

**Zebulon Board of Commissioners**  
**Minutes**  
**August 1, 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, 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.

Mayor Matheny stated that they needed to add introduction of new fire fighters under IV(A) and move board appointments to IV(B).

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**

Commissioner Beck made a motion, second by Commissioner Clark to approve the minutes of July 5, 2011. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Clark to approve the minutes of the July 11, 2011 public hearing. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Clark to approve the minutes of the July 20, 2011 work session. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Clark to approve the minutes of the July 20, 2011 closed session. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Clark to approve the tax report for May 2011. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Clark to approve ordinance 2012-08. There was no discussion and the motion passed unanimously.

Commissioner Beck made a motion, second by Commissioner Clark to approve ordinance 2012-09. There was no discussion and the motion passed unanimously.

## **NEW BUSINESS**

### A. Introduction of New Firefighters

Sidney Perry introduced two of the three new firefighters. He introduced Trey Byrd who came to Zebulon with four years of experience and then introduced Chris Byrd who was no relation to Trey and he came to Zebulon with 14 years of experience. Unfortunately, Ronald Pendergrass was not present at the meeting.

### B. Board Appointment

Lisa Markland presented that on the Board of Adjustment there was an ETJ alternate position available on that board. Laura Johnson, who was previously a member of the Planning Board, applied for the position. Staff was recommending that she be recommended to the Wake County Board of Commissioners for appointment to the Board of Adjustment.

Commissioner Beck made a motion, second by Commissioner Collins to recommend Laura Johnson to the Wake County Board of Commissioners for appointment to the Board of Adjustment. There was no discussion and the motion passed unanimously.

### C. Finance

#### *Resolution 2012-04—award financing to BB&T for lease purchases*

Emily Lucas presented that there were vehicles and equipment that were to be purchased through an installment purchase agreement. On July 19, 2011 five proposals to provide the financing were received by the Town. The lowest bid was BB&T at 1.87% and staff was recommending that the financing be awarded to them.

The items to be purchased were four police vehicles and for public works a bobcat, a backhoe and a truck.

Commissioner Clark made a motion, second by Commissioner Beck to adopt resolution 2012-04. There was no discussion and the motion passed unanimously.

Mayor Matheny called for a 10 minutes recess to allow for the Town Attorney to arrive. Recess was called at 7:06pm.

Mayor Matheny called the meeting back into session at 7:13pm.

## **OLD BUSINESS**

### A. Finance

#### *Resolution 2012-03—Refunding of the 1997 water and sewer general obligation bonds*

Emily Lucas stated that adoption of the resolution would authorize the refunding of the 1997 general obligation bonds for water and sewer and that Carter Bank and Trust would be the bond holder. The bond purchase agreement would be executed after the Local Government Commission approved the purchase. Closing would be done by the end of August 2011.

Commissioner Clark made a motion, second by Commissioner Bumgarner to approve resolution 2012-03. There was no discussion and the motion passed unanimously.

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B. Planning

*SU 2012-01—Special Use Permit request for 715 Shepard School Road*

Bo Dobrzanski presented a Powerpoint presentation on the case. The applicant was requesting to open a group care home at 715 Shepard School Road. The home had seven bedrooms and was zoned R-10. The surrounding zoning was R-10, TR and then a vacant parcel of land.

It was explained that Third Day Haven, the applicant, was stating that they were 501(c)3 nonprofit and their goal was to provide transitional housing for homeless veterans. These veterans would be requiring outpatient care from the VA hospital in Durham. They would live there and be provided transportation to and from the VA hospital, counseling, doctor visits and other needed care. The length of stay would be approximately six to twelve months to try to transition them to self sufficient living. There would be a worker onsite at all times and a nurse either onsite or on call 24 hours a day.

The residents would have to be seeking employment or be employed, prepare and eat meals together, have a curfew, counseling would be provided, job and social skill development would also be provided.

Bo reviewed what a group care home was or could be and the four items or grounds that had to be considered for a special use permit. He also reviewed the recommended conditions for the site. The Planning Board was recommending that the special use permit be approved with an additional condition that the special use permit expire five years from the date of issuance.

Commissioner Strickland asked why the Planning Board was recommending that the special use permit expire within five years. Bo explained that the Planning Board wanted to be able to review the use to make sure that it was something that was beneficial to the community.

Mayor Matheny stated that since no evidence was presented in opposition then the Board had no choice but to approve the request.

Eric Vernon arrived at 7:21pm.

There was discussion about the conditions and if they were all ones that could be placed on the applicant. Eric Vernon stated that the Town did have the authority to place all the proposed conditions on a special use permit.

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve Special Use Permit 2012-01 with the following conditions.

1. Prior to construction, final zoning approval is subject to successful site plan approval.
2. Development must meet all applicable state, federal, and local laws.
3. Provide adequate parking per the Zebulon Code of Ordinances § 152.268 NUMBER OF PARKING SPACES REQUIRED
4. At no time may a vehicle be parked on an unimproved portion of the front yard.
5. Not more than six individuals may be living in the Third Day Haven Transitional Housing at any given time.
6. The Special Use Permit granted shall expire five years after the date of approval.

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There was no discussion and the motion passed unanimously.

**BOARD COMMENTS**

There were no comments at this time.

**MANAGERS REPORT**

Rick Hardin said that there would not be a public hearing or work session in August.

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