPLEMENTAL INFORMATION

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

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

APPLICANT AFFIDAVIT

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

Jimmy Thiem	Jimmy Thiem	October 1, 2012
Print Name	*Signature of Applicant*	*Date*

APPLICANT STATEMENT – MAJOR SUBDIVISIONS ONLY

Section 155.706(I)(10) of the Unified Development Code requires that certain findings must be made by the Town Council before a Major Subdivision may be approved. Outline below (you may attach additional sheets) how the application addresses each of the following findings:

(1) That the subdivision meets all required specifications of the town Subdivision Regulations and conforms to the town Unified Development Code.

See Attachment

(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.

See Attachment

(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.

See Attachment

(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.

See Attachment

FINAL PLAT CERTIFICATES

Please include applicable Certificates on the final plat:

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF CLAYTON AND THAT I HEREBY ADOPT THIS SUBDIVISION PLAN WITH MY FREE CONSENT, ESTABLISH MINIMUM SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, PARKS AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED.

_____ _____

DATE OWNER

CERTIFICATE OF SURVEY AND ACCURACY

I, _____, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM A (DEED DESCRIPTION RECORDED IN BOOK _____, PAGE _____, PLAT RECORDED IN BOOK_____, PAGE _____, OR OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DEED/PLAT BOOK _____, PAGE _____; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:_____; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G. S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS _____DAY OF _____, A.D., 20____.

_____

SURVEYOR

_____

LICENSE NUMBER

SURVEYOR CERTIFICATION

I _____ CERTIFY TO ONE OF THE FOLLOWING:

☐ 1) THAT THE SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;

☐ 2) THAT THE SURVEY IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND;

☐ 3) IS ONE OF THE FOLLOWING:

- ☐ THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;
- ☐ THAT THE SURVEY IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE; OR
- ☐ THAT THE SURVEY IS A CONTROL SURVEY.

☐ 4) THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;

☐ 5) THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT THE SURVEYOR IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF THE SURVEYOR'S PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (1) THROUGH (4) ABOVE.

PLANNING DIRECTOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS RECORD PLAT HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION ORDINANCE OF THE TOWN OF CLAYTON, NORTH CAROLINA, AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE REGISTER OF DEEDS OF JOHNSTON COUNTY.

_____ _____

DATE PLANNING DIRECTOR

PLANNING DIRECTOR'S CERTIFICATE (EXEMPT MAP)

THIS PLAT IS EXEMPT FROM SUBDIVISION REGULATION WITHIN THE TOWN OF CLAYTON PLANNING JURISDICTION.

_____ _____
DATE PLANNING DIRECTOR

REVIEW OFFICER'S CERTIFICATE

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

I, _____, REVIEW OFFICER OF JOHNSTON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

_____ _____
DATE REVIEW OFFICER

CERTIFICATE OF PUBLIC UTILITIES (Major Plats Only)

ALL OBLIGATIONS AND REQUIREMENTS FOR THE UTILITIES TO SERVE _____ SUBDIVISION, SECTION_____, LOTS _____, AS SET FORTH BY THE TOWN OF CLAYTON PUBLIC WORKS DEPARTMENT, HAVE BEEN MET AND ARE SATISFACTORY FOR THE PURPOSE OF RECORDING THE SUBDIVISION MAP.

_____ _____
DATE TOWN MANAGER

NOTE: NO STRUCTURES TO BE BUILT INSIDE ANY UTILITY EASEMENT.

NOTICE TO CONNECT TO PUBLIC UTILITY SYSTEM

HOMEOWNER IS REQUIRED TO CONNECT TO PUBLIC WATER (AND SEWER, WHERE AVAILABLE) BEFORE CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE PRINCIPAL STRUCTURE.

CERTIFICATION FOR WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS

CERTIFICATE OF PRELIMINARY APPROVAL OF WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS INSTALLED FOR INSTALLATION IN _____ SUBDIVISION MEET PUBLIC HEALTH REQUIREMENTS AS DESCRIBED IN APPENDIX II JOHNSTON COUNTY SUBDIVISION REGULATIONS. FINAL APPROVAL FOR INDIVIDUAL LOTS WITHIN THIS SUBDIVISION WILL BE BASED ON DETAILED LOT EVALUATION UPON APPLICATION AND SUBMISSION OF PLAN FOR PROPOSED USE. THIS PRELIMINARY CERTIFICATION IS ADVISORY ONLY AND CONFERS NO GUARANTEE.

_____
DATE HEALTH REPRESENTATIVE

NOTE: EACH LOT SHOWN HEREON MAY REQUIRE THE USE OF SEWAGE PUMPS, LOW PRESSURE PIPE SYSTEMS, FILL SYSTEMS, INNOVATIVE SYSTEMS OR ANY OTHER ALTERNATIVE SYSTEM TYPE AND SITE MODIFICATIONS SPECIFIED IN THE NORTH CAROLINA LAWS AND RULES FOR SEWAGE TREATMENT AND DISPOSAL SYSTEMS, 15A NCAC 18A SECTION 1900. THE ACTUAL SYSTEM TYPE, DESIGN AND SITE MODIFICATIONS WILL BE DETERMINED AT THE TIME OF PERMITTING.

TOWN OF CLAYTON TOWN MANAGER CERTIFICATION FOR A FINAL PLAT

"I HEREBY CERTIFY THAT THE TOWN OF CLAYTON, NC HAS APPROVED THIS PLAT FOR RECORDING IN THE OFFICE OF THE JOHNSTON COUNTY REGISTER OF DEEDS, AND ACCEPTS THE DEDICATION OF STREETS, EASEMENTS, RIGHTS-OF-WAY, AND PUBLIC LANDS SHOWN THEREON, BUT ASSUMES NO RESPONSIBILITY TO OPEN OR MAINTAIN THE SAME UNTIL, IN THE OPINION OF THE CLAYTON TOWN COUNCIL, IT IS IN THE PUBLIC INTEREST TO DO SO."

_____ _____
DATE TOWN MANAGER

CERTIFICATE OF FLOODWAY INFORMATION

PROPERTY SHOWN HEREON _____ IS _____IS NOT LOCATED IN A FEMA DESIGNATED FLOOD ZONE.

FLOOD HAZARD PANEL NO. _____

EFFECTIVE DATE: _____

_____ _____
DATE SURVEYOR

DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAYS CERTIFICATION

PROPOSED SUBDIVISION ROAD CONSTRUCTION STANDARDS CERTIFICATION

APPROVED: _____
DATE DISTRICT ENGINEER

NOTE: ONLY NORTH CAROLINA DEPARTMENT OF TRANSPORTATION APPROVED STRUCTURES ARE TO BE CONSTRUCTED ON PUBLIC RIGHT-OF-WAY.

NOTE: SITE TRIANGLE TAKES PRECEDENT OVER ANY SIGN EASEMENT

NOTE: OWNER, DEVELOPER, OR CONTRACTOR SHALL SET THE CENTERLINE OF THE EXISTING ROADWAY DITCH BACK TO A MINIMUM OF 12 FEET FROM THE EXISTING/PROPOSED EDGE OF PAVEMENT ALONG ALL ROAD FRONT LOTS.

NOTE: ALL DRAINAGE EASEMENTS SHALL BE DEDICATED AS PUBLIC AND IT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS TO MAINTAIN THE DRAINAGE EASEMENTS AND ANY DRAINAGE STRUCTURES THERE IN, SO AS TO MAINTAIN THE INTEGRITY OF THE DRAINAGE SYSTEM AND INSURE POSITIVE DRAINAGE.

ROAD MAINTENANCE STATEMENT OF UNDERSTANDING

I, __DEVELOPER/OWNER__ AM RESPONSIBLE FOR THE CONSTRUCTION, MAINTENANCE AND REQUIRED ROAD IMPROVEMENTS OF SUBDIVISION STREETS UNTIL:

APPROVED/TAKEN OVER BY NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR PUBLIC ROADS, OR

APPROVED/TAKEN OVER BY HOMEOWNERS ASSOCIATION FOR PRIVATE ROADS MAINTENANCE, OR

PRIVATE ROAD MAINTENANCE AGREEMENT IS SIGNED AND RECORDED BY OWNERS OF EACH LOT.

_____ _____
DATE DEVELOPER/OWNER

JOHNSTON COUNTY REGISTER OF DEEDS

STATE OF NORTH CAROLINA, JOHNSTON COUNTY

THIS INSTRUMENT WAS PRESENTED FOR REGISTRATION AND RECORDING THIS _____ DAY OF _____20___ AT_____.

_____ BY _____
REG. OF DEEDS ASST. REG. OF DEEDS

ADJACENT PROPERY OWNERS LIST

Project Name: East Village Residential Land Units M2 & M3 Subdivision Plan

The following are all the persons, firms, or corporations owning property within 100 feet and immediately adjacent to the property (including across street rights of way) subject to this request. It is the responsibility of the applicant to correctly identify the current owner, based upon records in the Johnston County GIS Office, for all property owners of land within the required public notice radius.

PARCEL NUMBER	NAME	ADDRESS
166807-69-1214	PYRTLE, SILVIA & LARRY	2021 WALDEN WAY CLAYTON, NC 27527
166807-69-1044	FEDERAL NATIONAL MORTGAGE	P O BOX 650043 DALLAS, TX 75265-0043
166807-68-1885	YATES, THOMAS W. JR & AIDA L.	2013 WALDEN WAY CLAYTON, NC 27527
166807-68-2606	SCHMIDT, ARTHUR R.	2009 WALDEN WAY CLAYTON, NC 27527
166807-68-2404	EAST VILLAGE INVESTMENTS, LLC	227 E FRONT ST NEW BERN, NC 28560
166807-68-1400	BELL, BETTY BROWN	287 OLD NC HWY 42 E CLAYTON, NC 27527
166807-58-9209	MURPHEY, LOUIS	124 PECAN LANE CLAYTON, NC 27527
166807-58-8300	PEELE, MARTHA P.	122 PECAN LANE CLAYTON NC 27527
166807-58-7304	MARTINEZ, MARCIO	120 PECAN LANE CLAYTON NC 27527
166807-58-6433	JONES, GREGORY C. & ANGELA V.	118 PECAN LANE CLAYTON, NC 27520
166807-58-3397	BALDWIN, ELIZABETH A.	116 PECAN LANE CLAYTON, NC 27520
166806-39-4560	EAST VILLAGE INVESTMENTS, LLC	227 E FRONT ST NEW BERN, NC 28560

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

OWNER'S CONSENT FORM

Name of Project: Residential Land Units M2 & M3 Subdivision Plan **Submittal Date:** October 1, 2012

OWNERS AUTHORIZATION

I hereby give CONSENT to Jimmy Thiem, HagerSmith Design (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge the property I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Clayton to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Signature of Owner	*Print Name*	*Date*
	Hubert G Tolson, III	9/25/12

CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

Signature of ~~Owner~~/Applicant	*Print Name*	*Date*
James E. Thiem III	JAMES E. THIEM III	10/01/12

FOR OFFICE USE ONLY

File Number: _____ Date Received: _____ Parcel ID Number: _____

HagerSmith design PA

Architecture
Landscape Architecture
Planning
Business Interiors
Construction Management

RECEIVED
OCT 01 2012
Town of Clayton
Planning Department

October 1, 2012

To: David DeYoung
From: Jimmy Thiem

RE: East Village of Clayton
Land Units M2 and M3 Subdivision
Subdivision Alternates Description

The original approved (July 17, 2006) residential subdivision of the East Village of Clayton project envisioned a mix of single-family residences, traditional townhouses and "garden" townhouses. At the time, there was clear demand for all three of these housing types. In 2008, the economic downturn severely impacted residential development nationwide. As with many other residential projects in North Carolina, East Village had to shift its focus from building to re-evaluating the residential market and identifying financial funding sources to support construction and owner financing. With the reduction in single-family home sales, there was a significant increase in demand for rental housing (apartments). East Village saw their location, particularly close to Downtown Clayton, as an excellent opportunity to meet this need. In 2011 the owners of East Village acquired from HUD preliminary financial and plan approval for a 298 unit garden apartment development, The Arbors.

Wishing to retain the core single-family area in the original master plan, the site selected for The Arbors supplanted the area originally planned for the traditional townhouses in addition to supplanting some of the original single-family homes. This left the original garden townhomes site as the only area remaining to potentially provide the option to buyers of an owner-occupied housing type different from the traditional single-family lot development.

As the East Village project team updated the master plan in 2011 the owners began receiving much feedback from both the development community as well as potential future home buyers regarding what housing types they should consider for the garden townhomes site. Interest was expressed for both additional single-family homes as well as a townhouses. Thus, when the master plan was approved as PDD-R 2012-05, both these options were designated for Land Units M2 and M3 – the original garden townhomes site.

With an intention of wishing to create more definitive plans for both planning and marketing purposes, the East Village development determined that it was appropriate to seek preliminary approval for both the single-family as well as the townhouse option. This strategy has allowed the project team to compare the two alternatives from both an engineering and cost perspective. The alternative schemes will also be valuable in determining the final housing type through input from prospective builders and future buyers. Finally, having preliminary approval for both plans will assist in expediting the final planning and construction of the project.

Both the single-family and townhome schemes were prepared to meet the requirements of PDD-R 2012-05 and other Town of Clayton standards as applicable. This approach also provides the Town of Clayton with a unique opportunity to concurrently review two alternatives schemes for the same site.

EAST VILLAGE OF CLAYTON October 1, 2012
LAND UNITS M2 & M3
MAJOR SUBDIVISION
APPLICANT STATEMENT

1. That the subdivision meets all required specifications of the town Subdivision Regulations and conforms to the town Unified Development Code.

   This application is submitted under the provisions of PDD-R 2012-05. Specifically, this application addresses the subdivision of Land Units M2 & M3 of that PDD. These Land Units are designated in the PDD Master Plan as either townhouse of single-family residential uses. Overall design and layout of streets (private for townhouses, public for single-family), sidewalks, water and sewer (connections to Town utilities) are proposed to be consistent with present Town of Clayton standards. Proposed open space and greenways are generally consistent in area and location as per the approved PDD.

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.

   The majority of properties surrounding the proposed subdivision are either already developed or are a part of the overall East Village of Clayton project. The subdivision has also taken into account the latest alignment for the proposed East Front Street project being administered by the Town of Clayton. The subdivided property is adjacent to the Walden subdivision along its east boundary. A Type C Buffer (10') and a 20' greenway easement per the PDD Master Plan is provided along the boundary shared with the Walden subdivision.

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.

   Development of the M2 & M3 Land Units relies on the extension of East Front Street from its present terminus south of Mill Street to old N.C. Highway 42. This extension of Front Street, a collector street, serves as the main vehicular access for the East Village of Clayton project. Its location and design were fully coordinated with the Town of Clayton which envisions this street as an important vehicular link between downtown and Highway NC-42. A traffic study assessing the vehicular capacity of East Front Street to accommodate the proposed development was prepared and submitted to the Town as part of the PDD-R 2012-05 process. This study, through the Town of Clayton staff, was also submitted to NCDOT for review and comment. With regard to the M2 and M3 Land Units, two comments pertaining to the public street entry drive, the single-family development's primary vehicular access, off of East Front Street, were noted to be provided in the East Front Street design: (1) for west bound traffic provide a 100' right turn lane, (2) for east bound traffic, provide a left turn lane. These elements are to be included in the Town's design of East Front Street. The west bound turn lane directly impacts the M2 Land Unit which is south of and abuts proposed East Front Street. The turn lane is shown on the subdivision plan. An additional recommendation of the traffic study is related to a traffic signal to be provided at the intersection of East front Street and Highway NC-42. Per PDD-R 2012-05 conditions, a warrant analysis is to be prepared by the East Village developer upon completion of East Front Street to determine when the traffic signal needs to be constructed based on traffic volumes. Vehicular access to Land Units M2 and M3 are provided off of the single-family subdivisions main access drive from Front Street or off the single-family subdivision's

man loop drive. No vehicular access drives are proposed from Land Unit M3 to proposed East Front Street.

Water service to Land Units M2 and M3 will be via public waterlines installed in the single-family subdivision's public residential streets which will be connected to the public water main recently installed by Johnston County in the future East Front Street alignment. Lots will be serviced by public gravity sewer lines which will tie to a public gravity sewer system planned for the single-family subdivision. This entire network flows to a proposed public sanitary sewer pump station on the west side the East Village development to be constructed with East Village's "The Arbors" apartment project. All streets and utilities shall be built to Town of Clayton construction standards where applicable.

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.

   This project's M2 and M3 Land Units are a part of the East Village of Clayton PDD-R 2012-05 Master Plan, which was prepared under the advisement of the Town Manager's office, the Planning Department, the Town Engineer, and the Public Works Department. The Master Plan was approved by both the Planning Board and Town Council. At that time, key planning principles for the Town which were considered in the planning of project included:

   a. Transportation – Provide for extension of East Front Street from downtown to N.C. Highway 42. Provide for a safe and efficient network of public and private streets within the development.
   b. Downtown Clayton connection – Provide for housing and other related land uses in close proximity to Downtown Clayton to support and enhance Downtown as a thriving traditional commercial town center.
   c. Mixed-use – Provide, as appropriate and practicable, a variety of residential (single and multi-family) and non-residential (retail, office) land uses appropriate to the surrounding context of adjacent properties.
   d. Development Character – Incorporate development patterns reflective of traditional, older neighborhoods and the Downtown Clayton community.
   e. Utilities – Provide for extension and use of public water and sanitary sewer services.
   f. Natural Resources – Preservation and enhancement of on-site natural resources which primarily focus on perennial streams and woodland stream buffers.
   g. Open Space – Provide a variety of open space areas and amenities appropriate to the residential character of the East Village of Clayton development.
   h. Greenway – Incorporate a public greenway linking the multi-purpose trail along proposed East Front Street with the various residential elements of the development.
   i. Stormwater management – Provide for management of stormwater runoff consistent with applicable Town of Clayton standards.

   The Town Council PDD Master Plan incorporates the above planning principles thus being consistent with Town planning policies. Both alternative subdivision plans for M2 and M3 Land Units are consistent with the PDD Master Plan, and thus reflect these planning principles. The development of this parcel, as a part of the approved PDD Master Plan does not adversely affect the orderly growth and development of the town.

HagerSmith
DESIGN PA

October 30, 2012

Dear Clayton Area Property Owner,

The purpose of this letter is to notify you of an application filed with the Town of Clayton for a subdivision proposal involving property adjacent to, or in close proximity to, property shown in your ownership by Johnston County tax records. Per Town of Clayton regulations, a neighborhood meeting will be held to provide information to area residents about the nature of the proposal. A representative of the applicant will be present to explain their application, answer questions, and solicit comments.

Meeting Date: Tuesday, November 13th 2012

Location: The Clayton Center, Four Oaks Room (Second floor up from the main lobby)
111 East 2nd St., Clayton, NC 27520

Time: 6:30 PM

Type of application: Major Subdivision

General Description: This permit application is for the subdivision of land units M2 & M3 (9.35 acres) of the overall East Village of Clayton Master Tract (74.79 acres). These two land units, located in the southeast corner of the East Village development, with frontage on the future East Front Street Extension, were approved for either multi-family or single-family use as part of the East Village Master Plan Amendment (PDD-R 2012-05). In accordance with the two approved land uses, and in order for the developer to determine the ultimate best land use for this portion of the overall development tract, two subdivision options have been submitted for review. The first option subdivides the two land units into lots for a townhome development, and the second option shows the subdivision of lots into a single-family development.

If you have any questions prior to or after this meeting, please contact me at (919) 821-5547.

Best Regards,

Jimmy Thiem

Jimmy Thiem, Landscape Architect, VP
HagerSmith Design, PA

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Applicant: HagerSmith Design, PA (Project: East Village Residential Land Units M2 & M3 Subdivision Plan)

Location/Date: The Clayton Center/ 11/12/2012

	NAME	ADDRESS
1	Emily Beddingfield	23 Great View Ct Clayton
2	DAVE DeYOUNG	111 E. SECOND ST. CLAYTON
3	Stephanie Cable	300 S. Dawson St, Raleigh
4	JIMMY THIEM	300 S. DAWSON ST., RALEIGH
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HagerSmith
DESIGN PA

EAST VILLAGE OF CLAYTON
M2 & M3 Land Units Subdivision
Neighborhood Meeting Notes

S 2012 96

Meeting Date: 11/12/2012
Meeting Time: 6:30-7:30pm
Meeting Location: The Clayton Center downstairs lobby

Number of attendees: 4 attendees (signed roster) (includes 2 project representatives & 2 Town of Clayton Planning staff). No members of the general public attended the meeting.

The following drawings were displayed for public review

- L-102 Townhouse subdivision street tree plan (showing subdivision of lots)
- L-202 Single-family subdivision street tree plan (showing subdivision of lots)
- East Village single-family subdivision plan showing location of M2 and M3 land units in relationship to overall project.

Comments from attendees

- No members of the general public attended the meeting. Therefore, no questions were received.

End of Notes

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

Town Council

STAFF REPORT

Application Number: PSD 2012-96
Project Name: East Village of Clayton Units M2 & M3
NC PIN: 166806-49-8859 (portion thereof)
Town Limits/ETJ: Town Limits
Applicant: HagerSmith Design, PA
Owners: East Village Investments LLC

Agent: Jimmy Thiem, HagerSmith Design, PA

Neighborhood Meeting: Held November 13, 2012

PROJECT LOCATION: The subject site fronts on East Front Street (Extension) to the south and borders Walden Subdivision to the north and east. The property is located within the town limits of Clayton.

REQUEST: The applicant is requesting preliminary subdivision approval for a 9.35 acre parcel within East Village. This subdivision approval request includes land units M2 and M3 of the approved East Village of Clayton master plan (PDD 2012-05, approved April 2, 2012). The request includes two different subdivision options, one for townhomes and one for single family homes. The property is zoned PD-R (Planned Development – Residential).

SITE DATA:

Acreage:	9.35 Acres
Number of Lots:	Townhome Option: 57 townhouse lots Single Family Option: 41 single family lots
Open Space:	7.38 acres of open space is proposed for all of Lot 3 tract of the master plan
Present Zoning:	PD-R (Planned Development-Residential)
Proposed Zoning:	Same
Existing Use:	Vacant
Impervious Surface:	The East Village master plan was approved for up to 70% impervious surface

DEVELOPMENT DATA:

Proposed Use: Residential Single Family <u>OR</u> Residential Townhome

ENVIRONMENTAL: The subject site has no significant environmental concerns.

ADJACENT ZONING AND LAND USES:

North:	Zoning:	PD-R
	Existing Use:	Vacant
South:	Zoning:	R-6
	Existing Use:	Residential
East:	Zoning:	R-E
	Existing Use:	Residential Walden Subdivision
West:	Zoning:	PD-R, B-2
	Existing Use:	Vacant

STAFF ANALYSIS AND COMMENTARY:

The applicant is requesting preliminary subdivision approval for two development options for the M2 and M3 land units, located on Lot 3 of the East Village of Clayton Master Plan (PDD 2012-05), which was approved by the Town Council on April 2, 2012. The property is generally located on the north side of the future extension of East Front Street and bounded on the east by Walden subdivision.

The applicant is requesting approval for two development scenarios. Approval of both scenarios will give the applicant the choice to develop the site with either single family or multi-family units. With either option, the overall number of residential units will not exceed the total number approved for the East Village Master Plan. All other agreements in the Master Plan will be upheld as well.

The proposed subdivision would have access from the East Front Street Extension.

- **Consistency with the Strategic Growth Plan**

  The proposed use is consistent with the Strategic Growth Plan Proposed Land Use map, which designates the proposed land use of the subject site as Residential.

  The proposed development is consistent with the following objectives of the Strategic Growth Plan:
  - Objective 2.1 - Balanced Development/Investment: Old & New,
  - Objective 2.2 - Infrastructure & Services Capacity to Support Growth,
  - Objective 2.5 - More Housing Opportunities: Beyond Starter Homes, and;
  - Objective 5.1 - More Developed Parks and Parkland.

- **Consistency with the Unified Development Code**

  The proposed development is consistent with and meets the applicable requirements of the Unified Development Code.

- **Compatibility with Surrounding Land Uses**

  The land use is compatible with the surrounding area and is part of an approved master plan.

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

  None requested.

OTHER:

FIRE PROTECTION:	The Town of Clayton Fire Department will provide fire protection.
SCHOOL IMPACTS:	Students generated from the development which attend public schools will be enrolled in the Johnston County School system.
PARKS AND RECREATION:	7.38 acres of open space is proposed for Lot 3 of the master plan. The overall East Village development exceeds the required set aside of 12.5 percent for recreation and open space.
ACCESS/STREETS:	Access to the subdivision will be off of E Front Street Extension. Driveway permits are subject to Town of Clayton approval.
WATER/SEWER PROVIDER:	Town of Clayton
ELECTRIC PROVIDER:	Town of Clayton

STAFF RECOMMENDATION: Approval

PLANNING BOARD RECOMMENDATION: A motion was made by Ronald Johnson and seconded by David Teem to recommend approval of the two subdivision options with the following conditions:

<u>Proposed Conditions of Approval for the Townhome Option:</u>
1) Parking shall be permitted on one side of the street only.
2) The Planning Department shall review and approve the final architectural elevations.

No conditions were proposed for the single family home option.

Attachments:
1) Application 2) Neighborhood Meeting Information 3) Townhome Layout Graphic 4) Single Family Layout Graphic 5) 11”x17” plan set

ADJACENT PROPERTY OWNERS:

PROP #	NC PIN	OWNER NAME/ADDRESS
1	166807-69-1214	SILVIA & LARRY PYRTLE/ 2021 WALDEN WAY, CLAYTON, NC 27527
2	166807-69-1044	FEDERAL NATIONAL MORTGAGE/ PO BOX 650043, DALLAS TX 75265-0043
3	166807-68-1885	THOMAS W. JR & AIDA L. YATES/ 2013 WALDEN WAY, CLAYTON, NC 27527
4	166807-68-2606	ARTHUR R SCHMIDT/ 2009 WALDEN WAY, CLAYTON, NC 27527
5	166807-68-2404	EAST VILLAGE INVESTMENTS, LLC/ 227 E FRONT ST, NEW BERN, NC 28560
6	166807-68-1400	BETTY B. BELL/ 287 OLD NC HWY 42 E, CLAYTON, NC 27527
7	166807-58-9209	LOUIS MURPHEY/ 124 PECAN LANE, CLAYTON, NC 27527
8	166807-58-8300	MARTHA P PEELE/ 122 PECAN LANE, CLAYTON, NC 27527
9	166807-58-7304	MARCIO MARTINEZ/ 120 PECAN LANE, CLAYTON, NC 27527
10	166807-58-6433	GREGORY C & ANGELA V JONES/ 118 PECAN LANE, CLAYTON, NC 27527
11	166807-58-3397	ELIZABETH A BALDWIN/ 116 PECAN LANE, CLAYTON, NC 27527
12	166806-39-4560	CLAYTON EAST VILLAGE CTJ LLC/ 227 E FRONT ST, NEW BERN NC 28560

GRAPHIC LEGEND:

- GREENWAY & UTILITY EASEMENT (41,280 SF)
  (NOTE: LOCATION OF GREENWAYS ARE APPROXIMATE & SUBJECT TO CHANGE BASED ON FIELD CONDITIONS)
- ADDITIONAL PRIVATE OPEN SPACE
  (OPEN SPACE PROPOSED IN ADDITION TO THE OPEN SPACE APPROVED ON THE E. VILLAGE MASTER PLAN AMENDMENT, PDD-R 2012-05)
- PROPOSED SIDEWALK
- OPEN SPACE IMPROVEMENT AREA
  (SEE EAST VILLAGE MASTER PLAN AMENDMENT, PDD-R 2012-05, APPROVED APRIL 2, 2012, FOR IMPROVEMENT DESCRIPTIONS)
- 10' TYPE 'C' BUFFER

PLANT LEGEND:

- LACEBARK ELM
- 'SOMERSET' RED MAPLE
- WILLOW OAK
- RED OAK

NOTE: FINAL LOCATION OF STREET TREES WILL VARY, AS REQUIRED TO ACCOMMODATE ULTIMATE DRIVEWAY & UTILITY LOCATIONS. STREET TREES TO BE A MINIMUM 10' FROM ANY UTILITY STRUCTURE.

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SEALS

PROJECT 265-038-012

EAST VILLAGE OF CLAYTON
RESIDENTIAL UNITS M2 & M3
SUBDIVISION SUBMISSION

Clayton, NC
Johnston County

CLIENT

East Village Investments, LLC
c/o Hubie Tolson

2217 Stantonsburg Rd
Greenville, NC 27834
Phone: (252) 638-4215
Fax: (252) 670-9370

DRAWING TITLE

LOT 3- M2 & M3 LAND UNITS: TOWNHOME STREET TREE PLAN

REVISIONS

NUMBER	DESCRIPTION	DATE

DRAWN BY SMC
CHECKED BY JET
DATE ISSUED 11/13/2012

L-102

ADJACENT PROPERTY OWNERS:

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Fax: (252) 670-9370

DRAWING TITLE

LOT 3- M2 & M3 LAND UNITS: SINGLE-FAMILY STREET TREE PLAN

REVISIONS

NUMBER	DESCRIPTION	DATE

DRAWN BY JET, SMC
CHECKED BY JET
DATE ISSUED 11/13/2012

L-202

__ OF __

ADJACENT PROPERTY OWNERS:

PROP #	NC PIN	OWNER NAME/ADDRESS
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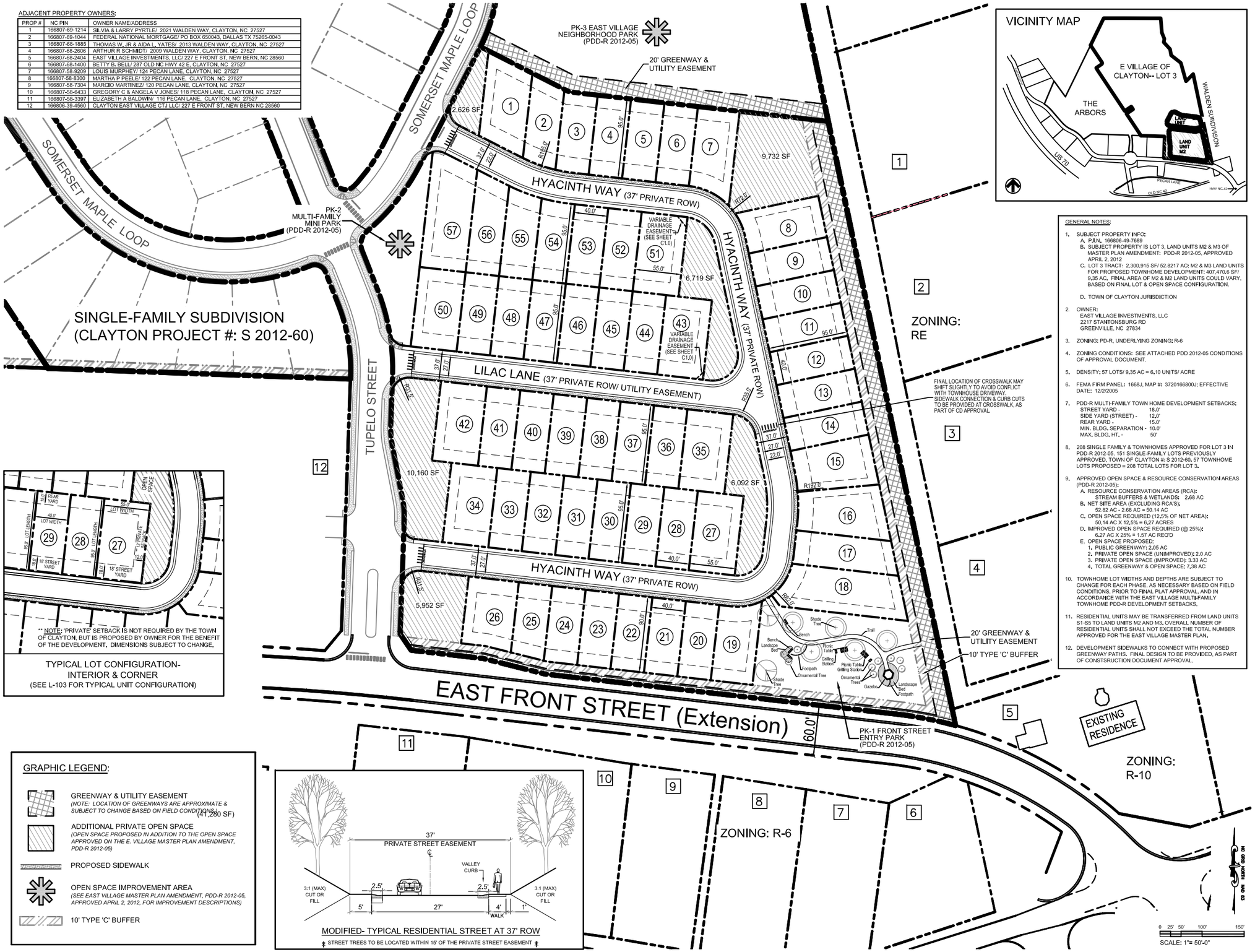

TYPICAL LOT CONFIGURATION- INTERIOR & CORNER
(SEE L-103 FOR TYPICAL UNIT CONFIGURATION)

GENERAL NOTES:

1. SUBJECT PROPERTY INFO:
   A. P.I.N. 166806-49-7689
   B. SUBJECT PROPERTY IS LOT 3, LAND UNITS M2 & M3 OF MASTER PLAN AMENDMENT: PDD-R 2012-05, APPROVED APRIL 2, 2012
   C. LOT 3 TRACT: 2,300,915 SF/ 52.8217 AC; M2 & M3 LAND UNITS FOR PROPOSED TOWNHOME DEVELOPMENT: 407,470.6 SF/ 9.35 AC. FINAL AREA OF M2 & M3 LAND UNITS COULD VARY, BASED ON FINAL LOT & OPEN SPACE CONFIGURATION.
   D. TOWN OF CLAYTON JURISDICTION
2. OWNER:
   EAST VILLAGE INVESTMENTS, LLC
   2217 STANTONSBURG RD
   GREENVILLE, NC 27834
3. ZONING: PD-R, UNDERLYING ZONING: R-6
4. ZONING CONDITIONS: SEE ATTACHED PDD 2012-05 CONDITIONS OF APPROVAL DOCUMENT.
5. DENSITY: 57 LOTS/ 9.35 AC = 6.10 UNITS/ ACRE
6. FEMA FIRM PANEL: 1668J, MAP #: 3720166800J: EFFECTIVE DATE: 12/2/2005
7. PDD-R MULTI-FAMILY TOWN HOME DEVELOPMENT SETBACKS:
   STREET YARD - 18.0'
   SIDE YARD (STREET) - 12.0'
   REAR YARD - 15.0'
   MIN. BLDG. SEPARATION - 10.0'
   MAX. BLDG. HT. - 50'
8. 208 SINGLE FAMILY & TOWNHOMES APPROVED FOR LOT 3 IN PDD-R 2012-05. 151 SINGLE-FAMILY LOTS PREVIOUSLY APPROVED, TOWN OF CLAYTON #: S 2012-60; 57 TOWNHOME LOTS PROPOSED = 208 TOTAL LOTS FOR LOT 3.
9. APPROVED OPEN SPACE & RESOURCE CONSERVATION AREAS (PDD-R 2012-05):
   A. RESOURCE CONSERVATION AREAS (RCA):
      STREAM BUFFERS & WETLANDS: 2.68 AC
   B. NET SITE AREA (EXCLUDING RCA'S):
      52.82 AC - 2.68 AC = 50.14 AC
   C. OPEN SPACE REQUIRED (12.5% OF NET AREA):
      50.14 AC X 12.5% = 6.27 ACRES
   D. IMPROVED OPEN SPACE REQUIRED (@ 25%):
      6.27 AC X 25% = 1.57 AC REQ'D
   E. OPEN SPACE PROPOSED:
      1. PUBLIC GREENWAY: 2.05 AC
      2. PRIVATE OPEN SPACE (UNIMPROVED): 2.0 AC
      3. PRIVATE OPEN SPACE (IMPROVED): 3.33 AC
      4. TOTAL GREENWAY & OPEN SPACE: 7.38 AC
10. TOWNHOME LOT WIDTHS AND DEPTHS ARE SUBJECT TO CHANGE FOR EACH PHASE, AS NECESSARY BASED ON FIELD CONDITIONS, PRIOR TO FINAL PLAT APPROVAL, AND IN ACCORDANCE WITH THE EAST VILLAGE MULTI-FAMILY TOWNHOME PDD-R DEVELOPMENT SETBACKS.
11. RESIDENTIAL UNITS MAY BE TRANSFERRED FROM LAND UNITS S1-S5 TO LAND UNITS M2 AND M3. OVERALL NUMBER OF RESIDENTIAL UNITS SHALL NOT EXCEED THE TOTAL NUMBER APPROVED FOR THE EAST VILLAGE MASTER PLAN.
12. DEVELOPMENT SIDEWALKS TO CONNECT WITH PROPOSED GREENWAY PATHS. FINAL DESIGN TO BE PROVIDED, AS PART OF CONSTSRUCTION DOCUMENT APPROVAL.

GRAPHIC LEGEND:

- GREENWAY & UTILITY EASEMENT (41,280 SF)
  (NOTE: LOCATION OF GREENWAYS ARE APPROXIMATE & SUBJECT TO CHANGE BASED ON FIELD CONDITIONS)
- ADDITIONAL PRIVATE OPEN SPACE
  (OPEN SPACE PROPOSED IN ADDITION TO THE OPEN SPACE APPROVED ON THE E. VILLAGE MASTER PLAN AMENDMENT, PDD-R 2012-05)
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- OPEN SPACE IMPROVEMENT AREA
  (SEE EAST VILLAGE MASTER PLAN AMENDMENT, PDD-R 2012-05, APPROVED APRIL 2, 2012, FOR IMPROVEMENT DESCRIPTIONS)
- 10' TYPE 'C' BUFFER

MODIFIED- TYPICAL RESIDENTIAL STREET AT 37' ROW
STREET TREES TO BE LOCATED WITHIN 15' OF THE PRIVATE STREET EASEMENT

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Seals

Project 265-038-012

EAST VILLAGE OF CLAYTON
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SUBDIVISION SUBMISSION

Clayton, NC
Johnston County

Client

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c/o Hubie Tolson

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Phone: (252) 638-4215
Fax: (252) 670-9370

Drawing Title

LOT 3- M2 & M3 LAND UNITS: TOWNHOME SUBDIVISION LAYOUT

Revisions

Number	Description	Date

Drawn By SMC
Checked By JET
Date Issued 11/19/2012

L-101
__ of __

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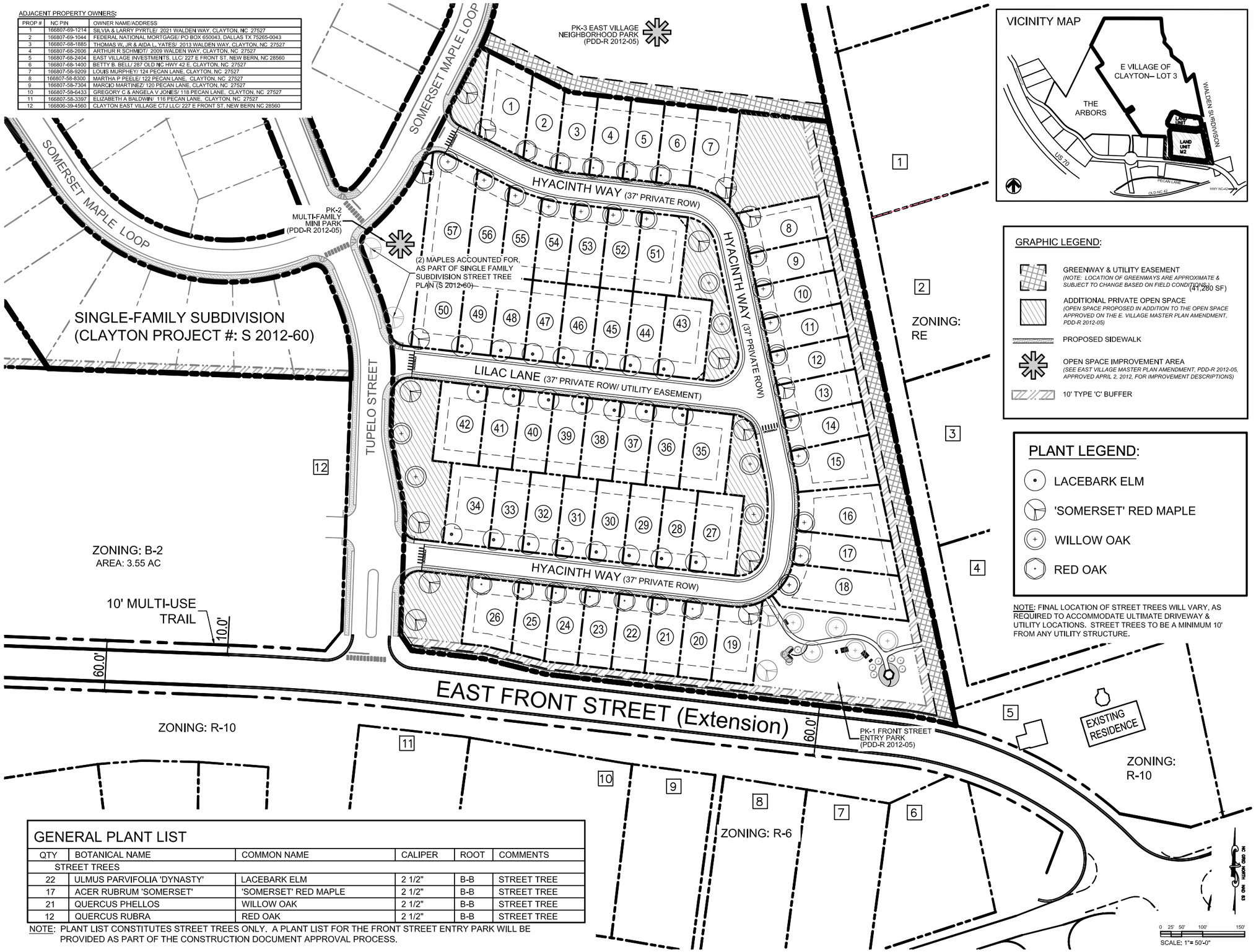

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  (OPEN SPACE PROPOSED IN ADDITION TO THE OPEN SPACE APPROVED ON THE E. VILLAGE MASTER PLAN AMENDMENT, PDD-R 2012-05)
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- OPEN SPACE IMPROVEMENT AREA
  (SEE EAST VILLAGE MASTER PLAN AMENDMENT, PDD-R 2012-05, APPROVED APRIL 2, 2012, FOR IMPROVEMENT DESCRIPTIONS)
- 10' TYPE 'C' BUFFER

PLANT LEGEND:

- LACEBARK ELM
- 'SOMERSET' RED MAPLE
- WILLOW OAK
- RED OAK

NOTE: FINAL LOCATION OF STREET TREES WILL VARY, AS REQUIRED TO ACCOMMODATE ULTIMATE DRIVEWAY & UTILITY LOCATIONS. STREET TREES TO BE A MINIMUM 10' FROM ANY UTILITY STRUCTURE.

GENERAL PLANT LIST

QTY	BOTANICAL NAME	COMMON NAME	CALIPER	ROOT	COMMENTS
STREET TREES					
22	ULMUS PARVIFOLIA 'DYNASTY'	LACEBARK ELM	2 1/2"	B-B	STREET TREE
17	ACER RUBRUM 'SOMERSET'	'SOMERSET' RED MAPLE	2 1/2"	B-B	STREET TREE
21	QUERCUS PHELLOS	WILLOW OAK	2 1/2"	B-B	STREET TREE
12	QUERCUS RUBRA	RED OAK	2 1/2"	B-B	STREET TREE

NOTE: PLANT LIST CONSTITUTES STREET TREES ONLY. A PLANT LIST FOR THE FRONT STREET ENTRY PARK WILL BE PROVIDED AS PART OF THE CONSTRUCTION DOCUMENT APPROVAL PROCESS.

SCALE: 1"= 50'-0"

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Seals

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EAST VILLAGE OF CLAYTON
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SUBDIVISION SUBMISSION

Clayton, NC
Johnston County

Client

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c/o Hubie Tolson

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Drawing Title

LOT 3- M2 & M3 LAND UNITS: TOWNHOME STREET TREE PLAN

Revisions

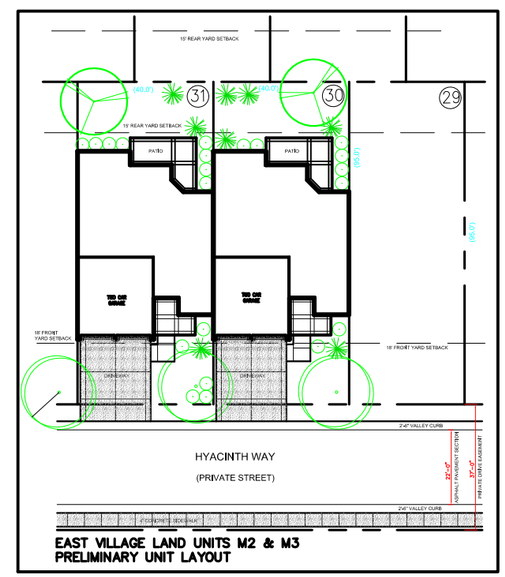
Number	Description	Date

Drawn By SMC
Checked By JET
Date Issued 11/19/2012

L-102
__ of __

PRELIMINARY TOWNHOUSE ELEVATION (NOT TO SCALE)

1. EXTERIOR MAY BE BRICK, CLAPBOARD, OR A COMBINATION. BRICK OR CULTURED STONE ACCENTS MAY BE INCORPORATED, AS ARCHITECTECTURAL DETAILS.
2. UNITS MAY HAVE ONE OR TWO CAR GARAGES.
3. FINAL DESIGN OF FRONT ELEVATION WILL VARY DEPENDING UPON WIDTH OF UNIT, NUMBER OF GARAGE DOORS, ETC.



EAST VILLAGE LAND UNITS M2 & M3
PRELIMINARY UNIT LAYOUT

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Drawing Title

LOT 3- M2 & M3: TYPICAL TOWNHOUSE UNIT LAYOUT & ELEVATION

Revisions

Number	Description	Date

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Checked By JET
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L-103
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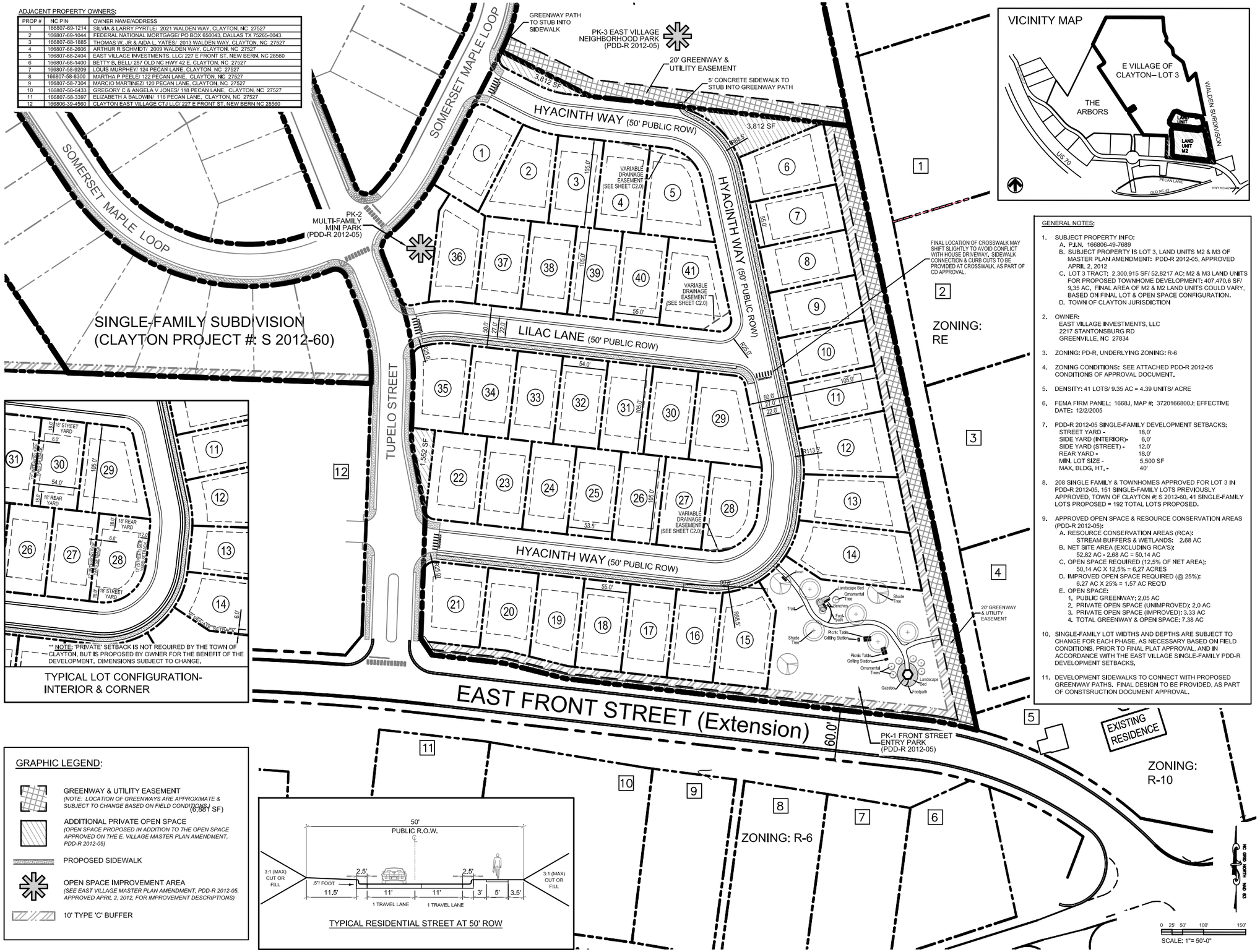

TYPICAL LOT CONFIGURATION- INTERIOR & CORNER

TYPICAL RESIDENTIAL STREET AT 50' ROW

GRAPHIC LEGEND:

- GREENWAY & UTILITY EASEMENT (NOTE: LOCATION OF GREENWAYS ARE APPROXIMATE & SUBJECT TO CHANGE BASED ON FIELD CONDITIONS.) (6,881 SF)
- ADDITIONAL PRIVATE OPEN SPACE (OPEN SPACE PROPOSED IN ADDITION TO THE OPEN SPACE APPROVED ON THE E. VILLAGE MASTER PLAN AMENDMENT, PDD-R 2012-05)
- PROPOSED SIDEWALK
- OPEN SPACE IMPROVEMENT AREA (SEE EAST VILLAGE MASTER PLAN AMENDMENT, PDD-R 2012-05, APPROVED APRIL 2, 2012, FOR IMPROVEMENT DESCRIPTIONS)
- 10' TYPE 'C' BUFFER

VICINITY MAP

GENERAL NOTES:

1. SUBJECT PROPERTY INFO:
   A. P.I.N. 166806-49-7689
   B. SUBJECT PROPERTY IS LOT 3, LAND UNITS M2 & M3 OF MASTER PLAN AMENDMENT: PDD-R 2012-05, APPROVED APRIL 2, 2012
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   D. TOWN OF CLAYTON JURISDICTION
2. OWNER:
   EAST VILLAGE INVESTMENTS, LLC
   2217 STANTONSBURG RD
   GREENVILLE, NC 27834
3. ZONING: PD-R, UNDERLYING ZONING: R-6
4. ZONING CONDITIONS: SEE ATTACHED PDD-R 2012-05 CONDITIONS OF APPROVAL DOCUMENT.
5. DENSITY: 41 LOTS/ 9.35 AC = 4.39 UNITS/ ACRE
6. FEMA FIRM PANEL: 1668J, MAP #: 3720166800J; EFFECTIVE DATE: 12/2/2005
7. PDD-R 2012-05 SINGLE-FAMILY DEVELOPMENT SETBACKS:
   STREET YARD - 18.0'
   SIDE YARD (INTERIOR)- 6.0'
   SIDE YARD (STREET) - 12.0'
   REAR YARD - 18.0'
   MIN. LOT SIZE - 5,500 SF
   MAX. BLDG. HT. - 40'
8. 208 SINGLE FAMILY & TOWNHOMES APPROVED FOR LOT 3 IN PDD-R 2012-05. 151 SINGLE-FAMILY LOTS PREVIOUSLY APPROVED, TOWN OF CLAYTON #: S 2012-60. 41 SINGLE-FAMILY LOTS PROPOSED = 192 TOTAL LOTS PROPOSED.
9. APPROVED OPEN SPACE & RESOURCE CONSERVATION AREAS (PDD-R 2012-05):
   A. RESOURCE CONSERVATION AREAS (RCA):
      STREAM BUFFERS & WETLANDS: 2.68 AC
   B. NET SITE AREA (EXCLUDING RCA'S):
      52.82 AC - 2.68 AC = 50.14 AC
   C. OPEN SPACE REQUIRED (12.5% OF NET AREA):
      50.14 AC X 12.5% = 6.27 ACRES
   D. IMPROVED OPEN SPACE REQUIRED (@ 25%):
      6.27 AC X 25% = 1.57 AC REQ'D
   E. OPEN SPACE:
      1. PUBLIC GREENWAY: 2.05 AC
      2. PRIVATE OPEN SPACE (UNIMPROVED): 2.0 AC
      3. PRIVATE OPEN SPACE (IMPROVED): 3.33 AC
      4. TOTAL GREENWAY & OPEN SPACE: 7.38 AC
10. SINGLE-FAMILY LOT WIDTHS AND DEPTHS ARE SUBJECT TO CHANGE FOR EACH PHASE, AS NECESSARY BASED ON FIELD CONDITIONS, PRIOR TO FINAL PLAT APPROVAL, AND IN ACCORDANCE WITH THE EAST VILLAGE SINGLE-FAMILY PDD-R DEVELOPMENT SETBACKS.
11. DEVELOPMENT SIDEWALKS TO CONNECT WITH PROPOSED GREENWAY PATHS. FINAL DESIGN TO BE PROVIDED, AS PART OF CONSTSRUCTION DOCUMENT APPROVAL.

HagerSmith DESIGN PA

Architecture
Landscape Architecture
Planning
Interior Design

PO Box 1308
300 South Dawson Street
Raleigh, North Carolina 27602
Fax: 919.828.4050
919.821.5547

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Consultants

BNK
BASS, NIXON & KENNEDY
CONSULTING ENGINEERS
6310 CHAPEL HILL ROAD
RALEIGH, NC 27607
PHONE: 919.851.4422
FAX: 919.851.8968

Seals

Project 265-038-012

EAST VILLAGE OF CLAYTON
RESIDENTIAL UNITS M2 & M3
SUBDIVISION SUBMISSION

Clayton, NC
Johnston County

Client

East Village Investments, LLC
c/o Hubie Tolson

2217 Stantonsburg Rd
Greenville, NC 27834
Phone: (252) 638-4215
Fax: (252) 670-9370

Drawing Title

LOT 3- M2 & M3 LAND UNITS: SINGLE-FAMILY SUBDIVISION LAYOUT

Revisions

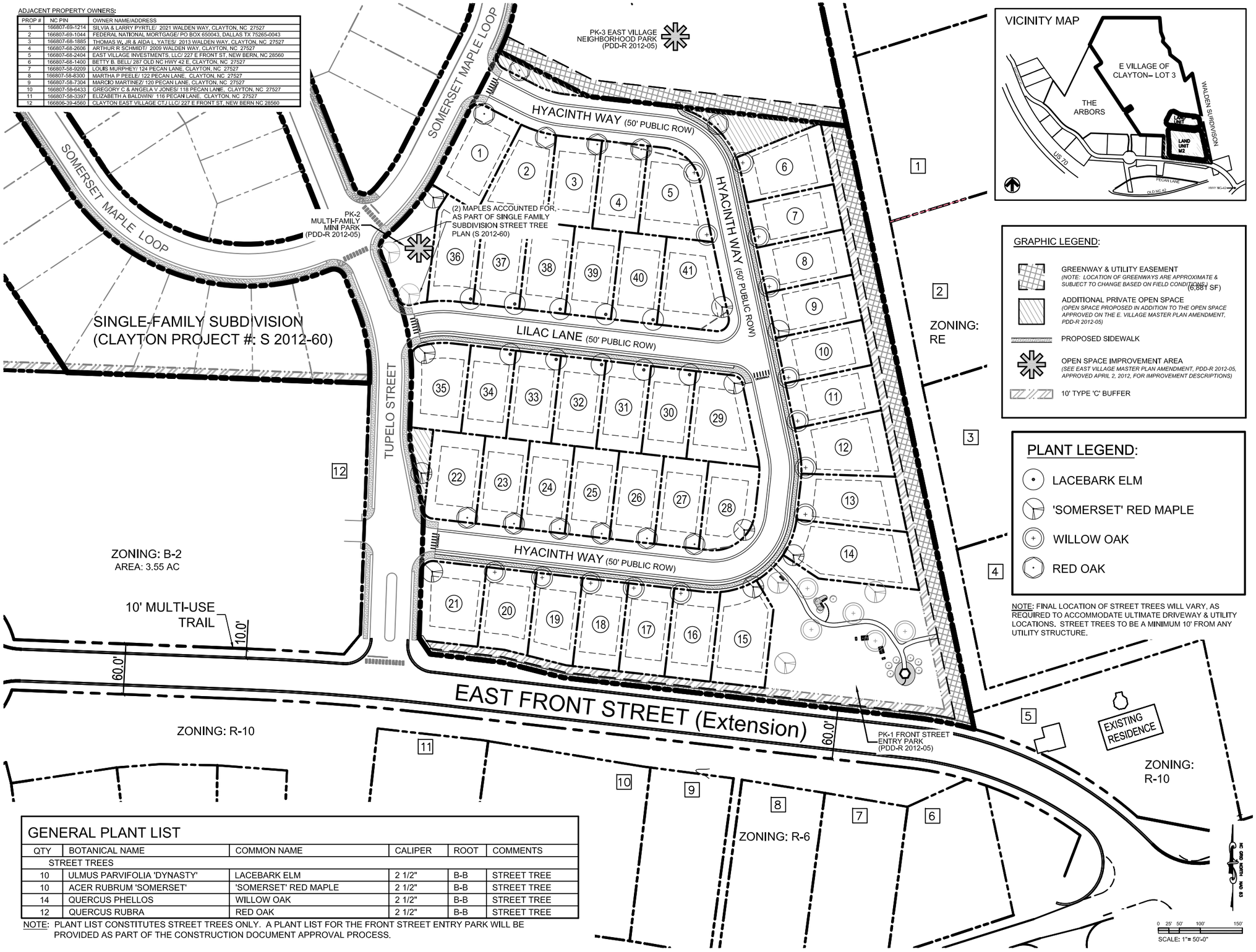
Number	Description	Date

Drawn By JET, SMC
Checked By JET
Date Issued 11/19/2012

L-201

ADJACENT PROPERTY OWNERS:

PROP #	NC PIN	OWNER NAME/ADDRESS
1	166807-69-1214	SILVIA & LARRY PYRTLE/ 2021 WALDEN WAY, CLAYTON, NC 27527
2	166807-69-1044	FEDERAL NATIONAL MORTGAGE/ PO BOX 650043, DALLAS TX 75265-0043
3	166807-68-1885	THOMAS W. JR & AIDA L. YATES/ 2013 WALDEN WAY, CLAYTON, NC 27527
4	166807-68-2606	ARTHUR R SCHMIDT/ 2009 WALDEN WAY, CLAYTON, NC 27527
5	166807-68-2404	EAST VILLAGE INVESTMENTS, LLC/ 227 E FRONT ST, NEW BERN, NC 28560
6	166807-68-1400	BETTY B. BELL/ 287 OLD NC HWY 42 E, CLAYTON, NC 27527
7	166807-58-9209	LOUIS MURPHEY/ 124 PECAN LANE, CLAYTON, NC 27527
8	166807-58-8300	MARTHA P PEELE/ 122 PECAN LANE, CLAYTON, NC 27527
9	166807-58-7304	MARCIO MARTINEZ/ 120 PECAN LANE, CLAYTON, NC 27527
10	166807-58-6433	GREGORY C & ANGELA V JONES/ 118 PECAN LANE, CLAYTON, NC 27527
11	166807-58-3397	ELIZABETH A BALDWIN/ 116 PECAN LANE, CLAYTON, NC 27527
12	166806-39-4560	CLAYTON EAST VILLAGE CTJ LLC/ 227 E FRONT ST, NEW BERN NC 28560



VICINITY MAP

GRAPHIC LEGEND:

- GREENWAY & UTILITY EASEMENT (6,881 SF)
  (NOTE: LOCATION OF GREENWAYS ARE APPROXIMATE & SUBJECT TO CHANGE BASED ON FIELD CONDITIONS.)
- ADDITIONAL PRIVATE OPEN SPACE
  (OPEN SPACE PROPOSED IN ADDITION TO THE OPEN SPACE APPROVED ON THE E. VILLAGE MASTER PLAN AMENDMENT, PDD-R 2012-05)
- PROPOSED SIDEWALK
- OPEN SPACE IMPROVEMENT AREA
  (SEE EAST VILLAGE MASTER PLAN AMENDMENT, PDD-R 2012-05, APPROVED APRIL 2, 2012, FOR IMPROVEMENT DESCRIPTIONS)
- 10' TYPE 'C' BUFFER

PLANT LEGEND:

- LACEBARK ELM
- 'SOMERSET' RED MAPLE
- WILLOW OAK
- RED OAK

NOTE: FINAL LOCATION OF STREET TREES WILL VARY, AS REQUIRED TO ACCOMMODATE ULTIMATE DRIVEWAY & UTILITY LOCATIONS. STREET TREES TO BE A MINIMUM 10' FROM ANY UTILITY STRUCTURE.

GENERAL PLANT LIST

QTY	BOTANICAL NAME	COMMON NAME	CALIPER	ROOT	COMMENTS
STREET TREES					
10	ULMUS PARVIFOLIA 'DYNASTY'	LACEBARK ELM	2 1/2"	B-B	STREET TREE
10	ACER RUBRUM 'SOMERSET'	'SOMERSET' RED MAPLE	2 1/2"	B-B	STREET TREE
14	QUERCUS PHELLOS	WILLOW OAK	2 1/2"	B-B	STREET TREE
12	QUERCUS RUBRA	RED OAK	2 1/2"	B-B	STREET TREE

NOTE: PLANT LIST CONSTITUTES STREET TREES ONLY. A PLANT LIST FOR THE FRONT STREET ENTRY PARK WILL BE PROVIDED AS PART OF THE CONSTRUCTION DOCUMENT APPROVAL PROCESS.

HagerSmith DESIGN PA

Architecture
Landscape Architecture
Planning
Interior Design

PO Box 1308
300 South Dawson Street
Raleigh, North Carolina 27602
Fax: 919.828.4050

919.821.5547

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CONSULTING ENGINEERS
6310 CHAPEL HILL ROAD
RALEIGH, NC 27607
PHONE: 919.851.4422
FAX: 919.851.8968

Seals

Project 265-038-012

EAST VILLAGE OF CLAYTON
RESIDENTIAL UNITS M2 & M3
SUBDIVISION SUBMISSION

Clayton, NC
Johnston County

Client

East Village Investments, LLC
c/o Hubie Tolson

2217 Stantonsburg Rd
Greenville, NC 27834
Phone: (252) 638-4215
Fax: (252) 670-9370

Drawing Title

LOT 3- M2 & M3 LAND UNITS: SINGLE-FAMILY STREET TREE PLAN

Revisions

Number	Description	Date

Drawn By JET, SMC
Checked By JET
Date Issued 11/19/2012

L-202

__ of __

TOWN OF CLAYTON
SUBDIVISION APPLICATION
EVALUATION FORM

Application Number: SUB 2012-96

The Town Council shall decide the matter of Subdivision Application Number SUB 2012-96 by motion and vote on each of the following four findings of fact. Any motion to find against the application must be supported by statement of specific reasons or conclusions reached in support of the motion.

Finding One of Four:

Circle One

A. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will meet all required specifications and will conform to the Town Unified Development Ordinance. (Applicant meets the criteria for approval).

B. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will meet all required specifications and will conform to the Town Unified Development Ordinance: (Applicant meets the criteria for approval upon acceptance of the noted conditions.)

_____
_____
_____
_____

C. Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will not meet all required specifications and/or will not conform to the Town Unified Development Ordinance for the following stated reasons: (Applicant fails to meet the criteria for approval.)

_____
_____
_____
_____

Finding Two of Four:

Circle One

A. **Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, 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. (Applicant meets the criteria necessary for approval.)**

B. **Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, 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 upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)**

_____
_____
_____
_____

C. **Based on the evidence and testimony presented it is the finding of the Council that the subdivision, will be detrimental to the use or orderly development of other properties in the surrounding area and/or will violate the character of existing standards for development of properties in the surrounding area for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)**

_____
_____
_____
_____

Finding Three of Four:

Circle One

A. **Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, 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. (Applicant meets the criteria necessary for approval.)**

B. **Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, 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 upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)**

_____
_____
_____
_____

C. **Based on the evidence and testimony presented it is the finding of the Council that the subdivision design, if approved, will not provide for the distribution of traffic in a manner that will avoid or mitigate congestion within the immediate area, will not provide for the unified and orderly use of or extension of public infrastructure, and/or will materially endanger the environment, public health, safety, or the general welfare for the following reasons. (Applicant fails to meet the criteria for approval.)**

_____
_____
_____
_____

Finding Four of Four:

Circle One

A. **Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, 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. (Applicant meets the criteria necessary for approval.)**

B. **Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, 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 upon compliance with the following stated conditions: (Applicant meets the criteria necessary for approval upon acceptance of the noted conditions.)**

_____
_____
_____
_____

C. **Based on the evidence and testimony presented it is the finding of the Council that the subdivision, if approved, will adversely affect the general plans for the orderly growth and development of the town and/or is not consistent with the planning policies adopted by the Town Council for the following stated reasons: (Applicant fails to meet the criteria necessary for approval.)**

_____
_____
_____
_____

Once all findings have been decided one of the two following motions must be made:

Motion 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 and with full incorporation of all statements and agreements entered into the record by the testimony of the applicant and applicant's representative I move to approve Subdivision Application # _____.

Motion to Deny: Based upon failure to meet all of the above four stated findings and for reasons stated therein, I move to deny Subdivision Application #_____.

Record of Decision:

Based on a motion and majority vote of the Clayton Town Council Subdivision Application Number SUB 2012-96 is hereby:

_____ approved upon acceptance and conformity with all stated conditions; or,

_____ denied for the noted reasons.

Decision made this ____ day of _____, 2012 while in regular session.

_____
Mayor

ATTEST:

_____
Town Clerk

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 6a **Meeting Date:** 1/7/13

TITLE: POLICIES RELATING TO TOWN SQUARE AND HORNE SQUARE.

DESCRIPTION: Attached.

This item was presented to the Council at its December 17, 2012, Council meeting. It was the consensus of the Council to place these policies under Old Business of the upcoming agenda.

RELATED GOAL: Think Downtown

ITEM SUMMARY:

Date:	Action:	Info. Provided:
5-7-12	Approval.	Horne Square Policy.
12-17-12	Presentation.	Town Square Policy & Horne Square Policy.
1-7-13	Discussion.	Town Square Policy & Horne Square Policy.

USE POLICIES & PROCEDURES FOR TOWN SQUARE

PURPOSE

The purpose of this policy is to establish guidelines under which other than municipal use may be made of the Town property, also known as Town Square, located at 110 W. Main Street at its intersection with Fayetteville Street. Town Square is a public space that may be used to help further the vision of downtown Clayton as a 'regional center for artistic expression and destination where people, businesses, and the arts thrive.'

ELIGIBLE USES

Subject to approval and compliance with the guidelines listed herein, the following uses may be permitted in Town Square:

- Not for profit, civic, and similar organizations;
- Cultural, arts-related, educational and other non-commercial uses; and
- Other uses deemed appropriate by Town Council.

The Town of Clayton may refuse use of the property to any group that it deems as failing to meet the criteria or purposes stated herein, at its sole discretion.

GENERAL POLICIES AND PROCEDURES

To use Town Square, the following policies and procedures must be followed.

- A **Special Event Application** must be submitted to Town of Clayton Planning Department at least 30 days prior to event. If the request includes street closures, a minimum of 90 days is required.

- All users must adhere to all ordinances of the Town of Clayton, including securing Town of Clayton Sign Permits at least 1 week prior to event date. (Planning, Zoning & Inspections Office located on Floor G2 of The Clayton Center/Town Hall.)

- No ground stakes may be used by the user or any agent of the user for any purpose including securing tents, signage, staging, etc.

- No vehicles of any kind allowed on Town Square for any purpose, with the exception of mobile stages.

- Due to fire and safety regulations, no fireworks or open fires are allowed.

- The user agrees to protect and hold harmless the Town of Clayton and all employees from and against any claims, actions, damages, injury or loss that occurs in relation to event. Children attending events should be supervised at all times due to proximity of busy roads and traffic.

- Upon completion of the event, all banners, signs, decoration and other materials must be completely removed from the premises.

- User agrees to leave Town Square in the same condition as when first accessed.

DRAFT

- All activities located thereon must be planned and conducted in a safe, healthy, and orderly fashion. The Town of Clayton reserves the right to immediately cancel, without compensation or other consideration, any event not conducted in a safe, healthy and orderly fashion.

ALCOHOL POLICY

In order for alcohol to be served during an event on Town Square, the following applies:

- User must indicate the intent to serve/sell alcohol in the Special Event Application.

- State law requires that an Alcohol Beverage Control (ABC) Special Use Permit be secured from the NC ABC Commission by the user for any event serving unfortified beer and/or wine if the event is ticketed and/or if wine/beer is sold or transacted via donations *unless* the user is using a licensed caterer to provide and serve it. The Town of Clayton requires this permit to be on file with the Planning Department no later than 1 week prior to event date.

- State law requires that, in order to serve fortified wine and liquor at any event (whether ticketed or not), an ABC Special Use Permit must be secured via the NC ABC Commission *unless* the user is using a fully licensed and insured caterer to serve it.

- The Town of Clayton requires that General Liability Insurance be provided by the user at events where alcohol is served *unless* liability is covered by a fully licensed and insured caterer. In either case, the Town of Clayton and its employees must be added specifying event date and time. Copy for file required 1 week prior to event. The Town of Clayton waives all liability for illness or injury related to the consumption of alcohol on premises.

- All alcohol must be bartended. No self-service alcohol by attendees is permitted. Kegs are allowed, but only as managed by the bartender(s).

- At events where minors are present and alcohol is served, the user is responsible to establish a system of checking ID's and identifying minors with bartender(s)/caterer.

- At events where alcohol is served, The Town of Clayton requires the user to employ a Security Officer thru the Town of Clayton Police Department for the duration of the event at an hourly rate of $25 with a 3-hour minimum. Payment is to be paid directly to the Security Officer on the date of contracted event. (Assigned officer's name communicated to user by Police Department within 5 days of event.)

DAMAGE DEPOSIT POLICY

A discretionary $250.00 Damage/Cleanup Deposit may be required for any use, refundable after 15 days of event date provided Town Square suffers no damage as a result of event. Should damages occur, an itemized statement of repairs will be provided to the user along with a refund of the remaining deposit. If damages exceed $250.00, an invoice will be sent to the user with an itemized statement of repairs.

If Town Square is not adequately cleared of event-related debris, including signage, within 12 hours of the event, a $150 clean up fee will be either deducted from Damage Deposit or invoiced post-event and due within 2 weeks of receipt.

As a potential user of Town Square, I fully understand and agree to the policies and procedures listed herein.

User Signature: _____ Date: _____
Print Name: _____

DRAFT

USE POLICIES & PROCEDURES FOR HORNE SQUARE

PURPOSE

The purpose of this policy is to establish guidelines under which other than municipal use may be made of the Town property, also known as Horne Square, located at 348 E. Main Street at its intersection with Lombard Street. Horne Square is a public space that may be used to help further the vision of downtown Clayton as a 'regional center for artistic expression and destination where people, businesses, and the arts thrive.'

ELIGIBLE USES

Subject to approval and compliance with the guidelines listed herein, the following uses may be permitted in Horne Square:

- Established non-profit, civic, and similar organizations may, from time to time, make use of Horne Square as approved by the Town of Clayton in compliance with these guidelines.
- Eligible public uses of Horne Square include cultural, arts-related, educational and other non-commercial uses.
- Other uses deemed appropriate by Town Council.

Ineligible uses include, but are not limited to:

- Yard sales, private or ticketed events.

The Town of Clayton may refuse use of the property to any group that it deems as failing to meet the criteria or purposes stated herein, at its sole discretion.

GENERAL POLICIES AND PROCEDURES

To use Horne Square, the following policies and procedures must be followed.

- A **Special Event Application** must be submitted to Town of Clayton Planning Department at least 30 days prior to event; if request includes street closures, a minimum of 90 days is required.
- All users must adhere to all ordinances of the Town of Clayton, including securing Town of Clayton Sign Permits at least 1 week prior to event date. (Planning, Zoning & Inspections Office located on Floor G2 of The Clayton Center/Town Hall.)
- The property shall not be used for commercial or "for profit" purposes except as a fundraiser in support of an established non-profit organization and as approved by the Town of Clayton.
- The primary purpose of Horne Square is to provide parking for visitors to Downtown Clayton. Whenever possible, use of the property for special events shall be located on the property so as to accommodate its primary purpose as a public parking lot.
- No organization may use the property more than two (2) times per calendar year.

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- The parking lot shall not be closed to public use more than six (6) times per year.

- No ground stakes may be used by the user or any agent of the user for any purpose including securing tents, signage, staging, etc.

- No vehicles are allowed on Horne Square pavers, unless conditional considerations are noted on the Special Events Application and Permit.

- Due to fire and safety regulations, no fireworks or open fires are allowed.

- The user agrees to protect and hold harmless the Town of Clayton and all employees from and against any claims, actions, damages, injury or loss that occurs in relation to event. Children attending events should be supervised at all times due to proximity of busy roads and traffic.

- Post-event, all banners, signs, decoration and other materials must be completely removed from the premises.

- All users shall leave the property in a clean and safe condition restored to the state and condition which existed prior to their use.

- All activities located thereon must be planned and conducted in a safe, healthy, and orderly fashion. The Town of Clayton reserves the right to immediately cancel, without compensation or other consideration, any event not conducted in a safe, healthy and orderly fashion.

ALCOHOL POLICY

In order for alcohol to be served during an event on Horne Square, the following applies:

- User must indicate the intent to serve/sell alcohol in the Special Event Application.

- State law requires that an ABC Special Use Permit be secured from the NC ABC Commission by the user for any event serving unfortified beer and/or wine if the event is ticketed and/or if wine/beer is sold or transacted via donations *unless* the user is using a licensed caterer to provide and serve it. The Town of Clayton requires this permit to be on file with the Planning Department no later than 1 week prior to event date.

- State law requires that, in order to serve fortified wine and liquor at any event (whether ticketed or not), an ABC Special Use Permit must be secured via the NC ABC Commission *unless* the user is using a fully licensed and insured caterer to serve it.

- The Town of Clayton requires that General Liability Insurance be provided by the user at events where alcohol is served *unless* liability is covered by a fully licensed and insured caterer. In either case, the Town of Clayton and its employees must be added specifying event date and time. Copy for file required 1 week prior to event. The Town of Clayton waives all liability for illness or injury related to the consumption of alcohol on premises.

- All alcohol must be bartended. No self-service alcohol by attendees is permitted. Kegs are allowed, but only as managed by the bartender(s).

- At events where minors are present and alcohol is served, the user is responsible to establish a system of checking ID's and identifying minors with bartender(s)/caterer.

DRAFT

- At events where alcohol is served, The Town of Clayton requires the user to employ a Security Officer thru the Town of Clayton Police Department for the duration of the event at an hourly rate of $25 with a 3-hour minimum. Payment is to be paid directly to the Security Officer on the date of contracted event. (Assigned officer's name communicated to user by Police Department within 5 days of event.)

DAMAGE DEPOSIT POLICY

A discretionary $250.00 Damage/Cleanup Deposit may be required for any use, refundable after 15 days of event date provided Horne Square suffers no damage as a result of event. Should damages occur, an itemized statement of repairs will be provided to the user along with a refund of the remaining deposit. If damages exceed $250.00, an invoice will be sent to the user with an itemized statement of repairs.

If Horne Square is not adequately cleared of event-related debris, including signage, within 12 hours of the event, a $150 clean up fee will be either deducted from Damage Deposit or invoiced post-event and due within 2 weeks of receipt.

As a potential user of Horne Square, I fully understand and agree to the policies and procedures listed herein.

User Signature: _____ Date: _____
Print Name: _____

DRAFT

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 6b **Meeting Date:** 1/7/13

TITLE: JOHNSTON COUNTY ECONOMIC DEVELOPMENT COMMISSION.

DESCRIPTION: The Johnston County Board of Commissioners has noticed it is seeking applications for persons to serve on the Johnston County Economic Development Commission. Specifically, one representative from the following municipalities will be considered to serve a two-year term: Archer Lodge, Clayton, Pine Level, Princeton, and Selma. All applications received will be forwarded to the respective municipality so that the governing board may make a recommendation. Final appointments will be made by the Johnston County Board of Commissioners at its February 2013 regular meeting.
Currently, Mayor McLeod is the Town of Clayton municipality.
Applications for this board will be on the Council's January 2013 regular meeting agenda for discussion and action.

The following applications to the Johnston County Economic Development Commission are before the Clayton Town Council for discussion and recommendation:

- Jody L. McLeod (presently serving)
- Zachary Thornton
- Monica A Perry

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:	Action:	Info. Provided:
12-03-12	None – Information.	Johnston County Public Notice.
1-7-13	Recommendation.	Letter from Johnston County & 3 applications.

Office of
County Commissioners
(919) 989-5100
FAX (919) 989-5179

Paula G. Woodard, Clerk

Johnston County
POST OFFICE BOX 1049
SMITHFIELD, N.C. 27577

Jeffrey P. Carver, Chairman
Tony Braswell, Vice Chairman
Cookie Pope
Allen L. Mims, Jr.
Wade M. Stewart
DeVan Barbour
Ted G. Godwin

December 17, 2012

Ms. Sherry L. Scoggins, MMC
Town Clerk
Town of Clayton
P.O. Box 879
Clayton, N.C. 27528

Dear Ms. Scoggins:

As you may know, Johnston County has an Economic Development Commission that consists of 14 members (one position for each of the eleven municipalities and three at-large positions) that are appointed by the Johnston County Board of Commissioners. Presently, the position representing the Clayton area is up for consideration. This position is held by Mayor Jody McLeod who has applied for reappointment for another two year term. I have attached Mr. McLeod's application. We have also received two other applications for the Clayton area that I have attached as well.

On behalf of the Johnston County Board of Commissioners, Chairman Jeffrey P. Carver and Vice Chairman Tony Braswell feel that it is important the municipalities have input with regards to the selection of a representative on the Economic Development Commission, for their respective areas.

To that end, the Johnston County Board of Commissioners would appreciate the Town Council, at their next scheduled meeting, discussing the open position and making a recommendation on the applicants enclosed or any other individual they feel would be a good candidate for the open position.

Thank you for your assistance in this matter and please do not hesitate to contact me if you have any questions.

Sincerely,

Paula G. Woodard

Paula G. Woodard
Clerk to the Board

Attachment

NOTIFICATION OF INTEREST TO SERVE ON AN APPOINTED BOARD
(APPLICATION)

BOARD: Jo Co Economic Development Commission

NAME: Jody L. McLeod

ADDRESS: Town of Clayton, PO BOX 879, Clayton, NC 27528-0879

TELEPHONE: _____ (HOME) 919-553-7197 (WORK)

PRESENT OCCUPATION: Florist / Designer

YEARS OF FORMAL EDUCATION: _____

CIVIC AND FRATERNAL ORGANIZATIONS IN WHICH YOU HAVE PARTICIPATED:

Jo Co Economic Development Commission

NCLM District IV Board of Director - Appointed November 2012

Jo Co Community College Foundation

PLEASE TELL WHY YOU WOULD LIKE TO SERVE ON THE ABOVE BOARD:

Currently serving and would like to continue!

DATE: 12-3-12 SIGNATURE: [signature]

FOR OFFICE USE ONLY:

DATE RECEIVED: _____

DATE FORWARDED TO COUNTY COMMISSIONERS: _____

NOTIFICATION OF INTEREST TO SERVE ON AN APPOINTED BOARD (APPLICATION)

BOARD: Economic Development Commission

NAME: Zachary Thornton

ADDRESS: 151 Skygrove Drive Clayton, NC 27527

TELEPHONE: 919-915-0903 (HOME) 919-938-4768 (WORK)

PRESENT OCCUPATION: Commercial Banker with BB&T

YEARS OF FORMAL EDUCATION: B.S. - Finance from UNC-Wilmington

CIVIC AND FRATERNAL ORGANIZATIONS IN WHICH YOU HAVE PARTICIPATED:

Rotary Club of Central Johnston County (Active member, Board)

Partnership to Build A Miracle (Board)

Boys & Girls Club of Johnston County (Board)

Johnston County Industrial Facilities and Pollution Control Financing Authority

Smithfield-Selma Area Chamber of Commerce (Board, various committees)

PLEASE TELL WHY YOU WOULD LIKE TO SERVE ON THE ABOVE BOARD:

Serve all of the citizens of Johnston County in a meaning role. Make economic decisions and plans that will have a positive impact for all of our communities, not just right now but for years to come. Utilize all resources available to ensure the County remains a desirable place to do business locally, regionally and nationally.

DATE: November 30, 2012 SIGNATURE:

FOR OFFICE USE ONLY:

DATE RECEIVED:

DATE FORWARDED TO COUNTY COMMISSIONERS:

NOTIFICATION OF INTEREST TO SERVE ON AN APPOINTED BOARD (APPLICATION)

BOARD: Economic Development Commission

NAME: Monica A. Perry

ADDRESS: 127 Meadow Run, Clayton, NC 27520

TELEPHONE: 919-359-3399 (HOME) 919-924-3242 (WORK)

PRESENT OCCUPATION: Retired Teacher/Professor

YEARS OF FORMAL EDUCATION: 18 years , Master's in Education

CIVIC AND FRATERNAL ORGANIZATIONS IN WHICH YOU HAVE PARTICIPATED:

I was a Board Member in Absecon, New Jersey.

PLEASE TELL WHY YOU WOULD LIKE TO SERVE ON THE ABOVE BOARD:

I would like to serve on the Economic Development Commission Board to become more involved in the community in which my family resides.

DATE: December 4, 2012I SIGNATURE: Monica A. Perry, M. Ed

FOR OFFICE USE ONLY:

DATE RECEIVED: _____

DATE FORWARDED TO COUNTY COMMISSIONERS: _____

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 6c **Meeting Date: 1/7/13**

TITLE: STATUS OF 110 WEST FRONT STREET, FORMER RED AND WHITE STORE.

DESCRIPTION: Discussion.
At the July 16, 2012, Council work session, it was the consensus of the Council that staff draft the ordinance authorizing the building inspector to have the property demolished in the event Town does not see work initiated within the specified timeframe.
At its August 6, 2012, Council meeting, it was the consensus of the Council to continue this item for 90 days.
At its November 5, 2012, Council meeting, the Council received information from the lien holder of this property. All Council members voted in favor of continuing this item to the November 19, 2012, Council meeting in order to receive additional information.

RELATED GOAL: Think Downtown & Administrative

ITEM SUMMARY:

Date:	Action:	Info. Provided:
7-16-12	Discussion.	Ordinance.
8-06-12	Discussion.	Ordinance, map, NC GS 160A-439, and Town Code Of Ordinances section 153.027.
10-15-12	None – Tracking.	Ordinance, map, NC GS 160A-439, and Town Code Of Ordinances section 153.027.
11-05-12	Discussion.	Ordinance, map, NC GS 160A-439, and Town Code Of Ordinances section 153.027.
11-19-12	Discussion.	Ordinance, map, NC GS 160A-439, and Town Code Of Ordinances section 153.027.
12-3-12	Discussion.	Ordinance, Map, NC GS 160A-439, and Town Code of Ords section 153.027.
12-17-12	Discussion.	N/A.
1-7-13	Discussion.	N/A.

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 6d **Meeting Date:** 1/7/13

TITLE: STATUS OF JOHN STREET SEWER IMPROVEMENT PROJECT.

DESCRIPTION: Public notice in accordance with NC GS 160A-224.
This item is slated for public hearing on Monday, June 4, 2012, at 6:30 PM.
Letters were mailed to the 16 property owners on May 16, 2012.
Public notice ran in the Clayton News-Star May 20 and May 23.
Letters were mailed to the 16 property owners on June 13, 2012, that included an amended draft of the assessment resolution.
Each property owner was mailed a temporary easement for construction on October 9, 2012. To date, all but three have been fully executed. On November 9, 2012, a permanent easement was mailed to the Clayton Townhomes HOA and it was returned as undeliverable.

RELATED GOAL: Administrative

ITEM SUMMARY:

Date:	Action:	Info. Provided:
2-20-12	Discussion.	PowerPoint presentation.
3-19-12	Discussion.	
4-02-12	Discussion.	Spreadsheet with four options.
4-16-12	Presentation.	Preliminary Resolution.
5-07-12	Approval.	Preliminary Resolution.
5-21-12	Public notice.	N/A.
6-04-12	Public hearing.	Resolution.
6-18-12	Adoption.	Amended Resolution.
12-17-12	Adoption.	Resolutions (3).
1-7-13	Discussion.	

TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET

Agenda Item: 8c **Meeting Date: 1/7/13**

TITLE: TOWN CLERK

DESCRIPTION: Calendar of Events:

- Council Mtg – Monday, January 7, 2013 @ 6:30 PM
- "Youth Art Month" Arts Award Reception – Thursday, January 10, 2013, @ 6:30 PM at the Clayton Center
- Board of Adjustment Mtg – Wednesday, January 16, 2013 @ 6 PM
- Martin Luther King Jr.'s Birthday Holiday – Monday, January 21, 2013
- Clayton Chamber Installation & Awards Ceremony – Tuesday, January 22, 2013 @ 6 PM at the Clayton Center, 111 East Second Street
- Council Mtg – WEDNESDAY, January 23, 2013 @ 6:30 PM
- Library Board Mtg – Thursday, January 24, 2013 @ 2:30 PM; Hocutt-Ellington Library, 100 S Church Street
- Planning Board Mtg – Monday, January 28, 2013 @ 6 PM
- North Carolina Main Street Conference – January 30, 2013 – February 1, 2013 hosted in Salisbury, NC
- Council Mtg – Monday, February 4, 2013 @ 6:30 PM
- Council Mtg – Monday, February 18, 2013 @ 6:30 PM
- Board of Adjustment Mtg – Wednesday, February 20, 2013 @ 6 PM
- Planning Board Mtg – Monday, February 25, 2013 @ 6 PM
- 5k Run for the Rockets – Saturday, March 2, 2013 @ Cooper Elementary from 9 AM to 12 noon
- Good Friday Holiday – Friday, March 29, 2013
- HeartChase – Saturday, May 18, 2013 @ Town Square and in Downtown Clayton from 10 AM to 12 noon; registration begins at 9 AM.
- Memorial Day Holiday – Monday, May 27, 2013
- Independence Day Holiday – Thursday, July 4, 2013
- Labor Day Holiday – Monday, September 2, 2013
- Veteran's Day Holiday – Monday, November 11, 2013
- Thanksgiving Holiday – Thursday, November 28, 2013 & Friday, November 29, 2013
- Christmas Holiday – Tuesday, December 24, 2013; Wednesday, December 25, 2013; & Thursday, December 26, 2013

Date:	Action:	Info. Provided:
1-7-13	N/A.	Calendar of Events.