



Town of Clayton
Regular Town Council Meeting Agenda
Monday, December 17, 2018 @ 6:00 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

- November 19, 2018
- December 3, 2018

[Cover](#)

[November 19 2018 DRAFT Minutes](#)

b. Warranty Acceptance

- Spring Branch, Lot 12

[Spring Branch Lot 12](#)

c. Resolution Directing Clerk to Investigate Sufficiency - 2018-238 ANX - Rising Tide

[Resolution](#)

d. Inspection Code Updates

[Ordinance #2018-12-04](#)

POTENTIAL ACTION:

Adoption of Consent Agenda as Presented

4. ADMINISTRATIVE ITEMS

5. INTRODUCTIONS AND SPECIAL PRESENTATIONS

a. 150th Celebration - Schedule of Events

Presenter: Michelle Bonham, Event Planner

[Cover](#)

POTENTIAL ACTION:

Informational Only

6. PUBLIC HEARINGS

a. 2018-207-ANX - Walton Farm @RWAC

Presenter: Planning Department

[Cover](#)
[Application](#)
[Annex Plat](#)
[Legal Description](#)
[Newspaper Ad](#)
[Ordinance](#)

POTENTIAL ACTION: Adoption of Ordinance #2018-12-05

- b. Water & Sewer Rates / Wastewater Capacity Study
**Public Hearing originally advertised for and opened on November 19, 2018*
Presenter: Adam Lindsay, Town Manager
[Cover](#)

POTENTIAL ACTION: Receive Information / Public Input

7. OLD BUSINESS

8. NEW BUSINESS

- a. Advisory Board Appointment Recommendations
Presenter: Kimberly Moffett, Town Clerk
[Cover](#)
[Town Council Advisory Board Recommendations](#)

POTENTIAL ACTION: Appointment of Nominees

- b. Easement Abandonment - 309 Robin Lane
Presenter: Rich Cappola, Interim Public Works Director
[Cover](#)
[Easement Abandonment](#)
[Quitclaim Deed](#)

POTENTIAL ACTION: Approval

- c. Resolution of Support - Parks and Recreation Trust Foundation (PARTF)
Presenter: Scott Barnard, Parks & Recreation Director
[Cover](#)
[Resolution](#)

POTENTIAL ACTION: Adoption of Resolution #2018-32

9. STAFF REPORTS

- a. Town Manager
b. Town Attorney
c. Town Clerk
d. Other Staff
• Video Equipment / Council Meetings
Presenter: Stacy Beard, Public Information Officer

10. OTHER BUSINESS

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

11. ADJOURNMENT



Town Council Agenda Cover Sheet

Meeting Date

December 17 2018

Agenda Location

Consent Agenda

Item Title

Draft Minutes:
November 19, 2018
December 3, 2018

Presenter

Enter Name & Title here

Summary/Description

Draft Minutes from the December 3, 2018 meeting will be sent under separate cover

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

November 19, 2018 Draft Minutes

Meeting Timeline

Click or tap here to enter text.



**Town of Clayton
Regular Town Council Meeting Minutes
Monday, November 19, 2018 @ 6:00 PM
Council Chambers**

COUNCIL PRESENT:

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

STAFF PRESENT:

Adam Lindsay, Town Manager
Nancy Medlin, D/Town Manager
Katherine Ross, Town Attorney
Kimberly Moffett, Town Manager
Rich Cappola, Engineering & Inspections
Director
Dale Medlin, Electric Department Director
Stacy Beard, Public Information Officer
Samantha Wullenwaber, Planning Director
Tim Simpson, Public Works Director
Joy Garretson, Library Director

COUNCIL ABSENT:

1 CALL TO ORDER

Pledge of Allegiance and Invocation

- a) Mayor McLeod called the meeting to order at 6:00 p.m. He led everyone in the Pledge of Allegiance as well as offering the Invocation.

2 ADJUSTMENT OF THE AGENDA

- a) Mayor Pro Tem Grannis asked that Johnston County School System Grant related to School Resource Officers be pulled from the Consent Agenda and be discussed under Administrative Items.

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) Warranty Acceptances
 - Alpine 6A-3 FINAL
 - Brookside Subdivision FINAL
- b) Resolution Directing Clerk to Certify Sufficiency
 - 2018-207-ANX - Walton Farm @ RWAC

ACTION: Adoption of Consent Agenda as Presented

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

4 ADMINISTRATIVE ITEMS

a) Johnston County School System Grant - Resource Officers

Dr. Coats, Superintendent of Johnston County Schools, was present and provided information regarding this item. She stated the school district had applied for the grant and certain criteria was imposed by the State. This grant cap was \$50,000 to fund 11 resource officers and stated the County had reached out to municipalities to determine interest. She stated this a 2 year guaranteed grant, with understanding that 2nd year is based and dependent upon first year and use of grant. She stated the Clayton PD would hire a SRO and 2/3 funded through the grant and 1/3 funded through County.

Mayor Pro Tem Grannis asked what the process would be once grant expired. Dr. Coats stated she hoped it would continue and further stated that she could not foresee funding being removed for such an important project, but further stated there was no guarantee. She stated if that should happen there would need for discussion between the county and municipalities to determine if the program would be continued. It is hoped that an SRO would be assigned to every middle school in Johnston County. This officer would also serve as the SRO for the elementary schools that fed into each middle school. In Clayton School Resource Officers would be placed in both Clayton and Riverwood Middle Schools.

Mayor Pro Tem Grannis stated he supported this but had concern that if this were implemented that the second year may not be funded and he would hate to see an officer have to leave a school after spending a year building relationships. Dr. Coats stated the intent is to keep our schools safer.

Council Member Bunn asked what the timeline would be and Dr. Coats stated the funds have already been received, so as soon as officers could be hired/trained.

Mayor Pro Tem Grannis asked Chief Myhand when we would be able to staff these positions. Chief Myhand stated he believed we could be ready to staff by the first week of January 2019. Chief Myhand stated these positions would be filled from existing staff.

Mayor McLeod stated he was in full support and felt this was a very important issue and believes the state would understand the importance of school safety. He stated he believed that Clayton citizens felt the same way.

Mr. Lindsay offered additional information and stated that approval tonight would indicate council understanding there would be ancillary costs for which the town would be responsible. Mr. Lindsay further stated that town staff was engaging with East Clayton Elementary school for possible annexation.

ACTION: Authorize Execution of Agreement

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

b) Warrant Acceptance

- Bristol at Cobblestone, Phase 2 FINAL

ACTION: Placed on December 3, 2018 Consent Agenda

- c) NCDOT - Municipal Declaration - Speed Limit Reduction from 35 MPH to 25 MPH
 - SR 1004 - Main Street (from 0.103 miles north of US 70 Business to Second Street)

Mayor Pro Tem Grannis offered his thanks to Mr. DeYoung for his assistance.

ACTION: Placed on December 3, 2018 Consent Agenda

5 INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a) Introduction of New Employees
Presenters: Rich Cappola and Dale Medlin
 - Michael Cook - Building Inspector III
 - Ian Bowser - Electric Line Technician

Mr. Cappola introduced Mike Cook. Mr. Cook is a Level III Inspector. He has many years of experience as an inspector, builder and fire captain. Mr. Cook offered his thanks for the opportunity to be part of the Clayton team. Council welcomed Mike to the team.

Mr. Medlin introduced Ian Bowser, who is an Electric Line Technician I. He stated we were very fortunate to have Ian with us. He has previous experience with a local lighting company. Mr. Bowser stated he was happy to be here and offered his thanks for the opportunity. He stated he was excited to be part of the town. Mayor McLeod and Council welcomed Ian.

- b) Recognition of Nathaniel Sanders, Jr. - Former Town of Clayton Council Member
Presenter: Jody McLeod, Mayor

Mayor McLeod read a Recognition to Mr. Nathaniel Sanders Jr. Mr. Sanders was present with his family. Mr. Sanders received a standing ovation. Mayor McLeod pinned the official lapel pin on Mr. Sanders. Mr. Sanders offered his thanks for the recognition and honor. He offered his thanks to his fellow citizens, friends, family, neighbors and church family. He shared some memories from his time on the council. He stated he would like to see more diversity on the council. He further stated he would like to ensure that Clayton remains a beautiful, as well as affordable, place to live.

- c) Recognition of Long-Term Elected Official
Presenter: Jody McLeod, Mayor
 - Council Member R.S. "Butch" Lawter

Mayor McLeod shared words of appreciation and thanks to Council Member Lawter. He spoke about the love and dedication Butch has given to the town. He spoke about how much he will do for the entire County and how important his guidance and leadership will be. Mayor McLeod stated everyone knows if ever needed, Butch is just a phone call away. Mayor McLeod presented a photo collage

of the many projects that Butch was part of including; Downtown; Playground, and the July 4th Celebration.

Council Member Lawter shared his memories of his start on the town council. He offered special thanks to Bob Ahlert for all that he taught him over the years. He shared his memories of Skip Browder and Steve Biggs. He offered his thanks and appreciation to everyone he has worked with over the years. He said he would miss serving the citizens of Clayton but looked forward to his new endeavor.

Mayor McLeod stated he was extremely proud of Council Member Lawter.

- d) Introduction 150th Celebration Event Coordinator
Presenter: Stacy Beard, Public Information Officer
- Michelle Bonham

Ms. Beard introduced Michelle Bonham who will serve as the event planner for the Town of Clayton's 150th Celebration. Ms. Beard provided a background of the 100th celebration and many of the events that took place at that time and brought the community together. She stated the 150th celebration would kick off on the weekend of April 12-13, 2019. She shared some of the ideas for events that have been discussed; 150 acts of kindness, volunteer civic fair, color run, pig picking, gift to the town, Deep River and Revival 1869 creating 150th beer or cocktail, and a possible mural. Ms. Bonham introduced herself and provided a brief background of the many events she has coordinated. She is excited to be part of this celebration and help bring the community together at the kickoff event and continue events throughout the entire year. It is hoped that a list of definitive events will be in place by December. Plans are underway to ensure the event will be branded and shareable with all civic organizations. This will allow the 150th theme to be tied into all events that already take place on an annual basis.

Council welcomed Michelle and wished her all the best.

6 PUBLIC HEARINGS

- a) Water & Sewer Rates / Capacity Study Public Hearing
Presenters: Adam Lindsay - Town Manager, Rich Cappola - Inspections & Engineering Director, Tim Simpson - Public Works Director, and The Wooten Company Representatives (Charles Davis, Carl Scharfe & Casey Garland)

Mr. Lindsay stated that our consultants, The Wooten Company was present, to provide additional information regarding the Capacity Study.

Mr. Davis was present and thanked council for the opportunity to be present. A detailed handout was provided that outlined the different options. By attachment, the handout is made part of the record. He stated that information was previously provided to Council on October 22, 2018 and since that meeting new options were added and some options were removed.

Mr. Davis provided information on Options A - E. He stated Option B is a new option, which would build a 6 MGD at the Little Creek Facility. Option C is also a new option, which is to build a new 7 MGD Facility at Neuse River. Option D would be a two-plant option, including a new 1.5 MGD facility at Neuse River and Little

Creek treating up to 2 MGD. Option E would be flow going to Raleigh with a new single 5 MGD plant.

Mayor Pro Tem Grannis asked what prompted the change regarding the flow to Raleigh. Mr. Davis stated that the current agreement expires in 2027 and town is in discussion regarding extension. It is the understanding that agreement may be extended for 5 years. Mayor Pro Tem Grannis asked what "unpacked cost means". Mr. Davis stated that this is a drill down of the many components that make up the total cost options.

Council Member Lawter stated he believed we do need to look at a phased approach. He felt this would give the council more time to flush out options and evaluate over 2-3 years rather than being rushed to make a decision in the next few months.

Council Member Bunn stated he agreed with Council Member Lawter regarding the phased approach. He felt it might be better to get us down the road 5-7 years and then expand. Mr. Davis stated additional information would be provided regarding Johnston County and regionalization.

Mr. Carl Scharfe shared information regarding the "unpacked costs" that include; Clayton Plant Nitrogen Credit Cost, Additional Nitrogen Cost Johnston County; Additional Reserve Fee Johnston County; Treatment Plant Cost (2018) and Transmission Cost (2018). He shared all cost breakdown associated with each of the options.

Mr. Scharfe also shared information regarding the Estimated Annual Operation and Maintenance Costs that include; Annual Wastewater Treatment plant Operating & Maintenance Costs and Annual Gallon Charge from Johnston County.

Mr. Scharfe also provided information regarding the Total Present Worth, which includes Present Worth of Operating & Maintenance Cost, which is 20years of annual O&M costs, and Capital Cost (2018).

Mr. Scharfe discussed the Wastewater Flow Projections through 2037.

Mr. Scharfe provided an Option Pro and Con Chart for Options A-E. This chart also included Total Present Worth and available capacity in Year 20. Mr. Scharfe spoke about the pros regarding Option A that include space being available for additional plant expansions, easy to construct, transition flow from Little Creek, it is less complex to operate a single plant and it would be located in a primary growth area. With regard to Option B, there is no room for future plant expansion, it would be difficult to construct additional units, it would incur long-term debt on old plant, and it would be located away from primary growth areas and has a higher flood risk. He addressed Option C and stated it would not limit population growth, additional capacity not needed for another 32 years at least, and less complex to operate 1 plant with the con that there is risk of growth not occurring as projected. He also discussed Options D and E.

Council Member Holder asked about what cost would be to expand from a 4 MGD to a 6MGD and then to an 8MGD. Council Member Holder asked why that

information was not being provided tonight. Mr. Lindsay stated staff was looking for direction from council before we narrowed down costs.

Mayor Pro Tem Grannis addressed Option A, projected growth area, what if that did not occur, and growth area was elsewhere. Mr. Scharfe stated that additional transmission flow could be added to align with the growth area. Mayor Pro Tem asked if that did occur, would that change the projected cost and Mr. Scharfe stated it was definitely possible that cost could be higher. With regard to Option B how long would it extend the useful life at Little Creek? Mr. Scharfe stated it would extend another approximately 17 years. Mayor Pro Tem Grannis asked Mr. Scharfe to explain why Option E would be more costly. Mr. Scharfe stated it was cost of the additional fee related to Johnston County. Mayor Pro Tem Grannis asked about current agreement with Johnston County. Mr. Davis stated that the agreements with the County have costs that we have already purchased. Attorney Ross stated that our capacity with Johnston County is our investment, and we have a contract with Raleigh, so it is just a different set up. We have purchased capacity in the Johnston County system. Mr. Lindsay added all this information is based on what we know today. Council Member Bunn asked which municipalities were part of Johnston County. Council Member Bunn asked what if Clayton just went with Johnston County. Mr. Scharfe stated the cost would be higher. Mr. Lindsay stated the County has indicated a possible interest in flowing to our facility in the future. Council Member Lawter stated he did not see Little Creek as being an option and want to ensure that none of the options included any discharge to Raleigh. Council Member Lawter also addressed nitrogen figures and also that Johnston County rates are not yet available, and they may go up. It was stated we might know those costs better in two years. He feels these two items are wild cards that could increase the cost. There was additional discussion regarding phasing. Council Member Lawter asked about industrial figures and he has some heartburn-telling folks they need to pay for what might be. Mr. Lindsay stated we needed to think about how we manage growth.

Mr. Cappola shared information regarding partnering options. He stated we currently have 1.34 MGD in Johnston County existing plant. He stated they have indicated it is possible that additional capacity purchase in existing plant would be available to meet some industrial needs. User would directly pay the cost. Additional future capacity would be in Johnston County plant as needed. The estimated cost to partner exceeds the estimates to build a new Town of Clayton facility, with transmission upgrades being the main difference. With regarding to the City of Raleigh, we currently own 1.00 MGD. Staff level support to purchase an additional .25 MGD at an estimated cost of \$2 million dollars. Our current agreement ends in 2027 with a potential for a 5-year extension. Regionalization is not currently an option with Raleigh. The third option is a Public-Private Partnership (P3). This would mean that a new or expanded facility would be privately owned and operated; publicly owned and privately operated or privately leased and operated but publically owned. Without a formal RFP/RFQ process, cost savings are not verified, however, the assumption is that private sector can do it cheaper but we would need to move quickly to determine the validity of that statement.

Mayor Pro Tem Grannis asked about RFP/RFQ and what a timeline might look like if we were to pursue this. Mr. Cappola stated all legal boxes would need to be checked and it would take several months until we might have an idea. Attorney

Ross stated an RFP might be back within 6-8 months, however, that a P3 would not be in place, this is a very lengthy process.

Mayor McLeod noted this as a public hearing. No one wishing to speak and the hearing was closed at 8:22 p.m.

Mr. Lindsay stated he wanted to confirm we are looking at phase in approach with consultants to return with more cost information.

ACTION: Continue Public Hearing to December 3, 2018

Motion: Council Member
Second: Council Member
Vote: Unanimous

- b) 2018-165-RZ - 517 - 549 E. Main Street Rezoning
Presenter: Planning Department

Ms. Wullenwaber stated the applicant is requesting to rezone 1.196 acres of parcels along Main Street from Office-Institutional (O-I) to Central-Business (B-1). Currently, there is a mix of residential and retail uses on the properties. The properties located at 525 and 531 E. Main Street will continue to be used as residential until they are redeveloped in conjunction with the adjacent properties. 545 E. Main Street will be used as an office, 539 E. Main Street will be demolished, and 549 E. Main Street will remain as retail. The properties are adjacent to and bordered by a law office to the north, and generally surrounded by single-family houses from all other directions. The other properties in the same block are zoned Office-Institutional (O-I) and adjacent properties to the east and west are zoned Single-Family Residential-6 (R-6).

The request is consistent with 2040 Comprehensive Plan and Surrounding Land Uses. Additionally the applicant has addressed all criteria.

Both Planning Board and staff recommend approval. There were no questions for staff.

Mr. Lipscomb, applicant, stated he was present to answer any questions. There were no questions for the applicant.

Mayor noted this was a public hearing. With no one coming forward to speak, the hearing was closed and turned over to Council for their deliberation.

Mayor McLeod stated he believed this was a great idea.

ACTION: Adoption of Ordinance #2018-11-02

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

7 OLD BUSINESS

8 NEW BUSINESS

- a) Riverwood and Lionsgate Lighting Agreements
Presenter: Tim Simpson, Public Works Director

Mr. Simpson provided background information regarding this item. He stated this proposed agreement would formalize a process regarding different lighting standard requested from Riverwood and Lionsgate. This would also catch up on payments that had not been made without such an agreement in place.

Mayor Pro Tem Grannis asked how we got behind in payments. Mr. Simpson stated that this happened due to the fact it is very difficult to keep up with ever changing light count. Also as parts of the Riverwood development was built, there was no formal agreement regarding Lionsgate. Mr. Simpson stated it would be a monthly payment to reimburse the HOA for our portion of the cost. Council Member Bunn asked what costs were and Mr. Simpson stated Lionsgate cost would be approximately \$1000 monthly and Riverwood cost would be approximately \$1600 monthly.

ACTION: Authorize Execution of Agreements

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

ACTION: Adoption of Ordinance #2018-11-03

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

- b) Storm Water Presentation
Presenter: Rich Cappola, Inspections & Engineering Director

Mr. Cappola provided a Storm Water Program update. He provided a regulatory history regarding the Johnston County Storm Water Program. He shared information regarding the Permit requirements, Program Impacts Permit Needs and Analysis. He stated it is hoped that an analysis will be completed late spring, which is in advance of budget. Mr. Cappola also shared thoughts regarding potential outcomes. Mayor Pro Tem Grannis wondered if this would bring us closer to taking over responsibility. Mr. Cappola stated that would be part of the analysis. Council Member Lawter stated that original thought was we would be able to take over responsibility, however with only 2 inspectors it might be better to look at a different option.

ACTION: Informational Only

- c) 2018-191-SUP - Sunbelt Rentals Special Use Permit Modification
Presenter: Planning Department

Ms. Wullenwaber asked that a Public Hearing be set for December 3, 2018.

ACTION: Set Public Hearing for December 3, 2018

- d) 2018-192-SP - Sunbelt Rental Site Plan Major Modification
Presenter: Planning Department

Ms. Wullenwaber asked that a Public Hearing be set for December 3, 2018.

ACTION: Set Public Hearing for December 3, 2018

9 STAFF REPORTS

- a) Town Manager
b) Town Attorney
c) Town Clerk
 - 2018 Christmas Village & Tree Lighting - November 29, 2018
 - 2018 Advisory Board Appreciation Event - December 4, 2018
 - 2018 Annual Fire Department Award & Christmas Dinner - December 11, 2018

d) Other Staff
 - Food for Fines
Presenter: Joy Garretson, Library Director
 - 2018 Christmas Parade - December 8, 2018
Presenter: Stacy Beard, Public Information Officer

Ms. Garretson provided report on a service dog program where children work/read with these animals. She spoke about story time and increased attendance. She stated an additional story time would be added in January. The Little Free Library recently installed at the Main Street Community Garden. Ms. Garretson shared information about consultant, Margaret Sullivan and a focus group that included the Teen Advisory Group. She stated a group would be taking a fieldtrip to South Carolina to see a facility. Ms. Garretson reminded everyone of the Food for Fines, where folks could bring canned good as payment for their fines and all food would be donated to Clayton Area Ministries. Mayor McLeod asked for brief update after fieldtrip.

Mayor Pro Tem Grannis offered his thanks to Joy for the great work.

Ms. Beard provided a brief update regarding the Rotary Christmas Parade and shared a photo of the float that council members would be riding on. Parade will be held on Saturday, December 8, 2018 with start time of 3:00 p.m. The float will be parked behind the Fire Department and Council members can board there. Mayor McLeod stated there was a bit of a challenge to get to that site last year and Chief Myhand stated the PD would be there to assist with any issues.

10 OTHER BUSINESS

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

Mayor Pro Tem Grannis offered his thanks and appreciation to Butch Lawter. Council Member Holder also offered his thanks and appreciation. Council Member

Thompson stated that Butch was his mentor and offered his thanks and appreciation. Council Member Bunn offered his thanks and stated that Butch had offered great guidance during his first year in office. Mayor McLeod offered this thanks for many years of hard work and dedication that Butch had devoted to the town.

11 ADJOURNMENT

a)

With there being nothing further, the meeting was adjourned.

ACTION: Motion to Adjourn

Motion: Council Member Lawter

Second: Council Member Thompson

Vote: Unanimous

Duly adopted this the 17th day of December 2018 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



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 26, 2018

Subject: Spring Branch, Lot 12

Please place a warranty acceptance request for the subject public water and sewer utilities along with 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 expiration of the warranty, a final inspection will be done with all deficient items corrected by the developer prior to final acceptance. All street sections within this project are private.

ANNEXATION PETITION 2018-238-ANX
Rising Tide
Parcels: 05G01014C
Owners: 1218 Properties, LLC
Non-Contiguous; 0.57 acres

TOWN OF CLAYTON
RESOLUTION DIRECTING THE CLERK TO
INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-58.1

WHEREAS, a petition requesting annexation of an area described in said petition was received on December 3, 2018, by the Town of Clayton; and

WHEREAS, G.S. 160A-58.2 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Clayton deems it advisable to proceed in response to this request for annexation:

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

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the results of her investigation.

Duly adopted this 17th day of December 2018, while in regular session.

Jody L. McLeod,
Mayor

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA, Chapter 95; Section .01 and Chapter 150, Sections .001 - .013, will be amended to read as follows:

Chapter 95 – Fire Prevention

§ 95.01 ADOPTION.

The most current edition of the North Carolina State Fire Prevention Code including Appendices B, C, D, F and J,, as adopted by the North Carolina Building Code Council, is hereby adopted by reference as fully as though set forth herein as the fire prevention code of the town to the extent this code prescribes regulations governing conditions hazardous to life and property from fire or explosion. Further, not less than one copy shall be on file in the office of the Town Clerk. This code is hereby adopted and incorporated as fully as if set out at length herein, and the provision thereof shall be controlling within the limits of the town, and the town's E.T.J.

Chapter 150 – Building Regulations

Section

General Provisions

150.001	Building Code adopted by reference
150.002	Residential Building Code adopted by reference
150.003	Existing Buildings Code adopted by reference
150.004	Plumbing Code adopted by reference
150.005	Electrical Code adopted by reference
150.006	Energy Conservation Code adopted by reference
150.007	Accessibility Provision Code adopted by reference
150.008	Mechanical Code adopted by reference
150.009	Fuel Gas Code adopted by reference
150.010	Amendments to codes
150.011	Compliance required
150.012	Unlawful use of buildings or structures
150.013	Copies of codes filed with Town Clerk

§ 150.001 BUILDING CODE ADOPTED BY REFERENCE.

The most current edition of the North Carolina State Building Code, as adopted by the North Carolina Building Code Council, is hereby adopted by reference as fully as though set forth herein as the building code of the town to the extent this code is applicable for safe and stable design, methods of construction, minimum standards, and use of materials in buildings or structures hereafter erected, enlarged, altered, repaired, or otherwise constructed or reconstructed. ('71 Code, § 4-14) (Ord. passed 3-2-64)

§ 150.002 RESIDENTIAL BUILDING CODE ADOPTED BY REFERENCE.

The most current edition of the North Carolina Residential Building Code, as adopted and published by the North Carolina Building Code Council is hereby adopted by reference as fully as though set forth herein as the residential building code for one- and two-family residential buildings in the town.

('71 Code, § 4-15) (Ord. passed 3-2-64)

§ 150.003 EXISTING BUILDING CODE ADOPTED BY REFERENCE.

The most current edition of the North Carolina Existing Buildings Code as adopted and published by the North Carolina Building Code Council is hereby adopted by reference as fully as though set forth herein as the existing buildings code of the town.

§ 150.004 PLUMBING CODE ADOPTED BY REFERENCE.

(A) The most current edition of the North Carolina Plumbing Code including Appendices C and E, as adopted and published by the North Carolina Building Code Council, is hereby adopted by reference as fully as though set forth herein as the plumbing code of the town.

(B) Whenever the provisions of the North Carolina Plumbing Code and the provisions of this chapter are in conflict, the more restrictive provisions shall govern.

('71 Code, § 4-64)

§ 150.005 ELECTRICAL CODE ADOPTED BY REFERENCE.

The most current edition of the North Carolina Electrical Code as adopted and published by the North Carolina Building Code Council is hereby adopted by reference as fully as though set forth herein as the electrical code of the town. Whenever the provisions of the electrical code and the provisions of this chapter are in conflict, the more restrictive provisions shall govern.

§ 150.006 ENERGY CONSERVATION ADOPTED BY REFERENCE.

The most current edition of the North Carolina Energy Conservation Code including Appendices R1, R2, R3, R3C, and R4, as adopted and published by the North Carolina Building Code Council is hereby adopted by reference as fully as though set forth herein as the energy conservation code of the town.

('71 Code, § 4-40)

§ 150.007 ACCESSIBILITY PROVISIONS ADOPTED BY REFERENCE.

The most current edition of the North Carolina Accessibility Provisions as adopted and published by the North Carolina Building Code Council is hereby adopted by reference as fully as though set forth herein as the accessibility provision code of the town.

§ 150.008 MECHANICAL CODE ADOPTED BY REFERENCE.

The most current edition of the North Carolina Mechanical Code as adopted and published by the North Carolina Building Code Council is hereby adopted by reference as fully as though set forth herein as the mechanical code for the town.

§ 150.009 FUEL GAS CODE ADOPTED BY REFERENCE

The most current edition of the North Carolina Fuel Gas Code as adopted and published by the North Carolina Building Code Council is hereby adopted by reference as fully as though set forth herein as the fuel gas code for the town.

§ 150.010 AMENDMENTS TO CODES.

Amendments to the regulatory codes adopted by reference in this subchapter, which are from time to time adopted and published by the agencies or organizations referred to herein, shall be effective in the town at the time such amendments are filed with the Town Clerk as provided in § 150.013.

§ 150.011 COMPLIANCE REQUIRED.

(A) No building or structure shall be constructed, altered, repaired, or removed, nor shall the equipment of a building, structure, or premises be constructed, installed, altered, repaired, or removed, except in conformity with the provisions of this chapter.

(B) No building or structure shall be altered in any manner that would be in violation of the provisions of this chapter or of any authorized rule or approval made and issued thereunder.

(C) Nothing in this chapter shall prohibit the raising or lowering of a building to meet a change of grade in the street on which it is located, provided that the building is not otherwise altered.

('71 Code, § 4-1)

(D) All buildings or structures which are hereafter constructed, reconstructed, erected, altered, extended, enlarged, repaired, demolished, or moved shall conform to the requirements, minimum standards, and other provisions of either the most updated North Carolina State Building Code or the Uniform Residential Building Code, whichever is applicable, or of both, if both are applicable.

('71 Code, § 4-16)

(E) Every building or structure intended for human habitation, occupancy, or use shall have plumbing, plumbing systems, or plumbing fixtures installed, constructed, altered, extended, repaired, or reconstructed in accordance with the minimum standards, requirements, and other provisions of the most updated North Carolina Plumbing Code (North Carolina State Building Code).

(F) All electrical wiring, installations, and appurtenances shall be erected, altered, repaired, used, and maintained in accordance with the minimum standards, requirements, and other provisions of the most updated North Carolina Electrical Code (North Carolina State Building Code).

Penalty, see § 150.999

§ 150.012 UNLAWFUL USE OF BUILDINGS OR STRUCTURES.

It shall be unlawful to maintain, occupy, or use a building or structure, or part thereof, that has been erected or altered in violation of the provisions of this chapter.

('71 Code, § 4-2) Penalty, see § 150.999

§ 150.013 COPIES OF CODES FILED WITH TOWN CLERK.

An official copy of each regulatory code adopted in this subchapter, and official copies of all amendments thereto, shall be kept on file in the office of the Town Clerk. These copies shall be the official copies of the codes and the amendments.

Duly adopted this the 17th day of December, 2018 while in regular session.

Jody McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk



Town Council Agenda Cover Sheet

Meeting Date

December 17 2018

Agenda Location

Introductions & Special Presentations

Item Title

Update on 150th Celebration Planning – April 12-13, 2019 Kick-off

Presenter

Michelle Bonham, Sesquicentennial Event Coordinator

Summary/Description

On April 12, 1869, the Town of Clayton officially incorporated.

50 years later, in 1969, the community came together to celebrate in incredible solidarity to mark the 100th anniversary. The men grew beards. Families dressed in pioneer clothing. There were parades, concerts, special tours, three grand balls, class reunions, old-fashioned bargain days with merchants, fireworks, a Miss Centennial coronation, a time capsule burial, an anniversary seal design contest, T-shirts, commemorative coins and an elaborate 90-minute stage production about Clayton's history with a cast of hundreds!

Now, another 5 decades have passed and it's time for the community to come together again to celebrate the Town of Clayton's 150th Anniversary! In August, the Town Council passed a resolution to establish a Sesquicentennial Advisory Committee appointed by the Mayor to include 11 community members: Jessica Lloyd, Princess Hester, Ruth Anderson, Laine Horton, Marty Bizzell, Jean Barnes, Gwen Canady, Mike Marvel, Frances Mercer, Stewart McLeod, and Porter Casey. This committee brainstormed ideas, vision and vetted candidates to serve as a temporary event coordinator who would lead planning and community efforts to produce a year-long celebration commencing on April 12, 2019.

Michelle Bonham, a Clayton resident and experienced event planner, has been working with the advisory committee and town staff to cement a theme and brand for celebration, as well as formulate ideas for an April 12-13 kick-off event. Bonham has helped coordinate a variety of corporate and community events and now runs her own event planning firm handling design, logistics, and community outreach and engagement.

She will share the latest progress of the committee and a proposed schedule of events for the two-day kick-off birthday celebration on April 12-13, 2019. We're excited to commemorate, celebrate and collaborate with various community groups in the name of Clayton's past, present and future.

Requested Action

Informational Only



Town Council Agenda Cover Sheet

Meeting Date

December 17 2018

Agenda Location

Public Hearings

Item Title

2018-207-ANX FSC Ranch, LLC

Presenter

Planning Department

Summary/Description

Annexation of a portion of Parcel Number 16103027 48.09 acres, Walton Farm at Riverwood Athletic Club. Property owner is FSC Ranch, LLC.

Requested Action

Approval/Denial

Additional Documents to be Included in Agenda Packet

Application
Annexation Plate
Legal Description
Newspaper Ad
Ordinance

Meeting Timeline

Click or tap here to enter text.

2018-2017-ANY



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

PETITION FOR VOLUNTARY ANNEXATION

VOLUNTARY ANNEXATION: Upon receipt of a valid petition signed by all of the owners of real property in the area described therein, the Town may annex an area either contiguous or not contiguous to its primary corporate limits when the area meets the standards set out under North Carolina General Statutes 160A-31 and 160A-58.1.

Applications are due by 5pm on the first working day of each month.

Request Information

☒ Contiguous Annexation

☐ Non-Contiguous Annexation

The following items must accompany an annexation petition:

To be completed by the applicant:	Included?	
	Yes	No
1. Petition for Annexation with original signatures	☒	☐
2. A boundary plat of the area to be annexed meeting requirements of the Plat Checklist (included in this application packet).	☒	☐
3. Legal Description (metes and bounds)	☒	☐

PROCESS:

Review by Staff: The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant.

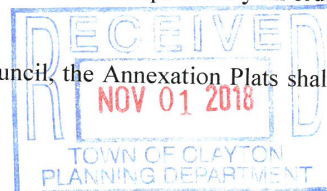
Annexation Plat Submission: After the map and legal description are deemed sufficient by the Town, the applicant is required to submit two (2) Mylar annexation plats to the Planning Department.

Town Council Meeting: The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved.

Legal Advertisement: A legal advertisement will be published no more than 25 days and no less than 10 days prior to the date of the public hearing.

Public Hearing/Town Council Meeting: The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Clayton.

Recordation: If the annexation is approved by the Town Council, the Annexation Plats shall be recorded at the appropriate county Register of Deeds.



Petition for Voluntary Annexation Application – Property Information
COMPLETE IF A LIMITED LIABILITY COMPANY:

Submittal Date:

NOV 01 2018

Petition No.:

2018-207-ANX

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

1. I/We the undersigned owner(s)* of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Clayton, North Carolina.

*If the owner of real property is a corporation or religious entity, attach a copy of the articles of incorporation describing who is/are authorized to sign with the petition.

2. The area to be annexed is X contiguous, non-contiguous to the Town of Clayton, North Carolina and the boundaries of such territory are as provided in the boundary plat attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.
4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

Total acreage to be annexed:

47.088 AC

Existing housing units:

0

Population of acreage to be annexed:

0 VACANT AT THIS TIME

Existing Zoning District*:

PD-B

Proposed Town Zoning District*:

PD-B

Reason for petitioner to annex:

☒ Receive Town Services

☐ Other (please specify):

THIS IS AN EXTENSION OF RWAC SUBD. WHICH IS IN TOWN LIMITS.

5. I/We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

In witness whereof, FSC Ranch a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this 16th day of October, 2019.

Name of Limited Liability Company:

FSC RANCH, LLC

By:

Signature of Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

Sworn and subscribed before me, Brian K Strickland, a Notary Public for the above State and County, this 16th day of October, 2018.

SEAL

BRIAN K STRICKLAND
NOTARY PUBLIC
Johnston County, North Carolina
My Commission Expires August 1, 2021

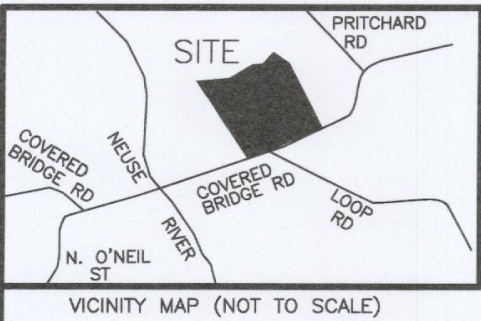
Notary Public

My Commission Expires:

8/1/21

Voluntary Annexation Plat Checklist

#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and bounds.
3.	Accurate locations and descriptions of all monuments, markers and control points.
4.	Ultimate right-of-way widths on all streets.
5.	Entitle "ANNEXATION MAP FOR THE TOWN OF CLAYTON" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON," as appropriate.
6.	Name of property owner(s).
7.	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8.	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 or NAD 27) or deed; graphic scale; and declination.
9.	Names of the township, county, and state.
10.	A detailed vicinity map.
11.	Include address of property if assigned.
12.	Show all contiguous or non-contiguous town limits.
13.	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation # _____ I, Samantha Wullenwaber, MPA, Planning Director, Clayton, North Carolina certify this is a true and exact map of annexation adopted the _____ day of _____, _____, by the Town Council. I set my hand and seal to the Town of Clayton, _____. _____ Samantha Wullenwaber MPA
14.	Leave 2 inch by 2 inch space for the county Register of Deeds stamp on the plat. All final plats must be stamped and signed before they can be accepted by the Town.



NOTES:

- 1) ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES (U.S. SURVEY FEET)
- 2) AREAS COMPUTED BY COORDINATE METHOD
- 3) PROPERTY SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- 4) NO NC GEODETIC MONUMENTS FOUND WITHIN 2000' OF PROPERTY
- 5) # 5 REBAR STAKES SET AT CORNERS UNLESS OTHERWISE NOTED
- 6) APPROXIMATE LOCATION TOWN OF CLAYTON CITY LIMITS COMPUTED FROM INFORMATION FOUND IN DB 4556 PGS 599-604 BY USING LINE FROM CONTROL CORNER "A" TO CONTROL CORNER "B"
- 7) THE GRID COORDINATES SHOWN ON THIS PLAT WERE DERIVED BY VRS (VIRTUAL REFERENCE STATION) GPS OBSERVATIONS USING A DUAL FREQUENCY RECEIVER. THIS METHOD RESULTS IN NAD83/NSRS2011 POSITIONS AND NAVD88 (MSL) ELEVATIONS USING THE CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) MAINTAINED BY NORTH CAROLINA GEODETIC SURVEY.

TOTAL TRACT AREA = 57.297 AC
CURRENT ZONING: R-B, R-E, PD-R

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	294.16'	1570.00'	10°44'07"	S47°41'05"W	293.73'

PRELIMINARY PLAT NOT FOR RECORDATION, CONVEYANCES OR SALES

ANNEXATION#

I, SAMANTHA WULLENWABER, MPA, PLANNING DIRECTOR, CLAYTON, NORTH CAROLINA, CERTIFY THIS IS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE _____ DAY OF _____ BY THE TOWN COUNCIL. I SET MY HAND AND SEAL TO THE TOWN OF CLAYTON, _____.

SAMANTHA WULLENWABER, MPA

A PORTION OF THE PARENT TRACT DOES GRAPHICALLY APPEAR TO BE IN A FEMA DESIGNATED 100 YEAR FLOOD PLAIN AS SHOWN ON COMMUNITY PLAN NUMBER 3720176000J EFFECTIVE DATE: DEC. 2, 2005

THIS SURVEY:

IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

DATE _____ SURVEYOR _____

SURVEYORS STATEMENT:

THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED, BUT A NORTH CAROLINA LICENSED ATTORNEY-AT-LAW SHOULD BE CONSULTED CONCERNING CORRECT OWNERSHIP, WIDTH AND LOCATION OF EASEMENTS; ANY CEMETERIES OR FAMILY BURYING GROUNDS NOT SHOWN ON RECORDED MAPS OR DEEDS MADE AVAILABLE TO THE SURVEYOR BY THE PRESENT OWNERS AT TIME OF THIS SURVEY AND OTHER TITLE QUESTIONS REVEALED BY TITLE EXAMINATION. NO RESPONSIBILITY OF ANY OTHER NATURE IS ASSUMED BY THE SURVEYOR FOR ANY CONDITIONS WHICH MAY PRESENTLY EXIST BUT ARE UNKNOWN SUCH AS: UNDERGROUND UTILITIES WETLANDS, TOXIC OR HAZARDOUS WASTE MATERIALS, ETC.

STATE OF NORTH CAROLINA, JOHNSTON COUNTY
I, ETHAN N. STAUFFER, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION USING REFERENCES SHOWN HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION SHOWN HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 9TH DAY OF JAN., A.D., 2018

PRELIMINARY PLAT NOT FOR RECORDATION, CONVEYANCES OR SALES

SURVEYOR

L - 3839
LICENSE NUMBER

STATE OF NORTH CAROLINA, JOHNSTON COUNTY

THIS INSTRUMENT WAS PRESENTED FOR REGISTRATION

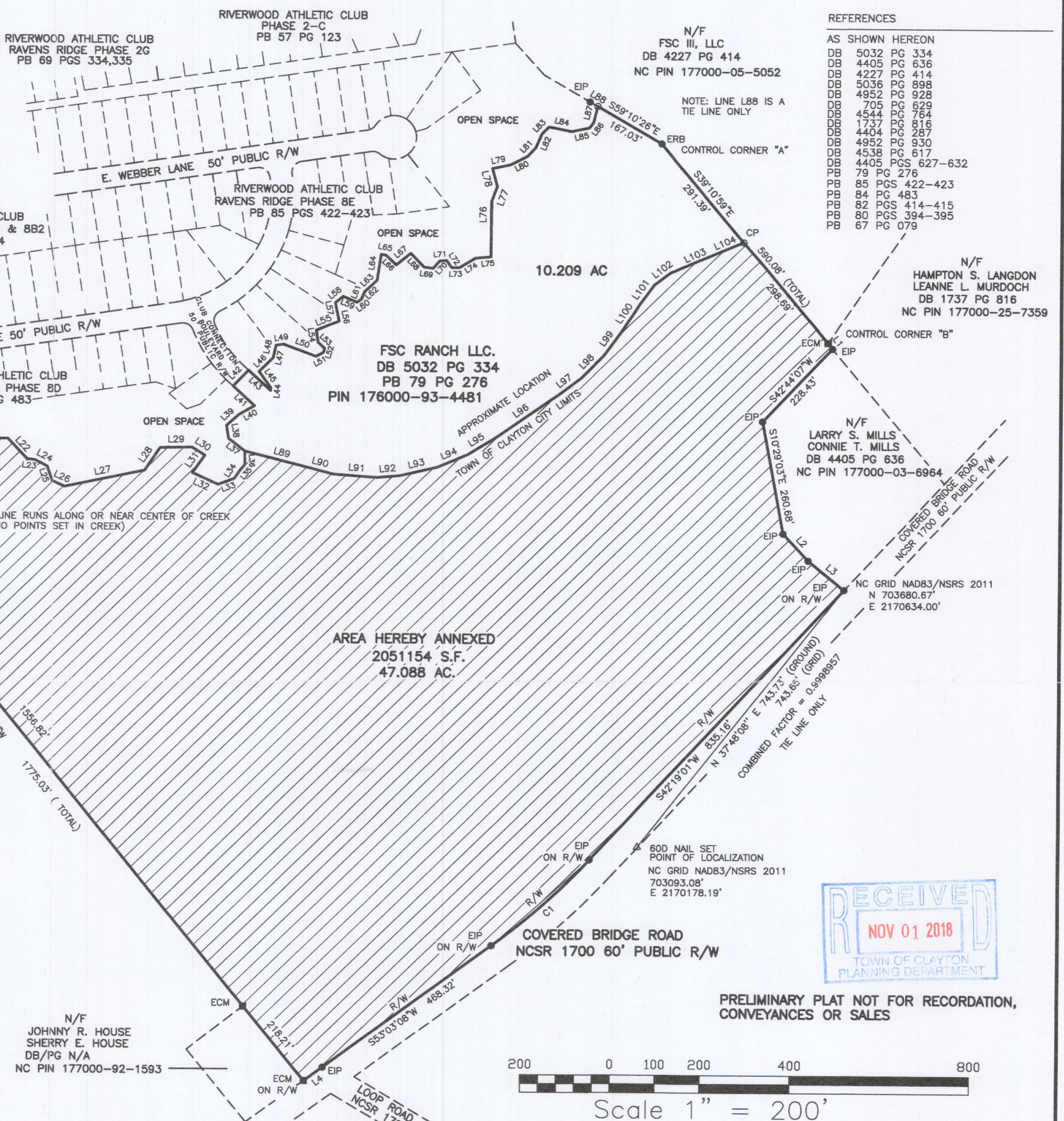
AND RECORDING THIS _____ DAY OF _____

2018 AT _____

BY _____
REGISTER OF DEEDS DEPUTY REG. OF DEEDS

NC GRID NAD83/NSRS 2011

SEE NOTE 7



REFERENCES

AS SHOWN HEREON
DB 5032 PG 334
DB 4405 PG 636
DB 4227 PG 414
DB 5036 PG 898
DB 4952 PG 928
DB 705 PG 629
DB 4544 PG 764
DB 1737 PG 816
DB 4404 PG 287
DB 4952 PG 830
DB 4538 PG 817
DB 4405 PGS 627-632
PB 79 PG 276
PB 85 PGS 422-423
PB 84 PG 483
PB 82 PGS 414-415
PB 80 PGS 394-395
PB 67 PG 079

N/F
HAMPTON S. LANGDON
LEANNE L. MURDOCH
DB 1737 PG 816
NC PIN 177000-25-7359

N/F
LARRY S. MILLS
CONNIE T. MILLS
DB 4405 PG 636
NC PIN 177000-03-6964

NC GRID NAD83/NSRS 2011
N 703680.67'
E 2170634.00'



PRELIMINARY PLAT NOT FOR RECORDATION, CONVEYANCES OR SALES

Scale 1" = 200'

LEGEND

- EXISTING IRON PIPE/PIN (FOUND)
- IRON PIN SET - # 5 REBAR
- EXISTING REBAR STAKE (FOUND)
- COMPUTED POINT
- EXISTING CONCRETE MONUMENT (FOUND)
- PROPERTY LINE
- FIRE HYDRANT
- POWER POLE
- EDGE OF PAVEMENT
- SQUARE FEET
- RIGHT OF WAY
- REINFORCED CONCRETE PIPE
- NOW OR FORMERLY
- CABLE TELEVISION PEDESTAL
- SANITARY/SEWER MANHOLE
- DEED BOOK
- WATER METER
- PAGE
- PLAT BOOK
- GUY WIRE
- OVER HEAD POWER
- WIRE
- STREET ADDRESS
- LINES NOT SURVEYED

OWNER CONTACT:
FSC RANCH, LLC
400 RIVERWOOD DRIVE
CLAYTON, NC 27527
DB 5032 PGS 334-337



**GREENBROOK
SURVEYING, P.C.
C-4414**

315 Summers Walk Circle
Garner, North Carolina 27529

919-427-8210

ncsurveyor@aol.com
ethan@greenbrooksurveying.com

ANNEXATION MAP FOR
THE TOWN OF CLAYTON
FOR
FSC RANCH, LLC.
WILDERS TOWNSHIP, JOHNSTON COUNTY
NORTH CAROLINA
DATE: JANUARY 9, 2018

RECORDED IN PB _____ PG _____

Beginning at an existing iron pipe on the northern right-of-way of NCSR 1700, said point also being a common corner with Larry and Connie Mills. Thence along the northern right-of-way of NCSR 1700 S42-19-01W 835.16' to an existing iron pipe, thence continuing along said right-of-way along a curve to the right having a radius of 1570.00' an arc length of 294.16' and a chord bearing and distance of S47-41-05W 293.73' to an existing iron pipe, thence continuing along said right-of-way S53-03-08W 468.32' to an existing iron pipe, thence continuing along said right-of-way S53-35-10W 51.97' to an existing concrete monument, said point also being a common corner with Johnny and Sherry House, thence leaving said right-of-way along a line in common with Johnny and Sherry House N38-37-00W 218.21' to an existing concrete monument a common corner with Johnny and Sherry House and Mavis C. House, thence along a line in common with Mavis C. House N38-37-00W 1556.82' to a point in or near the center of a creek, thence following said creek and a common line with Ravens Ridge Subdivision Open Space the following 32 calls:

Thence N39-09-07E 45.57' to a point;
Thence N52-50-58E 55.12' to a point;
Thence S63-00-45E 7.96' to a point;
Thence S76-35-56E 34.94' to a point;
Thence S76-59-21E 46.36' to a point;
Thence S41-23-39E 60.22' to a point;
Thence S17-04-50E 46.26' to a point;
Thence S63-12-13E 18.44' to a point;
Thence N82-20-15E 28.96' to a point;
Thence N39-37-37E 32.83' to a point;
Thence N14-52-12W 46.80' to a point;
Thence N79-11-37E 13.31' to a point;
Thence N45-40-48E 36.02' to a point;
Thence N16-51-04E 32.42' to a point;
Thence N68-22-17E 14.36' to a point;
Thence S66-31-04E 16.62' to a point;
Thence S89-00-07E 95.16' to a point;
Thence S42-43-47E 63.58' to a point;
Thence S83-37-34E 17.51' to a point;
Thence S61-53-55E 30.85' to a point;
Thence S18-41-05E 34.83' to a point;
Thence S64-54-16E 30.49' to a point;
Thence N77-59-48E 182.00' to a point;
Thence N33-30-09E 62.93' to a point;
Thence N89-11-36E 71.24' to a point;
Thence S57-28-44E 33.81' to a point;
Thence S34-47-49W 48.50' to a point;
Thence S64-47-16E 63.29' to a point;
Thence N69-12-07E 38.34' to a point;
Thence N33-22-10E 22.06' to a point;
Thence N39-32-48E 18.66' to a point;
Thence N1-27-10-W 30.21' to a point, thence leaving said creek the following 16 calls:
Thence S75-31-18E 134.25' to a point;
Thence S75-11-38E 70.59' to a point;
Thence S85-39-01E 97.62' to a point;
Thence N85-08-36E 50.00' to a point;

Thence N76-38-09E 86.45' to a point;
Thence N66-42-11-E 72.83' to a point;
Thence N57-52-09E 70.18' to a point;
Thence N54-36-21E 171.00' to a point;
Thence N52-37-12E 67.05' to a point;
Thence N44-18-15E 72.83' to a point;
Thence N35-30-30E 69.88' to a point;
Thence N32-22-38-E 72.45' to a point;
Thence N35-44-14E 54.96' to a point;
Thence N52-05-08E 45.60' to a point;
Thence N65-31-57E 52.60' to a point;
Thence N66-35-19E 125.21' to a point in a common line with FSC III, LLC, thence continuing along said line S39-10-59E 298.69' to an existing concrete monument, said point also being a common corner with Hampton Langdon and Leanne Murdoch, thence along a common line with Hampton Langdon and Leanne Murdoch S36-39-56E 16.48' to an existing iron pipe said point also being a common corner with Larry and Connie Mills, thence along a line in common with Larry and Connie Mills the following 4 calls:

Thence S42-44-07W 228.43' to an existing iron pipe, thence
Thence S10-29-03E 260.68' to an existing iron pipe, thence
Thence S42-33-22E 83.53' to an existing iron pipe, thence
Thence S50-04-52E 104.51' to the point and place of beginning and containing 47.088 acres, more or less.

PUBLIC NOTICE

The Clayton Town Council has called a public hearing at 6:00 PM on Monday, December 17, 2018, at Town Hall, 111 E. Second Street, on the question of annexing the following described contiguous area, requested by annexation petition 2018-207-ANX filed pursuant to G.S. 160A-31:

The area proposed for annexation is described as the following: Lying and being in Wilders Township, Johnston County, North Carolina and being more particularly described as follows:

Beginning at an existing iron pipe on the northern right-of-way of NCSR 1700, said point also being a common corner with Larry and Connie Mills. Thence along the northern right-of-way of NCSR 1700 S42-19-01W 835.16' to an existing iron pipe, thence continuing along said right-of-way along a curve to the right having a radius of 1570.00' an arc length of 294.16' and a chord bearing and distance of S47-41-05W 293.73' to an existing iron pipe, thence continuing along said right-of-way S53-03-08W 468.32' to an existing iron pipe, thence continuing along said right-of-way S53-35-10W 51.97' to an existing concrete monument, said point also being a common corner with Johnny and Sherry House, thence leaving said right-of-way along a line in common with Johnny and Sherry House N38-37-00W 218.21' to an existing concrete monument a common corner with Johnny and Sherry House and Mavis C. House, thence along a line in common with Mavis C. House N38-37-00W 1556.82' to a point in or near the center of a creek, thence following said creek and a common line with Ravens Ridge Subdivision Open Space the following 32 calls: Thence N39-09-07E 45.57' to a point; Thence N52-50-58E 55.12' to a point; Thence S63-00-45E 7.96' to a point; Thence S76-35-56E 34.94' to a point; Thence S76-59-21E 46.36' to a point; Thence S41-23-39E 60.22' to a point; Thence S17-04-50E 46.26' to a point; Thence S63-12-13E 18.44' to a point; Thence N82-20-15E 28.96' to a point; Thence N39-37-37E 32.83' to a point; Thence N14-52-12W 46.80' to a point; Thence N79-11-37E 13.31' to a point; Thence N45-40-48E 36.02' to a point; Thence N16-51-04E 32.42' to a point; Thence N68-22-17E 14.36' to a point; Thence S66-31-04E 16.62' to a point; Thence S89-00-07E 95.16' to a point; Thence S42-43-47E 63.58' to a point; Thence S83-37-34E 17.51' to a point; Thence S61-53-55E 30.85' to a point; Thence S18-41-05E 34.83' to a point; Thence S64-54-16E 30.49' to a point; Thence N77-59-48E 182.00' to a point; Thence N33-30-09E 62.93' to a point; Thence N89-11-36E 71.24' to a point; Thence S57-28-44E 33.81' to a point; Thence S34-47-49W 48.50' to a point; Thence S64-47-16E 63.29' to a point; Thence N69-12-07E 38.34' to a point; Thence N33-22-10E 22.06' to a point; Thence N39-32-48E 18.66' to a point; Thence N1-27-10-W 30.21' to a point, thence leaving said creek the following 16 calls: Thence S75-31-18E 134.25' to a point; Thence S75-11-38E 70.59' to a point; Thence S85-39-01E 97.62' to a point; Thence N85-08-36E 50.00' to a point; Thence N76-38-09E 86.45' to a point; Thence N66-42-11-E 72.83' to a point; Thence N57-52-09E 70.18' to a point; Thence N54-36-21E 171.00' to a point; Thence N52-37-12E 67.05' to a point; Thence N44-18-15E 72.83' to a point; Thence N35-30-30E 69.88' to a point; Thence N32-22-38-E 72.45' to a point; Thence N35-44-14E 54.96' to a point; Thence N52-05-08E 45.60' to a point; Thence N65-31-57E 52.60' to a

point; Thence N66-35-19E 125.21' to a point in a common line with FSC III, LLC, thence continuing along said line S39-10-59E 298.69' to an existing concrete monument, said point also being a common corner with Hampton Langdon and Leanne Murdoch, thence along a common line with Hampton Langdon and Leanne Murdoch S36-39-56E 16.48' to an existing iron pipe said point also being a common corner with Larry and Connie Mills, thence along a line in common with Larry and Connie Mills the following 4 calls: Thence S42-44-07W 228.43' to an existing iron pipe, thence S10-29-03E 260.68' to an existing iron pipe, thence S42-33-22E 83.53' to an existing iron pipe, thence S50-04-52E 104.51' to the point and place of beginning and containing 47.088 acres, more or less.

This is an open meeting and the public is invited to attend.

Kimberly A. Moffett, CMC
Town Clerk
Town of Clayton
919-553-5002 ext. 5004

News & Observer – Clayton

Please advertise on the following date:

December 7, 2018

Affidavit of publication required.

Ordinance #2018-12-05

ANNEXATION PETITION 2018-207-ANX
FSC Ranch, LLC
Parcel: Portion of 16103027
Owners: FSC Ranch, LLC
Contiguous: 47.09 +/- acres

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

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

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

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall at 6:30 PM on December 17, 2018 due notice of publication on December 7, 2018.

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

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Clayton as of December 17, 2018:

Beginning at an existing iron pipe on the northern right-of-way of NCSR 1700, said point also being a common corner with Larry and Connie Mills. Thence along the northern right-of-way of NCSR 1700 S42-19-01W 835.16' to an existing iron pipe, thence continuing along said right-of-way along a curve to the right having a radius of 1570.00' an arc length of 294.16' and a chord bearing and distance of S47-41-05W 293.73' to an existing iron pipe, thence continuing along said right-of-way S53-03-08W 468.32' to an existing iron pipe, thence continuing along said right-of-way S53-35-10W 51.97' to an existing concrete monument, said point also being a common corner with Johnny and Sherry House, thence leaving said right-of-way along a line in common with Johnny and Sherry House N38-37-00W 218.21' to an existing concrete monument a common corner with Johnny and Sherry House and Mavis C. House, thence along a line in common with Mavis C. House N38-37-00W 1556.82' to a point in or near the center of a creek, thence following said creek and a common line with Ravens Ridge Subdivision Open Space the following 32 calls: Thence N39-09-07E 45.57' to a point; Thence N52-50-58E 55.12' to a point; Thence S63-00-45E 7.96' to a point; Thence S76-35-56E 34.94' to a point; Thence S76-59-21E 46.36' to a point; Thence S41-23-39E 60.22' to a point; Thence S17-04-50E 46.26' to a point; Thence S63-12-13E 18.44' to a point; Thence N82-20-15E 28.96' to a point; Thence N39-37-37E 32.83' to a point; Thence N14-52-12W 46.80' to a point; Thence N79-11-37E 13.31' to a point; Thence N45-40-48E 36.02' to a point; Thence N16-51-04E 32.42' to a point; Thence N68-22-17E 14.36' to a point; Thence S66-31-04E 16.62' to a point; Thence S89-00-07E 95.16' to a point; Thence S42-43-47E 63.58' to a point; Thence S83-37-34E 17.51' to a point; Thence S61-53-55E 30.85' to a point; Thence S18-41-05E 34.83' to a point; Thence S64-54-16E 30.49' to a point; Thence N77-59-48E 182.00' to a point; Thence N33-30-09E 62.93' to a point; Thence N89-11-36E 71.24' to a point; Thence S57-28-44E 33.81' to a point; Thence S34-47-49W 48.50' to a point; Thence S64-47-16E 63.29' to a point; Thence N69-12-07E 38.34' to a point; Thence N33-22-10E 22.06' to a point; Thence N39-32-48E 18.66' to a point; Thence N1-27-10-W 30.21' to a point, thence leaving said creek the following 16 calls: Thence S75-31-18E 134.25' to a point; Thence S75-11-38E 70.59' to a point; Thence S85-39-01E 97.62' to a point; Thence N85-08-36E 50.00' to a point; Thence N76-38-09E 86.45' to a point; Thence N66-42-11-E 72.83' to a point; Thence N57-52-09E 70.18' to a point; Thence N54-36-21E 171.00' to a point; Thence N52-37-12E 67.05' to a point; Thence N44-18-15E 72.83' to a point; Thence N35-30-30E 69.88' to a point; Thence N32-22-38-E 72.45' to a point; Thence N35-44-14E 54.96' to a point; Thence N52-05-08E 45.60' to a point; Thence N65-31-57E 52.60' to a point; Thence N66-35-19E 125.21' to a point in a common line with FSC III, LLC, thence continuing along said line S39-10-59E 298.69' to an existing concrete monument, said point also being a common corner with Hampton Langdon and Leanne Murdoch, thence along a common line with Hampton Langdon and Leanne Murdoch S36-39-56E 16.48' to an existing iron pipe said point also being a

common corner with Larry and Connie Mills, thence along a line in common with Larry and Connie Mills the following 4 calls: Thence S42-44-07W 228.43' to an existing iron pipe, thence S10-29-03E 260.68' to an existing iron pipe, thence S42-33-22E 83.53' to an existing iron pipe, thence S50-04-52E 104.51' to the point and place of beginning and containing 47.088 acres, more or less.

Section 2: Upon and after December 17, 2018, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Clayton and shall be entitled to the same privileges and benefits as other parts of the Town of Clayton. Said territory shall be subject to municipal taxes according to G.S> 160A-58.10.

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

Duly adopted this the 17th day of December, 2018 while in regular session.

Jody L. McLeod,
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

Katherine Ross,
Town Attorney

**NORTH CAROLINA
JOHNSTON COUNTY**

This the _____ day of _____, 2018 _____ personally appeared before me, Kimberly A. Moffett, Clerk of the Town of Clayton, who, being duly sworn by me, says that she knows the common seal of the Town of Clayton and is acquainted with Jody L. McLeod, who is the Mayor and presiding member of said municipal corporation; and that she saw the said Mayor sign the foregoing instrument and saw the said common seal of said municipal corporation affixed to said instrument, and that she, the said Kimberly A. Moffett, signed her name in attestation of said instrument in the presence of said Mayor.

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

(SEAL)

Notary Public - Signature

Notary Public - Printed Name

Commission Expires: _____

County of Commission: _____



Town Council Agenda Cover Sheet

Meeting Date

December 17 2018

Agenda Location

Public Hearings

Item Title

Water & Sewer Rates/Wastewater Capacity Study Public Hearing

Presenter

Town Manager Adam Lindsay

Summary/Description

This is a continuation of the public hearing opened on November 19th. The Town of Clayton continues to plan for the replacement of the Town's wastewater treatment plant, which serves our residential, commercial and industrial customers. The Town has continued to grow and as we're reaching capacity levels that dictate the need to expand. The current plant is 54 years old and lies in a flood hazard area. Plans to replace the plant date back decades. In the mid-90's, Town leaders purchased land to build a new wastewater treatment plant near the Neuse River. In the mid-2000s, Town leaders began planning for the cost and construction of a new plant, but those plans were shelved when the country hit the Great Recession, the biggest economic downturn since the Great Depression. Unclear on the timeline for economic recovery and growth, Town leaders began to explore intermediary methods of accommodating our sewer needs. We reached agreements to connect and send wastewater flow to the City of Raleigh and Johnston County – and those increased capacities have served Clayton to this day. The City of Raleigh flow agreement, however, is not permanent. We currently send some flow to Johnston County for treatment and we are considering options to bring that flow back to Clayton.

This critical topic is on many municipal and county agendas, as Raleigh, Johnston County, Smithfield and Selma are also in the processes of wastewater capacity and water/sewer rate studies and analyses. On Oct. 22, the Town Council invited the utility consultants to present their study findings, which included slides on water and sewer rates and wastewater capacity. At the Nov. 19th presentation/public hearing, the engineers from the Wooten Company reviewed that capacity needs again and presented options for Council to consider. Council advised the consultants to bring back options to build the wastewater treatment plant in phases based on the baseline recommendation.

Original baseline calculations call for building a new plant within 4 years on that designated piece of land, and to pay for the project by raising sewer fees and rates for most homeowners an average of about \$15 a month starting July 1, 2019. The study also calls for annual 30% sewer rate and 2% water rate increases for the following three years.

Since the last meeting, the consultants have been revisiting growth forecasts as they tie into the schedule and scope of needed wastewater solutions. The consultants are continuing that work and will not be attending this meeting. The Town Manager will update Council on that progress and the status of updating the options to partner with regional and private entities, operate two facilities, and/or operate a single facility. At Dec. 3rd Council meeting, several residents shared comments and questions. The public is again invited to do so on Monday night. We anticipated the consultants coming back Monday to present new data, however, due to the expanded scope of our option exploration there was not sufficient time review that data/cost analyses. We will defer on those presentation until January 7. After opening the public hearing and allowing comment, staff expects Council will continue the public hearing to that date.

Requested Action

Open Public Hearing and Continue Public Hearing to January 7, 2019 Town Council Meeting

Meeting Timeline

Public Hearing Continued to January 7, 2019 Town Council meeting



Town Council Agenda Cover Sheet

Meeting Date

December 17 2018

Agenda Location

New Business

Item Title

Volunteer Advisory Board Appointment Recommendations

Presenter

Kimberly Moffett, Town Clerk

Summary/Description

Recommendations for appointments to upcoming vacancies on Town Council appointed Advisory Boards are submitted for your consideration and approval. All vacancies were advertised numerous applications were received. Everyone who submitted an application was offered an interview. Recommendations were difficult, as there were many excellent applicants. Interviews were conducted by town clerk, board staff liaison and board council liaison. The attached chart indicates name of recommended appointee as well as term expiration.

Requested Action

Place on Consent Agenda

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

Recommendation Chart

Meeting Timeline

Click or tap here to enter text.

2018 Appointment Recommendations for Volunteer Advisory Boards

BOARD	POSITION NUMBER	RECOMMENDED APPOINTEE NAME	APPOINTMENT TYPE	RESIDENCY	TERM EXPIRATION
Fire Advisory Board	FD7	<i>Open Position</i>		Claytex District Resident	12/13/2019
Library Advisory Board	LA4	Belle Allen	Re-Appointment	In-Town	12/31/2021
Library Advisory Board	LA6	Elizabeth McLaurin	Re-Appointment	In-Town	12/31/2021
Library Advisory Board	LA8	Laurie Lee*	New-Appointment	In-Town	12/31/2019
Library Advisory Board	LA9	Paul Taperek	Re-Appointment	ETJ	12/31/2021
Library Advisory Board	LA10	<i>Open Position</i>		ETJ	12/31/2021
Planning Board	PB4	George "Bucky" Coats	Re-Appointment	In-Town	12/31/2021
Planning Board	PB5	James Moore	New-Appointment	In-Town	12/31/2021
Planning Board	PB6	Robert Ahlert	Re-Appointment	In-Town	12/31/2021
Planning Board	PB8	James Lipscomb	Re-Appointment	ETJ	12/31/2021
Public Art Advisory Board	PA2	John McFadden	New-Appointment	In-Town	12/31/2021
Public Art Advisory Board	PA4	Sara Perricone	Re-Appointment	In-Town	12/31/2021
Public Art Advisory Board	PA7	Elizabeth McLaurin	Re-Appointment	In-Town	12/31/2021
Recreation Advisory Board	REC1	Butch Lawter*	New-Appointment	In-Town	12/31/2020
Recreation Advisory Board	REC7	Maureen Fee	New-Appointment	In-Town	12/31/2021
Recreation Advisory Board	REC8	Marty Kornegay	Re-Appointment	In-Town	12/31/2021
Recreation Advisory Board	REC9	David Danko	New-Appointment	In-Town	12/31/2021
Recreation Advisory Board	REC10	Karen Phinazee	Re-Appointment	ETJ	12/31/2021
Recreation Advisory Board	REC11	<i>Open Position</i>		ETJ	12/31/2021
* - Filling Unexpired Term					



Town Council Agenda Cover Sheet

Meeting Date

December 17 2018

Agenda Location

New Business

Item Title

Easement Abandonment – 309 Robin Lane

Presenter

Blake Mills Assistant Public Works and Utilities Director

Summary/Description

The property owner at 309 Robin Lane was in the process of selling the house and was scheduled to close on November 30, 2018 and discovered that a very small portion of the back corner of the house was encroaching in the existing Drainage and Utility Easement by 1.1 feet. The Town investigated the encroachment and determined that no town sanitary sewer, water main or storm sewers were located in the easement and therefore the easement is not required. To facilitate the sale of the house the Town allowed a temporary encroachment within the 20' Drainage and Utility Easement with the condition that the easement is abandoned by December 28, 2018. In addition, there is also a 10' foot Drainage and Utility Easement located along the rear of the property that is not needed and therefore it will be abandoned as well. The proposed easements to be abandoned are shown on Attachment A. A quit claim deed has been prepared for the abandonment of the easements.

Requested Action

Approval

Funding Source (If Applicable):

N/A

Cost: N/A Yes ☐ No ☒

Additional Documents to be Included in Agenda Packet

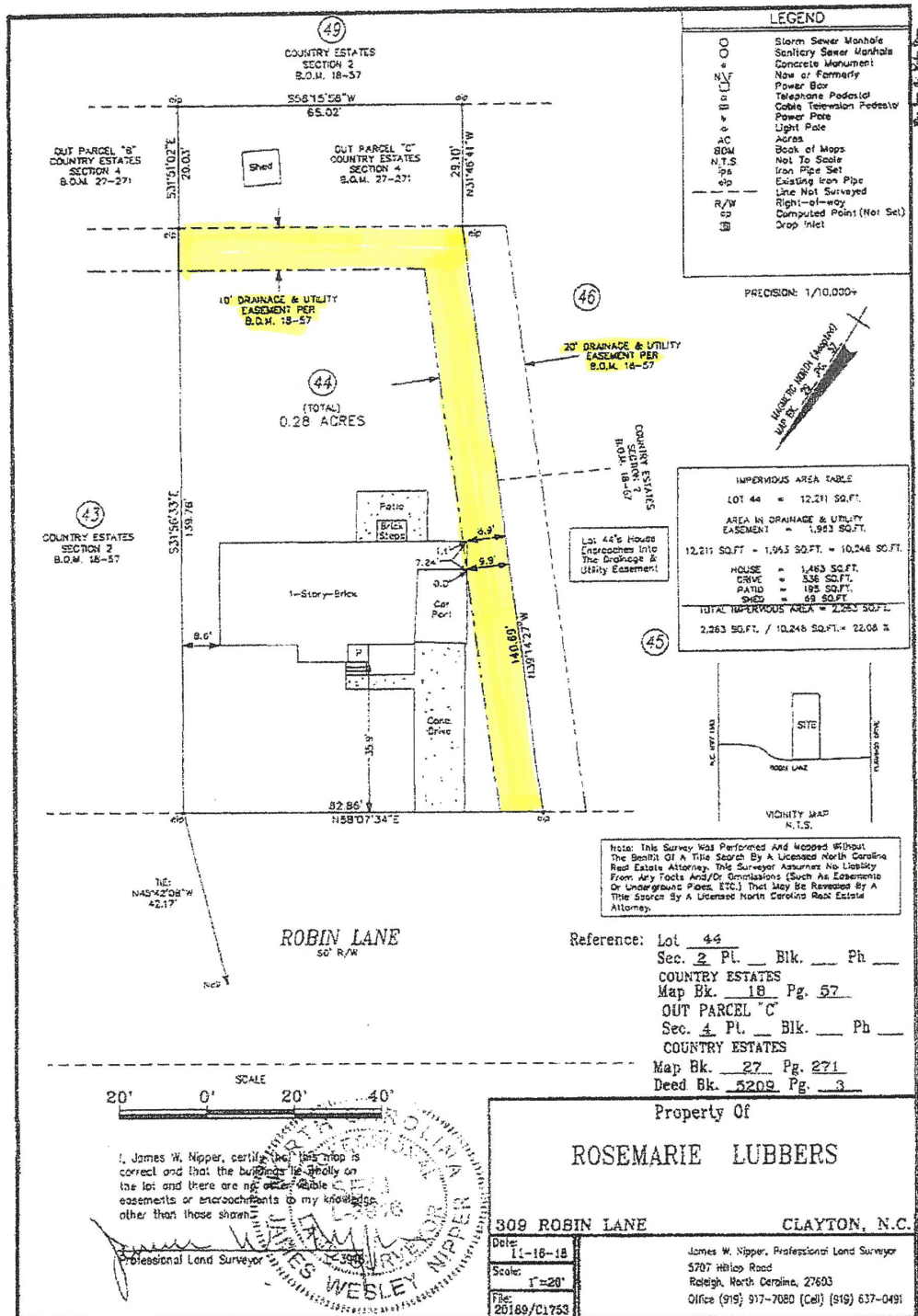
Attachment A

Quit Claim Deed

Meeting Timeline

Town Council Meeting December 17, 2018

Exhibit "A"



NORTH CAROLINA
QUIT CLAIM DEED

Excise Tax: \$0.00

Tax Lot No. Parcel Identifier No. 05H03198T Verified by _____ County on the
day of _____, 20__ by _____

SEND TAX NOTICES AND BILLS TO: GRANTEE
MAIL after recording to GRANTEE
This instrument was prepared by The Setliff Law Firm, PLLC (WITHOUT TITLE EXAMINATION OR TAX ADVICE)

Brief Description for the index	Lot 44 Country Estates Subdivision Plat Book 18, Page 57
---------------------------------	---

THIS DEED made **this** _____ **day of December 2018**, by and between

GRANTOR	GRANTEE
TOWN OF CLAYTON, a municipal corporation of the State of North Carolina 111 E. Second Street, Clayton, NC 27520 Post Office Box 879 Clayton, NC 27528	Rosemarie L. Lubbers 309 Robin Lane Clayton, NC 27520
<u>N/A</u> If checked, the property includes the primary residence of at least one of the Grantors, otherwise, note N/A, (per NC GS105-317.2)	

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g.,
corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in **Johnston** County, North Carolina and more particularly described as follows:

All rights, title and interest to that portion of the 20'-foot drainage and utility easement and the 10'-foot drainage and utility easement, located on Lot 44, Country Estates Subdivision, as shown on Plat Book 18, Page 57, Johnston County Registry.

The property hereinabove described was acquired by Grantor by instrument recorded in **Plat Book 18, Page 57**.
A map showing the above described property is recorded in **Plat Book 18, Page 57**.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple. The Grantor makes no warranty, express or implied as to title to the property herein above described.

GRANTOR:

TOWN OF CLAYTON,
a municipal corporation of the State of North Carolina

By: _____
Jody McLeod, Mayor

SEAL-STAMP	USE BLACK INK ONLY	STATE OF NORTH CAROLINA, _____ COUNTY I, certify that Jody McLeod, personally appeared before me this day and acknowledged that he is the Mayor of the Town of Clayton, a municipal corporation of the State of North Carolina, and that he, in such capacity, being authorized to do so, voluntarily signed the foregoing on behalf of the corporation for the purposes stated herein. Witness my hand and seal this ____ day of December 2018 My commission expires: _____ _____ Notary Public Notary Public Name Printed: _____
-------------------	-----------------------------	--

The foregoing Certificate(s) of _____
_____ is/are certified to be correct. This instrument and
this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.
_____ REGISTER OF DEEDS FOR _____ COUNTY
By _____ Deputy/Assistant-Register of Deeds.



Town Council Agenda Cover Sheet

Meeting Date

December 17 2018

Agenda Location

New Business

Item Title

Parks and Recreation Trust Fund (PARTF) Resolution

Presenter

Scott Barnard, Parks and Recreation Director

Summary/Description

The Parks and Recreation Trust Fund (PARTF) was established the North Carolina General Assembly to fund improvements in the state's park system, to fund grants for local governments and to increase the public's access to the state's beaches and coastal waterways. The Town of Clayton has benefited as a three time Parks & Recreation Trust Fund recipient enabling the Town to build phase one of Community Park (\$250,000), partial funding of the Clayton Community Center (\$500,000) and partial funding for the acquisition of the north side Neuse River property (\$300,000). This fund, the Clean Water Management Trust Fund and others are at risk of being eliminated via House Bill 1120 and Senate Bill 821. Both bills are not targeting the existence or continuation of the funds directly but rather the power to appoint commission members (philosophical dispute between Executive and Legislative Branches). The result, however, would be the "sun setting" of the commission and thus fund.

Requested Action

Approval

Additional Documents to be Included in Agenda Packet

Resolution

Meeting Timeline

Click or tap here to enter text.

TOWN OF CLAYTON
RESOLUTION TO MAINTAIN AND SUPPORT THE CURRENT INTEGRITY AND FUNDING
FOR THE PARKS AND RECREATION TRUST FUND (PARTF)

WHEREAS, North Carolina is known for its unique and scenic natural resources and opportunities for recreation with a long tradition of its citizens and visitors enjoying parks, mountains, rivers, greenways, beaches and more. Generations of residents and visitors have delighted in these landscapes and park facilities; and

WHEREAS, The Parks and Recreation Trust Fund (PARTF) was established the North Carolina General Assembly with bi-partisan support on July 16, 1994 to fund improvements in the state's park system, to fund grants for local governments and to increase the public's access to the state's beaches and coastal waterways; and

WHEREAS, since its inception The Parks and Recreation Trust Fund has provided \$193 million via 899 grants to 370 local governments in 99 counties and has been matched with \$378 million of local and private dollars for the purchase of local park land, building and renovation of facilities and development of greenways and trails; and

WHEREAS, North Carolina's population has grown to make it the 10th most populous state in the nation with projections for the significant growth to continue in the coming decades, and more state and local parks are needed to meet the increased demands; and

WHEREAS, parks are identified as key contributors to North Carolina's tourism industry that generates nearly \$32 billion in annual economic impact; and

WHEREAS, parks in North Carolina are experiencing record visitation levels including over 19.4 million to state parks in 2017 and

WHEREAS, The Parks & Recreation Trust Fund has leveraged funds that allowed our State to acquire land for state parks and state natural areas and protected nearly 83,000 acres and made major additions to the Mountains-to-Sea State Trail; and

WHEREAS, The Parks & Recreation Trust Fund has funded capital improvement projects in the state parks such as visitor centers and exhibit halls which provide tremendous opportunities to educate students and all citizens about North Carolina's outstanding natural resources, and other capital projects including campgrounds, picnic areas, boating facilities, trails and swimming beaches; and local capital projects including construction of community centers, athletic fields and greenways; and

WHEREAS, a portion of The Parks & Recreation Trust Fund is designated for the Public Beach and Coastal Waterfront Access Program to improve access to beaches and coastal waterways by funding public boat ramps and public beaches accesses; and

WHEREAS, access to parks, recreation facilities and open space provides cost-effective opportunities for citizens of all ages to participate in health and wellness activities thereby reducing costs associated with obesity, heart disease, diabetes and high blood pressure; and

WHEREAS, research has documented that structured park and recreational opportunities in local communities can prevent crime and provide positive activities and directions for young people; and

WHEREAS, the Town of Clayton has benefited as a three time Parks & Recreation Trust Fund recipient enabling the Town to build phase one of Community Park (\$250,000), partial funding of the Clayton Community Center (\$500,000) and partial funding for the acquisition of the north side Neuse River property (\$300,000) thus further promoting the Town of Clayton as the *"Premier Community for Active Families,"* and

NOW, THEREFORE, BE IT RESOLVED, that the Honorable Mayor and Town Council of the Clayton Town Council does call on the members of the General Assembly to maintain the integrity of The Parks and Recreation Trust Fund.

Duly adopted by the Clayton Town Council this 17th day of December, 2018 while in regular session.

Jody L. McLeod
Mayor

Kimberly A. Moffett, CMC, NCCMC
Town Clerk