

**Zebulon Board of Commissioners**  
**Minutes**  
**June 3, 2013**

Present: Robert S. Matheny-Mayor, Curtis Strickland, Beverly Clark, Don Bumgarner, Dale Beck, 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: Roy Collins

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

**APPROVAL OF AGENDA**

Mayor Matheny called for approval of the agenda.

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

**PUBLIC HEARING**

The public hearing on the 2013-2014 proposed budget was called to order and the Mayor asked for the staff report.

Rick Hardin stated that Finance Director Bobby Fitts would give a brief overview of the budget as previously presented. Rick explained that there were many challenges facing the Town and staff met those challenges with the preparation of the proposed budget.

Bobby Fitts made a brief presentation on the budget with the general fund being \$7,931,545 which was a two percent increase of the previous year's budget. The enterprise fund was \$478,370 to cover debt service. The proposed tax rate was \$0.525 per \$100 of valuation and 45.5¢ went to towards operations and 7¢ toward the municipal complex.

Capital projects would consist of \$560,635; debt service would consist of \$761,000 or 10% of the budget. Water and sewer rates would increase 5.5 percent.

The Board did not have any questions.

Mayor Matheny asked if anyone wished to speak on the budget. There were none.

The public hearing was closed and would be voted on at the work session that would be scheduled for June 26, 2013 at 7:00pm. The Mayor stated that was a different date than normal so he reiterated that the work session would be held on June 26, 2013 at 7:00pm.

**PUBLIC COMMENT PERIOD**

Richard Poole of 615 Sexton Ave signed up to speak. Mr. Poole stated that he had lived in Zebulon for 18-20 years and expressed his issues with the Police Department due to when he was arrested by them. He stated that he had issues with the Police Chief, several officers, the Town Manager and Mayor.

## CONSENT

### A. Finance

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

Commissioner Strickland made a motion, second by Commissioner Clark to approve ordinance 2013-47. There was no discussion and the motion passed unanimously.

Commissioner Strickland made a motion, second by Commissioner Clark to approve ordinance 2013-48. There was no discussion and the motion passed unanimously.

## OLD BUSINESS

### A. Planning

#### *Ordinance 2013-49—Amendment to 152.129 Permitted Uses Table*

Bo Dobrzanski presented a recommendation to amend the permitted uses table to allow for bars and laboratories in the central business district. The section dealing with bars was tabled by the Planning Board so that it could have further discussion therefore only the section dealing with laboratories was being presented for Board discussion and approval.

Commissioner Bumgarner made a motion, second by Commissioner Clark to approve ordinance 2013-49. Commissioner Strickland asked why the Planning Board tabled the section dealing with bars. He stated that they wanted to discuss it further and it would come back before the Board of Commissioners at a later date.

There was no further discussion and the motion passed unanimously.

#### *Ordinance 2013-50—Text Amendments in Conjunction with the Downtown Overlay Committee*

Bo Dobrzanski presented that the recommendations came from the Downtown Overlay Committee and he reviewed various aspects of the ordinance. The district would apply to all zoning within its boundaries; it relaxed setbacks and off street parking requirements, added some appearance standards, and awning regulations to speak to a few of the changes.

The overlay committee recommended some changes to the nuisance ordinance and staff presented a draft as it was approved by the Town legal staff. The word unsightly was removed from the ordinance.

Commissioner Strickland asked about having any control over the railroad tracks and its appearance. Bo stated that they did and the Town had tried to maintain a good relationship with the company that ran the railroad.

Commissioner Beck stated that he thought that the Town already had ordinances in place that dealt with the stated situations. Bo stated that in number five and six it improved the specifics. It went from being ambiguous to being specific issues and how they would be dealt with.

Commissioner Clark made a motion, second by Commissioner Strickland to approve ordinance 2013-50 with the recommended changes. There was no discussion and the motion passed unanimously.

*RZ 2013-03—Overlay District Map*

Bo Dobrzanski stated that the Planning Board recommended approval of the overlay district as presented on the map.

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve RZ 2013-03 as presented. There was no discussion and the motion passed unanimously.

(NOTE: Filed as Ordinance 2013-50A—RZ 2013-03)

**NEW BUSINESS**

A. Planning

*Shepard's Point—formerly Old Bunn Place*

Mark Hetrick presented that they had received a request for final plat approval, approval of the covenants and the official change of name from Old Bunn Place to Shepard's Point. Mark stated that it was 45 lots off of Old Bunn Road and adjacent to the Boys and Girls Club.

The plat and covenants were being brought back with minor changes to show the necessary easements, notes for maintenance and responsibilities and officially change the name from Old Bunn Place to Shepard's Point.

Commissioner Beck stated that he was pleased that there was going to be some work out there.

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

Commissioner Clark made a motion, second by Commissioner Strickland to approve the final plat. There was no discussion and the motion passed unanimously.

B. Board Appointments

Lisa Markland presented that there were several board appointments that needed to be done.

First, the Planning Board had four positions open with two being in-town and two being in the ETJ. Two applications had been received and one was from Avon Privette for the in-town position and one was from Darrell Jones for an ETJ position. Both were currently serving on the Board and had a desire to continue to serve.

Mayor Matheny stated that the EJT position was a recommendation to the Wake County Board of Commissioner to appoint Darrell to that position.

Commissioner Strickland made a motion, second by Commissioner Clark to appoint Avon Privette and to recommend appointment of Darrell Jones to the Wake County Board of Commissioners. There was no discussion and the motion passed unanimously.

Second, the Parks and Recreation Board had two positions open and they had received two applications. One from Joe Beck and the other from Anthony Brown who were currently serving on that Board and wished to continue.

Commissioner Bumgarner made a motion, second by Commissioner Clark to appoint Joe Beck and Anthony Brown to the Parks and Recreation Board. There was no discussion and the motion passed unanimously.

Finally, the Board of Adjustment had two openings both for in-town positions. Larry Loucks submitted an application to continue serving on that board. Tad Adams stated that he was not able to continue at the current time.

Commissioner Bumgarner made a motion, second by Commissioner Beck to appoint Larry Loucks to the Board of Adjustment. There was no discussion and the motion passed unanimously.

#### **BOARD COMMENTS**

Mayor Matheny congratulated Tyler Hopkins and Ronald Pendergrass for being recognized for their work on an EMS call and saving someone's life.

Commissioner Bumgarner thanked staff for the help they provided at the Relay for Life event.

#### **MANAGERS REPORT**

Rick Hardin said that the Chamber of Commerce 5K race was June 15, Parks & Recreation movie on the lawn would be on June 21 at 7pm and there would be a work session June 26.

Commissioner Beck 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