

**Zebulon Board of Commissioners**  
**Minutes**  
**March 1, 2010**

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

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

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENT PERIOD**

No one was present that wished to speak.

**CONSENT**

Commissioner Bumgarner made a motion, second by Commissioner Clark to approve the minutes of February 1, 2010. There was no discussion and the motion passed unanimously.

Commissioner Bumgarner made a motion, second by Commissioner Clark to approve the minutes of the February 8, 2010 joint public hearing. There was no discussion and the motion passed unanimously.

**PRESENTATIONS**

Kim Valentine with the Zebulon Chamber of Commerce presented that they would like to partner with the Town to display the art from local artists in the lobby of the Town Hall building. She explained that she would pattern the program after what was used by the United Arts Council as seen at WakeMed and Wake County Building.

The display would run for six weeks and then there would be a week in between each display, there would be an opening night with refreshments if the artist decided to provide them.

Mayor Matheny stated that he was concerned with there being alcohol at the opening house and thought that should not be allowed.

The Board was in favor of the program and asked that she coordinate with staff and start when they could.

## **OLD BUSINESS**

### Planning

#### *Ordinance 2010-35—Text Amendment for Electronic Gaming Definition*

Mark Hetrick explained the ordinance and read the definition that was being proposed. He explained that staff and the Planning Board were recommending approval of the ordinance as presented.

There was some discussion about the ordinance by the Board.

Commissioner Bumgarner made a motion, second by Commissioner Clark to recommend approval of ordinance 2010-35. There was no discussion and the motion passed unanimously.

#### *Ordinance 2010-34—Internet Café Ordinance*

Mark Hetrick presented the ordinance and read the definition that was being presented. He explained that it would be granted with a special use permit.

Commissioner Strickland asked about number six under some regulations adopted by other communities in the staff report and wanted to know how those numbers came about. It was explained that was not part of the ordinance being presented it was just additional information that other municipalities had used when adopting their ordinance.

Mark stated that the Planning Board recommended approval with a vote of 7-2. Staff was recommending approval as well.

There was discussion about what should be a part of the ordinance and what should not be and Mark explained that since it would have to be approved with a special use permit that each one would be looked at on a case by case basis. They would be site specific and conditions applied as needed to each one.

Commissioner Beck made a motion, second by Commissioner Bumgarner to adopt ordinance 2010-34. There was no discussion and the motion passed unanimously.

### General

#### *Ordinance 2010-36—Amendment of the term limits of appointed board members*

Lisa Markland explained what changes were being recommended and that staff and the Planning Board were recommending approval of the proposed changes.

Commissioner Beck made a motion, second by Commissioner Clark to adopt ordinance 2010-36. There was no discussion and the motion passed unanimously.

### Fire

#### *Sale of Fire Truck—1992 GMC Tanker*

Emily Lucas stated that bids for the 1992 GMC Tanker truck were accepted and read and staff was recommending that the bid of \$61,751 from Pilot Fire and Rescue be accepted.

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Commissioner Bumgarner made a motion, second by Commissioner Collins to accept the bid of \$61,751 from Pilot Fire and Rescue for the 1992 GMC Tanker Truck. There was no discussion and the motion passed unanimously.

#### Finance

##### *Fee Schedule*

Emily Lucas presented that staff was recommending that there be a charge of \$500 per computer for all internet cafés. She continued by stating what the charge was for other municipalities and they ranged from \$5 per machine in Shallot to \$1000 per machine in Elizabeth City. There was also a flat fee of \$2600 plus \$700 per machine in Canton.

There was discussion by the Board about the fee and that they thought it was excessive and thought \$200-\$250 was more reasonable.

Commissioner Strickland made a motion, second by Commissioner Beck to approve the fee schedule amendment of \$200 per machine for internet cafés.

### **NEW BUSINESS**

#### Finance

##### *Non-Profit Funding*

Emily Lucas presented the requests that had been received from the non-profit entities for funding in fiscal year 2010-2011.

Mayor Matheny recommended the following:

Crime stoppers	\$500
EWEF	\$1000
MLK Breakfast	\$500
Zebulon Chamber of Commerce	\$1000

Commissioner Strickland wanted to give to Hospice and recommended \$500 be added to the list.

The rest of the Board agreed to fund the non-profits as follows: Crime stoppers \$500, East Wake Education Foundation \$1000, Martin Luther King Breakfast \$500, Zebulon Chamber of Commerce \$1000 and Hospice of Wake County \$500 for a total \$3500.

### **BOARD COMMENTS**

There were no Board comments at this time.

### **MANAGERS REPORT**

Rick Hardin presented that there would not be a joint public hearing and possibly not a work session in March. On March 4, from 6:30-8 Senator Dan Blue would be holding a Town Hall meeting in the Council Chambers.

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He stated that Darryl Wright had lost his appeal and had until March 24, 2010 to file an appeal to the state Supreme Court but there was little hope that he could win since the decision of the appellate court had handed down was a unanimous decision.

The ST Wooten case went to Superior Court and there should be a decision within a week.

Commissioner Clark made a motion, second by Commissioner Collins 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