

Zebulon Board of Commissioners
Minutes
January 6, 2014

Present: Robert S. Matheny-Mayor, Curtis Strickland, Beverly Clark, Don Bumgarner, Dale Beck, Glenn York, Rick Hardin-Town Manager, Greg Johnson-Parks & Recreation, Bobby Fitts-Finance, Mark Hetrick-Planning, Tim Hayworth-Police, Chris Ray-Public Works, Chris Perry-Fire, Eric Vernon-Attorney

Mayor Matheny called the meeting to order at 7:00pm.

APPROVAL OF AGENDA

Mayor Matheny called for approval of the agenda but asked for an amendment to add a discussion on HB 802 as new business.

Commissioner Bumgarner made a motion, second by Commissioner Clark to approve the agenda as amended. There was no discussion and the motion passed unanimously.

PUBLIC COMMENT PERIOD

There was no one who wished to speak.

CONSENT

A. Minutes

Commissioner Clark made a motion, second by Commissioner Beck to approve the minutes of December 2, 2013. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Beck to approve the minutes of the November 20, 2013 work session. There was no discussion and the motion passed unanimously.

B. Finance

Commissioner Clark made a motion, second by Commissioner Beck to approve the tax report for October 2013. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Beck to approve ordinance 2014-16. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Beck to approve ordinance 2014-17. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Beck to approve ordinance 2014-18. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Beck to approve resolution 2014-22. There was no discussion and the motion passed unanimously.

RESENTATION

A. Recognition of Roy Collins

Mayor Matheny presented Christine Collins, wife of former Commissioner Roy Collins, with a Zebulon flag. Mayor Matheny gave a little bit of history on Commissioner Collins and his service to the Town as an educator and Commissioner for 19 years. It was with regret that he was battling Alzheimer's disease but it was also with great appreciation for all that Commissioner Collins did for the community.

Commissioner Beck stated that he and Roy served together on the Parks & Recreation Board and ran for commissioner together in 1989. Commissioner Beck stated that Commissioner Collins was an outstanding man and dear friend.

B. NODOT—Fortify Project—Chad Hinnant

Chad Hinnant came forward and gave a PowerPoint on the project to update the Board on what it was and what the schedule was for the project.

Mayor Matheny asked about the total cost of the project and Mr. Hinnant stated it was approximately \$130 million.

There was discussion about congestion and it was explained that hopefully there would not be too much of an issue with the Zebulon area but hopefully people would use alternate routes to help with that.

OLD BUSINESS

A. Planning

116 N. Arendell Ave—Old Barber Shop Building

Mark Hetrick reviewed the minimum housing issues and showed a PowerPoint on the property. Mark reviewed the options that were available to the Town and stated that there were four options and those were to 1) demolish the property, 2) would be to remove the doors and windows and install some bracing of the structure to stabilize the exterior walls, 3) brace the walls as recommended by the structural engineer and 4) would be for the property owner to abate the violation.

The property owner was sent a final notice of violation but to date the Planning Department had not received notification that the letter had been received and signed for. If the property owner did not abate the violations then the Town would abate the violation to make the property safe and apply a lien onto the property to recoup the costs associated with the abatement.

Board of Commissioners

Minutes

January 6, 2014

Mark stated that staff received some very rough estimates of the cost for the various options and for 1) it ranged from \$8500 - \$27,500, 2) \$4,000 - \$13,000 and 3) without the roof was \$19,000-\$28,000 and with the roof it was \$28,000-\$67,000.

There was discussion about removing all the windows and doors and leaving it open and the liability that it could place on the Town and that was not a desirable option.

Mayor Matheny stated that he had spoken with the attorney and thought that he should send a final letter to the property owner to let them know that they had to respond in so many days. If the property owner failed to respond then the attorney had the authority to proceed with the condemnation process of the building and the issue would come back to the Board to decide which option they wanted to proceed with.

There was considerable discussion about whether the attorney should send a letter or needed to send a letter. Several of the Commissioners thought that the Planning Director had already done what required by the ordinance and the attorney agreed staff had done what was required. There was some concern that the property owner kept getting letters with one more chance and wasn't putting forth a good faith effort to do anything.

Several Commissioners wanted to move forward without a letter from the attorney and just get everything moving forward and finished. The Mayor also asked for more definitive numbers so that they could make a final decision on what to do with more specifics on what it would cost the Town.

Commissioner Bumgarner made a motion to allow the attorney to write a letter giving the property owner two weeks to act if the Planning Department gets no response. The motion died for lack of a second.

Commissioner Beck made a motion to proceed with the course of action staff was doing. Mayor Matheny stated that could not be done since there was no response yet from the property owner on the letter from the Planning Department. Commissioner Beck asked Mark Hetrick if the time was running on the last notice and Mark stated it was not since the Town had not received notice that he got the letter or that it was refused but it would be 30 days when notice was received.

Commissioner Bumgarner reinstated his motion, second by Commissioner Clark that they allow the attorney to write a letter giving the property owner two weeks or 30 days to act if the Planning Department gets no response after receiving notice of deliver or refusal.

The motion passed with a vote of 4-1 with Commissioners York, Clark, Strickland and Bumgarner voting in favor and Commissioner Beck voting against.

Weaver's Pond—Preliminary Plat Approval

Mark Hetrick stated that the request was for approval of the preliminary plat for Weaver's Pond which was a revision to Phase 2(b) which added 14 additional lots. Mark reviewed a PowerPoint of the area, the water, sewer and storm drainage.

Commissioner Clark made a motion, second by Commissioner York to approve the revision of the preliminary plat for Phase 2(b). There was no discussion and the motion passed unanimously.

Ordinance 2014-19—BB&T Voluntary Annexation Request of 49 Green Pace Road

Mark Hetrick stated that he had nothing new to add from the public hearing unless the Board had questions.

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve ordinance 2014-19. There was no discussion and the motion passed unanimously.

Unified Development Ordinance

Committee—Mark Hetrick gave a review of the process that was coming up and that public input was necessary to get the best possible document that they could for the Town. A Stakeholder's Committee made up of various members of the community representing a good cross-section of Zebulon was recommended by the consultant. It was recommended that there be 8-10 people on the committee.

The Board had ranked a list of approximately 20 names that were recommended by staff and the Board. The group would work as an advisory group throughout the process and there were nine people on the list that would need to be contacted to verify that they would be willing to serve for the next 18-24 months. There were four backup names that staff could choose from if people on the main list did not want to serve.

Commissioner Beck made a motion, second by Commissioner Strickland to appoint a committee of nine people to make up the UDO Committee. The initial nine to be asked to serve were Beverly Clark, Glenn Lewis, Carol Weeks, Darrell Jones, Everette Webb, Ken Griswold, Kenny Waldroup, Mike Weeks and Richard Harris. The alternates to be asked if any of the previous nine could not serve were Wallace Jenkins, Linda Johnson, Ayden Carroll and Chuck Corbett. There was no discussion and the motion passed unanimously.

Proposed Schedule—Mark Hetrick presented the proposed schedule for the kickoff of the project. He stated that a change had been made to the schedule from what was presented to the Board and that was to move the Planning Board and Board of Adjustment meeting on January 22 to January 21 at 6:30pm.

Lisa Markland explained that due to the Commissioners being scheduled to meet and there would be a quorum they would need to call a special meeting for January 22, 2014 at 4pm.

Commissioner Clark made a motion, second by Commissioner Strickland to call a special meeting on January 22, 2014 from 4:00-6:00pm in the Council Chambers to discuss the kickoff of the UDO. There was no discussion and the motion passed unanimously.

B. Parks & Recreation

Proposal to rent 109 E. Horton Street—Old Council Chambers

Greg Johnson gave a presentation about the possibility of renting the facility or using it for programs being done by the Parks & Recreation Department when needed. Greg explained that the property would still be on the market and hopefully sold.

Commissioner Beck asked if it was going to be used as overflow from the Community Center, for the most part. Greg Johnson stated that was correct. Commissioner Beck asked if there would be a staff member on site at all times when it was rented. Greg explained that the plan was to give the renter a key but there would not be a staff member on site while it was being used.

Commissioner Strickland made a motion, second by Commissioner Clark to approve the presented policy presented for rental of 109 E. Horton Street. There was no discussion and the motion passed unanimously.

NEW BUSINESS

A. Appointments

Triangle J

Lisa Markland presented that every year the Board appointed a member of the elected Board to serve as their representative on the Triangle J Council of Government Board. Currently, Commissioner Strickland was the representative and Commissioner Beck was the alternate.

Mayor Matheny recommended that Commissioner York serve in that capacity. Commissioner York stated that he was willing to serve in that capacity. Commissioner Clark said that she would serve as the alternate.

Commissioner Beck made a motion, second by Commissioner Strickland to appoint Commissioner York as the representative and Commissioner Clark as the alternate on the Triangle J Board. There was no discussion and the motion passed unanimously.

Parks & Recreation Advisory Board

Greg Johnson presented that a vacancy occurred when Commissioner York was elected to the Board of Commissioner and Mr. Foy Waters applied to serve in that capacity.

Commissioner Clark made a motion, second by Commissioner Beck to appoint Foy Waters as a member of the Parks & Recreation Board filling the vacancy created by the resignation of Glenn York. There was no discussion and the motion passed unanimously.

BOARD COMMENTS

There were no Board comments.

MANAGERS REPORT

Rick Hardin stated that on January 9, 2014 there would be a Town Hall meeting with Representative Chris Malone at 6:30pm; there would not be a joint public hearing on January 13; Town offices would be closed on January 20; there would be a worksession on January 22; and a special called meeting on January 22 from 4-6 and a light dinner would be served between the special meeting and the worksession.

Rick stated that Bo Dobrzanski left to go to work in Durham.

There have been continual bids on the old police building with the current bid being \$51,000.

Commissioner Clark made a motion, second by Commissioner Beck to adjourn. There was no discussion and the motion passed unanimously.

Date

Robert S. Matheny—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk