

**Zebulon Board of Commissioners**  
**Minutes**  
**February 7, 2011**

Present: Robert S. Matheny-Mayor, Curtis Strickland, Beverly Clark, Roy Collins, Dale Beck, Don Bumgarner, Rick Hardin-Town Manager, Lisa Markland-Town Clerk, Mark Hetrick-Planning, Emily Lucas-Finance, Tim Hayworth-Police, Chris Ray-Public Works, Greg Johnson-Parks & Recreation, Sidney Perry-Fire, Eric Vernon-Attorney

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

**APPROVAL OF AGENDA**

Mayor Matheny stated that the first item of business was to approve the agenda.

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

**PUBLIC HEARING**

The public hearing was to amend the fee schedule to allow for a per acre fee to recover costs for the Bobbitt utility line easement.

Emily Lucas presented that the fee was specifically for the Weaver's Pond subdivision to recover costs of the waterline easement. The total cost of the waterline easement was \$33, 287.79 and the proposed fee would be a per acre fee to the future phases of the subdivision as it developed. It was a fee that would be paid upon submission of a signed application for plat approval. The fee per acre would be \$192. 96.

Mayor Matheny asked if there was anyone who wished to speak on the issue. There were none.

Mayor Matheny declared the public hearing closed.

**PUBLIC COMMENT PERIOD**

There was no one who wished to speak. Anent

**CONSENT**

Commissioner Beck made a motion, second by Commissioner Clark to approve the minutes of January 3, 2011. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Clark to approve the tax report for November 2010. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Clark to approve ordinance 2011-25. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Clark to approve ordinance 2011-26. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Clark to approve ordinance 2011-28. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Clark to approve ordinance 2011-29. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Clark to approve the retreat date of March 1, 2011 and the items on the agenda. There was no discussion and the motion passed unanimously.

## **OLD BUSINESS**

### Finance

#### *Ordinance 2011-27—Amendment of the Fee Schedule*

Mayor Matheny stated that the ordinance was for the amendment of the fee schedule that was discussed earlier in the meeting during the public hearing.

Commissioner Bumgarner made a motion, second by Commissioner Clark to approve ordinance 2011-07. There was no discussion and the motion passed unanimously.

### Planning

#### *Ordinance 2011-17—Amendment of the Permitted Uses Table*

Mark Hetrick stated that at the January 19, 2011 work session the changes were discussed and no additional changes had been made since that date.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve ordinance 2011-17. There was no discussion and the motion passed unanimously.

### Public Works

#### *Street and Storm Drainage Specification Manual*

Chris Ray went through a PowerPoint presentation that review the proposed changes discussed at the last meeting. Those changes were as follows:

## **1) CULVERT PIPE INSTALLATION**

### **1.5.1 EXISTING TOWN OF ZEBULON STREETS**

Original Wording:

“If an individual owner wishes to pipe and existing roadside ditch and/or install curb and gutter in front of their property;.... If the Town installs these improvements, the Town shall require the owner to pay the full cost of the materials, labor, design, permitting and equipment.”

Justification:

- a) This has been the actual practice for fifteen years.
- b) Individual citizens would receive a benefit not shared by other citizens.
- c) Word-of-mouth may cause an increase in requests which would strain our resources.

d) Change in current policy could require additional appropriations to cover projects.

**2) PENETRATION OF BACK OF CURB AND GUTTER**

2.0.8 DRAINAGE

Original Wording:

“Under no circumstances will penetration of the back of the curb and gutter be permitted (i.e. "cutdowns" for drainage or small pipes) for drainage.”

Proposed Revision:

“Penetration of the back of the curb and gutter is permitted in accordance with § 151.29 ILLICIT DISCHARGES AND CONNECTIONS of Ordinance 2010-27 (ARTICLE VI).”

**3) COLLECTOR STREETS – SIDEWALKS ON BOTH SIDES**

2.2.1, Table 5 SIDEWALKS - GENERAL

Original Table

<b>Roadway Type</b>	<b>One side of Street</b>	<b>Both sides of street</b>
Major Thoroughfare		X
Minor Thoroughfare		X
Residential Collector		<u>X</u>
Local Street	X	
Cul-de-sac over 250'	X	

Revised Table

<b>Roadway Type</b>	<b>One side of Street</b>	<b>Both sides of street</b>
Major Thoroughfare		X
Minor Thoroughfare		X
Residential Collector	<u>X</u>	
Local Street	X	
Cul-de-sac over 250'	X	

**4) NEON OR FLUORESCENT LIGHTING**

3.0 LIGHTING PERFORMANCE STANDARDS

Original Wording:

D) Prohibited Lights

c. “Neon or fluorescent lighting used for advertising and architectural purposes”

Proposed Revision:

- c. "Neon or fluorescent lighting used for advertising and architectural purposes mounted on exterior of building"

Commissioner Beck asked about the cost of stormwater. Chris Ray stated that the costs would be discussed at the retreat. Basically, the specification manual was a cost of printing the document.

Commissioner Bumgarner made a motion, second by Commissioner Clark to approve the Street and Storm Drainage Specification Manuel with the revisions. There was no discussion and the motion passed unanimously.

## **NEW BUSINESS**

### South Wake Landfill Partnership Agreement

Tommy Esqueda the director of environmental services with Wake County presented that the second amendment to the agreement would define when the rebates would be paid twice a year.

The first payment would be in June of each year and in December of the same year, so roughly six months apart.

The original agreement was signed in September 2005 and the first amendment dealt with the transfer station.

Mayor Matheny asked about how much the payments would be. Rich Hardin stated they were between \$500 and \$1000 total per year.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve the second amendment of the South Wake Landfill Partnership Agreement. There was no discussion and the motion passed unanimously.

## **BOARD COMMENTS**

Commissioner Strickland asked about trash collection for businesses. It was explained that they could utilize the roll away containers if they would accommodate the trash generated by the business. Otherwise, the business would have to arrange for their own trash pickup.

## **MANAGERS REPORT**

Rick Hardin said that there would be a joint public hearing on February 14, and a work session on February 23 and the retreat would be March 1.

Emily reported the following transfers.

\$900 from planning insurance, \$600 from building and grounds insurance and \$1800 from streets insurance for a total of \$3300 into the line for unemployment compensation for the Town's

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annual payment to the ESC; second in the fire department-\$1000 from contract services and \$500 from vehicle maintenance for a total of \$1500 into building maintenance for repairs to the overhead door at the fire station.

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

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Date

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Robert S. Matheny—Mayor

SEAL

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Lisa M. Markland, CMC—Town Clerk