**The Town Of Clayton**
**Regular Town Council Meeting Agenda**
**Monday, June 6, 2016 @ 6:30 PM**
**Council Chambers**

## 1. CALL TO ORDER

Pledge of Allegiance and Invocation

## 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 - May 16, 2016 Regular Session
May 16, 2016 DRAFT Minutes

b. Warranty Acceptance & All Utility Easements - Spring Branch Lot 4
Warranty Acceptance - Spring Branch, Lot 4

c. Final Warranty Acceptance & Pertinent Easements - Arbors at East Village
Warranty Acceptance The Arbors at East Village

d. Warranty Acceptance - Final Lift Asphalt - RWAC-Phases 1A,1B,1C,1D(Excludes Payton Dr.)
Warranty Acceptance RWAC, Phases 1A, 1B, 1C, 1D, Excludes Payton Drive

e. Warranty Acceptance - Final Lift Asphalt - RWAC-Phases 4A,4B,4C,4D,4E&4F
Warranty Acceptance RWAC, Phases 4A, 4B, 4C, 4D, 4E & 4F

f. Proclamation - Gastroschisis Awareness
Proclamation Gastroschisis

g. Request for Closure of Kilgo Street - July 4th Celebration
July 4th Celebration - Event Report

h. Resolution for Closure of Main Street - Halloween Parade
Halloween Parade - Event Report
Resolution #2016-21 - Halloween Parade

i. Waste Management  Contract Amendment

Waste Management - Amendment #3

j. Audit Contract for FY '15-'16 / Anderson, Smith & Wike, LLC
Auditors Letter of Understanding
Audit Contract

k. Appointment of Amanda Hilburn to Downtown Development Board
DDA Application - Amanda Hillburn

**POTENTIAL ACTION:** Adoption of Consent Agenda as Presented

## 4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. Recognition of Psi Sigma Omega (PSO) Chapter of Alpha Kappa Alpha
*Presenter:* Stacy Beard, Public Information Officer
Cover - Recognition of Psi Sigma Omega Members

b. Johnston County Storm Water/Sediment/Erosion Control Update
Cover - JC Storm Water Update

**POTENTIAL ACTION:** None – Informational Only

c. NCDOT Proposed Highway 70 Safety Project
*Presenter*: Jiles Harrell, NCDOT District Engineer

**POTENTIAL ACTION:** Place on June 20, 2016 Agenda

## 5. PUBLIC HEARINGS

a. Public Hearing - Proposed FY '16-'17 Budget
Cover - Public Hearing - Proposed FY '16-'17 Budget
Public Notice - Proposed FY '16-'17 Budget

**POTENTIAL ACTION:** Place on June 20, 2016 Agenda for Adoption

b. Organization of Regional Water and Sewer Authority in Johnston County
*Presenter:* Katherine Ross, Town Attorney
Notice of Public Hearing - Water Sewer Authority
Articles of Incoporation - Water Sewer Authority
Resolution #2016-22 - Water Sewer Authority

**POTENTIAL ACTION:** Adoption of Resolution #2016-22

## 6. OLD BUSINESS

a. Façade/Site Elements Grant Program
*Presenter:* David DeYoung, Planning Director
Cover - Facade Grant Program
Facade Improvement Grant Program Update

**POTENTIAL ACTION:** Approval/Disapproval

b. Base / Credit Card Fee Discussion
*Presenter:* Steve Biggs, Town Manager
Cover - Base / Credit Card Fees

**POTENTIAL ACTION:** Approval/Disapproval

## 7. NEW BUSINESS

a. Appointment of Interim Town Manager
*Presenter:* Kimberly Moffett, Town Clerk

Cover - Interim Town Manager Appointment
Resolution #2016-23 - Appointment Interim Town Manager

**POTENTIAL ACTION:** Adoption of Resolution #2016-23

b. Resolution Approving Proposal/Refinance - Law Enforcement Center
*Presenter:* Robert McKie, Finance Director
Resolution #2016-24 - Proposal Refinance Law Enforcement Center

**POTENTIAL ACTION:** Adoption of Resolution #2016-24

c. Budget Amendment - Sam's Branch Phase II Capital Project
*Presenter:* Robert McKie, Finance Director
Ordinance #2016-06-01 - Capital Project Budget -Sam's Branch Interceptor Phase 2

**POTENTIAL ACTION:** Place on June 20, 2016 Consent Agenda

## 8. STAFF REPORTS

a. Town Manager
  1. General Obligation Bond Preliminary Report

b. Town Attorney

c. Town Clerk

d. Other Staff
*John McCullen - Town Engineer:*
Update on Citizen Reported Issues at:
- Creekside
- Mitchiner Hills

*David DeYoung - Planning Director:*
Update - 619 Lombard Street

## 9. OTHER BUSINESS

a. **Informal Discussion & Public Comment**

b. **Council Comments**

## 10. CLOSED SESSION

a. **Closed Session Pursuant to NCGS 143-318.11(a)(3) - To consult with Town Attorney in order to preserve attorney-client privilege between attorney and Town of Clayton with regard to the Mims Property.**

## 11. ADJOURNMENT

**The Town Of Clayton**
**Town Council Work Session Meeting Minutes**
**Monday, May 16, 2016 @ 6:30 PM**
**Council Chambers**

**COUNCIL PRESENT:**
Mayor McLeod
Mayor Pro Tem Grannis
Council Member Satterfield
Council Member Lawter
Council Member Holder
Council Member Thompson

**STAFF PRESENT:**
Steve Biggs, Town Manager
Nancy Medlin, Deputy Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
David DeYoung, Planning Director
Robert McKie, Finance Director
Catherine Whitley, Human Resource Director
Matt Lorion, Parks & Recreation
Kaitlyn Russo, Downtown Dev. Coordinator
Christie Starmes, Library Director
Larry Bailey, Parks & Recreation Director
Stacy Beard, Public Information Officer
John Hamlin, A/Public Information Officer

**COUNCIL ABSENT:**



**1 CALL TO ORDER**
Pledge of Allegiance and Invocation

a) Mayor McLeod called the meeting to order at 6:33 p.m. and led the Pledge of Allegiance as well as offering the Invocation.

**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 - May 2, 2016 - Regular & Closed Session

b) Resolutions Authorizing Johnston & Wake Counties to Collect Taxes

**ACTION:** Approval of Consent Agenda as Presented

Motion: Council Member Thompson
Second: Council Member Holder
Vote: Unanimous

## 4 ADMINISTRATIVE ITEMS

a) **Set Public Hearing - Proposed FY '16-'17 Budget**

**ACTION:** Set Public Hearing for June 6, 2016

b) **Warranty Acceptance & All Utility Easements - Spring Branch, Lot 4**

**ACTION:** Placed on June 6, 2016 Consent Agenda

c) **Final Warranty Acceptance & Pertinent Easements - The Arbors at East Village**

**ACTION:** Placed on June 6, 2016 Consent Agenda

d) **Warranty - Final Lift Asphalt - RWAC - Phases 1A, 1B, 1C &1D (Excludes Payton Dr.)**

**ACTION:** Placed on June 6, 2016 Consent Agenda

e) **Warranty Acceptance - Final Lift Asphalt - RWAC - Phases 4A,4B,4C,4D,4E & 4F**

**ACTION:** Placed on June 6, 2016 Consent Agenda

## 5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

a) **Proclamation Request - Avery's Angels - Gastroschisis Awareness**
*Presenter:* Meghan Hall, CEO/Founder Avery's Angels

Meghan Hall who is the founder of Avery's Angels addressed the Council and provided information regarding this disease and request for Proclamation that would recognize July 30, 2016 as Gastroschisis Awareness Day.

**ACTION:** Placed on June 6, 2016 Consent Agenda

b) **Recognition of Clayton High School Tennis Team**
*Presenter:* Stacy Beard, Public Information Officer

Stacy Beard provided information regarding the team, team history as well as current season. Each member of the team as well as the Coach were presented with a certificate of appreciation. It was noted that the coach has been with the team for the last two decades. Council members offered their thanks,d appreciation for the outstanding dedication of each member, as well as offering congratulations for winning the conference championship.

c) **Introduction of Miss Clayton (Ashtin Gil) and Miss Outstanding Teen Clayton (Catherine White)**
*Presenter:* Mr. Keith Branch

Keith Branch expressed his appreciation for the long time service of Mr. Steve Biggs and offered his personal thanks to Steve Biggs. Mr. Branch introduced Miss Clayton and Miss Outstanding Teen Clayton, Ashtin Gill and Catherine White. Miss White addressed the council and stated she was excited to share information about her community service project and stated she hoped to promote positive character traits to help young people and become leaders through community involvement while helping to improve self-esteem. She stated she looked forward to becoming involved with the community. Miss Ashtin Gill addressed the council and stated she is a 2nd grade teacher in Wake County and stated it was a blessing to represent Clayton. She shared information regarding her platform which is literacy awareness. She stated she would like to start a small "free library" in Clayton, where a small structure is built and anyone can take a book and return a book. She further stated she has reached out to others in the community who are interested in partnering with such a project and asked the council to consider the idea. Mayor McLeod thanked both Miss White and Miss Gill for representing Clayton so extremely well.

d) July 4th Celebration - Report & Street Closure Request
*Presenter:* Matt Lorion, Parks & Recreation

Matt Lorion addressed the Council and provided information regarding the 2016 July 4th event. It was requested that Kilgo Street be closed. He stated there were a few minor changes made regarding exiting the event and further stated all information will be sent out via social media. Some of the changes included that City Road would be open northbound only, Stalling Street will have east bound traffic only while the west bound portion of Stalling Street will be a pedestrian safe zone.

Parking permits will be provided to town officials attending the event. Ms. Beard stated the next step is to ensure that all the information is getting to everyone. Folks near Kilgo Street will be advise of the street closure. Code Red will be used as well as social media, video and posters on site. Ms. Beard also stated she would contact Clayton News Star to provide updated information to folks.

<u>**ACTION:**</u> Placed on June 6, 2016 Consent Agenda for Kilgo Street Closure

## 6 PUBLIC HEARINGS

## 7 ITEMS SCHEDULED FOR THE REGULAR MEETING

a) Contract Amendment - Waste Management
*Presenter*: Steve Biggs, Town Manager

Mr. Biggs provided information regarding the amended Waste Management Contract. He provided information that included previous contracts were 4-5 year extensions, however, this would be a single year extension. The intent is to provide the town time to redefine our services and possibly in-house yard waste collection.

<u>**ACTION:**</u> Placed on June 6, 2016 Consent Agenda

b) 2016 Halloween Parade - Report & NCDOT Street Closure Request
*Presenter:* Matt Lorion, Parks & Recreation Department

Mr. Lorion stated the 2016 Halloween Parade will taken place on Monday - October 31, 2016 from 2:00 - 4:00 p.m. and requested closure of Main Street from Smith to Fayetteville Streets.

**ACTION:** Placed on June 6, 2016 Consent Agenda

c) Audit Contract - 'FY '15-'16 - Anderson, Smith & Wike PLLC
*Presenter:* Robert McKie, Finance Director

Mr. McKie presented a report on the audit contract and stated there were no changes in fee structure and staff is not recommending any changes.

**ACTION:** Placed on June 6, 2016 Consent Agenda

d) Facade Grant Program
*Presenter:* David DeYoung, Planning Director

Mr. DeYoung provided information regarding expanding the current Face Grant Program to allow site element improvements. This would include lighting, landscaping sidewalks, hardscaping, and parking improvements. The maximum grant amount would of $5,000 as well as 50% reimbursement rate for projects would remain. All grants are approved through the DDA Design Committee.

**ACTION:** Placed on June 6, 2016 Agenda

e) Recommendation of Appointment - Downtown Development Advisory Board
*Presenter:* David DeYoung, Planning Director

Mr. DeYoung stated he would like to recommend the appointment of Amanda Dew Hilburn to serve on the Downtown Development Advisory Board. Mr. Barbour recently resigned from the board and Ms. Hilburn would fill this unexpired seat with a term expiration of December 31, 2017..

**ACTION:** Placed on June 6, 2016 Consent Agenda

## 8 ITEMS CONTINGENT FOR THE REGULAR MEETING

## 9 ITEMS FOR DISCUSSION

## 10 OLD BUSINESS

a) Special Events Policy

Nancy Medlin provided additional information that was requested previously. This information included a schedule of town and non town events with breakdown of town staff support hours. Council thanked Ms. Medlin for the additional information and stated they will continue to take this information under advisement.

b) Traffic Control at Riverwood Elementary & Middle Schools - "No Left Turn"

Signage
*Presenter:* David DeYoung, Planning Director

Dave DeYoung provided history that included the hiring of Kimley-Horn for report on this issue. Finding of the reports included recommendation of building concrete median isle at a cost of approximately $20,000. This cost included design and construction. With no funding coming from either the school or the developer this item remained at a stand still. Recent meeting with the school, residents and developers included discussion about addition of adding a no left turn sign that would include time restrictions of 7-9 a.m. and again from 3-4:30 p.m. The intent is not to have a police officer sitting at the location but rather should there be in accident where the sign instruction was not adhered to, it would be a ticketable offense. Mayor McLeod stated he is happy to see this suggestion and feels it can be very successful. Mayor Pro Tem Grannis was in agreement and offered suggestion to increase time frame. Mr. DeYoung will work with the principal of the school to ensure parents are made aware. The sign should be in place by start of new school year. As a matter of information, there is no history of accidents at this location to date.

**ACTION:** Place on June 6, 2016 Consent Agenda

## 11 ITEMS REQUIRING ACTION

*(In order to any action to be taken during a Work Session, a motion must be made and seconded to suspend the rule that will allow action to be taken.)*

a) Motion to Suspend Rule in Order to Take Action at Work Session

**ACTION:** Motion to Suspend Rule

Motion: Council Member Holder
Second: Council Member Thompson
Vote: Unanimous

b) Request for Proclamation Recognizing Older Americans Month 2016
*Presenter*: Parks & Recreation Department

Mr. Lorion provided details about Older Americans Month and stated the town would be hosting an event at Town Hall on Friday - May 20, 2016 from 10:00 a.m. until 12:00 noon. The event was free and open to all seniors who wished to attend.

**ACTION:** Approval of Proclamation

Motion: Council Member Thompson
Second: Mayor Pro Tem Grannis
Vote: Unanimous

c) Resolution Approving BB&T Proposal/Refinancing- Community Center
*Presenter:* Robert McKie, Finance Director

Mr. McKie provided details regarding this proposed refinance and stated a savings of $1,700,000 would be realized through this refinance.

**ACTION:** Approval of Resolution #2016-19

Motion: Mayor Pro Tem Grannis
Second: Council Member Holder
Vote: Unanimous

d) Resolution Designating Deputy Finance Officers Thereby Authorizing Signature on Checks
*Presenter:* Nancy Medlin, Deputy Town Manager

Ms. Medlin provided background information regarding signature requirements. With the imminent departure of the current town manager, authorized signatures would need to updated. It was agreed that the resolution would be amended to remove the current town manager as a signatory and add the town clerk effective immediately.

**ACTION:** Approval of Resolution #2016-20 with amendments as listed.

Motion: Mayor Pro Tem Grannis
Second: Council Member Holder
Vote: Unanimous

## 12 STAFF REPORTS

a) Town Manager

There is a very high satisfaction with both the Town of Clayton and Town of Archers Lodge with regard to the current Animal Control Services agreement. Archers Lodge would like to extend agreement and add a section to agreement to indicate that agreement would auto renew, unless either party specified with 30-60 day notice they preferred not to renew the agreement. Town Council authorized the Town Manager to move forward with the agreement as stated.

Update regarding building code enforcement case,Red & White Building. Since the time the building was demolished and a lien placed against the property for said demolition, the owner requested that the town consider accepting donation of property to cover cost of said demolition/lien. At the time of the initial request we stated we would consider the request but encouraged the owner to attempt to sell the property. The owner has again asked that we accept the property in lieu of payment.

**ACTION:** Authorize Manager to Prepare Documentation to Accept Property in Lieu of Payment

Motion: Mayor Pro Tem Grannis

**Second:** **Council Member Thompson**
**Vote:** **Unanimous**

**b) Town Attorney**

**c) Town Clerk**

**d) Other Staff**
***Planning Department:***

- **Strategic Transportation Prioritization Projects Effecting Clayton**

**Mr. DeYoung provided update on state transportation projects that will effect Clayton to include the Southern Connector; ITS Signal System,NC 42 West Widening,US 70 Business, US 70 & NC 50 Widening**

**Mayor Pro Tem Grannis acknowledged David DeYoung for his outstanding work with CAMPO.**

## 13 OTHER BUSINESS

**a) Informal Discussion & Public Comment**

**Debra Johnson who lives at 32 Yadkin Street in Creekside Commons stated she is having issues with sinking soil behind her home which face the south connector. She stated she has notified Town Engineer. She state a representative of Johnston County government has visited her home to view the issue. She stated she has photos of the site. She further stated that her neighbor at 42 Yadkin Street had to pull his fence in due to sinking ground. It is her understanding that this is a developer problem but can not get any assistance. She is asking the council to help in any way possible to get the developer to take care of the issue. Mayor McLeod thanked Ms. Johnson for bringing this issue to the council and assured her that additional information will be gathered and staff will be in contact with her shortly.**

**Ms. Johnson also stated there is a problem with commercial trucks parking in neighborhood. She has taken photos and has written letters to Rooms To Go. The issue stopped for a short time, however approximately one week ago the issue started up again. Ms. Johnson stated she left a phone message for the Code Enforcement Officer and has had no response. She requested that her message be acknowledged. She was assured staff will follow up with her.**

**Mr. Joseph Motta who resides 22 Yadkin Street advised he had to have his fence had to moved in due to soil sinking. He stated that KB fixed some cracks to an extent and also stated that a neighbor had a sink hole and have to have his fence cut down to fix the problem. He stated he has spent $5700 on his fence and is unable to receive any type of guarantee due to the sink hole. He further stated there is no response from the HOA and stated they need some sort of help with this issue. He further stated the issues runs the entire length of south connector.**

**Ms. Nancy Moser a resident of Creekside stated she would like to see some extra police protection. She stated there is a good deal of drug activity that**

takes place as well as speeding vehicles and motorcycles. She stated she contacted the police last weekend and no one showed up. She would like to see speed limit signs and speed bumps installed. She also stated she has concerns about streets that are not washed and empty lots and erosion

Mr. John McFadden who is a resident Mitchner Hills and President of the HOA addressed the council and stated there is a serious problem with erosion in Phase 2. He stated he is not sure whose responsibility it is but is asking for assistance. Mr. Banks who is a new resident at 46 Kate Court in Mitchner Hills echoed his concerns and stated that he would never had purchased the property had he known about all the erosion issues. He stated that he has fixed the water run off problem previously but it always returns after every rainfall. Many homes are experiencing the same type of issue and drainage. He has concerns that with all the free flowing water issues, the homes will not withstand the problem. He is asking the council for any type of assistance. He sed he is working to determine if Wade Journey, the developer, did not do their job properly. He stated he understands the town is not responsible for the problem but asked about the town approving the project.

Mr. Mike Starkes also addressed storm water issues near East Clayton Elementary School and stated he had sent emails to Council about the problem. Mayor Pro Tem Grannis asked Mr. DeYoung for an update regarding this issue and update regarding West Clayton Elementary and removal of landscaping. Mr. DeYoung stated he has been in contact with the Director of Facilities and a fence will be installed and is a fix that is necessary. with regard to drainage issues, Mr. Jake Jacobs and Jiles Harrel, NCDOT both visited the site to look at the run off onto the school site and they are trying to come up with a solution. Both issues are being handled.

Council Member Lawter suggested staff and Johnston County staff have a meeting to discuss erosion issues.

Council Member Thompson stated- based on citizen concerns he would like to see some sort of message as to what our responsibilities are as elected officials. Mr. Biggs stated with reference to Mitchner Hills subdivision was originally denied by the town due to soil and design and we were taken to court and lost.

Mayor Pro Tem Grannis agreed with both Council Member Lawter and Council Member Thompson. He offered his thanks to the residents for bring the concerns to our attention and we will attempt to assist in any way possible.

b) Council Comments

Council Member Lawter reported that he participated and finished 233 in the Clayton Road Race.

## 14 CLOSED SESSION

a) Closed Session Pursuant to NCGS 143-318.11(a)(6)
"To consider the qualifications, competence, performance, character, fitness,

conditions of appointment, or conditions of initial employment of an individual public officer or employee or perspective public officer or employee."

**ACTION:** Closed Session following a 15 minute recess

Motion: Mayor Pro Tem Grannis
Second: Council Member Thompson
Vote: Unanimous

## 15 ADJOURNMENT

a)

Council returned from Closed Session at 10:22 p.m.

With there being nothing further, the meeting was adjourned at 10:23 p.m.

Motion: Council Member Thompson
Second: Council Member Lawter
Vote: Unanimous

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

# 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: Kimberly Moffett, Town Clerk

From: Chris Rowland, Construction Inspector CCR

Copy: Jonathan Barnes, Dalton & Associates
Dave DeYoung, Planning Director

Date: April 15, 2016

Re: Spring Branch, Lot 4

Please place a warranty acceptance request for the subject public water and sewer utilities along with all related utility easements on the next available agenda. Record drawings have been reviewed and accepted. Following acceptance, the utilities will be subject to a one-year warranty period. Upon expiration of said warranty, a final inspection will be done with all deficient items corrected by the developer prior to final acceptance.

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

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(919) 553-1535

*MEMORANDUM*

To: Kimberly Moffett, Town Clerk

From: Chris Rowland, Construction Project Administrator CR

Copy: Marty Bizzell, Bass, Nixon, & Kennedy
David DeYoung, Planning Director

Date: April 21, 2016

Subject: The Arbors at East Village

Please place a final acceptance request for the subject public water, sewer, associated storm drainage utilities, and all pertinent easements on the next available agenda. All punch list items have been satisfactorily completed. Upon acceptance, the Town will assume all operation and maintenance duties.

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(919) 553-1535

# MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Chris Rowland, Construction Project Administrator CR

Copy: Johnathan Lewis, Fred Smith Company
Donnie Adams, Adams & Hodge Engineering
Dave DeYoung, Planning Director

Date: May 9, 2016

Subject: RWAC, Phases 1A, 1B, 1C, & 1D (Excludes Payton Drive)

The final lift of asphalt pavement has been installed within the subject phases. Please schedule Council action for the acceptance of this work subject to a **five-year warranty.** Upon expiration of the warranty period, a final inspection will be scheduled, pavement and base course conditions evaluated, and any faults corrected by the developer prior to final acceptance.

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To: Kimberly Moffett, Town Clerk

From: Chris Rowland, Construction Project Administrator CR

Copy: Johnathan Lewis, Fred Smith Company
Donnie Adams, Adams & Hodge Engineering
Dave DeYoung, Planning Director

Date: May 9, 2016

Subject: RWAC, Phases 4A, 4B, 4C, 4D, 4E, & 4F

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

# Proclamation

Gastroschisis Awareness Day

***Whereas,*** there are 1 in 2,229 individuals born with gastroschisis in the United States; and

***Whereas,*** this disease may affect small numbers of people, gastroschisis affects many Americans; and

***Whereas,*** many Americans living with gastroschisis have serious and debilitating conditions that have a significant impact on the lives of those affected including but not limited to failure to thrive, slow growth, multiple organ transplants and long term feeding issues; and

***Whereas***, individuals and families affected by gastroschisis often experience problems such as a sense of isolation, difficulty in obtaining an accurate and timely diagnosis, few treatment options, and problems related to accessing or being reimbursed for treatment; and

***Whereas,*** the cause of gastroschisis is relatively unknown, patients and their families must bear a large share of the burden for things such as raising funds for research; and

***Whereas,*** residents of Clayton, North Carolina are among those affected by gastroschisis; and

***Whereas*****,** an official Awareness Day proclamation is often the precursor to funding for research and other avenues of support; and

***Whereas***, Avery's Angels Gastroschisis Foundation (AAGF) organized a nationwide observance of Gastroschisis Awareness Day that began July 30, 2013, with ever year thereafter; and

***Whereas*****,** the founder of Avery's Angels son, Avery John Rauen, passed away from complications of his gastroschisis on July 30, 2009 at UNC hospital, and this date is to commemorate him as well as all others living with or deceased from gastroschisis.

Therefore, be it resolved that the Clayton Town Council hereby recognize July 30, 2016 as Gastroschisis Awareness Day.

Duly adopted this the 6th day of June, 2016 while in regular session.

___________________________________

Jody L. McLeod
Mayor

ATTEST:

___________________________________

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

**Town of Clayton**
**Planning Department**
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

# SPECIAL EVENT PERMIT APPLICATION

***Pursuant to Article 7, Section 155.712 of the Unified Development Code, a property owner/business owner within the jurisdiction of the Town (or a duly authorized agent) may apply for a Special Event Permit from the Planning Department. Special Event Permits are valid for a maximum 30 days within a one year time period.***

***Applications must be accompanied by one (1) copy of a site plan depicting the special event location, an Owner's Consent Form and the $100.00 application fee (if applicable). All fees are due when the application is submitted. NOTE: If the event is to be held on public property, approval to use the property must be obtained from Town Council; therefore the application must be submitted 90 days prior to the event.***

A special event is a non-routine happening or social activity such as a festival, concert, sporting event, parade, walk or run bringing people together in a defined area on Town property, right of way, or private property. Special events generally require Town services to ensure safety and coordination.

Applications and events are prioritized based on a first come-first served basis and the Town may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

## APPLICANT INFORMATION

Name of Event: July 4th Celebration
Applicant Name and Title: Matt Lorion Program Supervisor
Organization: Town of Clayton Parks and Recreation
Mailing (Billing) Address: PO BOX 879
City: Clayton State: NC Zip Code: 27528
Daytime Phone: 919-553-1554 Cell: 919-624-9807 Email: mlorion@townofclaytonnc.org

## EVENT INFORMATION

Event Location: Municipal Park
Event Address: 340 McCullers St Parcel ID :
Date(s) of Event: July 4th 2016
Event Start Time: 4pm Event End Time: 11pm
Will roads need to be closed: ☒ Yes ☐ No
Set Up Begins: July 4th 7am Clean Up Ends: July 6th 12am
Estimated Attendance: 8,000
Description of Event: The July 4th Celebration is a Family oriented event that offers games and activities for all ages. Events include a cornhole tournament, basketball skills competition, food vendors, inflatables and other rides. There will be a band that plays from 6-10:30pm and we will also have free watermelon slices and ice cream.

## *TOWN OF CLAYTON STAFF USE ONLY*

Date Received: 1/21/16 Amount Paid: NA Permit Number: 2016-05

*April 2014*

## ORGANIZATION INFORMATION

***Please complete the following information if the Special event is benefitting an organization or check the box if not applicable:*** ☐ **N/A**

Is the Organization a 501(c) 3? ■ Yes ☐ No

| | Yes | No |
|---|---|---|
| 1. Is the Special Event being held by or for the benefit of an organization? | ☑ | ☐ |
| 2. Is the organization a 501(C)3 | ☑ | ☐ |

Briefly describe the purpose of the organization: ______

Name of Organization: Clayton Community Recreational Foundation
Organization Address: PO BOX 879
Clayton, NC 27528

Organization Contact Name: Larry Bailey Phone Number: 919-553-1550
Organization Email: lbailey@townofclaytonnc.org
Federal Identification Number: ______

## TENTS & MEMBRANE STRUCTURES

** A **TENT** is a structure, enclosure, or shelter, with or without sidewalls or drops**

| To be completed by the applicant: | | | To be completed by staff: Permit/Inspections Required? | |
|---|---|---|---|---|
| | Yes | No | Yes | No |
| 1. Will tents be used at the event? | ☑ | ☐ | | |
| 2. How many tents will be used? | 6 | | | |
| 3. What is the size of the tents being used? *Please note that tents greater than 240 square feet in size require a building permit and associated inspections.* | 10 X 10 | | | |
| 4. Are there multiple tents without sidewalls being placed side by side? *Please note that 12 feet of separation is required between all tents larger than 700 square feet.* | ☐ | ☑ | | |

** A **MEMBRANE** structure is an air-inflated or air supported structure **

| To be completed by the applicant: | | | To be completed by staff: Permit/Inspections Required? | |
|---|---|---|---|---|
| | Yes | No | Yes | No |
| 1. Will a membrane structure(s) be used at the event? | ☑ | ☐ | | |
| 2. How many membrane structures will be used? | 3-5 | | | |

*April 2014*

## POWER SOURCES

| To be completed by the applicant: | Yes | No | Staff Notes |
|---|---|---|---|
| 1. Will you use electric generators? | ☑ | ☐ | |
| 2. Will you use a Town of Clayton power source? | ☑ | ☐ | |
| PLEASE NOTE: *NO direct wiring to any power source is permitted.* | | | |

## VOICE/MUSIC AMPLIFICATION

| | Yes | No | Staff Notes |
|---|---|---|---|
| 1. Are there any musical entertainment features related to your event? (If no, proceed to next section) | ☑ | ☐ | |
| If yes, state the number of bands: | 1 | | |
| 2. Will a temporary stage be utilized? | ☑ | ☐ | |
| If yes, please state the number of stages | 1 | | |
| 3. Will the event use amplified sound? | ☑ | ☐ | |
| If yes, please list start time and finish time. | **Start Time** 6pm | **Finish Time** 10:30pm | |

## HAZARDOUS MATERIALS

| | Yes | No | Staff Notes |
|---|---|---|---|
| 1. Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? *If yes, note that all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.* | ☑ | ☐ | |
| 2. Will there be any portable heaters? | ☐ | ☑ | |
| 3. Will there be any deep fat fryers? | ☑ | ☐ | |
| 4. Will there be any fireworks, lasers, torches, candles or pyrotechnics? *If yes, please contact the Fire Marshall for more 919-553-1520 information.* | ☑ | ☐ | |

## ALCOHOL

| | Yes | No | Staff Notes |
|---|---|---|---|
| 1. Will alcoholic beverages be served? *If yes, an ABC permit is required.* | ☐ | ☑ | |
| 2. Will alcoholic beverages be sold? *If yes, an ABC permit is required.* | ☐ | ☑ | |
| 3. What type of alcohol will be served? | | | |
| **Draft Beer** ☐ **Can/Bottle Beer** ☐ **Wine** ☐ **Liquor** ☐ | | | |
| 4. Who will be serving the alcohol? *Please identify on the site plan the locations within event site where alcohol will be served.* | | | |
| 5. List times that alcohol will be served | **Start Time** | **Finish Time** | |
| 6. Copies of the ABC permit should be submitted upon receipt to the Planning Department. | | | |

April 2014

## VENDORS

| | Yes | No | Staff Notes |
|---|---|---|---|
| 1. Will the event include mechanical rides, or other similar attractions? *Applicants contracting with amusement ride companies are required to provide the Town of Clayton with a certificate of insurance, naming applicant and the Town of Clayton (if applicable) as additional insured on general liability.* | ☑ | ☐ | |
| 2. Please list/describe rides and attractions: | | | |
| 3. Does the event have food vendors? | ☑ | ☐ | |
| If yes, check all that apply: | | | |

| Served | Sold | Free | Catered | Served Outdoors | Other |
|---|---|---|---|---|---|
| ☑ | ☑ | ☐ | ☐ | ☑ | ☐ |

| | Yes | No | Staff Notes |
|---|---|---|---|
| 4. If the event includes food concessions and/or cooking areas: *Event organizers are required to submit a Temporary Food Event Sponsor form with Johnston County Environmental Health (919-989-5180) at least 14 days prior to the event. A copy of the application must be submitted to the Planning Department at the same time. Fire Code requires a fire extinguisher at each cooking location.* | ☑ | ☐ | |

## TOWN SERVICES

***The Town of Clayton does not provide amenities such as portable washrooms, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as solid waste, wastewater, event clean up, traffic control, etc.***

| TRASH RECEPTICLES/ROLL-OUT CARTS | Yes | No | Staff Notes |
|---|---|---|---|
| 1. Does the event require roll-out carts? | ☑ | ☐ | |
| 2. What types of trash will be discarded? Food and Paper Products | | | |

| Aluminum Cans | Glass Bottles / Jars | Plastic Bottles / Cups | Paper Cups / Plates | Styrofoam Cups / Plates | Other |
|---|---|---|---|---|---|
| ☑ | ☐ | ☑ | ☑ | ☐ | ☐ |

| | Number | | Staff Notes |
|---|---|---|---|
| 3. How many trash roll-out carts are needed? | | | |
| 4. How many recycle roll-out carts are needed? | | | |
| 5. Delivery location? | | | |
| 6. Date rollout carts are to be delivered\picked up? | Delivered | Picked-up | |
| **PUBLIC PROPERTY CLEAN-UP** | **Yes** | **No** | |
| 7. Will portable toilets be used during the event? | ☑ | ☐ | |
| 8. Date portable toilets will be delivered/and removed? | Delivered: 7/1/16 | Picked-up: 7/6/14 | |
| 9. What is the clean-up plan for the event? The Parks and Recreation staff will Handle the event clean up. | | | |
| *Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Any cost incurred by the Town due to the failure of an applicant to clean and/or restore the site following the event will be borne by the applicant. If you believe that no litter will be generated during your event, please state this in your plan.* | | | |

| SAFETY AND SECURITY | | | Yes | No | |
|---|---|---|---|---|---|
| 10. Will security be used during the event? | | | ☑ | ☐ | |
| 11. Will overnight security be used? | | | ☐ | ☑ | |
| 12. How many off duty officers will be used? | | | | | |
| 13. Please check the type(s) of security that will be used: | | | | | |

| Alcohol Security | Stage Security | Event Area Security | Gate Security | Money Handling Security | Other |
|---|---|---|---|---|---|
| ☐ | ☐ | ☐ | ☐ | ☐ | ☐ |

| | |
|---|---|
| 14. Date(s) and time(s) security will be on site: | Police will be on-site from 4-11pm |

*Applicant may be required to hire off-duty Town of Clayton police officers to provide security to insure public safety. The Town of Clayton Police Department will determine the number of security personnel required on site.*

## SITE PLAN

***Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):***

- Location of the event/activity on the property. Showing adjacent streets/roads and boundaries.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames. (Grills only)
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

## SITE PLAN SKETCH

*(Note: you may sketch site plan here or attach a drawing to the application.)*

Our site plan will follow.

## EVENT BOUNDARY AND ROAD TRAFFIC PLAN

| EVENT TYPE | | | | | | Yes | No | Staff Notes |
|---|---|---|---|---|---|---|---|---|
| 1. Will the event include use of public streets? | | | | | | ☑ | ☐ | |
| 2. How will the route be utilized? | | | | | | | | |
| Parade | March or Walk | Vehicles Only | Vendors | Foot/Bicycle Race | Other | | | |
| ☐ | ☐ | ☐ | ☐ | ☐ | ☐ | | | |
| 3. How many participants are expected? | | | | | | Number | | |
| 4. How many floats will participate? | | | | | | | | |
| 5. How many vehicles will participate? | | | | | | | | |
| | | | | | | Yes | No | |
| 6. Will animals participate in the event? | | | | | | ☐ | ☐ | |
| 7. If yes, please list the types of animals: | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| **EVENT BOUNDARIES** | | | | | | | | |
| ***Please describe the event boundaries. If event is a road event then include route below. If there is more than one segment to the event, include start and finish times for each segment.*** *(Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).* | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

## ROAD CLOSURE REQUESTS

***All road closure requests are reviewed by the Town of Clayton. Approval, denial, or modification of road closure requests is at sole discretion of the Town, including but not limited to the route, placement and number of all barricades, signs and police/volunteer locations. If your event involves road closures, please attach a Route and Traffic Plan. Include the required information (listed below) and any additional information that you believe applies to your event.***

| ROAD CLOSURE | | | Staff Notes |
|---|---|---|---|
| 1. List the street(s) and times in which street(s) will need to be closed *(Please note that NC and US roadways require approval from the North Carolina Department of Transportation)*: | | | |
| **Street(s):** | **Begins** | **Ends** | |
| Please see the Polices traffic plan | | | |
| | | | |
| | | | |
| | | | |
| 2. How many participants are expected? | Number | | |
| **EVENT ROUTE** | | | **Staff Notes** |
| ***DESCRIBE THE EVENT ROUTE BELOW. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT.*** *(Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).* | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| *Please note that white temporary water-base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes, Home Depot, etc.).* | | | |

April 2014

## ROAD CLOSURE/DETOUR PLAN

***Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include all proposed locations for barricades, signs and police/volunteers. Identify the proposed locations for emergency access lanes (Minimum 20' width) throughout the event site. Describe planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.***

*(Note: you may sketch site plan here or attach a drawing to the application.)*

The police will have this plan.

## SPECIAL EVENT PROCESSING

***The applicant must follow the steps below in chronological order to ensure successful processing of the Special Event request:***

1. Request a pre-application meeting with the Planning Department to discuss the scope of the Special Event. If the event is downtown, the meeting must include the Downtown Development Coordinator.
2. Submit a completed application with any important supplemental information.
3. Provide proof of $1,000,000 General Liability Insurance. Certificate naming Town of Clayton as Additional Insured may be required.
4. Meet with the Special Events Committee to review the request, receive comments and a recommendation of approval for the event.
5. If Special Events Committee approves, a staff request will be made to the Town Clerk in order to be placed on a Town Council agenda if Town services or road closures are necessary.
6. Upon agenda scheduling, applicant will present the Special Event request to Town Council to receive authorization.

7. If the event will utilize Horne Square, a $250.00 deposit is required following approval.
8. Prior to the Event, a meeting to review the incident action plan (IAP) is required

**Upon completion of the steps above, the Planning Department will issue a Special Event Permit approval (with or without Conditions), or notify the applicant in writing that the request is denied.**

***DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PARADE PERMIT FROM THE TOWN OF CLAYTON POLICE DEPARTMENT. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.***

## USE OF TOWN OWNED PROPERTY

| | Yes | No |
|---|---|---|
| 1. Use policies and procedures obtained and submitted for use of any Town owned property or streets. | ☑ | ☐ |

## DENIAL OR REVOCATION OF PERMIT

**Denial**

A Special Event Permit application may be denied if it is found that its granting would not be in the Town of Clayton's or the public's interest. Any applicant denied a permit to utilize Town-owned property for a special event shall receive a written statement outlining the grounds on which the denial is based. The applicant may appeal the denial of the application to the Town Council within fifteen working days of the written denial and the Town Council may take such corrective action as it shall find necessary. The findings and the determination of the Town Council shall be final.

**Permit Revocation**

The Town may revoke a permit issued pursuant to this section if the applicant or operator of the special event has:

1. Misrepresented or provided false information in the permit application;
2. Violated any provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations;
3. Violated any law, regulation or ordinance regarding the possession, sale, transportation or consumption of intoxicating beverages or controlled substances; or
4. Operated the special event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse.

## APPLICANT'S AFFIDAVIT

***I/We, the undersigned, do hereby make application and petition to the Planning Department of the Town of Clayton to approve the subject Special Event Permit. 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.***

***The undersigned does understand and agree to the rules and regulations that apply to a Special Event Permit.***

**Applicant's Signature:** [signature] **Date:** 1/21/2016

**NORTH CAROLINA**
**JOHNSTON COUNTY**

## INDEMNIFICATION AGREEMENT

I, Matt Lorion have submitted an application for a Special Event Permit for The Town of Clayton's July 4th Celebration on property owned by the Town of Clayton. As the authorized applicant/authorized representative for the Special Event, I hereby agree to indemnify and hold the Town of Clayton, its officers, agents and employees, harmless from all claims, liabilities, demands, expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted against the Town, its officials, agents and employees by any person, firm, or corporation, that may arise out of any acts or omissions, active or passive, related to operating an event on the Town's property.

Signature of Applicant & Authorized Representative of Event

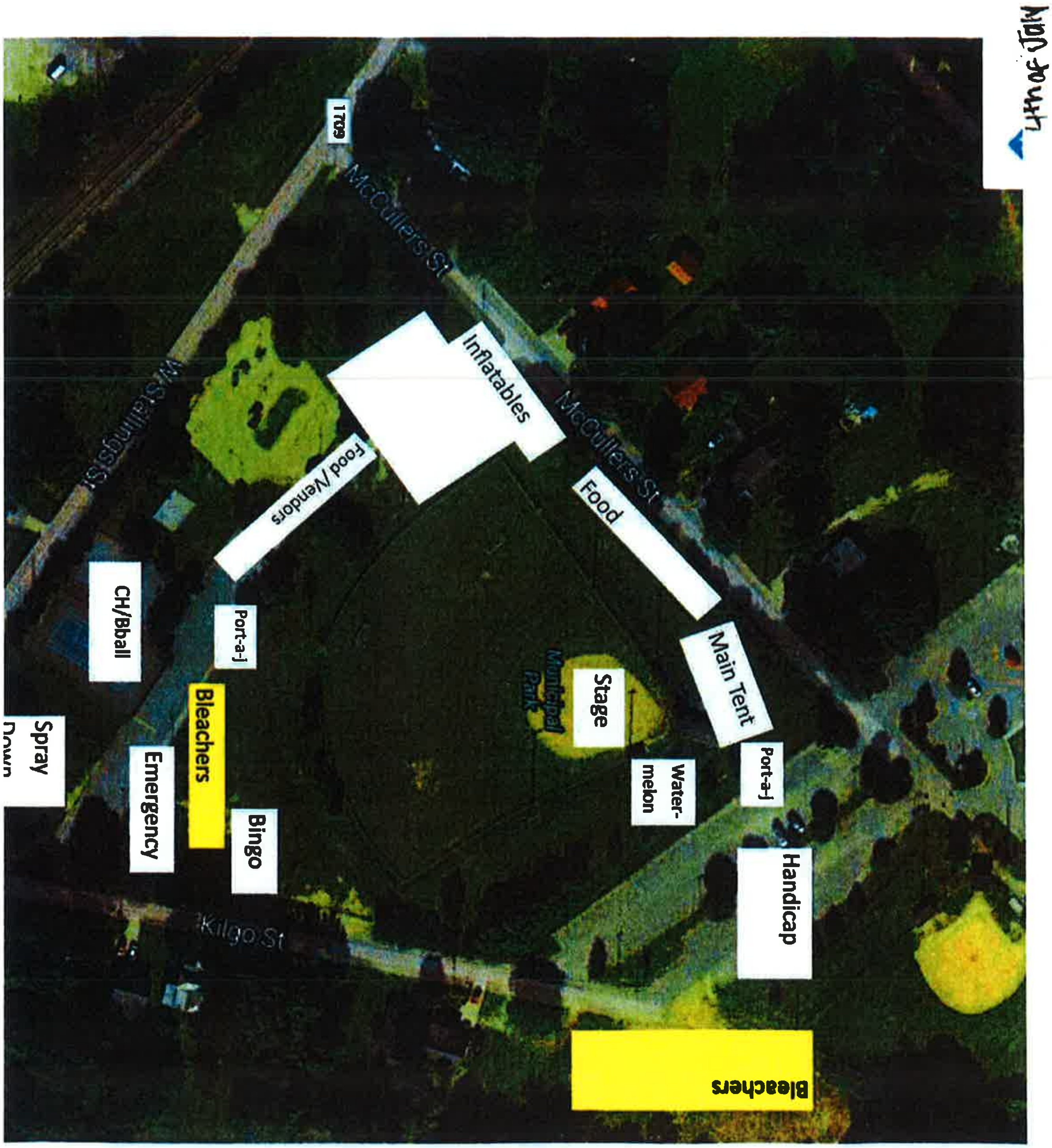
Sworn to (or affirmed) and subscribed before me this the 21st day of January, 2016.

(Official Seal)

*Official Signature of Notary*

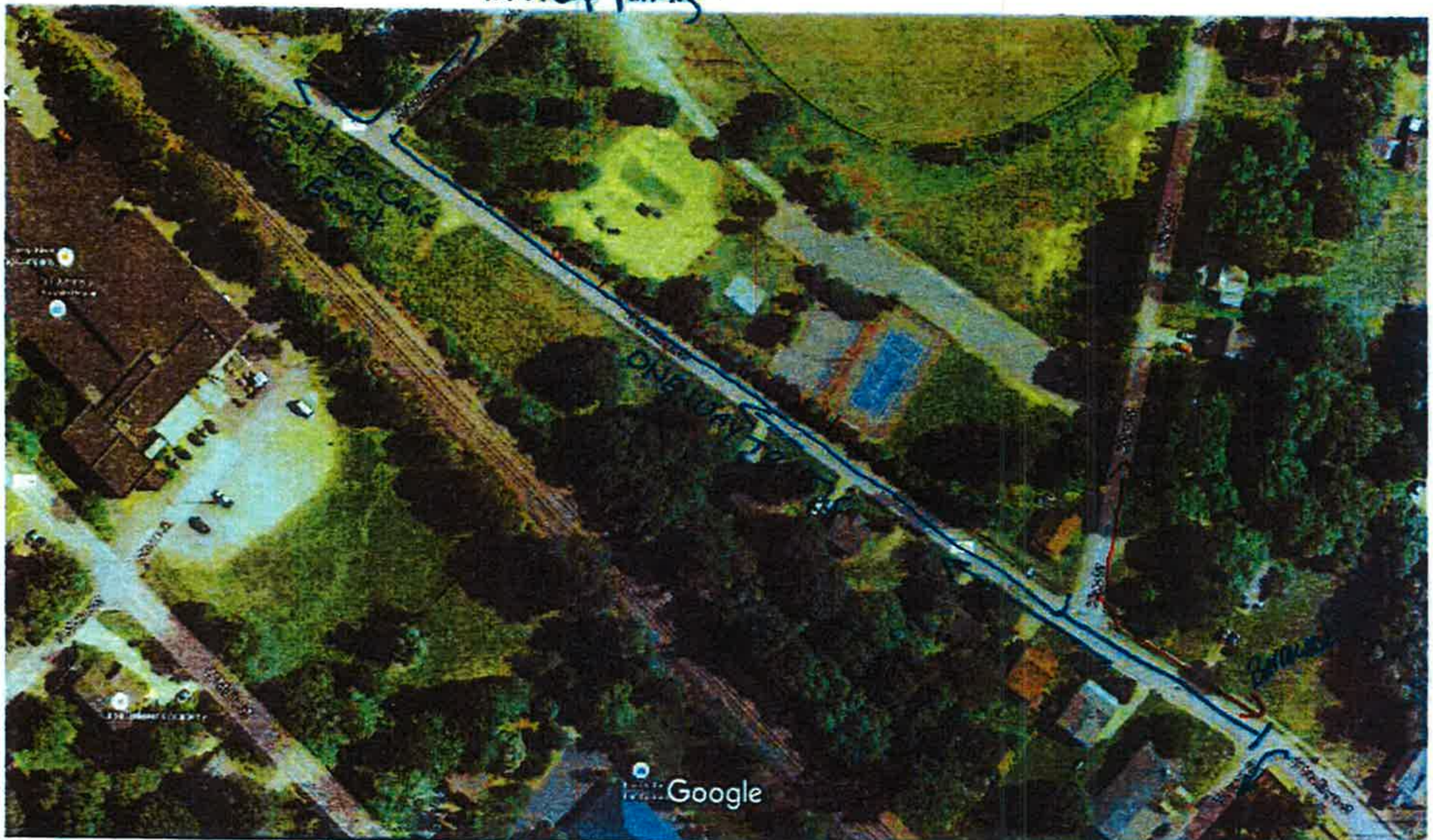
_______________, Notary Public
*Notary's printed or typed name*

My commission expires: _______________


4th of July
1709
McCullers St
Inflatables
McCullers St
Food
W Stallings St
Food /Vendors
CH/Bball
Port-a-J
Main Tent
Stage
Municipal Park
Spray Down
Bleachers
Emergency
Water-melon
Port-a-J
Bingo
Handicap
Kilgo St
Bleachers

Google Maps Municipal Park

Handicap parking in lot




Imagery ©2016 DigitalGlobe, U.S. Geological Survey, Map data ©2016 Google 50 ft

Turn-around point for non-volunteers and non-handicap

## Municipal Park

Park

https://www.google.com/maps/place/Municipal+Park/@35.6590965,-78.4648424,230m/data=...

4th of July

**Town of Clayton**
**Planning Department**
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

# SPECIAL EVENT PERMIT APPLICATION

***Pursuant to Article 7, Section 155.712 of the Unified Development Code, a property owner/business owner within the jurisdiction of the Town (or a duly authorized agent) may apply for a Special Event Permit from the Planning Department. Special Event Permits are valid for a maximum 30 days within a one year time period.***

***Applications must be accompanied by one (1) copy of a site plan depicting the special event location, an Owner's Consent Form and the $100.00 application fee (if applicable). All fees are due when the application is submitted. NOTE: If the event is to be held on public property, approval to use the property must be obtained from Town Council; therefore the application must be submitted 90 days prior to the event.***

A special event is a non-routine happening or social activity such as a festival, concert, sporting event, parade, walk or run bringing people together in a defined area on Town property, right of way, or private property. Special events generally require Town services to ensure safety and coordination.

Applications and events are prioritized based on a first come-first served basis and the Town may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

## APPLICANT INFORMATION

Name of Event: Halloween Parade
Applicant Name and Title: Matt Lorion Recreation Program Supervisor
Organization: Town of Clayton Parks & Recreation
Mailing (Billing) Address: PO BOX 879
City: Clayton State: NC Zip Code: 27528
Daytime Phone: 919-553-1550 Cell: 919-624-9807 Email: mlorion@townofclaytonnc.org

## EVENT INFORMATION

Event Location: Main Street between Smith Street and S. O'Neil St
Event Address: 110 W. Main Street Parcel ID :
Date(s) of Event: 10/30/15
Event Start Time: 2pm Event End Time: 4pm
Will roads need to be closed: ☒ Yes ☐ No
Set Up Begins: 11am Clean Up Ends: 5pm
Estimated Attendance: 500
Description of Event: The participants will Trick or Treat down Main St from Home Sq to Town Sq.
The kids will go to the businesses located on Main St to Trick or Treat. The event will begin at Home at 2:30pm

## *TOWN OF CLAYTON STAFF USE ONLY*

Date Received: 1/21/16 Amount Paid: N/A Permit Number: 2016-03

*April 2014*

## ORGANIZATION INFORMATION

***Please complete the following information if the Special event is benefitting an organization or check the box if not applicable:*** ■ **N/A**

Is the Organization a 501(c) 3? ☐ Yes ■ No

| | Yes | No |
|---|---|---|
| 1. Is the Special Event being held by or for the benefit of an organization? | ☐ | ☐ |
| 2. Is the organization a 501(C)3 | ☐ | ☐ |

Briefly describe the purpose of the organization: ______________________________

Name of Organization: ______________________________
Organization Address: ______________________________

Organization Contact Name: ______________ Phone Number: ______________
Organization Email: ______________________________
Federal Identification Number: ______________________________

## TENTS & MEMBRANE STRUCTURES

** A **TENT** is a structure, enclosure, or shelter, with or without sidewalls or drops**

| **To be completed by the applicant:** | | | **To be completed by staff:** Permit/Inspections Required? | |
|---|---|---|---|---|
| | **Yes** | **No** | **Yes** | **No** |
| 1. Will tents be used at the event? | ☑ | ☐ | | |
| 2. How many tents will be used? | 5 | | | |
| 3. What is the size of the tents being used? *Please note that tents greater than 240 square feet in size require a building permit and associated inspections.* | 10x10 | | | |
| 4. Are there multiple tents without sidewalls being placed side by side? *Please note that 12 feet of separation is required between all tents larger than 700 square feet.* | ☐ | ☑ | | |

** A **MEMBRANE** structure is an air-inflated or air supported structure **

| **To be completed by the applicant:** | | | **To be completed by staff:** Permit/Inspections Required? | |
|---|---|---|---|---|
| | **Yes** | **No** | **Yes** | **No** |
| 1. Will a membrane structure(s) be used at the event? | ☐ | ☑ | | |
| 2. How many membrane structures will be used? | | | | |

*April 2014*

## POWER SOURCES

| To be completed by the applicant: | Yes | No | Staff Notes |
|---|---|---|---|
| 1. Will you use electric generators? | ☐ | ☑ | |
| 2. Will you use a Town of Clayton power source? | ☑ | ☐ | |
| PLEASE NOTE: *NO direct wiring to any power source is permitted.* | | | |

## VOICE/MUSIC AMPLIFICATION

| | Yes | No | Staff Notes |
|---|---|---|---|
| 1. Are there any musical entertainment features related to your event? (If no, proceed to next section) | ☐ | ☑ | |
| If yes, state the number of bands: | | | |
| 2. Will a temporary stage be utilized? | ☐ | ☑ | |
| If yes, please state the number of stages | | | |
| 3. Will the event use amplified sound? | ☑ | ☐ | |
| If yes, please list start time and finish time. | **Start Time**<br>2pm | **Finish Time**<br>4pm | |

## HAZARDOUS MATERIALS

| | Yes | No | Staff Notes |
|---|---|---|---|
| 1. Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? *If yes, note that all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.* | ☐ | ☑ | |
| 2. Will there be any portable heaters? | ☐ | ☑ | |
| 3. Will there be any deep fat fryers? | ☐ | ☑ | |
| 4. Will there be any fireworks, lasers, torches, candles or pyrotechnics? *If yes, please contact the Fire Marshall for more 919-553-1520 information.* | ☐ | ☑ | |

## ALCOHOL

| | | | | Yes | No | Staff Notes |
|---|---|---|---|---|---|---|
| 1. Will alcoholic beverages be served? *If yes, an ABC permit is required.* | | | | ☐ | ☑ | |
| 2. Will alcoholic beverages be sold? *If yes, an ABC permit is required.* | | | | ☐ | ☑ | |
| 3. What type of alcohol will be served? | | | | | | |
| **Draft Beer** | **Can/Bottle Beer** | **Wine** | **Liquor** | | | |
| ☐ | ☐ | ☐ | ☐ | | | |
| 4. Who will be serving the alcohol? *Please identify on the site plan the locations within event site where alcohol will be served.* | | | | | | |
| 5. List times that alcohol will be served | | | | **Start Time** | **Finish Time** | |
| 6. Copies of the ABC permit should be submitted upon receipt to the Planning Department. | | | | | | |

## VENDORS

| | Yes | No | Staff Notes |
|---|---|---|---|
| 1. Will the event include mechanical rides, or other similar attractions? *Applicants contracting with amusement ride companies are required to provide the Town of Clayton with a certificate of insurance, naming applicant and the Town of Clayton (if applicable) as additional insured on general liability.* | ☐ | ☑ | |
| 2. Please list/describe rides and attractions: | | | |
| | | | |
| 3. Does the event have food vendors? | ☐ | ☑ | |
| If yes, check all that apply: | | | |

| Served | Sold | Free | Catered | Served Outdoors | Other |
|---|---|---|---|---|---|
| ☐ | ☐ | ☐ | ☐ | ☐ | ☐ |

| | Yes | No | Staff Notes |
|---|---|---|---|
| 4. If the event includes food concessions and/or cooking areas: *Event organizers are required to submit a Temporary Food Event Sponsor form with Johnston County Environmental Health (919-989-5180) at least 14 days prior to the event. A copy of the application must be submitted to the Planning Department at the same time. Fire Code requires a fire extinguisher at each cooking location.* | ☐ | ☐ | |

## TOWN SERVICES

***The Town of Clayton does not provide amenities such as portable washrooms, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as solid waste, wastewater, event clean up, traffic control, etc.***

| **TRASH RECEPTICLES/ROLL-OUT CARTS** | **Yes** | **No** | **Staff Notes** |
|---|---|---|---|
| 1. Does the event require roll-out carts? | ☑ | ☐ | |
| 2. What types of trash will be discarded? | | | |

| Aluminum Cans | Glass Bottles / Jars | Plastic Bottles / Cups | Paper Cups / Plates | Styrofoam Cups / Plates | Other |
|---|---|---|---|---|---|
| ☐ | ☐ | ☐ | ☑ | ☐ | ☐ |

| | | | Staff Notes |
|---|---|---|---|
| 3. How many trash roll-out carts are needed? | Number: 6 | | |
| 4. How many recycle roll-out carts are needed? | | | |
| 5. Delivery location? | Town Square | | |
| 6. Date rollout carts are to be delivered\picked up? | Delivered: 10/31/16 | Picked-up: 11/1/16 | |
| **PUBLIC PROPERTY CLEAN-UP** | **Yes** | **No** | |
| 7. Will portable toilets be used during the event? | ☐ | ☑ | |
| 8. Date portable toilets will be delivered/and removed? | Delivered: | Picked-up: | |
| 9. What is the clean-up plan for the event? The parks and recreation staff will clean up town square after the event. | | | |
| | | | |
| *Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Any cost incurred by the Town due to the failure of an applicant to clean and/or restore the site following the event will be borne by the applicant. If you believe that no litter will be generated during your event, please state this in your plan.* | | | |

| SAFETY AND SECURITY | | | | | | Yes | No |
|---|---|---|---|---|---|---|---|
| 10. Will security be used during the event? | | | | | | ☐ | ☑ |
| 11. Will overnight security be used? | | | | | | ☐ | ☑ |
| 12. How many off duty officers will be used? | | | | | | | |
| 13. Please check the type(s) of security that will be used: | | | | | | | |
| **Alcohol Security** | **Stage Security** | **Event Area Security** | **Gate Security** | **Money Handling Security** | **Other** | | |
| ☐ | ☐ | ☐ | ☐ | ☐ | ☐ | | |
| 14. Date(s) and time(s) security will be on site: | | | | | | | |
| | | | | | | | |
| *Applicant may be required to hire off-duty Town of Clayton police officers to provide security to insure public safety. The Town of Clayton Police Department will determine the number of security personnel required on site.* | | | | | | | |

## SITE PLAN

***Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):***

- Location of the event/activity on the property. Showing adjacent streets/roads and boundaries.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames. (Grills only)
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

## SITE PLAN SKETCH

*(Note: you may sketch site plan here or attach a drawing to the application.)*

## EVENT BOUNDARY AND ROAD TRAFFIC PLAN

| EVENT TYPE | Yes | No | Staff Notes |
|---|---|---|---|
| 1. Will the event include use of public streets? | ☑ | ☐ | |
| 2. How will the route be utilized? | | | |

| Parade | March or Walk | Vehicles Only | Vendors | Foot/Bicycle Race | Other |
|---|---|---|---|---|---|
| ☐ | ☑ | ☐ | ☐ | ☐ | ☐ |

| | Number | |
|---|---|---|
| 3. How many participants are expected? | 500 | |
| 4. How many floats will participate? | | |
| 5. How many vehicles will participate? | | |

| | Yes | No |
|---|---|---|
| 6. Will animals participate in the event? | ☐ | ☑ |
| 7. If yes, please list the types of animals: | | |

| EVENT BOUNDARIES | |
|---|---|
| ***Please describe the event boundaries. If event is a road event then include route below. If there is more than one segment to the event, include start and finish times for each segment.*** *(Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).* | |
| Main St between Smith St and South O'Neil St | |

## ROAD CLOSURE REQUESTS

***All road closure requests are reviewed by the Town of Clayton. Approval, denial, or modification of road closure requests is at sole discretion of the Town, including but not limited to the route, placement and number of all barricades, signs and police/volunteer locations. If your event involves road closures, please attach a Route and Traffic Plan. Include the required information (listed below) and any additional information that you believe applies to your event.***

| ROAD CLOSURE | | | Staff Notes |
|---|---|---|---|
| 1. List the street(s) and times in which street(s) will need to be closed *(Please note that NC and US roadways require approval from the North Carolina Department of Transportation)*: | | | |
| **Street(s):** | **Begins** | **Ends** | |
| Main St between Smith Street and S. O'Neil St | 2pm | 4pm | |
| | | | |
| | | | |
| | | | |
| 2. How many participants are expected? | Number: 500 | | |

| EVENT ROUTE | Staff Notes |
|---|---|
| ***DESCRIBE THE EVENT ROUTE BELOW. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT.*** *(Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).* | |
| The event will run on Main St. between Smith St. and S. O'Neil St. | |
| | |
| | |
| | |
| *Please note that <u>white temporary water-base paint</u> can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes, Home Depot, etc.).* | |

*April 2014*

## ROAD CLOSURE/DETOUR PLAN

***Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include all proposed locations for barricades, signs and police/volunteers. Identify the proposed locations for emergency access lanes (Minimum 20' width) throughout the event site. Describe planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.***

*(Note: you may sketch site plan here or attach a drawing to the application.)*

## SPECIAL EVENT PROCESSING

***The applicant must follow the steps below in chronological order to ensure successful processing of the Special Event request:***

1. Request a pre-application meeting with the Planning Department to discuss the scope of the Special Event. If the event is downtown, the meeting must include the Downtown Development Coordinator.
2. Submit a completed application with any important supplemental information.
3. Provide proof of $1,000,000 General Liability Insurance. Certificate naming Town of Clayton as Additional Insured may be required.
4. Meet with the Special Events Committee to review the request, receive comments and a recommendation of approval for the event.
5. If Special Events Committee approves, a staff request will be made to the Town Clerk in order to be placed on a Town Council agenda if Town services or road closures are necessary.
6. Upon agenda scheduling, applicant will present the Special Event request to Town Council to receive authorization.

7. If the event will utilize Horne Square, a $250.00 deposit is required following approval.
8. Prior to the Event, a meeting to review the incident action plan (IAP) is required

**Upon completion of the steps above, the Planning Department will issue a Special Event Permit approval (with or without Conditions), or notify the applicant in writing that the request is denied.**

***DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PARADE PERMIT FROM THE TOWN OF CLAYTON POLICE DEPARTMENT. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.***

## USE OF TOWN OWNED PROPERTY

| | Yes | No |
|---|---|---|
| 1. Use policies and procedures obtained and submitted for use of any Town owned property or streets. | ☑ | ☐ |

## DENIAL OR REVOCATION OF PERMIT

**Denial**

A Special Event Permit application may be denied if it is found that its granting would not be in the Town of Clayton's or the public's interest. Any applicant denied a permit to utilize Town-owned property for a special event shall receive a written statement outlining the grounds on which the denial is based. The applicant may appeal the denial of the application to the Town Council within fifteen working days of the written denial and the Town Council may take such corrective action as it shall find necessary. The findings and the determination of the Town Council shall be final.

**Permit Revocation**

The Town may revoke a permit issued pursuant to this section if the applicant or operator of the special event has:

1. Misrepresented or provided false information in the permit application;
2. Violated any provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations;
3. Violated any law, regulation or ordinance regarding the possession, sale, transportation or consumption of intoxicating beverages or controlled substances; or
4. Operated the special event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse.

## APPLICANT'S AFFIDAVIT

***I/We, the undersigned, do hereby make application and petition to the Planning Department of the Town of Clayton to approve the subject Special Event Permit. 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.***

***The undersigned does understand and agree to the rules and regulations that apply to a Special Event Permit.***

**Applicant's Signature:** [signature] **Date:** 1/21/2016

*April 2014*

**NORTH CAROLINA**

**JOHNSTON COUNTY**

## INDEMNIFICATION AGREEMENT

I, Matt Lorion have submitted an application for a Special Event Permit for Halloween Parade on property owned by the Town of Clayton. As the authorized applicant/authorized representative for the Special Event, I hereby agree to indemnify and hold the Town of Clayton, its officers, agents and employees, harmless from all claims, liabilities, demands, expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted against the Town, its officials, agents and employees by any person, firm, or corporation, that may arise out of any acts or omissions, active or passive, related to operating an event on the Town's property.

Signature of Applicant & Authorized Representative of Event

Sworn to (or affirmed) and subscribed before me this the 21st day of January, 2016.

(Official Seal)

*Official Signature of Notary*

________________, Notary Public
*Notary's printed or typed name*

My commission expires:________________

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Halloween Parade 2010

O'Neil to Smith St. during the parade.

Resolution 2016-21

**RESOLUTION REQUEST**
**STREET CLOSURE**
**2016 HALLOWEEN PARADE**

**WHEREAS,** the Clayton Town Council has received a request from the Clayton Parks and Recreation Department to close a portion of Main Street for the 2016 Halloween Parade.

**WHEREAS**, the Clayton Town Council believes that it is in the best interest of the citizens of Clayton that they act favorably on said request and formally notify the North Carolina Department of Transportation for the closing of Main Street between Smith & S. O'Neil Street on the following date and times:

Monday – October 31, 2016
2:00 – 4:00 p.m.

**NOW, THEREFORE**, the Clayton Town Council does hereby resolve as follows:

That the Clayton Town Council agrees to be the governmental entity making a request for the closing of said road at said times and for obtaining compliance with those requirements of the North Carolina Department of Transportation for conducting of said road closure.

Duly adopted this the 6th day of June, 2016.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

THIRD AMENDMENT TO
CONTRACT BETWEEN
THE TOWN OF CLAYTON, NORTH CAROLINA
AND
WASTE MANAGEMENT OF CAROLINAS, INC.

THIS THIRD AMENDMENT, is made this ______ day of _____________, 2016, to the July 1, 2005 Agreement, as amended on October 1, 2007 and May 2, 2011, (collectively the "Agreement") for residential solid waste and recycling services by and between the Town of Clayton, North Carolina (the "Town"), and Waste Management of Carolinas, Inc., a North Carolina corporation (the "Contractor").

WHEREAS, the Town and Contractor desire to extend the term of the Agreement for an additional one year period; and

NOW, THEREFORE, the County and Contractor agree as follows:

Section 1. Term. This Agreement shall extend from July 1, 2016, through June 30, 2017; provided, however, the term may be further extended for additional terms of five (5) years each upon mutual agreement of the parties, expressed in writing.

Section 2. Modification of Contract. Except as expressly set forth herein or as necessary to carry out the terms of this Amendment and the Agreement, no amendment of the terms of the Agreement is intended hereby, and the Agreement and all its terms and conditions shall remain in full force and effect. The parties, however, agree that adjustments to the scope of services may be made by mutual agreement of the parties expressed in writing during the term of this Agreement.

Section 3. Entirety. This Amendment is hereby incorporated into the Agreement and together therewith they contain the entire Agreement between the parties as to the matters contained therein. Any oral representations or modifications concerning this Agreement shall be of no force and effect.

Section 4. Severability. The invalidity of one or more of the phrases, sentences, clauses, or Sections contained in this Amendment shall not affect the validity of the remaining portion of the Agreement so long as the material purposes of this Agreement can be determined and effectuated.

IN WITNESS WHEREOF, the parties hereto have set their hands as of this ______ day of ___________________, 2016.

| | |
|---|---|
| TOWN OF CLAYTON, NORTH CAROLINA | ATTEST: |
| By:________________________ | By:__________________________ |
| Name:______________________ | Name:_________________________ |
| Title:_______________________ | Title:__________________________ |
| WASTE MANAGEMENT OF CAROLINAS, INC. | ATTEST: |
| By:________________________ | By:_____________________________ |
| Name:______________________ | Name:___________________________ |
| Title:_______________________ | Title: Asst. Secretary |

ASW ANDERSON SMITH & WIKE PLLC
*Certified Public Accountants*

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

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

April 4, 2016

To the Town of Clayton
P.O. Box 879
Clayton, NC 27528

We are pleased to confirm our understanding of the services we are to provide the Town of Clayton for the year ended June 30, 2016. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of the Town of Clayton as of and for the year ended June 30, 2016. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the Town of Clayton's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the Town of Clayton's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis
2. Law Enforcement Officers' Special Separation Allowance
3. Other Postemployment Benefits
4. GASB Required Supplementary Pension Schedules

We have also been engaged to report on supplementary information other than RSI that accompanies the Town of Clayton's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America, and we will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditor's report on the financial statements.

1. Schedule of expenditures of federal awards.

**Audit Objectives**

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on---

- Internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.

- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996, OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations.*

The *Government Auditing Standards* report on internal control over financial reporting and compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The OMB Circular A-133 report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards,* issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with OMB Circular A-133, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Clayton Town Council of the Town of Clayton, NC. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our Single Audit compliance opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or may withdraw from this engagement.

**Audit Procedures—General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgement about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not to be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

**Audit Procedures—Internal Control**

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than necessary to render an opinion about those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and OMB Circular A-133.

**Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Town of Clayton's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the Town of Clayton's major programs. Then purpose of these procedures will be to express an opinion on the Town of Clayton's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

**Other Services**

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of the Town of Clayton in conformity with U.S. generally accepted accounting principles and OMB Circular A-133 based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*.

**Management Responsibilities**

Management is responsible for (1) establishing and maintaining effective internal controls, including internal controls over compliance, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review on June 30, 2016.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in conformity with OMB Circular A-133. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to (include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon OR make the audited financial statements readily available to intended users of the schedule of expenditures or federal awards no later than the date the schedule of expenditures of federal awards is issued with our report thereon). Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with OMB Circular A-133; (2) you believe the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with OMB Circular A-133; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to (include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon). Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

**Engagement Administration, Fees, and Other**

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any invoices selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of and sign the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and a corrective action plan) along with the Data Collection Form to the designated federal clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

We will provide copies of our reports to the Town of Clayton, N.C.; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Anderson Smith & Wike PLLC and constitute confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the Town of Clayton, N.C. or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Anderson Smith & Wike PLLC personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the Town of Clayton, a federal or state agency, or other pass-through entity. If we are aware that an awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit on approximately June 15, 2016 and to issue our reports not later than December 1, 2016. Kenneth Anderson is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

This letter correctly sets forth the understanding of the Town of Clayton, NC.

Management signature: ______________________________

Title: ______________________________

Date: ______________________________

Governance signature: ______________________________

Title: ______________________________

Date: ______________________________

KWH **Koonce, Wooten & Haywood, LLP**
CERTIFIED PUBLIC ACCOUNTANTS

# SYSTEM REVIEW REPORT

To the Partners of Anderson, Smith & Wike, PLLC and the
Peer Review Committee of the North Carolina Association
of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Anderson, Smith & Wike, PLCC (the firm) in effect for the year ended March 31, 2013. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. As part of our peer review, we considered reviews by regulatory entities, if applicable, in determining the nature and extent of our procedures. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at www.aicpa.org/prsummary.

As required by the standards, engagements selected for review included engagements performed under *Government Auditing Standards* and audits of employee benefit plans.

In our opinion, the system of quality control for the accounting and auditing practice of Anderson, Smith & Wike, PLLC in effect for the year ended March 31, 2013, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass, pass with deficiency(ies)* or *fail*. Anderson, Smith & Wike, PLLC has received a peer review rating of *pass*.

Koonce, Wooten & Haywood, LLP

Koonce, Wooten & Haywood, LLP

July 9, 2013


**Raleigh**
4060 Barrett Drive
Post Office Box 17806
Raleigh, North Carolina 27619

919 782 9265
919 783 8937 FAX

**Durham**
3511 Shannon Road
Suite 100
Durham, North Carolina 27707

919 354 2584
919 489 8183 FAX

**Pittsboro**
10 Sanford Road
Post Office Box 1399
Pittsboro, North Carolina 27312

919 542 6000
919 542 5764 FAX

LGC-205 (Rev. 2016)

**CONTRACT TO AUDIT ACCOUNTS**

Of Town of Clayton
Primary Governmental Unit

_______________________________________________
Discretely Presented Component Unit (DPCU) if applicable

On this 4th day of April, 2016,

Auditor: Anderson Smith & Wike PLLC Auditor Mailing Address: P.O. Box 697, Rockingham, NC 28380

_______________________________________________ Hereinafter referred to as The Auditor

and The Town Council (Governing Board(s)) of Town of Clayton
(Primary Government)

and _______________________ : hereinafter referred to as the Governmental Unit(s), agree as follows:
(Discretely Presented Component Unit)

1. The Auditor shall audit all statements and disclosures required by generally accepted accounting principles (GAAP) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit (s) for the period beginning July 1, 2015, and ending June 30, 2016. The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion will be rendered in relation to (as applicable) the governmental activities, the business-type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).

2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with generally accepted auditing standards. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB Circular A-133 Audits of States, Local Governments, and Non-Profit Organizations and the State Single Audit Implementation Act, the Auditor shall perform a Single Audit. This audit and all associated workpapers may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit and/or workpapers are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC CPA Board).

   County and Multi-County Health Departments: The Office of State Auditor will designate certain programs that have eligibility requirements to be considered major programs in accordance with OMB Circular A-133 for the State of North Carolina. The LGC will notify the auditor and the County and Multi-Health Department of these programs. A County or a Multi-County Health Department may be selected to audit any of these programs as major.

3. If an entity is determined to be a component of another government as defined by the group audit standards - the entity's auditor will make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.

4. This contract contemplates an unqualified opinion being rendered. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.

5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2011 revisions, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he has met the requirements for a peer review and continuing education as specified in *Government*

*Auditing Standards*. The Auditor agrees to provide a copy of their most recent peer review report regardless of the date of the prior peer review report to the Governmental Unit and the Secretary of the LGC prior to the execution of the audit contract (See Item 22). **If the audit firm received a peer review rating other than pass**, the Auditor shall not contract with the Governmental Unit without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to Government Accounting Standards or if financial statements are not prepared in accordance with GAAP and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment..

6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to the State and Local Government Finance Division (SLGFD) within four months of fiscal year end. Audit report is due on: October 31, 2016. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay must be submitted to the secretary of the LGC for approval.

7. It is agreed that generally accepted auditing standards include a review of the Governmental Unit's systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor will make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his findings, together with his recommendations for improvement. That written report must include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.

8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. **Invoices for services rendered under these contracts shall not be paid by the Governmental Unit until the invoice has been approved by the Secretary of the LGC**. (This also includes any progress billings.) [G.S. 159-34 and 115C-447] All invoices for Audit work must be submitted by email in PDF format to the Secretary of the LGC for approval. The invoices must be sent via upload through the current portal address: http://nctreasurer.slgfd.leapfile.net Subject line should read "Invoice – [Unit Name]. The PDF invoice marked 'approved' with approval date will be returned by email to the Auditor to present to the Governmental Unit for payment. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.

9. In consideration of the satisfactory performance of the provisions of this contract, the Primary Governmental Unit shall pay to the Auditor, upon approval by the Secretary of the LGC, the fee, which includes any cost the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (Federal and State grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. (**Note: Fees listed on signature pages**.)

10. If the Governmental Unit has outstanding revenue bonds, the Auditor shall include documentation either in the notes to the audited financial statements or as a separate report submitted to the SLGFD along with the audit report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor should be aware that any other bond compliance statements or additional reports required in the authorizing bond documents need to be submitted to the SLGFD simultaneously with the Governmental Unit's audited financial statements unless otherwise specified in the bond documents.

11. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit and all of its component units prepared in accordance with GAAP, (c) supplementary information requested by the client or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board as soon as practical after the close of the accounting period.

12. If the audit firm is required by the NC CPA Board or the Secretary of the LGC to have a pre-issuance review of their audit work, there must be a statement added to the engagement letter specifying the pre-issuance review including a statement that the Governmental Unit will not be billed for the pre-issuance review. The pre-issuance review must be performed **prior** to the completed audit being submitted to the LGC. The pre-issuance report must accompany the audit report upon submission to the LGC.

13. The Auditor shall electronically submit the report of audit to the LGC as a text-based PDF file when (or prior to) submitting the invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the SLGFD by any interested parties. Any subsequent revisions to these reports must be sent to the Secretary of the LGC. These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings, by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and other lawful purposes of the Governmental Unit without subsequent consent of the Auditor. If it is determined by the LGC that corrections need to be made to the Governmental Unit's financial statements, they should be provided within three days of notification unless another time frame is agreed to by the LGC.

    If the OSA designates certain programs to be audited as major programs, as discussed in item #2, agreed-upon procedures report, a turnaround document and a representation letter addressed to the OSA shall be submitted to the LGC.

    The LGC's process for submitting contracts, audit reports and invoices is subject to change. Auditors should use the submission process in effect at the time of submission. The most current instructions will be found on our website: https://www.nctreasurer.com/slg/Pages/Audit-Forms-and-Resources.aspx

14. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the Secretary of the LGC, this contract may be varied or changed to include the increased time and/or compensation as may be agreed upon by the Governing Board and the Auditor

15. If an approved contract needs to be varied or changed for any reason, the change must be made in writing, on the Amended LGC-205 contract form and pre-audited if the change includes a change in audit fee. This amended contract needs to be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract, and then must be submitted through the audit contract portal to the Secretary of the LGC for approval. The portal address to upload your amended contract is http://nctreasurer.slgfd.leapfile.net. No change shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.

16. Whenever the Auditor uses an engagement letter with the Governmental Unit, Item #17 is to be completed by referencing the engagement letter and attaching a copy of the engagement letter to the contract to incorporate the engagement letter into the contract. In case of conflict between the terms of the engagement letter and the terms of

this contract, the terms of this contract will control. Engagement letter terms are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item #22 of this contract. Engagement letters containing indemnification clauses will not be approved by the LGC.

17. Special provisions should be limited. Please list any special provisions in an attachment.

See Attached Engagement Letter

18. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU must be named along with the parent government on this audit contract. Signatures from the DPCU Board chairman and finance officer also must be included on this contract.

19. The contract must be executed, pre-audited, physically signed by all parties including Governmental Unit and Auditor signatures and submitted in PDF format to the Secretary of the LGC. The current portal address to upload your contractual documents is http://nctreasurer.slgfd.leapfile.net Electronic signatures are not accepted at this time. Included with this contract are instructions to submit contracts and invoices for approval as of October 2015. These instructions are subject to change. Please check the NC Treasurer's web site at www.nctreasurer.com for the most recent instructions.

20. The contract is not valid until it is approved by the LGC Secretary. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. **The audit should not be started before the contract is approved.**

21. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

22. **E-Verify**. Auditor **shall comply** with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor **shall require** such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

23. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted: (See Item 16 for clarification).

***SIGNATURE PAGES FOLLOW***

**Contract to Audit Accounts (cont.)** Town of Clayton
Governmental Unit

Discretely Presented Component Units (DPCU) if applicable

Town of Clayton **- FEES**

**Year-end bookkeeping assistance – [*For audits subject to Government Auditing Standards, this is limited to bookkeeping services permitted by revised Independence Standards*]** at standard hourly rates

**Audit** $21,000 - $22,000 not to exceed $22,000

**Preparation of the annual financial Statements** $7,000 - $8,000 not to exceed $8,000

Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) the Auditor may submit invoices for approval for services rendered, not to exceed 75% of the total of the stated fees above. If the current contracted fee is not fixed in total, invoices for services rendered may be approved for up to 75% of the prior year audit fee.

**The 75% cap for interim invoice approval for this audit contract is $** $22,500

**** NA if there is to be no interim billing**

***Communication regarding audit contract requests for modification or official approvals will be sent to the email addresses provided in the spaces below.***

**Audit Firm Signature:**

Anderson Smith & Wike PLLC
**Name of Audit Firm**

By Kenneth R. Anerson
**Authorized Audit firm representative name: Type or print**

Kenneth R. Anderson
**Signature of authorized audit firm representative**

Date 5-4-2016

krandersoncpa@bellsouth.net
**Email Address of Audit Firm**

**Governmental Unit Signatures:**

Town of Clayton
**Name of Primary Government**

By Jody McLeod - Mayor
**Mayor / Chairperson: Type or print name and title**

X
**Signature of Mayor/Chairperson of governing board**

Date X

By N/A
**Chair of Audit Committee - Type or print name**

N/A **
**Signature of Audit Committee Chairperson**

Date N/A

** *If Governmental Unit has no audit committee, mark this section "N/A"*

Town of Clayton

**PRE-AUDIT CERTIFICATE: Required by G.S. 159-28 (a)**

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act. Additionally, the following date is the date this audit contract was approved by the governing body.

By Robert McKie
**Primary Governmental Unit Finance Officer**:
Type or print name

X
**Primary Government Finance Officer Signature**

**Date** X

*(Pre-audit Certificate* ***must be dated***.)

X
**Email Address of Finance Officer**

**Date Primary Government Governing Body Approved Audit Contract - G.S. 159-34(a )**

X

**Kimberly Moffett**

**From:** Robert McKie
**Sent:** Monday, May 16, 2016 1:37 PM
**To:** Kimberly Moffett
**Subject:** 2016 Audit Contract

Kim,

Page 6 of 8 is not applicable to the Town. Page 6 is to only be completed by a Discretely Presented Component Unit and is similar to Page 5.

Robert

**Contract to Audit Accounts (cont.)** Town of Clayton

Governmental Unit

Discretely Presented Component Units (DPCU) if applicable

**Steps to Completing the Audit Contract**

1. Complete the Header Information – NEW: If a DPCU is subject to the audit requirements as detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not issued for the DPCU and is to be included in the Primary Government's audit, the DPCU must be named with the parent government on this Audit contract. The Board chairman of the DPCU also must sign the Audit contract.

2. Item No. 1 – Complete the period covered by the audit

3. Item No. 6 – Fill in the audit due date. For Governmental Unit (s), the contract due date can be no later than 4 months after the end of the fiscal year, even though amended contracts may not be required until a later date.

4. Item No. 8 – If the process for invoice approval instructions changed, the Auditor should make sure he and his administrative staff are familiar with the current process. Instructions for each process can be found at the following link. https://www.nctreasurer.com/slg/Pages/Audit-Forms-and-Resources.aspx

5. Item No. 9 – NEW: Please note that the fee section has been moved to the signature pages, Pages 5 & 6.

6. Item No. 16 – If there is a reference to an engagement letter or other document (ex: Addendum), has the engagement letter or other document been acknowledged by the Governmental Unit and attached to the contract submitted to the SLGFD?

   a. Do the terms and fees specified in the engagement letter agree with the Audit contract? *"In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract will control."*

   b. Does the engagement letter contain an indemnification clause? **The audit contract will not be approved if there is an indemnification clause – refer to LGC Memo # 986.**

7. Complete the fee section for BOTH the Primary Government and the DPCU (if applicable) on the signature pages, please note:

   - The cap on interim payments is 75% of the current audit fee for services rendered if the contracted fee amount is a fixed amount. If any part of the fee is variable, interim payments are limited to 75% of the prior year's total audit fee. If the contract fee is partially variable, we will compare the authorized interim payment on the contract to 75% of last year's actual approved total audit fee amount according to our records. There is a report of audit fees paid by each governmental unit on our web site: https://www.nctreasurer.com/slg/Pages/Non-Audit-Services-and-Audit-Fees.aspx - Auditors and Audit Fees.
     Please call or email Steven Holmberg of our office at 919-807-2394 steven.holmberg@nctreasurer.com if you have any questions about the fees on this list.

   - For variable fees for services, are the hourly rates or other rates clearly stated in detail? If issued separately in an addendum, has the separate page been acknowledged in writing by the Governmental Unit?

**Contract to Audit Accounts (cont.)** Town of Clayton

Governmental Unit

Discretely Presented Component Units (DPCU) if applicable

- For fees for services that are a combination of fixed and variable fees, are the services to be provided for the fixed portion of the fee clearly stated? Are the hourly rates or other rates clearly stated for the variable portion of the fee? (Note: See previous bullet point regarding variable fees.)

- If there is to be no interim billing, please indicate N/A instead of leaving the line blank.

8. Signature Area – There are now 2 Signature Pages: one for the Primary Government and one for the DPCU. Send the page(s) that are applicable to your Unit of Government. Make sure all signatures have been obtained, and properly dated. **The contract must be approved by Governing Boards pursuant to G.S. 159-34(a).** NEW - If this contract includes auditing a DPCU that is a Public Authority under the Local Government Budget and Fiscal Control Act it must be named in this Audit contract and the Board chairperson of the DPCU **must also sign** the Audit contract in the area indicated. If the DPCU has a separate Audit, a separate Audit contract is **required** for the DPCU.

9. Please place the date the Unit's Governing Board and the DPCU's governing Board (if applicable) approved the audit contract in the space provided.

   a. Please make sure that you provide email addresses for the audit firm and finance officer as these will be used to communicate official approval of the contract.

   b. Has the pre-audit certificate for the Primary Government (and the DPCU if applicable) been signed and dated by the appropriate party?

   c. Has the name and title of the Mayor or Chairperson of the Unit's Governing Board and the DPCU's Chairperson (if applicable) been typed or printed on the contract and has he/she signed in the correct area directly under the Auditor's signature?

10. If the Auditor is performing an audit under the yellow book or single audit rules, has year-end bookkeeping assistance been limited to those areas permitted under the revised GAO Independence Standards? Although not required, we encourage Governmental Units and Auditors to disclose the nature of these services in the contract or an engagement letter. Fees for these services should be shown in the space indicated on the applicable signature page(s) of the contract.

11. Has the most recently issued peer review report for the audit firm been included with the contract? This is required if the audit firm has received a new peer review report that has not yet been forwarded to us. The audit firm is only required to send the most current Peer Review report to us once – not multiple times.

12. After all the signatures have been obtained and the contract is complete, please convert the contract and all other supporting documentation to be submitted for approval into a PDF file. Peer Review Reports should be submitted in a separate PDF file. These documents should be submitted using the most current submission process which can be obtained at the NC Treasurer's web site – https://www.nctreasurer.com/slg/Pages/Audit-Forms-and-Resources.aspx.

13. NEW: If an audit is unable to be completed by the due date, an Amended Contract should be completed and signed by the unit and auditor, using the new "Amended LGC-205" form (Rev. 2015). The written explanation for the delay is now included on the contract itself to complete, and must be signed by the original parties to the contract.

# ADVISORY BOARD CANDIDATE APPLICATION

The Town of Clayton welcomes and appreciates your interest in serving the Town. This application is designed to gather information to evaluate your qualifications. Candidates may be interviewed prior to appointment.

If requesting consideration for more than one, please submit a separate application for each board.

CHOOSE ONE:

- ☐ **Planning & Zoning Board**
- ☒ **Downtown Development Assoc.**
- ☐ **Recreation Advisory Committee**
- ☐ **Board of Adjustment**
- ☐ **Clayton Library Board**
- ☐ **Fire Dept. Advisory Board**
- ☐ **Public Arts Advisory Board**

**PLEASE NOTE:** In accordance with North Carolina law, this application is a public record and will be disclosed upon request and without notice. If there is any information you do not want released to the public, please do not include it.

---

**Please type or use dark ink.**

**Name:** Amanda D. Hilburn

**Mailing Address:** 111 Neuse Ridge Drive Clayton NC 27527

**Physical HOME Address:** " "

**Phone Number (HOME):** 919-201-2600 **(WORK)** 919-553-3770

**FAX Number:** ______ **Mobile Number:** 919-201-2600

**Email Address:** adew@claytonpaintcompany.com

***Female** ☒ ***Male** ☐ ***Race** ______

**Employer:** Clayton Paint Company, LLC

**Occupation:** Owner of CPC, LLC

*This information is voluntary and is requested for the sole purpose of assuring that a cross section of the community is appointed; NC GS 143-157.1.

*Page 1 of 2*

**Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Council advisory boards.**

**Length of residence in Clayton:** 21 years

**Do you live in the Clayton? Corporate Limits: Yes** ☒ **No** ☐ **ETJ: Yes** ☐ **No** ☐

**How did you find out about this board or committee? Facebook** ☐ **Website** ☐ **TV** ☐ **Newspaper** ☐ **Email** ☐ **Twitter** ☐ **Mail** ☒ **Other** James Lipscomb

**Outline your qualifications and why you wish to serve the board/committee you indicated.**

Please See attached

**State why you would be an asset to this board or committee.**

Please see attached

**Do you anticipate a conflict of interest if asked to serve as a member on the requested board or committee? No** ☒ **Yes** ☐ **If Yes, explain:**

**PLEASE LIST CURRENT AND PREVIOUS SERVICE TO THE COMMUNITY, CIVIC CLUBS, ETC., ACTIVITY AND ANY SPECIAL TALENTS.**

| Boards/Committees/Civic | From | To |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

**Signature** [signature] **Date** 4/15/16

- Please do not submit resumes or attachments.
- This application is a **public record**.
- Information in the application will be considered in making appointments.
- Candidates may be interviewed prior to appointment.
- If not initially appointed to serve, this application will remain active until August 1 of the following year.

Applications are to be turned in to the Town Clerk in person (111 East Second Street), by mail (Town of Clayton, PO BOX 879, Clayton, NC 27528) or by email (kmoffett@townofclaytonnc.org)

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

| | |
|---|---|
| **AGENDA LOCATION:** | **Meeting Date:** |
| Introductions & Special Presentations | June 6, 2016 |

**ITEM TITLE:**
Recognition of Psi Sigma Omega (PSO) Chapter of Alpha Kappa Alpha

**DESCRIPTION:**
Members will be recognized for their part in Playground Mobilization Day which was held on May 21, 2016 at All-Star Park & Pavilion. The town provided materials to clean and beautify the park and the members made significant improvements to enhance the appearance of the park.

**POTENTIAL ACTION:**

| | |
|---|---|
| **DEPARTMENT:** | **PRESENTER:** |
| Administration | Stacy Beard, Public Information Officer |

**ITEM HISTORY:**

**Date:** **Action Taken:**

**Information Provided:**

**Date:** **Action Taken:**

**Information Provided:**

# TOWN OF CLAYTON
# TOWN COUNCIL
# AGENDA COVER SHEET

**AGENDA LOCATION:**
Introductions & Special Presentations

**Meeting Date:**
June 6, 2016

**ITEM TITLE:**
Johnston County Storm Water/Sediment/Erosion Control Update

**DESCRIPTION:**
Carlos Bagley who serves as the Environmental Manager for Johnston County will attend to provide a brief update regarding storm water, sediment and erosion control issues.

**POTENTIAL ACTION:**
None – Informational Only

**DEPARTMENT:**
Engineers/Inspection

**PRESENTER:**
John McCullen, Town Engineer

**ITEM HISTORY:**

**Date:** **Action Taken:**

**Information Provided:**

**Date:** **Action Taken:**

**Information Provided:**

# TOWN OF CLAYTON
# TOWN COUNCIL
# AGENDA COVER SHEET

**AGENDA LOCATION:**
Public Hearings

**Meeting Date:**
June 6, 2016

**ITEM TITLE:**
Public Hearing - Proposed FY '16-'17 Budget

**DESCRIPTION:**
Public Hearing for June 6, 2016 to receive Public Comments regarding the proposed FY '16-'17 budget.

**POTENTIAL ACTION:**

**DEPARTMENT:**
Administration

**PRESENTER:**
Steve Biggs, Town Manager

**ITEM HISTORY:**

| **Date:** | **Action Taken:** |
|---|---|
| May 16, 2016 | Set Public Hearing for June 6, 2016 |

**Information Provided:**

| **Date:** | **Action Taken:** |
|---|---|
| | |

**Information Provided:**

## PUBLIC NOTICE

**In accordance with NC GS 159-12(b), the Clayton Town Council will hold a public hearing on Monday, June 6, 2016, at 6:30 PM at Town Hall, 111 East Second Street, to receive public comment on the proposed 2016-2017 fiscal year budget for the Town of Clayton. A copy of the proposed budget is on file in the Town Clerk's office at Town Hall, 111 East Second Street.**

**This is an open meeting and citizens are invited to attend.**

**Kimberly A. Moffett, CMC, Town Clerk**
**919-553-5002**

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**Clayton News-Star**

**Please advertise on the following date:**

**May 25, 2016**

**Affidavit of publication required.**

**NOTICE OF PUBLIC HEARING – INTENT TO ESTABLISH A REGIONAL WATER AND SEWER AUTHORITY TO BE KNOWN AS WESTERN JOHNSTON REGIONAL WATER AND SEWER AUTHORITY**

The Clayton Town Council will hold a public hearing on Monday, June 6, 2016 at 6:30 p.m. in the Council Chambers at the Clayton Center, 111 E. Second Street to determine whether to establish a regional water and sewer authority to be known as the Western Johnston Regional Water and Sewer Authority to be appointed and established pursuant to the authority of North Carolina General Statute Section 162A and to consider a resolution authorizing the establishment of the proposed Western Johnston Regional Water and Sewer Authority. The proposed resolution will state that the purpose of the Authority will be, among other things, to provide for the treatment of wastewater from industrial and manufacturing businesses in the Town of Clayton and Johnston County. The Authority should be a water and sewer authority organized under the provisions of Article 1, Chapter 162A of the North Carolina General Statutes and shall have two (2) representatives from the Town of Clayton and two (2) representatives from the County of Johnston.

If established, the proposed Articles of Incorporation of Western Johnston Regional Water and Sewer Authority are as follows:

In compliance with the North Carolina Water and Sewer Authority Act, being Article 1 of Chapter 162A of the General Statutes of North Carolina, as amended, the Town of Clayton, North Carolina and the County of Johnston, North Carolina, each pursuant to a resolution signifying its determination to organize an authority under Section 162A-3.1 of said Act, hereby certify that:

1. The Authority is organized under Section 162A-3.1 of the North Carolina Water and Sewer Authorities Act, as amended, and its name shall be the "Western Johnston Regional Water and Sewer Authority".

2. The address of the Authority's principal office shall be 111 E. Second Street, Clayton, NC 27520.

3. The names of the Political Subdivisions of the Authority as defined in Section 162A-2(7) are the Town of Clayton and the County of Johnston, North Carolina.

4. The initial Western Johnston Regional Water and Sewer Authority shall have four (4) members, with each Political Subdivision appointing two (2) members. The names and addresses of the initial members of the Authority appointed by the organizing Political Subdivisions are:

Two appointments are to be made by the Board of Commissioners of Johnston County.

Two appointments are to be made by the Clayton Town Council.

5. The members of the Authority will be limited to such members as may be appointed from time to time by the organizing Political Subdivisions. The Authority shall

consist of the number of members as may be agreed upon by the participating Political Subdivisions and fixed by the by-laws of the Authority, such members to be selected in accordance with Section 162A-5 or its successor statute.

6. These Articles of Incorporation shall be effective upon the filing of same by the North Carolina Secretary of State.

The public is invited to attend.

Kimberly A. Moffett

Town Clerk

PROPOSED
ARTICLES OF INCORPORATION
OF WESTERN JOHNSTON REGIONAL
WATER AND SEWER AUTHORITY

In compliance with the North Carolina Water and Sewer Authority Act, being Article 1 of Chapter 162A of the General Statutes of North Carolina, as amended, the Town of Clayton, North Carolina and the County of Johnston, North Carolina, each pursuant to a resolution signifying its determination to organize an authority under Section 162A-3.1 of said Act, hereby certify that:

1. The Authority is organized under Section 162A-3.1 of the North Carolina Water and Sewer Authorities Act, as amended, and its name shall be the "Western Johnston Regional Water and Sewer Authority".

2. The address of the Authority's principal office shall be 111 East Second Street, Clayton, NC 27520.

3. The names of the Political Subdivisions of the Authority as defined in Section 162A-2(7) are the Town of Clayton and the County of Johnston, North Carolina.

4. The initial Western Johnston Regional Water and Sewer Authority shall have four (4) members, with each Political Subdivision appointing two (2) members. The names and addresses of the initial members of the Authority appointed by the organizing Political Subdivisions are:

Two appointments to be made by the Board of Commissioners for the County of Johnston County.

Two appointments to be made by the Clayton Town Council.

PPAB 3253102v1

5. The members of the Authority will be limited to such members as may be appointed from time to time by the organizing Political Subdivisions. The Authority shall consist of the number of members as may be agreed upon by the participating Political Subdivisions, such members to be selected in accordance with Section 162A-5 or its successor statute.

6. Articles shall not be amended or changed without express agreement of each of the organizing bodies of each of the participating Political Subdivisions.

7. These Articles of Incorporation shall be effective upon the filing of same by the North Carolina Secretary of State.

ATTEST:

___________________________________
Kimberly A. Moffett, CMC
Town Clerk

**TOWN OF CLAYTON**

By: ___________________________________
Jody L. McLeod, Mayor of the
Town of Clayton, North Carolina

ATTEST:

___________________________________

**COUNTY OF JOHNSTON**

By: ___________________________________
Tony Braswell, Chairman of the Board of
Commissioners, Johnston County, North
Carolina

Resolution #2016-22

RESOLUTION
SIGNIFYING THE DETERMINATION BY THE TOWN OF CLAYTON COUNCIL TO ORGANIZE A WATER AND SEWER AUTHORITY UNDER THE PROVISIONS OF ARTICLE 1, CHAPTER 162A, OF THE NORTH CAROLINA GENERAL STATUTES

WHEREAS, the Town of Clayton and the County of Johnston desire to create a regional waste and sewer authority in Johnston County, North Carolina with representation from the Town of Clayton and the County of Johnston; and

WHEREAS, a notice was published in *The Clayton News Star* in accordance with N.C.G.S. § 162A-3.1 indicating that the Clayton Town Council would hold a public hearing at a meeting beginning at 6:30 p.m. on Monday, June 6, 2016 on the matter of a regional water and sewer authority; and

WHEREAS, said public hearing was held on June 6, 2016, before the Clayton Town Council at the Council's regular meeting place in Clayton, Johnston County, North Carolina, upon the proposed adoption of a resolution organizing the Western Johnston Regional Water and Sewer Authority pursuant to N.C.G.S. § 162A-3.1; and

WHEREAS, the Council having given due consideration to the proposed organization of the Authority, determines there is a need for a regional approach to the treatment of wastewater from industrial and manufacturing businesses in Johnston County and the Town of Clayton, specifically to promote economic development and growth in the pharmaceutical and biotech industries, for the Town of Clayton and the County of Johnston.

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

A regional water and sewer authority to be known as the Western Johnston Regional Water and Sewer Authority shall be organized under the provisions of Article 1, Chapter 162A-3.1 of the North Carolina General Statutes and shall have two (2) representatives from the Town of Clayton and two (2) representatives from the County of Johnston.

That the Authority should be a water and sewer authority organized under Article 1, Chapter 162A of the North Carolina General Statutes.

That the Articles of Incorporation for said Authority shall be as shown in attached Exhibit A.

That the name of the Authority shall be "Western Johnston Regional Water and Sewer Authority".

Parker Poe Adams & Bernstein LLP is instructed to take all steps necessary to organize the Authority as a water and sewer authority under Article 1, Chapter 162A of the North Carolina General Statutes.

Duly adopted this 6th day of June, 2016.

____________________________________
Jody L. McLeod
Mayor

ATTEST:

____________________________________
Kimberly A. Moffett, CMC, NCCMC
Town Clerk

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

**AGENDA LOCATION:**
Old Business

**Meeting Date:**
June 6, 2016

**ITEM TITLE:**
Facade Grant Program

**DESCRIPTION:**
At May 16, 2016 Town Council meeting Mr. DeYoung presented information regarding modification and expansion to the existing Façade Grant Program.

**POTENTIAL ACTION:**
Approval/Disapproval

**DEPARTMENT:**
Planning + Zoning

**PRESENTER:**
David DeYoung, Planning Director

**ITEM HISTORY:**

| Date: | Action Taken: |
|---|---|
| May 16, 2016 | Placed on June 6, 2016 Agenda |

**Information Provided:**
Program Update

| Date: | Action Taken: |
|---|---|
| | |

**Information Provided:**

# Town of Clayton

# Façade and Site Element Improvement Grant Program

**Town of Clayton**
**May 10, 2016**

## PURPOSE

The objective of the Town of Clayton's *Façade and Site Element Improvement Grant Program* is to improve the appearance of building façades or other site elements (parking, landscaping, lighting, etc.) so that after completion of work, citizens will notice a marked improvement in the appearance of the buildings and/or property within the Town of Clayton. The program includes property/businesses located within the Town's Thoroughfare Overlay District (TOD) and Clayton's Downtown Core. Maps of the areas in which the program is available are attached as Exhibit A. The general purpose of the program is to provide an economic incentive to:

- Promote storefront rehabilitation and site improvements;
- Preserve the unique character of historic buildings;
- Encourage aesthetic compatibility for improvements to facades of non-historic structures; and
- Encourage the use of quality materials in the rehabilitation of property.

Façade and site element improvements should be permanent and remain part of the building or site.

Funds will be made available periodically on a first-come-first-served basis.

The program will be administered by the Planning Department and Clayton Downtown Development Association (CDDA).

## ELIGIBILITY

1) The applicant must be the owner or tenant of a building located within the boundaries of the grant program, which are identified in Exhibit A.
2) If the applicant is a tenant, they must have the owner's written permission attached to the application.
3) No more than one grant per facade per year will be available.
4) The property shall be classified as non-residential in Zoning and Use.

## GUIDELINES FOR BUILDINGS AND PROPERTY LOCATED IN THE DOWNTOWN CORE

1) The *U.S. Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (attached) and the *2001*

***Downtown Improvement Project Architectural Guidelines*** **(available for reference in the DDA office) are guides for façade improvements.**

2) **Rehabilitation work must conform to the Town of Clayton's Building Codes; Unified Development Code; and General Design Guidelines.**

3) **Rehabilitation of structures in the Downtown Core should respect the architectural integrity of the primary facades and retain those elements that enhance the building.**

4) **Grant applications may be made for structures and site elements within the Downtown Core, with priority given to renovation projects that visibly improve the aesthetic appearance of building facades and/or site elements.**

5) **All properties classified as non-residential (zoning and use) within Clayton's Downtown Core may apply for grant funds.**

6) **Improvements may include, but are not limited to:**
   - **Façade improvements**
   - **Brick or wall surface cleaning**
   - **Patching and painting of facade walls**
   - **Signage or lighting replacement/repair** ***(Only established businesses (3+ years) are eligible for sign replacement)***
   - **Structure or frame that contain or hold a sign**
   - **Canopy, porch, awning installation/repair**
   - **Window and/or door replacement/repair**
   - **Mortar joint repair**
   - **Railings, ironwork repair or addition**
   - **Cornice repair and/or replacement**
   - **Design services (architect, etc.) for façade rehabilitation**
   - **Site lighting**
   - **Landscaping, sidewalks and hardscaping**
   - **Parking improvements**

7) **Any improvements that have been made through this grant program and which become a part of the property may not be removed from the property unless they can be used (without significant alterations) on another property within the Downtown Core (e.g., awnings).**

***Note to Applicant:*** ***Removal of inappropriate additions to buildings and non-compliant signs may qualify based on the effect removal will have on the appearance of the downtown district.***

**GUIDELINES FOR BUILDINGS WITHIN THE TOD**

1) **Rehabilitation work must conform to the Town of Clayton's Building Codes; Unified Development Code; and General Design Guidelines.**

2) **Rehabilitation of structures in the TOD should respect the architectural integrity of the primary façades and retain those elements that enhance the building.**

3) **Grant applications may be made for structures and site elements within TOD boundaries, with priority given to renovation projects that visibly improve the aesthetic appearance of building facades and/or site elements**

4) **All properties classified as non-residential within Clayton's TOD may apply for grant funds.**

5) **Improvements may include, but are not limited to:**

- **Façade improvements**
- **Brick or wall surface cleaning**
- **Patching and painting of facade walls**
- **Signage or lighting replacement/repair** ***(only established businesses (3+ years) are eligible for sign replacement)***
- **Structure or frame that contain or hold a sign**
- **Canopy, porch, awning installation/repair**
- **Window and/or door replacement/repair**
- **Mortar joint repair**
- **Railings, ironwork repair or addition**
- **Cornice repair and/or replacement**
- **Design services (architect, etc.) for façade rehabilitation**
- **Site lighting**
- **Landscaping, sidewalks and hardscaping**
- **Parking improvements**

6) **Any improvements that have been made through the program and which become a part of the property may not be removed from the property unless they can be used (without significant alterations) on another property within the TOD (e.g., awnings).**

***Note to Applicant:*** ***Removal of inappropriate additions to buildings and non-compliant signs may qualify based on the effect removal will have on the appearance of the TOD.***

## ADDITIONAL GRANTS *(Previous grant holders only)*

1) **Additional grants are available for additional improvements on a first come, first served basis. Only one grant per façade shall be awarded in a fiscal year.**

## CRITERIA

1) For the purposes of this grant program, a façade is generally defined as the storefront or side of a building that faces a public street or alleyway or which is otherwise visible to the general public.

2) Qualifying projects are eligible for a grant of up to $5,000 per façade or site element improvement on a 50% (Grant) / 50% (Applicant) matching basis as funds are available.

3) Work should not commence before the grant application is approved.

4) Work on the project must be completed within six (6) months after the date that the grant is awarded. The grant will be paid to the recipient after the work is completed and all bills relating to said work are paid.

5) The property owner must agree to maintain the improvements as set forth in the application for a period of three (3) years or until the property is sold. *(Example: if an awning is installed as part of a project and then rips within a three-year period, it must be repaired or replaced.)*

## APPLICATION PROCESS

1) Applicant will complete the application, including design plans/sketches and owner's signature (consent of mortgage or lien holder may be required), and return it to the Façade Grant Coordinator.

2) If appropriate, the applicant is encouraged to seek the services of the State Historic Preservation Office (SHPO), including restoration consultants, before an application is completed and designs are formulated. Visits can be arranged by calling (919) 733-6547.

3) Two current, qualified and professional estimates of cost are to be included with the application.

4) Applications will be reviewed by a Town Building Inspector for building code compliance.

5) Applications will be reviewed and signed by the Planning Department.

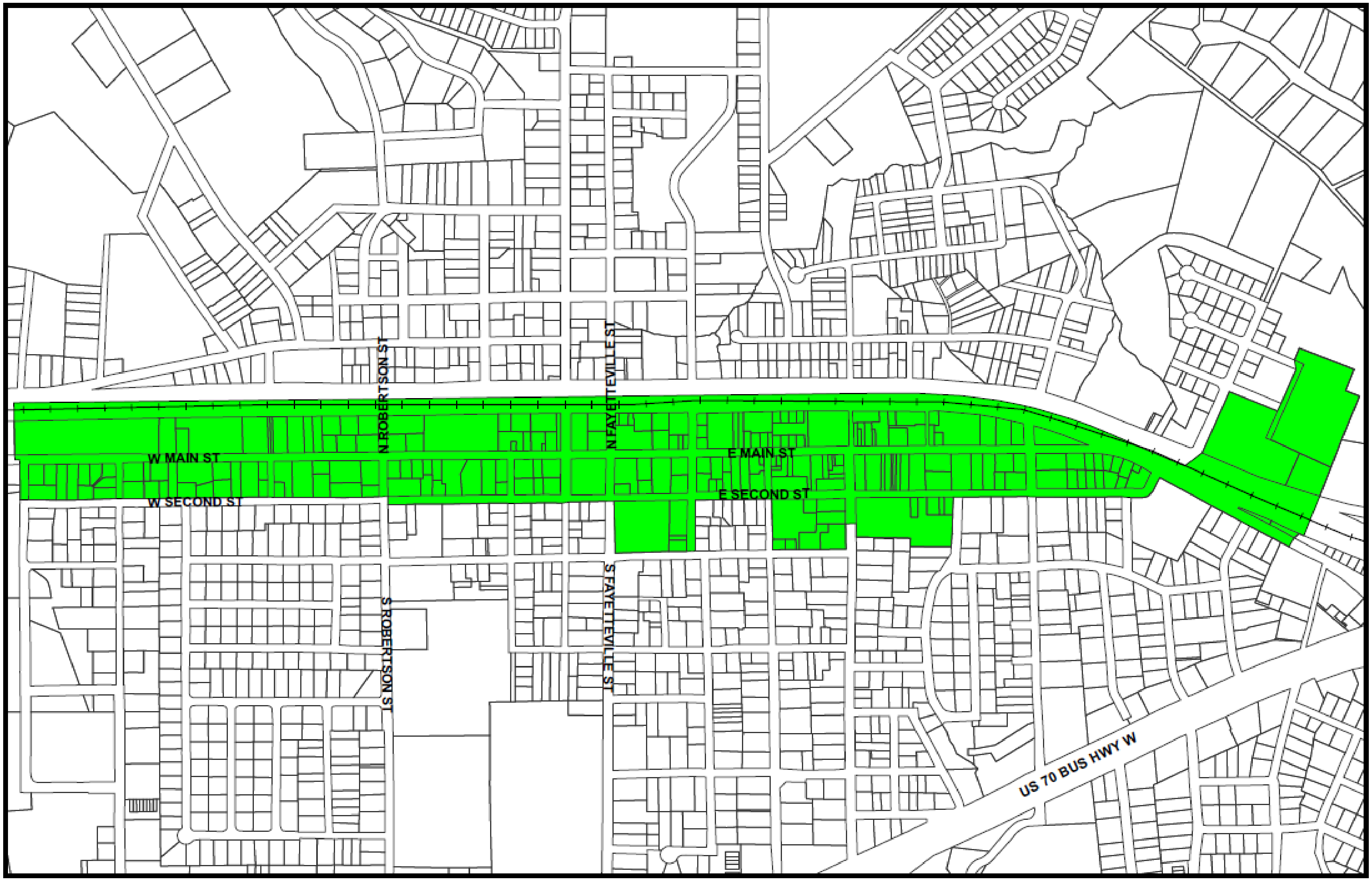
6) The Planning Department and the DDA Design Committee will review the completed application.

7) A notification letter will be sent to applicants concerning the approval or denial of the application within 45 days of receipt of a completed application.

8) A Letter of approval must be received **BEFORE** reimbursement occurs.

9) Upon project completion, copies of paid statements and cancelled checks, etc. must be submitted to Planning Department to claim reimbursement.

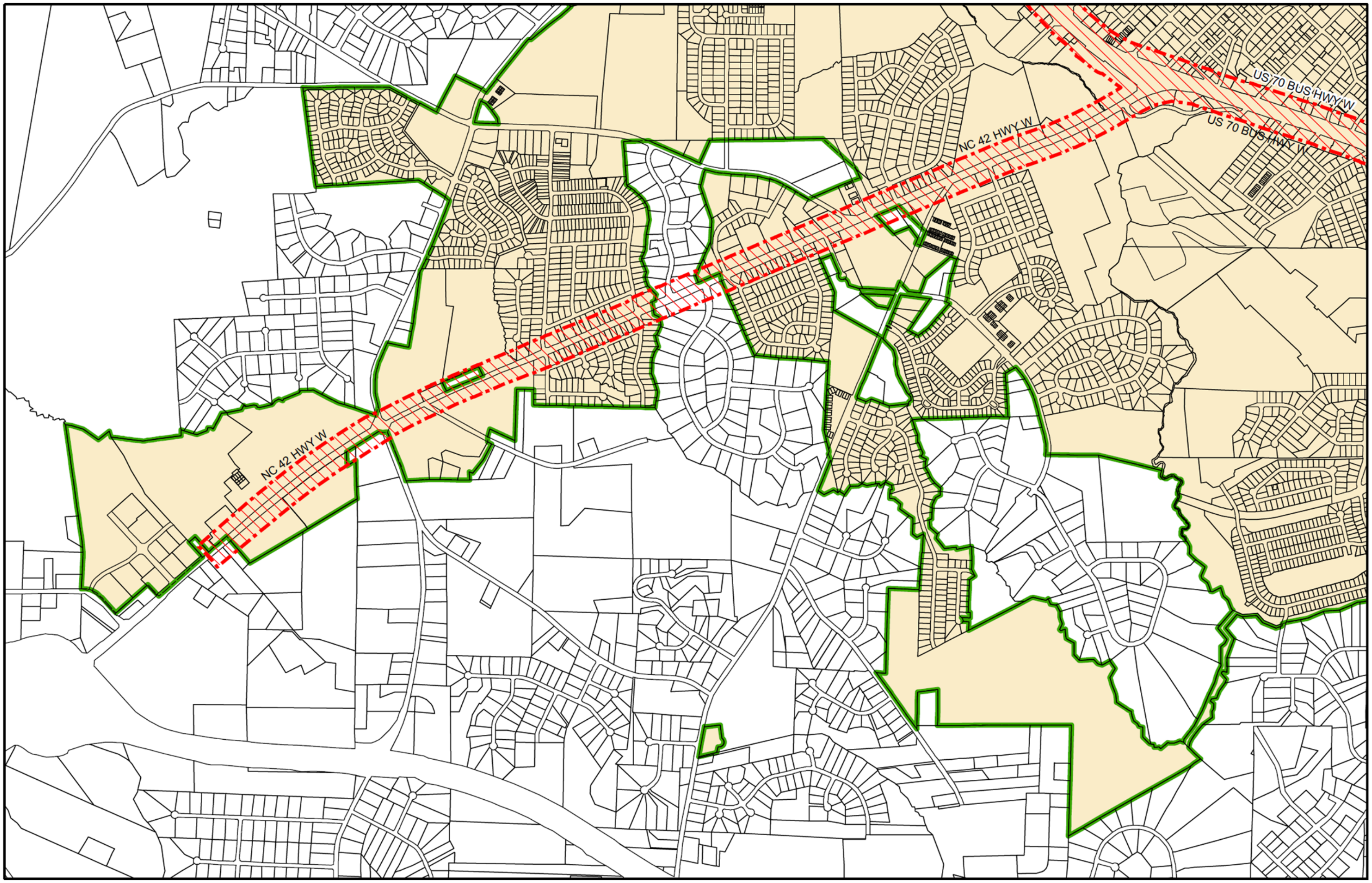
10) Planning Department staff and SHPO (State Historic Preservation Office) staff (upon request) will inspect work completed and request checks to be issued for the amount of the grant provided the work is accomplished in accordance with the agreement.




# Exhibit A
# Downtown Core

Map Produced By TOC/Planning
Date: May 10, 2016
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

Not to Scale

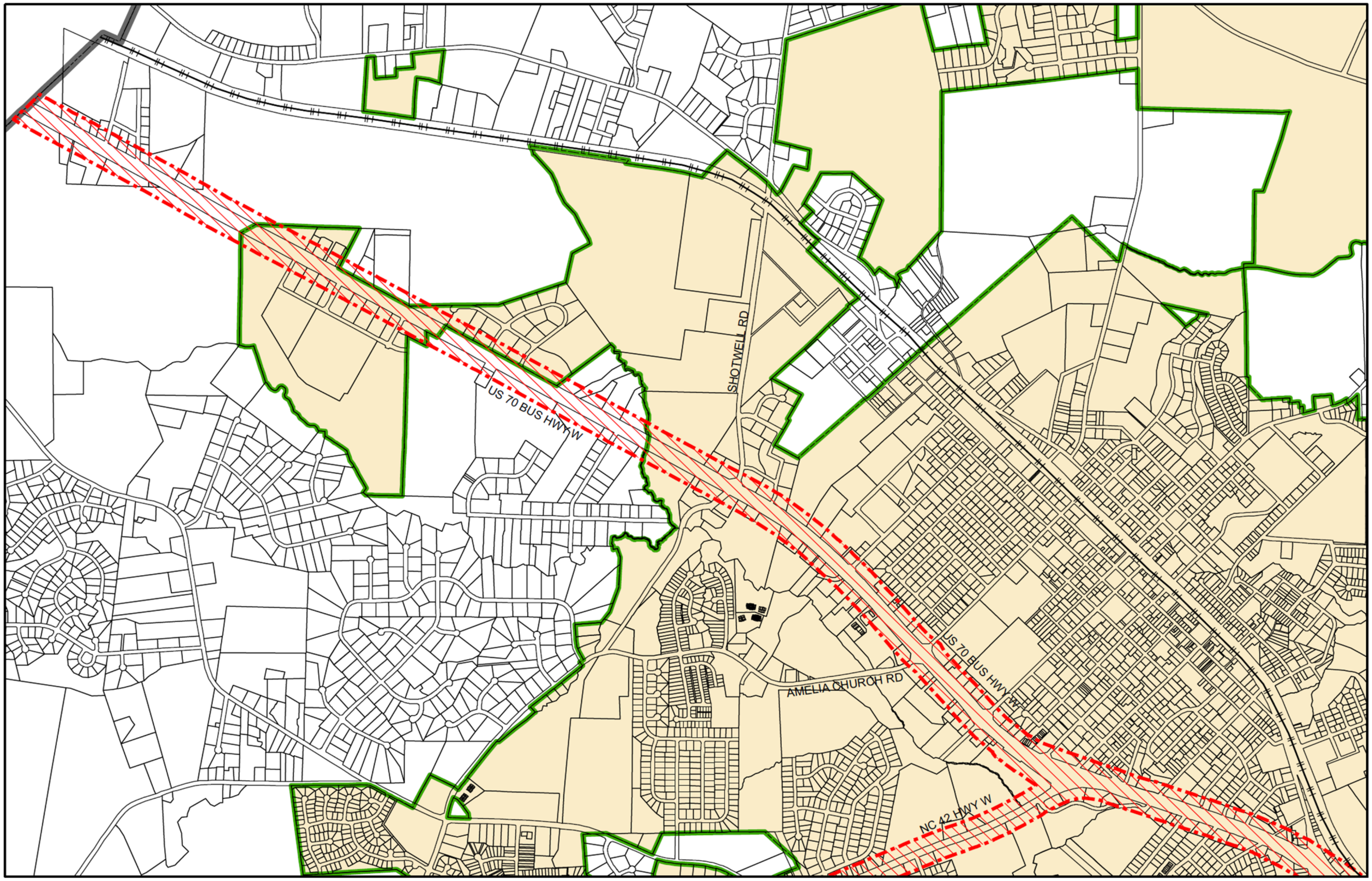



# Exhibit A
## Thoroughfare Overlay District
### South West Section

N
W E
S

Not to Scale

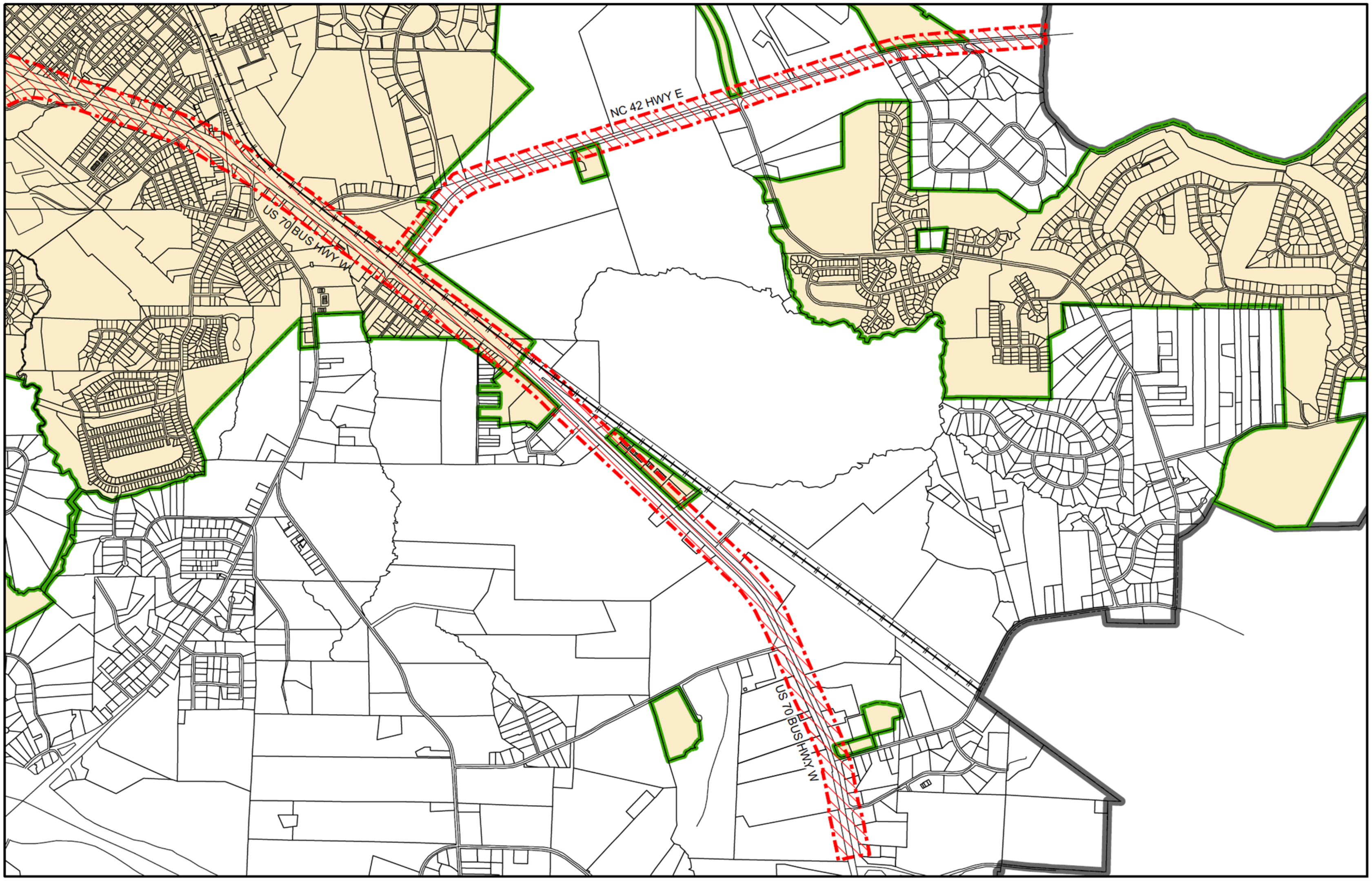
Map Produced by TOC Planning
Date: August 9, 2012
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.




# Exhibit A
## Thoroughfare Overlay District
### North West Section

N
W E
S
Not to Scale

Map Produced by TOC Planning
Date: August 9, 2012
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.




# Exhibit A
## Thoroughfare Overlay District
### Eastern Section

N
W E
S

Not to Scale

Map Produced by TOC Planning
Date: August 9, 2012
Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

# TOWN OF CLAYTON
# TOWN COUNCIL
# AGENDA COVER SHEET

**AGENDA LOCATION:**
Old Business

**Meeting Date:**
June 6, 2016

**ITEM TITLE:**
Base / Credit Card Fee Discussion

**DESCRIPTION:**
Discussion regarding base and/or credit card fee. This item was presented at the Budget Work Session and will continue with decision regarding proposed '16-'17 budget.

**POTENTIAL ACTION:**
Approval/Disapproval

**DEPARTMENT:**
Administration

**PRESENTER:**
Steve Biggs, Town Manager

**ITEM HISTORY:**

**Date:** **Action Taken:**

**Information Provided:**

**Date:** **Action Taken:**

**Information Provided:**

# TOWN OF CLAYTON
# TOWN COUNCIL
# AGENDA COVER SHEET

**AGENDA LOCATION:**
New Business

**Meeting Date:**
June 6, 2016

**ITEM TITLE:**
Appointment of Interim Town Manager

**DESCRIPTION:**
Resolution will authorize appointment of Nancy Medlin, Deputy Town Manager, to serve in role as Interim Town Manager until such time appointment of Town Manager is finalized.

**POTENTIAL ACTION:**
Approval/Disapproval

**DEPARTMENT:**
Administration

**PRESENTER:**
Kimberly Moffett - Town Clerk

**ITEM HISTORY:**

**Date:** **Action Taken:**

**Information Provided:**

**Date:** **Action Taken:**

**Information Provided:**

Resolution 2016-23

# TOWN OF CLAYTON
# RESOLUTION
# APPOINTMENT OF INTERIM TOWN MANAGER

**WHEREAS**, NC GS 160A-150, permits the council to appoint an interim town manager; and

**WHEREAS**, NC GS 160A-148, permits the council to specify the duties and powers of the town manager; and

**WHEREAS**, it is the desire of the Clayton Town Council to appoint the current Deputy Town Manager, Nancy Medlin, to serve as interim town manager with all duties and powers as assigned to the town manager, beginning June 11, 2016 and remaining in effect until such time appointment of town manager is made; and

**NOW THEREFORE BE IT RESOLVED** by the Town Council of the Town of Clayton that the deputy town manager is hereby appointed interim town manager.

Duly adopted this 6th day of June, 2016, while in regular session.

____________________________
Jody L. McLeod
Mayor

ATTEST:

____________________________
Kimberly A. Moffett, CMC
Town Clerk

Resolution #2016-24

TOWN COUNCIL
OF THE
TOWN OF CLAYTON, NORTH CAROLINA

Excerpt of Minutes
of Meeting of June 6, 2016

Present: Mayor ________________ presiding, and

Councilmembers: ______________________________________________________________________

Absent: __________________________________________________________________________

* * * * * * * * * *

Councilmember __________ introduced the following resolution, the title of which was read:

**RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING CONTRACT TO REFINANCE THE LAW ENFORCEMENT CENTER**

WHEREAS, the Town of Clayton, North Carolina (the "Town") desires to refinance two existing installment purchase agreements, one executed and delivered in 2007 and purchased by First-Citizens Bank & Trust Company (the "2007 IPC"), the proceeds of which were used to finance the acquisition of park land (the "2007 Project"), and the second executed and delivered in 2010 and purchased by First-Citizens Bank & Trust Company (the "2010 IPC," and, together with the 2007 IPC, the "Existing IPCs"), the proceeds of which were used to finance the acquisition, construction and equipping of the Law Enforcement Center (the "2010 Project" and, together with the 2007 Project, the "Projects"); and

WHEREAS, the Town desires to refinance the Projects and the Existing IPCs by executing and delivering a new installment financing contract, as authorized under North Carolina General Statutes Chapter 160A, Article 3, Section 20 ("NCGS 160A-20"); and

WHEREAS, the Town sent out a request for proposals to a number of banks relating to the refinancing; and

WHEREAS, Carolina Bank (the "Bank") submitted a proposal dated May 24, 2016 (the "Proposal"), pursuant to which the Bank would enter into an installment financing contract with the Town in the amount of approximately $6,478,000 (the "Contract") to refinance the Projects and the Existing IPCs and to pay certain costs associated with the refinancing, to be secured by a deed of trust and security agreement that creates a lien on the 2010 Project for the benefit of the Bank (the "Deed of Trust");

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town, meeting in regular session on the 6$^{th}$ day of June, 2016, as follows:

1. The Town Council hereby accepts the Proposal, and authorizes and directs the Mayor, the Town Manager, the Finance Director and the Clerk, or any of them, to execute, acknowledge and deliver the Contract and the Deed of Trust on behalf of the Town, with such changes and modifications as the person executing and delivering such instruments on behalf of the Town shall find acceptable. The Clerk

is hereby authorized to affix the official seal of the Town to the Contract and the Deed of Trust and to attest the same.

2. Each of the Mayor, the Town Manager, the Finance Director and the Clerk is authorized and directed to execute and deliver any and all papers, instruments, agreements, tax certificates, opinions, certificates, affidavits and other documents, and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution, the Contract and the Deed of Trust and the refinancing of the Projects.

3. The Contract is deemed designated as a "qualified tax-exempt obligation" under Section 265(b)(3)(D) of the Internal Revenue Code of 1986, as amended.

4. All other acts of the Board and the officers of the Town which are in conformity with the purposes and intent of this Resolution and in furtherance of the refinancing of the Projects and the Existing IPCs are hereby ratified, approved and confirmed.

5. This Resolution is effective upon its adoption.

Councilmember __________ moved the passage of the foregoing resolution and Councilmember ____________ seconded the motion and the resolution was passed by the following vote:

Ayes: Councilmembers ____________________________________________________________

Nays: Councilmembers ____________________________________________________________

Not voting: Councilmembers _______________________________________________________

* * * * * * *

I, Kimberly Moffett, Clerk for the Town of Clayton, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted by the Town Council of the Town at a regular meeting duly called and held on June 6, 2016, and that the proceedings of such meeting are recorded in the Minutes of the Town. Pursuant to G.S. § 143-318.12, a current copy of a schedule of regular meetings of the Town Council of the Town is on file in my office.

WITNESS my hand and the official seal of the Town this 6th day of June, 2016.

________________________________________
Kimberly A. Moffett, CMC
Town Clerk
Town of Clayton, North Carolina

(SEAL)

**Ordinance #2016-06-01**

# TOWN OF CLAYTON
# SAM'S BRANCH INTERCEPTOR PHASE II
# CAPITAL PROJECT BUDGET ORDINANCE

BE IT HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON that the following ordinance shall be established to provide infrastructure to a previously unserved area and support future abandonment of one or more existing sanitary sewer lift stations:

Revenues

| Line Item | Description | Amount |
|---|---|---|
| 637-49 20 | Developer Contributions | $941,142 |
| 637-49 81 | Due from Water & Sewer Fund | 515,272 |
| | Total | $1,456,414 |

Expenditures

| Line Item | Description | Amount |
|---|---|---|
| 637-56 00 | Professional Services | $171,425 |
| 637-58 01 | Construction | 1,284,989 |
| | Total | $1,456,414 |

Duly adopted this 20th day of June, 2016 while in regular session.

Jody L. McLeod
Mayor

Attest:

Kimberly A. Moffett, CMC,
Town Clerk