



**Town of Clayton
Regular Town Council Meeting Agenda
Monday, December 7, 2020 @ 6:00 PM**

THIS WILL BE A VIRTUAL MEETING

ANY PUBLIC COMMENTS SHOULD BE FORWARDED TO THE TOWN CLERK NO LATER THAN NOON THE DATE OF THE MEETING. PLEASE INCLUDE YOUR NAME & ADDRESS. ALL PUBLIC COMMENTS THAT ARE RECEIVED WILL BE READ INTO THE RECORD BY THE TOWN CLERK.

EMAIL: kmoффett@townofclaytonnc.org

THE TOWN OF CLAYTON WILL FOLLOW GUIDELINES FROM THE CENTERS FOR DISEASE CONTROL AND THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES WITH REGARD TO SOCIAL DISTANCING.

BELOW PLEASE FIND CHANGES TO THE COUNCIL MEETING FORMAT:

THE DECEMBER 7, 2020 TOWN COUNCIL MEETING WILL BE HELD REMOTELY.

THE COUNCIL CHAMBERS WILL BE CLOSED TO THE PUBLIC.

IF ANY MEMBER OF THE PUBLIC WISHES TO SHARE ANY PUBLIC COMMENT WITH THE COUNCIL, PLEASE FORWARD YOUR COMMENT(S) TO THE TOWN CLERK NO LATER THAN NOON THE DAY OF THE MEETING. PLEASE INCLUDE YOUR NAME AND ADDRESS. PUBLIC COMMENT(S) RECEIVED WILL BE READ INTO THE RECORD BY THE TOWN CLERK.

EMAIL: [KMOFFETT@TOWNOFCLAYTONNC.ORG](mailto:kmoффett@townofclaytonnc.org)

THE PUBLIC MAY VIEW THE LIVE COUNCIL MEETING ON THE TOWN'S YOU TUBE CHANNEL:

<http://youtube.com/c/TownofClaytonNC1869>

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

November 16, 2020 - Regular Session

November 2, 2020 - Closed Session

November 16, 2020 - Closed Session

[November 16, 2020 DRAFT Minutes](#)

b. State Sedimentation Commission Memorandum of Agreement

[Cover](#)

[Memorandum of Agreement](#)

- c. Warranty Acceptance
 - Game Day Marketing[Game Day Marketing](#)

POTENTIAL ACTION: Adoption of Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

6. PUBLIC HEARINGS

7. OLD BUSINESS

- a. Public Art Advisory Board Project Updates
Presenters: Clark Hipolito, Kathleen Nobles & Kim Helmer - Public Art Advisory Board Members
 - Downtown Mural Project Guidelines
 - Greenway Art Project

[Cover](#)

[Downtown Mural Program Guidelines](#)

POTENTIAL ACTION: Informational Only

- b. Parks & Recreation Bond Project Update
Presenter: Scott Barnard, Parks & Recreation Director
- [Cover](#)

POTENTIAL ACTION: Consensus to Move Forward with Presented Plans

8. NEW BUSINESS

- a. RTZ Agreement
Presenter: JD Solomon, Interim Town Manager
- [Agreement](#)
- POTENTIAL ACTION:** Approval of Agreement
- b. Volunteer Advisory Board Appointment Nominee Recommendations
Presenter: Kimberly Moffett, Town Clerk
 - Library Advisory Board
 - Fire Advisory Board

[Cover](#)

[Recommendation Chart](#)

POTENTIAL ACTION: Appointment of Nominees

9. STAFF REPORTS

- a. Town Manager
- b. Town Attorney

- c. Town Clerk
- d. Other Staff
 - Library Update
Presenter: Joy Garretson, Library Director
 - Parking Lot & Basement Project Updates
Presenter: Joshua Baird, Town Engineer
 - 3-Way Stop at Kensington and Neuse Ridge
Presenter: Rich Cappola, Deputy Town Manager
 - Tree Removal - Barbour Building
Presenter: Rich Cappola, Deputy Town Manager

10. OTHER BUSINESS

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

11. CLOSED SESSION

- a. Closed Session Pursuant to NCGS 143-318.11(a)(3)

12. ADJOURNMENT



Town of Clayton
Regular Town Council Meeting Minutes
Monday, November 16, 2020 @ 6:00 PM
Council Chambers

COUNCIL PRESENT:

Mayor McLeod
Mayor Pro Tem Thompson
Council Member Holder
Council Member Grannis
Council Member Bunn
Council Member Everett

STAFF PRESENT:

JD Solomon, Interim Town Manager
Nancy Medlin, Deputy Town Manager
Rich Cappola, Deputy Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Clerk
Heidi Holland, Deputy Town Clerk
Cathy Marraccini, Interim Communications Director

COUNCIL ABSENT:

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor McLeod called the meeting to order at 6:09 p.m. He led everyone in the Pledge of Allegiance as well as offering the Invocation.

2 WATER RECLAMATION FACILITY PUBLIC MEETING

- a) A public meeting was held regarding the new planned Neuse River Water Reclamation Facility. Ms. Robinson, who is consultant with Jacobs, was present and provided background and requirement for this public meeting. She stated the Town of Clayton is ready to move onto the next requirement for this project. This project has been in the works for the last 10 years. She provided details about the need for the project to include an aging facility and population growth. Provided were details regarding the current need of 6 MGD with longer term plan for 10 MGD. Details were provided regarding what was included in the ER-EID for water capacity expansion; definition of project need and purpose, alternative analysis, assessment of potential environment impacts, public involvement, costs and rate impacts and assessment of all permits required were provided. Additionally, consultant presentation was made part of the official record by attaching the printed version to the minutes.

Public comments were offered by Chuck Blatchley. Mr. Blatchley, who was present representing Grifols, was in full support of the project. Mr. Timothy Weiss was also present. He shared his concerns regarding funding and increase to resident bills in 2023. He stated that across the country developers are allowed to contribute and asked if we were doing that as well. Mr. Solomon provided information regarding System Development Fees and stated the consultant could provide additional information.

Mr. Solomon stated that a draft version of the minutes for this hearing would be completed and submitted by tomorrow.

3 ADJUSTMENT OF THE AGENDA

- a) It was requested that November 2, 2020 Closed Session minute be removed from the Consent Agenda.

4 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
- November 2, 2020 - Regular Meeting
 - ~~November 2, 2020 - Closed Session~~

ACTION: Adoption of Consent Agenda with November 2, 2020 Closed Session Minutes Removed

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

5 ADMINISTRATIVE ITEMS

6 INTRODUCTIONS AND SPECIAL PRESENTATIONS

7 PUBLIC HEARINGS

- a) Code of Ordinance - Addition of Chapter 158 - Stormwater/Erosion *(Continued from November 2, 2020)*
Presenters: Joshua Baird, Town Engineer & Susan Locklear, Stormwater Engineer

Mayor McLeod reminded everyone this was a continuation of the Public Hearing held on November 2, 2020. Mr. Baird and Ms. Locklear were present. Ms. Locklear provided an update regarding the bullet points discussed at the previous meeting. Variance updated to now say Town Council.

Council Member Grannis asked for additional explanation regarding Operation and Maintenance Agreement and Escrow. Ms. Ross provided information regarding process and HOA. Council Member Grannis asked if that meant the developer would have no responsibility toward escrow. Mr. Solomon added that education would be a huge piece of this. Council Member Grannis asked if this pertained to just new development that choose to use a shared device. Ms. Ross stated this section applied to new development but there were additional sections that applied to existing developments. Council Member Grannis asked how 158-107 Design Manual - Section 2 could be defended if challenged. Mr. Solomon stated this would need to be researched a bit more

as a manual cannot over ride statute. Ms. Ross and Ms. Locklear stated intent was that most restrictive statute would apply. Council Member Holder questioned about homeowner not being part of HOA. Mr. Baird provided details about operation and maintenance agreement Ms. Ross stated there is nothing in this ordinance that requires any development to have an HOA.

Ms. Ross stated she believed the ordinance and its intent were clear, however, it were entirely up to the council if they desired something additional.

With there being no further comments, the public hearing was closed at 7:07 p.m. and the item was turned over to council for their deliberation.

ACTION: Adoption of Ordinance #2020-11-01

Motion: Council Member Grannis

Second: Council Member Bunn

Vote: Unanimous

- b) Update to Comprehensive List of Fees & Charges - Stormwater/Erosion Control
Presenters: Joshua Baird, Town Engineer & Susan Locklear, Stormwater Engineer

Mr. Baird stated these are not new fees but rather new to the town; as the stormwater program is now an in-house program. Ms. Locklear provided an overview of the proposed rates for both erosion control and stormwater. She stated fees are very much in line with other municipalities.

There were no further comments and the public hearing was closed at 7:19 p.m. for council discussion.

Council Member Bunn stated he felt really comfortable with the numbers presented this evening. Council Member Grannis echoed that as well. He stated he appreciated staff time and research.

ACTION: Adoption of Ordinance #2020-11-02

Motion: Council Member Grannis

Second: Mayor Pro Tem Thompson

Vote: Unanimous

8 OLD BUSINESS

- a) Equipment Lease Purchase Agreement - Fire Truck
Presenter: Robert McKie, Finance Director

Mr. McKie stated this a technical correction to resolution previously passed. Original resolution had incorrect finance company listed.

ACTION: Adoption of Resolution #2020-42

Motion: Council Member Bunn
Second: Council Member Everett
Vote: Unanimous

9 NEW BUSINESS

- a) Amendment to Library Advisory Board By-Laws
Presenter: Joy Garretson, Library Director

Ms. Garretson was present and provided details about request to amend by-laws. This amendment would allow a bit more flexibility with meetings schedule.

ACTION: Adoption of Resolution #2020-43

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

- b) Update to Bank Signature Cards - Operating Account &- Claytex Fire District
Presenter: Robert McKie, Finance Director

Mr. McKie was present and shared information regarding Resolutions that are being triggered by retirement of Nancy Medlin. These resolutions will change signature authorities for both the Operating Fund and the Claytex Fire District Accounts.

ACTION: Adoption of Resolution #2020-44

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

ACTION: Adoption of Resolution #2020-45

Motion: Council Member
Second: Council Member
Vote: Unanimous

- c) Recommended Advisory Board Appointments
Presenter: Kimberly Moffett, Town Clerk

- Planning Board
- Public Art Advisory Board
- Parks & Recreation Advisory Board

Ms. Moffett presented recommendations for advisory board appointments. All vacancies were advertised and who applicants were interviewed by both staff and council liaisons. Additionally recommendations for both the Library and Fire Advisory Boards will be presented at the December 7, 2020 council meeting.

ACTION: Appointments to Advisory Boards as Presented

Motion: Council Member Holder

Second: Council Member Everett

Vote: Unanimous

- d) Code of Ordinance Update - Chapter 50 - Time of Collection RE: System Development Fees

Presenter: Joshua Baird, Town Engineer

Mr. Baird provided information. This amendment reflects the change of timing regarding the collection of system development fees; as per the NC Statute. The change would be from plat to the time of the building permit. This change would be effective January 2021.

ACTION: Adoption of Ordinance #2020-11-03

Motion: Council Member Bunn

Second: Council Member Holder

Vote: Unanimous

10 STAFF REPORTS

- a) Town Manager

- 4-Way Stop Sign at Blanche & Barbour

Mr. Solomon shared his thanks and appreciation to Nancy Medlin on her retirement after 31 years of service.

Customer Service employees were all acknowledged for their outstanding service. He stated he has not received one single complaint regarding outstanding balances due to COVID. He stated this is exactly what customer service should be and they are all outstanding employees.

He stated Mr. McKie is doing an outstanding job with assisting with the budget and expense amounts. He stated the budget will be re-visited in December to determine what our expenditures can be. Additional information will be provided at second meeting in December. Sales revenues are up again.

Employee banquets have been postponed for these holidays due to COVID concerns in Johnston County. It was stated that meetings will be held virtually whenever possible.

He stated some good opportunities are headed our way via Parks & Recreation and additional information would be forthcoming shortly.

Discussed 4-way stop Sign at Blanche & Barbour will be installed shortly. Council Member Bunn discussed possible addition of flashing device being installed at stop sign at Smith & Second, he stated there was recently another wreck at this location. Council Member Bunn also shared concerns about

speeding in the mornings on Fayetteville Street. He asked that police take a look at this. Mayor McLeod thought discussion about stop signs with neighbors also included addition of a 4-way stop sign at Blanche & Fayetteville Streets. Mr. Solomon stated the clerk would pull previous minutes. Mr. Cappola stated this request would be fully evaluated and will return to council in January.

b) Town Attorney

c) Town Clerk

d) Other Staff

- COVID Resource Referral Update

Presenter: Ann Game, Customer Service Director

Ms. Game provided details about payment referrals for utility payments to include; Johnston County Department of Social Services, NC Hope, NC Cares, One Compassion, St. Anne Catholic Church and Clayton Area Ministries.

Council Member Grannis offered his thanks to the entire team of Customer Service.

11 OTHER BUSINESS

a) Informal Discussion & Public Comment

Mr. Weiss was present and shared information regarding greenway discussion recently at his HOA meeting (Highgate). He shared background of when he moved in back in 2018 he was assured about the openings of the greenway. He suggested forming a task force to look at obtaining easement to join two greenways that would allow residents of Highgate to use greenway directly it stated it might be 100 yards. Mr. Solomon stated we were already looking at options. We were looking at discretionary funds for something like this and are definitely doing our best to connect the trails. Mr. Weiss stated he appreciated the consideration.

b) Council Comments

Mayor McLeod asked that Nancy Medlin stand. He "charged" her with; contributing to the overall success of Clayton, sharing her time and talent and ensuring financial stability for the town and always putting Clayton first in her daily job. He stated she was found guilty of the above charges and was "sentenced" to a life of health and happiness in her retirement. Ms. Medlin stated that it has been 22 years with the town and spoke of all the changes she has seen. She stated she has worked with some of the best co-workers and it is going to be difficult to say goodbye. Ms. Medlin received a standing ovation.

Council Member Holder asked about the bridge between Lionsgate and the Clayton Community Center being blocked off for some time. Mr. Solomon stated it was closed due to safety concerns. It is being worked on to ensure its safe re-opening.

12 CLOSED SESSION

- a) Closed Session Pursuant to NCGS 143-318.11.(a)(3)

ACTION: Motion to Go Into Closed Session

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

13 ADJOURNMENT

- a) With there being nothing further, the meeting was adjourned at 8:56 p.m.

ACTION: Motion to Adjourn

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

Duly adopted this the 7th day of December, 2020 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

December 7, 2020

Agenda Location

Consent Agenda

Item Title

MOA – North Carolina State Sedimentation Commission

Presenter

Joshua Baird – Town Engineer

Summary/Description

Town Council approved the Erosion and Sedimentation Control Ordinance on September 21st and was approved to delegate the program on November 5th. The next step is formalizing a MOA with State Sedimentation Commission to implement the program.

Requested Action

Approval/Denial

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet**Meeting Timeline**

Click or tap here to enter text.

MEMORANDUM OF AGREEMENT

BETWEEN

THE NORTH CAROLINA SEDIMENTATION CONTROL COMMISSION

AND

THE TOWN OF CLAYTON

This MEMORANDUM OF AGREEMENT is entered into between the **North Carolina Sedimentation Control Commission** (hereinafter, “Commission”) and the Town of Clayton (hereinafter, “Local Government,” collectively, “Parties”) for the purpose of clarifying their roles in the enforcement of the Sedimentation Pollution Control Act of 1973, N.C. Gen. Stat. Ch. 113A Art. 4 and any rules adopted pursuant to the Act (hereinafter collectively, “SPCA.”)

Part I. Local Program Creation.

A. Model Ordinance

The Parties agree that the Commission shall do the following:

1. Per N.C. Gen. Stat. § 113A-54 (d) (1), provide a model erosion and sedimentation control ordinance (hereinafter, “model ordinance”) for adoption by local governments who wish to operate a delegated local erosion and sedimentation control program (hereinafter, “local program.”)
2. Update its model ordinance upon changes in the SPCA.

B. Proposed Ordinance Review

The Parties agree that:

1. Local governments who choose to create and operate a local program may do so by ordinance (hereinafter, “local program ordinance”.) However, the local government must submit the proposed local program ordinance to the Commission for review prior to adoption.

2. North Carolina General Statute § 113A-60(b) requires the Commission to review, approve, approve as modified, or disapprove proposed local program ordinances based upon the minimum requirements of the SPCA.
3. The Commission shall review a local program ordinance submitted and, within 90 days of receipt thereof, shall notify the local government submitting the program that it has been approved, approved with modifications, or disapproved.
4. The local program's erosion and sedimentation control standards must equal or exceed those of the SPCA.
5. The Town of Clayton has an existing local program and an ordinance approved by the Sedimentation Control Commission.

Part II. Responsibilities and Expectations of the Commission.

A. Local Program Review

The Parties agree that the Commission shall do the following:

1. Review periodically approved local programs for compliance with the SPCA. The results of the reviews shall be presented at the next quarterly meeting of the Commission.
2. If the Commission determines that any local government is failing to administer or enforce an approved erosion and sedimentation control program, it shall notify the local government in writing and shall specify the deficiencies of administration and enforcement.
3. If the local government has not taken corrective action within 30 days of receipt of notification from the Commission, the Commission shall assume administration and enforcement of the program until such time as the local government indicates its willingness and ability to resume administration and enforcement of the program.

B. Training and Education for Local Programs

The Parties agree that the Commission shall provide the following:

1. Educational programs in erosion and sedimentation control directed toward persons engaged in land-disturbing activities, general educational materials on erosion and sedimentation control, and instructional materials for persons involved in the enforcement of the SPCA and erosion and sedimentation control rules, ordinances, regulations, and plans.
2. Manuals and publications to assist in the design, construction and inspection of erosion and sedimentation control measures.
3. Periodic reviews of local erosion and sedimentation control programs and through the reviews provide recommendations to improve program administration.
4. Technical assistance in review of draft erosion and sedimentation control plans for complex activities.

C. Concurrent Jurisdiction

The Parties agree that the Commission shall maintain concurrent jurisdiction with the local government for land-disturbing activities and may take appropriate compliance action if the Commission determines that the local government has failed to take appropriate compliance action.

D. Exclusive Jurisdiction

The Parties agree that the Commission shall maintain exclusive jurisdiction to administer the SPCA for all land disturbing activities that:

1. Are outlined in North Carolina General Statute § 113A-56; or
2. Relate to oil and gas exploration and development on the well pad site.

Part III. Responsibilities and Expectations of the Local Government.

A. Enforcement

The Parties agree that the local government shall administer its own local program ordinances, through the following:

1. Enforce the provisions of the SPCA.
2. Administer the SPCA for all land-disturbing activity within its jurisdiction, including existing sites at the time the local government received program delegation. The Commission may continue to administer the SPCA over specific projects under enforcement action upon mutual agreement with the local government. The local program is not responsible for activities over which the Commission has exclusive jurisdiction.
3. Employ a sufficient number of qualified personnel. Qualified personnel shall be competent to review sedimentation and erosion control plans and conduct inspections of land-disturbing activities.
4. Provide adequate resources for plan review and compliance inspections.

B. Reporting

The Parties agree that the local government shall provide the following reports/information:

1. Monthly activity reports to the Commission.
2. Notification to the appropriate regional office of DEMLR of issuance of Notices of Violation at the time the violator is notified.
3. Current contact information for their local program to the Division of Energy, Mineral, and Land Resources.

C. Sediment and Erosion Control Plans for Land-Disturbing Activity Review

The Parties agree that the local government shall review erosion and sedimentation control plans for land-disturbing activity (hereinafter, “plans”) submitted to its local program under the following standards:

1. Review plans within 30 days of receipt of a new plan and within 15 days of a revised plan.

2. Approve, approve with modifications, or disapprove draft plans in conformance with the basic control objectives contained in 15A NCAC 04B .0106.
3. Notify in writing the person submitting the plan that it has been approved, approved with modifications, or disapproved within 30 days of receipt of a new plan and within 15 days of a revised plan.
4. Include in written notifications of plan approval the following:
 - a. reference to NPDES General Stormwater Permit NCG 010000,
 - b. expiration date of the approval,
 - c. the right of periodic inspection, and
 - d. condition the approval upon the applicant's compliance with federal and State water quality laws, regulations and rules.
5. Enclose with all written permit notifications the Certificate of Approval for posting at the site of the land-disturbing activity.

D. Inspection

The Parties agree that the local government shall inspect all sites undergoing land-disturbing activity under the following standards:

1. Periodically and regularly inspect sites undergoing land-disturbing activity within its jurisdiction. Periodically and regularly means with sufficient frequency to effectively monitor compliance with the SPCA and rules adopted pursuant to the SPCA and the local erosion and sedimentation control ordinance.
2. Document all inspections in writing, including electronic documents.
3. Inspection reports shall include, at a minimum, all information in the model sedimentation inspection report developed by the Commission.
4. Maintain inspection records for active projects in accordance with State and local record retention policies.

E. Enforcement

The Parties agree that the local government shall enforce its local program ordinance under the following standards:

1. Issue Notices of Violation (hereinafter, "NOV") for any significant violation of the SPCA, rules adopted pursuant to the SPCA, or the local erosion and sedimentation control ordinance documented in an inspection report. An NOV shall be issued to the persons responsible for the violations, pursuant to N.C. Gen. Stat. § 113A-61.1.
2. The NOV shall specify the following:
 - a. describe the violation with reasonable particularity
 - b. request that all illegal activity cease
 - c. the actions that need to be taken to comply with the SPCA and the local ordinance
 - d. a date by which the person must comply with the SPCA and the local ordinance
 - e. inform the violator that any person who fails to comply within the time specified is subject to additional civil and criminal penalties for a continuing violation as provided in G.S. 113A-64 and the local ordinance
3. Undertake appropriate enforcement actions, including injunctive relief, or assessment of civil penalties for an initial penalty or a daily penalty for continuing violations.
4. Require a person who engaged in a land-disturbing activity and failed to retain sediment generated by the activity, as required by G.S. 113A-57(3), to restore the waters and land affected by the failure so as to minimize the detrimental effects of the resulting pollution by sedimentation.

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IN WITNESS HEREOF, the Parties enter into this Memorandum of Agreement, this the _____ day of _____ 20__.

SEDIMENTATION CONTROL COMMISSION

TOWN OF CLAYTON

By: _____

Susan N. White, Chair

Dated: _____

By: _____

Jody McLeod

Mayor

Dated: _____

By: _____

Jason Thompson

Mayor Pro Tem

Dated: _____

Approved as to Form

Approved as to Form

Susan Zambon, Counsel to the Commission

Dated: _____

Katherine Ross

Town of Clayton Attorney

Dated: _____

Appendix I.

NORTH CAROLINA GENERAL STATUTES

Sedimentation Pollution Control Act (Ch. 113A Art. 4)

(selected statutes)

§ 113A-54. Powers and duties of the Commission.

(d) In implementing the erosion and sedimentation control program, the Commission shall:

- (1) Assist and encourage local governments in developing erosion and sedimentation control programs and, as a part of this assistance, the Commission shall develop a model local erosion and sedimentation control ordinance. The Commission shall approve, approve as modified, or disapprove local programs submitted to it pursuant to G.S. 113A-60.

§ 113A-56. Jurisdiction of the Commission.

(a) The Commission shall have jurisdiction, to the exclusion of local governments, to adopt rules concerning land-disturbing activities that are:

- (1) Conducted by the State.
- (2) Conducted by the United States.
- (3) Conducted by persons having the power of eminent domain other than a local government.
- (4) Conducted by a local government.
- (5) Funded in whole or in part by the State or the United States.

(b) The Commission may delegate the jurisdiction conferred by G.S. 113A-56(a), in whole or in part, to any other State agency that has submitted an erosion

and sedimentation control program to be administered by it, if the program has been approved by the Commission as being in conformity with the general State program.

(c) The Commission shall have concurrent jurisdiction with local governments that administer a delegated erosion and sedimentation control program over all other land-disturbing activities. In addition to the authority granted to the Commission in G.S. 113A-60(c), the Commission has the following authority with respect to a delegated erosion and sedimentation control program:

- (1) To review erosion and sedimentation control plan approvals made by a delegated erosion and sedimentation control program and to require a revised plan if the commission determines that a plan does not comply with the requirements of this Article or the rules adopted pursuant to this Article.
- (2) To review the compliance activities of a delegated erosion and sedimentation control program and to take appropriate compliance action if the Commission determines that the local government has failed to take appropriate compliance action.

(1973, c. 392, s. 7; c. 1417, s. 4; 1987, c. 827, s. 130; 1987 (Reg. Sess., 1988), c. 1000, s. 4; 2002-165, s. 2.5; 2006-250, s.2.)

§ 113A-60. Local erosion and sedimentation control programs.

- (a) A local government may submit to the Commission for its approval an erosion and sedimentation control program for its jurisdiction, and to this end local governments are authorized to adopt ordinances and regulations necessary to establish and enforce erosion and sedimentation control programs. An ordinance adopted by a local government may establish a fee for the review of an erosion and sedimentation control plan and related activities. Local governments are authorized to create or designate agencies or subdivisions of local government to administer and enforce the programs. An ordinance adopted by a local government shall at least meet and may exceed the minimum requirements of this Article and the rules adopted pursuant to this Article. Two or more units of local government are authorized to establish a joint program and to enter into any agreements that are necessary for the proper administration and enforcement of the program. The resolutions establishing any joint program must be duly recorded in the minutes of the governing body of each unit of local government participating in the program, and a certified copy of each resolution must be filed with the Commission.
- (b) The Commission shall review each program submitted and within 90 days of receipt thereof shall notify the local government submitting the program

that it has been approved, approved with modifications, or disapproved. The Commission shall only approve a program upon determining that its standards equal or exceed those of this Article and rules adopted pursuant to this Article.

- (c) If the Commission determines that any local government is failing to administer or enforce an approved erosion and sedimentation control program, it shall notify the local government in writing and shall specify the deficiencies of administration and enforcement. If the local government has not taken corrective action within 30 days of receipt of notification from the Commission, the Commission shall assume administration and enforcement of the program until such time as the local government indicates its willingness and ability to resume administration and enforcement of the program.
- (d) A local government may submit to the Commission for its approval a limited erosion and sedimentation control program for its jurisdiction that grants the local government the responsibility only for the assessment and collection of fees and for the inspection of land-disturbing activities within the jurisdiction of the local government. The Commission shall be responsible for the administration and enforcement of all other components of the erosion and sedimentation control program and the requirements of this Article. The local government may adopt ordinances and regulations necessary to establish a limited erosion and sedimentation control program. An ordinance adopted by a local government that establishes a limited program shall conform to the minimum

requirements regarding the inspection of land-disturbing activities of this Article and the rules adopted pursuant to this Article regarding the inspection of land-disturbing activities. The local government shall establish and collect a fee to be paid by each person who submits an erosion and sedimentation control plan to the local government. The amount of the fee shall be an amount equal to eighty percent (80%) of the amount established by the Commission pursuant to G.S. 113A-54.2(a) plus any amount that the local government requires to cover the cost of inspection and program administration activities by the local government. The total fee shall not exceed one hundred dollars (\$100.00) per acre. A local government that administers a limited erosion and sedimentation control program shall pay to the Commission the portion of the fee that equals eighty percent (80%) of the fee established pursuant to G.S. 113A-54.2(a) to cover the cost to the Commission for the administration and enforcement of other components of the erosion and sedimentation control program. Fees paid to the Commission by a local government shall be deposited in the Sedimentation Account established by G.S. 113A-54.2(b). A local government that administers a limited erosion and sedimentation control program and that receives an erosion control plan and fee under this subsection shall immediately transmit the plan to the Commission for review. A local government may create or designate agencies or subdivisions of the local government to administer the limited program. Two or more units of local government may establish a joint limited program and enter into any agreements necessary for the proper administration of the limited

program. The resolutions establishing any joint limited program must be duly recorded in the minutes of the governing body of each unit of local government participating in the limited program, and a certified copy of each resolution must be filed with the Commission. Subsections (b) and (c) of this section apply to the approval and oversight of limited programs.

- (e) Notwithstanding G.S. 113A-61.1, a local government with a limited erosion and sedimentation control program shall not issue a notice of violation if inspection indicates that the person engaged in land-disturbing activity has failed to comply with this Article, rules adopted pursuant to this Article, or an approved erosion and sedimentation control plan. The local government shall notify the Commission if any person has initiated land-disturbing activity for which an erosion and sedimentation control plan is required in the absence of an approved plan. If a local government with a limited program determines that a person engaged in a land-disturbing activity has failed to comply with an approved erosion and sedimentation control plan, the local government shall refer the matter to the Commission for inspection and enforcement pursuant to G.S. 113A-61.1.

(1973, c. 392, s. 11; 1993 (Reg. Sess., 1994), c. 776, s. 7; 2002-165, s. 2.8; 2006-250, s. 3.)



TOWN OF CLAYTON
Engineering & Inspections
111 E. Second St., P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

MEMORANDUM

To: Kimberly Moffett, Town Clerk

From: Chris Rowland, Construction Project Administrator 

Copy: Jonathan Barnes, Dalton Engineering
Karen Durham, Engineering & Inspections Coordinator

Date: November 10, 2020

Subject: Game Day Marketing, State Avenue

Please place a warranty acceptance request for the subject public water, sewer, and all pertinent 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. Following warranty expiration, a final inspection will be done with all deficient items corrected by the developer prior to final acceptance.



Town Council Agenda Cover Sheet

Meeting Date

December 7, 2020

Agenda Location

Old Business

Item Title

Mural Project Guidelines

Presenter

Kathleen Nobles & Clark Hipolito, Public Art Advisory Board Members

Summary/Description

The Town of Clayton continues to make a name for itself as a community that supports and fosters appreciation of the arts. From its rotating downtown Sculpture Trail program, now 7 years strong, to its partnership with Clayton Visual Arts to fill the lobby of Town Hall with monthly art exhibits, to the annual arts grant, Clayton understands that investing in the arts goes well beyond aesthetics.

One art form gaining popularity is large-scale outdoor murals. Cities and towns across the country are finding that murals can serve to foster tourism, bring better business traffic, increase building occupancy, or eradication of blight. Murals are an investment in a town's unique identity, its cultural cohesiveness and sense of place.

Exploration of a mural program has been ongoing within town staff and town advisory boards for several years. They included research of a rotating mural project, similar to the Sculpture Trail, to the idea for a student-led initiative to paint downtown buildings. Now a set of guidelines and clear processes have been laid out to ensure dynamic, long-lasting, and promotable murals in Clayton's downtown core.

At this meeting, staff is requesting that Town Council appoint the Town of Clayton Public Art Advisory Board (PAAB) with oversight responsibility pertaining to the creation, review and approval of mural requests on privately-owned non-residential buildings in the Economic Development Downtown District using the criteria and processes set forth in the attached guidelines and application. Mural designs on privately-owned buildings in the Town of Clayton would be approved through this Town of Clayton mural approval process. The process is very similar and is a combination of the structures already being used for the Sculpture Trail program and the Downtown Façade Grant program, which include a subcommittee of downtown and community stakeholders, including members of the Downtown Advisory Board, in guiding these improvements to our vibrant downtown.

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

Cover
Guidelines



DOWNTOWN MURAL PROGRAM

Public Art Advisory Board

Eligibility, Guidelines, and Criteria

PURPOSE

Mural projects are an investment in cultural capital that goes far beyond tourism, improved aesthetics, better business traffic, increase in building occupancy, or eradication of blight. Murals are an investment in a town's unique identity, its cultural cohesiveness and sense of place.

Town Council has appointed the Town of Clayton Public Art Advisory Board (PAAB) with oversight responsibility pertaining to the creation, review and approval of mural requests on privately-owned non- residential buildings in the Economic Development Downtown District using the criteria and processes set forth below.

Applications for mural designs on privately-owned buildings in the Town of Clayton must be approved through the Town of Clayton mural application approval process.

DEFINITION OF MURAL

Any mosaic, painting, or graphic art or combination thereof which is applied to a building and not interpreted to be advertising by the Planning Director or their designee. Murals that contain any brand name, product name, letters of the alphabet spelling or abbreviating the name of any product, company, profession, or business, or any logo, trademark, trade name, or other commercial message are considered advertising signs and must meet the requirements of the Town of Clayton's Unified Development Code.

ELIGIBILITY

1. The applicant must be the owner/tenant of a building/property located within the boundaries of the mural program, which is identified as the "Downtown Core" on the Town's adopted Future Land Use Map.
2. If the applicant is a tenant, they must have the owner's written permission with the application.
3. The property shall be classified as non-residential in Zoning and Use.

GUIDELINES

1. Improvements must conform to the Town of Clayton's Unified Development Code, North Carolina Building Code and other applicable plans and policies of the Town.
2. Artist must provide original artwork images for review and samples of completed work to be presented to the Public Art Advisory Board (PAAB).
3. Murals must:
 - a. reflect the character, culture and/or history of Downtown Clayton;

- b. be appropriate thematic and other relationships to the surrounding environment;
 - c. be readable and have appropriateness of scale;
 - d. not be contain content that would be considered signage or contain subject matter that could be construed as advertising or political messages.
- 4. Artist must submit materials to be used for review.
- 5. The building owner, applicant, and artist agree to allow images and video of the completed murals to be placed on the Town of Clayton's web pages, social media, publications/videos and local media.

CRITERIA

1. The property owner must agree to complete the work within one calendar year from the date of approval (unless other arrangements have been made and agreed upon by all parties) and that all work is completed according to state and local building codes and ordinances, and approved, when necessary, by the proper authorities.
2. Once the mural is complete, an anti-graffiti coating shall be applied to protect it. Artist must follow mural guidelines.
3. The property owner must agree to maintain the mural and make any needed improvements set forth in the application. Maintenance shall include, but is not limited to, re-painting/touch-up painting to keep the art looking current and vibrant as determined by the Public Art Advisory Board. Owner maintenance does not include painting over, destroying, obscuring, or altering the mural. This provision may be waived if the building owner can demonstrate a hardship which requires the removal of the mural.
4. The artist(s) must agree to waive all rights to attribution and integrity with respect to the mural work and any claims that may arise under the Visual Artists Rights Act of 1990, 17 U.S.C. §106A and 113(d) ("VARA") with respect to the mural, its display, removal from display, exhibition, installation, conservation, storage, study, alteration and any other activities conducted by the property owner, his or her officers, employees, agents, contractors, licensees, or successors at the direction of the Town of Clayton or the Public Art Advisory Board.

APPLICATION PROCESS

1. Applications are submitted to Economic Development Department for initial review of appropriateness and completeness.
2. Upon completing review by Economic Development Department, the application will be forwarded to Public Art Advisory Board (PAAB) and placed on next available PAAB agenda. The Downtown Development Advisory Board (DDA Board) and the DDA Board Design Committee will also forwarded the application materials and made aware of when the application will be reviewed by PAAB.
3. Applicants, including the artist and building owner, will present at the PAAB meeting when their application is being considered for approval. Full color drawings of the project are required by PAAB to recommend approval.
4. If approved by PAAB, the application will be fully reviewed by relevant Town Departments (e.g. Economic Development, Planning, Building Inspections).

5. If substantive changes to the project are made as a result of Town staff review, the application will need to be reapproved by PAAB before going to Town Council.
6. If approved by Town staff, the application is placed on next available Town Council as an information item. PAAB members, Town staff present to Town Council. The artists, building owner and DDA can participate, if desired.
7. After the Town Council presentation, the Economic Development Department will send the applicant an approval letter. The applicant then has 12 months to complete the project from the date of the letter.
8. Once project is complete, the applicant must inform the Economic Development Staff and schedule a meeting to verify that the project was completed as stated in the application.
9. Planning/Code Enforcement will ensure compliance by the applicants with ongoing maintenance as stated in application.



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

DOWNTOWN MURAL APPLICATION

The Mural Program is designed to enhance Downtown Clayton's unique identity and cultural cohesiveness.

PROJECT INFORMATION

Name of Project: _____

Building Address: _____

Property PIN #: _____

Project Description (use additional sheets if needed and include mural plans/sketches): _____

APPLICANT INFORMATION (or simply write "SAME AS ABOVE")

Applicant: _____

I am the: ☐ Property Owner ☐ Tenant

Mailing Address: _____

Phone Number: _____ Fax: _____

Contact Person: _____

Email Address: _____

Length of Time at Address: _____ Length of Time
Remaining on Lease: _____

PROPERTY OWNER INFORMATION

Name: _____

Mailing Address: _____

Phone Number: _____ Fax: _____

Email Address: _____

ARTIST INFORMATION

Name: _____

Mailing Address: _____

Phone Number: _____ Fax: _____

Email Address: _____

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany this application:

All parties should initial next to each item to show completion & concurrence:	INITIAL BELOW:
1. I understand <i>before</i> any work is started that this application <i>must</i> be approved.	
2. Project plans, specifications, sketches, sizing, colors, materials or other design information has been included with this application.	
3. Photograph(s) of existing conditions of the property have been included.	
4. Cost of project has been agreed upon between building owner, client and artist. A binding contract must be signed by all parties.	
5. Owner's Consent Form signed (<i>required even if applicant is not the property owner</i>)	
6. After the form is filled out, I understand I must receive all applicable permits, such as Zoning Compliance Permit, Sign Permit and Building Permit, prior to beginning work if applicable to the situation.	
7. I understand the work must be completed within <i>one calendar year</i> from the date of approval and that all work is completed according to state and local building codes and ordinances, and approved, when necessary, by the proper authorities (unless other arrangements have been made and agreed upon by all parties). Artist must provide a project timeline.	
8. I understand that I am responsible for ongoing maintenance of improvements described here from the date of project completion until such time the building is sold.	
9. The artist(s) agrees to waive all rights to attribution and integrity with respect to the mural and any claims that may arise under the Visual Artists Rights Act of 1990. Refer to CRITERIA 4.	
10. I acknowledge that the Town and Public Art Advisory Board (PAAB) are obligated only to administer the program procedures and are not liable to the applicant, owner or third parties for any obligations or claims of any nature growing out of, arising out of or otherwise related to the project or application undertaken by the applicant and/or owner.	
11. <i>I have read the attached information regarding purpose, eligibility and process, and my project meets all criteria.</i>	

APPLICANT / PROPERTY OWNER SIGNATURES

Applicant's Name (Print)

Signature of Applicant

Date

***Property Owner's Name
(Print)***

Signature of Property Owner

Date

Artist's Name (Print)

Signature of Artist

Date

Please return completed application by mail to:

**Town of Clayton
ATTN: Economic Development Department
PO Box 879
Clayton, NC 27528**

or in person at:

**Town of Clayton – Town Hall
Economic Development Department
111 E. 2nd Street
Clayton, NC 27520**

STAFF REVIEW (the applicant should leave this section blank)

This application has been reviewed by the following:

**Economic Development
Staff:**

Name (print)

Signature

Date

Comments/Conditions:

Planning Department: Zoning Compliance Review:

Name (print)

Signature

Date

Comments/Conditions:

Building Department: Inspector Review (if applicable):

Name (print)

Signature

Date

Comments/Conditions:

Public Art Advisory Board:

Committee Review: _____
Date

☐ Approved

☐ Denied

Comments/Conditions:



**Town of Clayton
Economic Development Department**

111 E. Second Street
P.O. Box 879
Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

OWNER'S CONSENT FORM

Consent is required from the property owner(s) if an agent will act on their behalf. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. All fields must be completed.

PROJECT NAME: _____ **ADDRESS or PIN #:** _____

AGENT/APPLICANT INFORMATION:

(Name - type, print clearly)

(Address)

(City, State, Zip)

I hereby give **CONSENT** to the above referenced agent/applicant to act on my behalf, to submit applications and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the following processes (***list applicable requests***):

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER AUTHORIZATION:

(Name - type, print clearly)

(Address)

(Owner's Signature)

(City, State, Zip)

STATE OF _____

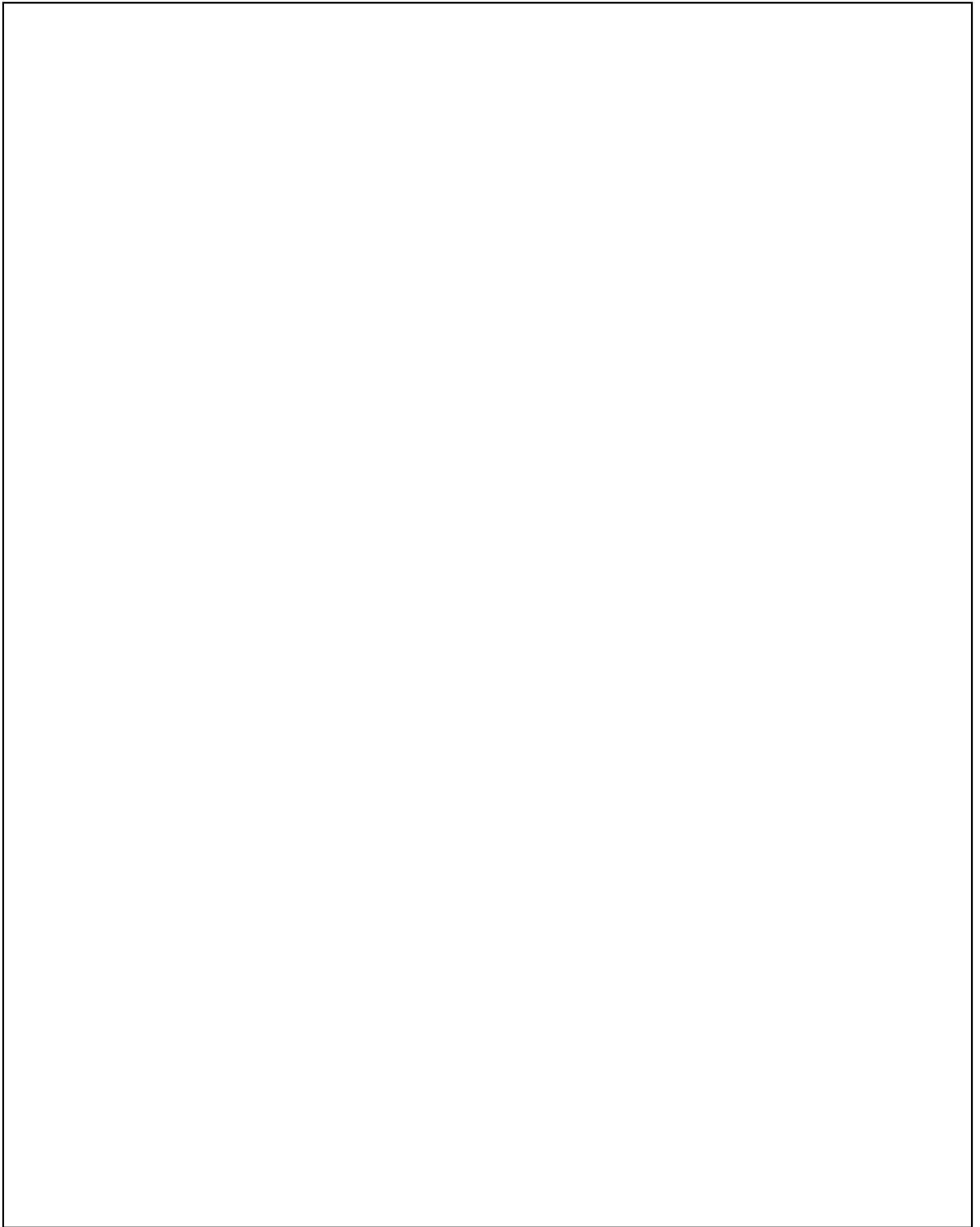
COUNTY OF _____

Sworn and subscribed before me _____, a Notary Public for the above State and County, this the _____ day of __, 20_____.

SEAL

Notary Public

My Commission Expires: _____





Town Council Agenda Cover Sheet

Meeting Date

December 7, 2020

Agenda Location

Old Business

Item Title

Parks and Recreation Bonds Projects Update

Presenter

Scott Barnard

Rachel Cotter, McAdams

Jenessa VanDeen, HH Architecture

Summary/Description

Provide status and update on the Parks and Recreation Bond Projects

Requested Action

Council Consensus

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

We will have slides for the presentation

Meeting Timeline

Click or tap here to enter text.

STATE OF NORTH CAROLINA

AGREEMENT

COUNTY OF JOHNSTON

THIS AGREEMENT (the “Agreement”) is made and entered into this the _____ day of _____, 2020, by and between County of Johnston, a body politic organized and existing under the laws of the State of North Carolina (hereinafter referred to as “County” or “Johnston County”), and Town of Clayton, a municipal corporation, organized and existing under the laws of the State of North Carolina (hereinafter “Town” and, together with County, collectively “the Parties”), and entered into pursuant to North Carolina General Statutes Chapter 160A, Article 20, Sections 460, et. seq.

WITNESSETH

WHEREAS, pursuant to North Carolina General Statutes Chapter 153A, Article 16, Sections 317.11, et. seq., County established an economic development and training district (“the District”); and

WHEREAS, significant investment has been and continues to be made in the District by companies with property located in and around the District which investments increase the population, taxable property, and business prospects of County and Town; and

WHEREAS, County provides necessary public services to companies located within the District; and

WHEREAS, Town provides necessary public services to many companies within the District that are located in close proximity to Town at the request of County and the companies in the District;

WHEREAS, Town does not receive ad valorem tax revenue for properties annexed in the District;

WHEREAS, County desires Town to continue providing necessary public services to properties located within the District, and Town is willing to continue providing such necessary public services to properties located within the District and to provide expanded services to properties in the District located in close proximity to Town; and

WHEREAS, County desires to partially compensate Town for necessary public services provided by Town to properties annexed in the District; and

WHEREAS, the County and Town cooperate to encourage and promote development opportunities in and around the District; and

WHEREAS, the purpose of this Agreement is for Town to commit to continue to provide necessary public services to companies within the District that are located in and around the East Clayton Industrial Area and, upon request of County and companies and subject to availability of Town's service capacity, to provide expanded services, and for County to commit to provide a means by which Town can be partially compensated for those services in the manner set forth herein;

NOW, THEREFORE, in consideration of the mutual benefits, representations, and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree, each with the other, as follows:

1. Town shall provide necessary public services to companies within the District that are located in and around the East Clayton Industrial Area upon request of County and companies, and subject to availability of Town's capacity to serve. Such public services shall include the public services regularly provided to property owners located in Town.

2. In consideration of Town's commitment to provide necessary public services as specified above, County shall pay Town a sum equal to 10% of the Net New Ad Valorem Tax Revenue received by Johnston County from Johnston County Tax Parcel No: 167800-14-6267, being all of that certain parcel consisting of 114.38 acres (including acreage within the railroad right of way), more or less, described as "Tract 3" on that certain survey entitled "Minor Subdivision Plat North on the Lands of Grifols Therapeutics LLC," dated May 20, 2020, recorded in Plat Book 91, Page 146, Johnston County Registry from County (the "Site"). "Net New Ad Valorem Tax Revenue" is defined as the ad valorem tax revenue actually received by County for improvements on the Site (including real and personal property improvements but excluding the unimproved value of the Site) less any economic development incentive grants paid by County to a party with respect to the Site which are based upon ad valorem taxes with respect to the said real and personal property improvements on the Site. Said payment will be made from Johnston County general funds to Town not later than April 15 in each year, beginning April 15, 2021, with respect to the Net New Ad Valorem Tax Revenue received by County during the previous calendar year with respect to the real and personal property improvements on Site. The parties understand and agree that Net New Ad Valorem Tax Revenue may reduce or increase from year to year due to depreciation or new value added to the Site, as applicable. The calculation of Net New Ad Valorem Tax Revenue shall not include any fire, insurance, or service district ad valorem taxes, or any other charge, fee, assessment, or tax other than the County's primary general revenue ad valorem tax (which shall not include such tax on the unimproved value of the Site).

3. The County and Town acknowledge the need for infrastructure upgrades and expansions to support expansion of current companies and recruitment of new companies in and

around the District. The County and Town agree to work collaboratively to hold discussions with various agencies of the State of North Carolina about the infrastructure needs in the District and potential funding opportunities for needed upgrades and expansions. Furthermore, the County agrees to work collaboratively with the Town to identify means of funding for necessary infrastructure upgrades and expansions in connection with companies seeking to expand or develop in or around the District, but neither party is hereby making any commitment to fund any upgrades or expansions.

4. This Agreement shall begin on the date of execution and shall continue until April 15, 2036. This Agreement is renewable for an additional term of 15 years upon mutual consent of the parties.

5. This Agreement may be terminated by either party upon 365 days prior written notice.

6. Any claim, dispute or other matter in question arising out of or related to this Agreement shall be subject to mediation prior to the institution of legal or equitable proceedings by either party. The Parties agree that the mediation will be conducted and governed by the North Carolina Rules Implementing Statewide Mediated Settlement Conferences in Superior Court Civil Actions, and N.C.G.S. Sect. 7A-38.1(c) except as specifically provided otherwise herein. The parties shall share the mediator's fee and any filing fees equally. The mediation shall be held in Johnston County, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

7. This Agreement shall be governed by the laws of the State of North Carolina. The North Carolina State Courts located in Johnston County, North Carolina shall have

jurisdiction to hear any dispute under this Agreement and legal or equitable proceedings by either party must be filed in Johnston County, North Carolina, subject to Paragraph 5 above.

8. This Agreement represents the entire agreement between County and Town with respect to the matters herein and supersedes all prior negotiations, representations or agreements, either written or oral related to such matters. This Agreement may only be amended by written instrument signed by County and Town.

9. Nothing contained in this Agreement shall create a contractual relationship with or cause of action in favor of a third party against County or Town.

10. There is no joint agency created or established by this Agreement.

11. In the event any provision of this Agreement is adjudged to be not enforceable or found invalid, such provision shall be stricken and the remaining provisions shall be valid and enforceable.

12. All notices or other communications made pursuant hereto shall be in writing and shall be deemed to be given and received (a) when hand delivered to the address stated below, or (b) three (3) days after being mailed to the address stated below, postage prepaid by certified or registered mail of the United States, return receipt requested to the address set forth below:

To Clayton:

Town of Clayton
Post Office Box 879
Clayton, North Carolina 27520
Attn: Town Manager

To County:

County of Johnston
P.O. Box 1059
Smithfield, North Carolina 27577
Attn: County Manager

Either party to this Agreement may change its designated person or designated address at any time and from time to time by giving notice of such change to the other party in the manner set forth above.

(Signatures are on the following page.)

IN WITNESS WHEREOF, the parties hereto, through their duly authorized representatives or officers have executed this Agreement as to the date and year first above written.

COUNTY OF JOHNSTON

By: _____
Ted. G. Godwin, Chairman

ATTEST:

Paula G. Woodard, Clerk

**STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON**

I, _____, a Notary Public of _____
County, State of North Carolina, hereby certify that, PAULA G.
WOODARD personally appeared before me this day and acknowledged
that he/she is the Clerk to the Board of Commissioners for the COUNTY
OF JOHNSTON, and that by authority duly given and as an act of the
COUNTY OF JOHNSTON, the foregoing instrument was signed in its
name by TED G. GODWIN, its Chairman, sealed with its corporate seal,
and attested by himself/herself as its Clerk.

Witness my hand and Notary Seal this ____ day of _____,
2020.

Notary Public

SEAL

WHEREOF, the parties hereto, through their duly authorized representatives or officers have executed this Agreement as to the date and year first above written.

TOWN OF CLAYTON

By: _____
Jody McLeod, Mayor

ATTEST:

Kimberly Moffett, Clerk

**STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON**

I, _____, a Notary Public of _____ County, State of North Carolina, hereby certify that, KIMBERLY MOFFETT personally appeared before me this day and acknowledged that he/she is the Clerk to the Board of TOWN OF CLAYTON North Carolina, and that by authority duly given and as an act of the TOWN OF CLAYTON, the foregoing instrument was signed in its name by JODY MCLEOD, its Mayor, sealed with its corporate seal, and attested by himself/herself as its Clerk.

Witness my hand and Notary Seal this ____ day of _____, 2020.

Notary Public

My Commission Expires: _____

SEAL



Town Council Agenda Cover Sheet

Meeting Date

December 7, 2020

Agenda Location

New Business

Item Title

Volunteer Advisory Board Appointment Recommendations

Presenter

Kimberly Moffett, Town Clerk

Summary/Description

Recommendations for appointments to upcoming vacancies for the Fire and Library Advisory Boards are submitted for your consideration and approval. All board vacancies were advertised and applications received. The attached chart indicates name of recommended appointee as well as term expirations.

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

Cover

Recommendation Chart

Meeting Timeline

Click or tap here to enter text.

2020 Appointment Recommendations for Volunteer Advisory Boards

BOARD	POSITION NUMBER	RECOMMENDED APPOINTEE NAME	APPOINTMENT TYPE	RESIDENCY	TERM EXPIRATION
Library Advisory Board	LA1	Stephanie Satkowiak	Re-Appointment	In-Town	12/31/2023
Library Advisory Board	LA2	Etheleen Eason	Re-Appointment	In-Town	12/31/2023
Library Advisory Board	LA5	Caroline Daily	Re-Appointment	In-Town	12/31/2023
Fire Advisory Board	FD1	Brian Maynard	Re-Appointment	Claytex	12/31/2024
Fire Advisory Board	FD2	Edwin Eldridge	Re-Appointment	Town Resident	12/31/2022
Fire Advisory Board	FD3	Matthew Vessie	Re-Appointment	Fire Dept.	12/31/2023