

Zebulon Board of Commissioners
Minutes
April 1, 2013

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

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

APPROVAL OF AGENDA

Mayor Matheny stated that the agenda had been amended to add a presentation after the consent agenda.

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

PUBLIC COMMENT PERIOD

There was no one wishing to make public comment.

CONSENT

A. Minutes

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve the minutes of February 4, 2013. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve the minutes of February 20, 2013. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve the minutes of February 26, 2013. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve the minutes of March 4, 2013. There was no discussion and the motion passed unanimously.

B. Finance

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

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve ordinance 2013-41. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve resolution 2013-18. There was no discussion and the motion passed unanimously.

RECOGNITION

Mayor Matheny wanted to recognize Robyn Snow for her achievement of becoming a certified local government purchasing officer. Robyn had worked for the last five years to get the required education and testing to reach this major accomplishment.

OLD BUSINESS

A. Public Works

Update on the Shepard School Road Project

Chris Ray presented that the project was temporarily put on hold due to a funding issue with the bridge and sought to obtain a grant that would help with the project requirements. The Town received the grant in the amount of \$100,000. To receive those funds the Board would have to approve the Subrecipient Agreement For Wake County CDBG, NCDOT Funding Agreement and ordinance 2013-42.

Chris Ray stated that the new cost for the project would be \$271,800 with an 80/20 match making the approximate total that the Town would be responsible for \$40,000. The Town would become the lead on the project administering the project instead of Wake County. Commissioner Bumgarner asked if the Town would be assuming the liability since they were taking over the lead and direction of the project. Chris Ray said that was correct but the previous three projects that the Town had administered had not come up with any issues so there were no concerns with the Town administering the project.

Commissioner Strickland made a motion, second by Commissioner Collins to adopt the CDBG Subrecipient Agreement. There was no discussion and the motion passed unanimously.

Commissioner Bumgarner made a motion, second by Commissioner Collins to adopt the NCDOT Funding Agreement. There was no discussion and the motion passed unanimously.

Commissioner Bumgarner made a motion, second by Commissioner Beck to adopt ordinance 2013-41. There was no discussion and the motion passed unanimously.

B. Planning

Mobile Food Vendors

Ordinance 2013-38

Mark Hetrick presented the major changes recommended by the Board of Commissioners. Commissioner Strickland asked how long a vendor could be set up at any one location. Mark explained that they could set up as long as the privilege license would allow.

Commissioner Bumgarner made a motion, second by Commissioner Collins to approve ordinance 2013-38. There was no discussion and the motion passed unanimously.

Proposed Fees

Mark Hetrick reviewed the fees that staff was proposing. Scenario one had the privilege license fee for in town at \$25 or \$50 and the permit fee for a mobile food vendor would be \$100 to \$200. The total possible fee under this scenario for an in town vendor would be \$125 to \$250. However, the ETJ fee under scenario one would be \$100 to \$200 since they did not pay privilege license fees. Under scenario two the fees would range from \$125-\$250 for both in town and ETJ vendors.

There was discussion about the fees and it was the consensus of the Board that they wanted both in town and ETJ to pay the same amount. The Board also wanted the fee to be higher since they did not pay property taxes. After discussion the Board agreed that they would like to see the fee set at \$150.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve resolution 2013-16 to set the public hearing for May 6, 2013 to amend the fee schedule. There was no discussion and the motion passed unanimously.

NEW BUSINESS

A. Fire

Fire Truck Funding Agreement

Chris Perry explained that they would be receiving a used fire truck from Wake County which would be a huge savings for the Town since the Town would not have to purchase a new vehicle. It would replace a 1997 Freightliner that was acquired when the Town merged with the rural fire department in 2000. The repairs have come to almost \$40,000 in the last 10 years.

The Fire Apparatus Committee that is part of the Wake County Fire Commission thought that the vehicle should be replaced and proposed that the Town sign an agreement for a 2009 fire engine. The Falls and Wake Forest departments merged and the vehicle became available. It had a good maintenance history and low mileage.

The agreement stated that they would provide the vehicle to the Town at no cost. When the existing vehicle was sold and the needed funds from the sale were used to get it painted, lettering applied, moving equipment and the other things necessary to get it functionally ready the remaining funds would be given to the County. The second thing would be that at the end of the useful life of the 2009 engine it would be sold and they would get the funds from that sale.

Commissioner Strickland made a motion, second by Commissioner Collins to approve the Wake County Fire Truck Agreement. There was no discussion and the motion passed unanimously.

B. Request to Use Municipal Complex

John Hanlon with the Zebulon Chamber of Commerce was requesting that they be allowed to continue to utilize the Complex to host their annual 5K race on June 15. They were requesting to use the bathrooms and parking lot and it would begin at 6am and they should be finished and cleaned up by 11am.

They were asking that the Town provide cones, tables, and trash cans.

Commissioner Beck asked if they were asking to use the bathrooms at the facility and if so what staff would be available for the event. Rick Hardin stated that he had normally done it and the Mayor had been there too.

Commissioner Bumgarner made a motion, second by Commissioner Strickland to approve the Zebulon Chamber of Commerce to utilize the municipal complex as they had in the past for their 5K race on June 15. There was no discussion and the motion passed unanimously.

C. Planning

Ordinance 2013-43—Extension of the Zebulon ETJ

Julie Spriggs presented that in November 2010 Wake County had approved the ETJ expansion request and when the Town was working on the finalized map it was discovered that there were discrepancies with the Counties bookkeeping. Wake County has finally rectified the problems and the Town can now proceed forward with approval of the map and get it filed with the County.

Staff was requesting that the ordinance be adopted with the map as shown so that it could be submitted for the ETJ expansion to the County.

Mayor Matheny stated that there were some problems with the map that staff had included for approval. He explained that there were shaded areas on the map that were not adopted by the County when they approved the Town's ETJ expansion. Julie said that the map was what was provided by the County when they corrected their files.

Rick Hardin stated it could be tabled until a later date once the map was corrected. After discussion the Board tabled the issue by consensus until the map was corrected and then brought back to another meeting.

BOARD COMMENTS

There were no comments.

MANAGERS REPORT

Rick Hardin stated that they needed to call for a special meeting for April 8, 2013 to be held after the joint public hearing and Planning Board meeting to meet a requirement for FEMA.

Commissioner Bumgarner made a motion, second by Commissioner Beck to call for a special meeting on April 8, 2013 at 7:30pm. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner Collins to go into closed session for personnel discussions. There was no discussion and the motion passed unanimously.

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NOTE: In closed session Commissioner Beck made a motion, second by Commissioner Collins to come out of closed session. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Collins to award Rick Hardin a merit bonus of \$500. There was no discussion and the motion passed unanimously.

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

Date

Robert S. Matheny—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk