

Zebulon Board of Commissioners
Minutes
August 5, 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 Strickland to approve the agenda as presented. There was no discussion and the motion passed unanimously.

PUBLIC COMMENT PERIOD

There was no one who wished to speak.

CONSENT

A. Minutes

Commissioner Clark made a motion, second by Commissioner Strickland to approve the minutes of the May 13, 2013 joint public hearing. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Strickland to approve the minutes of the May 22, 2013 work session. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Strickland to approve the minutes of June 3, 2013. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Strickland to approve the minutes of the June 26, 2013 work session. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Strickland to approve the minutes of the June 26, 2013 closed session. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Strickland to approve the minutes of July 1, 2013. There was no discussion and the motion passed unanimously.

B. Finance

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

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Commissioner Clark made a motion, second by Commissioner Strickland to approve ordinance 2014-06. There was no discussion and the motion passed unanimously.

C. General

Commissioner Clark made a motion, second by Commissioner Strickland to approve resolution 2014-02. There was no discussion and the motion passed unanimously.

OLD BUSINESS

A. Planning

Ordinance 2014-07—Amendment to Chapter 111—Peddlers, Solicitation and Itinerant Merchants

Mark Hetrick presented the staff proposed amendments and stated that they had been reviewed by the Town Attorney. They were recommending that the ordinance be changed to allow for door to door sales and the process of getting a permit to do so.

It would require an application, background check and license to be issued by the Town. Staff recommended that the turnaround time to issue the license be 10 days. The Mayor stated that was too long and it should not take any longer than one day but that was discussed with staff and he agreed to two days. The Board discussed the turnaround time and Commissioner Beck thought that was too short and that at least a week would be reasonable.

Chief Hayworth was asked to come speak on the topic. He stated that the first step of running a background check could be done in under an hour but there was more than just one step in doing a background check. Large groups could take longer and those that come back with a criminal history take longer to do. Staff thought that 10 days was reasonable in the beginning conversations. The ordinance needed to be worded that would allow for some leeway in case people were out that did the background investigations, systems being down and so on.

Mayor Matheny stated that changing the wording to allow for extenuating circumstances would allow for that leeway. Commissioner Beck said that he thought that the compromise of five days was good. Mayor Matheny thought that the Town was not being user friendly with five days.

Mayor Matheny asked the Board what they thought and Commissioner Clark said that she was in favor of what staff suggested at 10 days, Commissioner Strickland was ok with five days, Commissioner Bumgarner was ok with two days as proposed by the Mayor and Commissioner Beck wanted ten days.

Commissioner Strickland asked what staff recommended and Mayor Matheny stated staff recommended two days. Commissioner Strickland went with staff at two days.

The consensus was Commissioners Clark and Beck at ten days, Commissioners Bumgarner and Strickland at two days for a tie. Mayor Matheny broke the tie voting for two days.

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Commissioner Bumgarner made a motion, second by Commissioner Strickland to approve ordinance 2014-07 with the change to two day turn around and the wording of extenuating circumstances. There was no discussion and the motion passed unanimously.

Chief Hayworth stated that if an extenuating circumstance arose a note would be placed in the file as to why it was taking longer than two days.

B. General

Old Police Building

Rick Hardin explained that at the retreat the disposal of surplus buildings was discussed and what the current cost to maintain the vacant buildings at the bare minimum was costing the Town \$3000/year. Rick presented that he had a discussion with Scott Hadley of NAI Carolantic about it and the recommendation was that the building be listed for \$35,000 so that it could at least be seen when people were looking for commercial buildings.

The cost to demolish the building was estimated at \$50,000 so selling the building was much more palatable.

The various methods for selling the property were presented in the Boards packet of information. Rick Hardin explained that the method previously chosen by the Board was the upset bid process and he briefly reviewed the parameters of that process.

There was some discussion by the Board about the price and Commissioner Strickland thought that the Town should demolish the building and keep the land for later use by the Town, he thought that it might be needed for expansion of the fire station. Commissioner Beck stated that he thought the Town should list it for six months and see what happened and if it didn't sell then consider Commissioner Strickland's proposal.

Commissioner Beck made a motion, second by Commissioner Bumgarner to approve the listing contract of \$35,000 with NAI Carolantic for six months. There was no discussion and the motion passed with a vote of 3-1, with Commissioners Beck, Bumgarner and Clark voting in favor and Commissioner Strickland voting against.

NEW BUSINESS

A. Finance

Tax Billing and Collection Contract with Wake County

Bobby Fitts presented that the County was recommending some minor changes due to the new tax and tag laws that went into effect July 1, 2013.

Mayor Matheny asked what the dollars and cents were with the changes. Bobby stated that there were no changes in the fees but the contract did allow for the County to charge an administrative fee. The County did not anticipate that coming up but if it did appear that they would need to charge an administrative fee they would have to bring that fee to the Town and both parties would have to agree to it.

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Commissioner Clark made a motion, second by Commissioner Beck to appoint Tad Adams to the Board of Adjustment. There was no discussion and the motion passed unanimously.

BOARD COMMENTS

Commissioner Beck stated that Leonard Sewell, a former Commissioner, had passed away recently. Mayor Matheny stated that Ruric Gill passed away as well. He had been a long time resident of the Town and owned the Gill Buick dealership downtown.

MANAGERS REPORT

Rick Hardin stated that there would be a work session on August 21 but there would not be a joint public hearing.

Keyana Peoples was the newest employee in the finance department and she would be at the next meeting.

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

Commissioner Bumgarner made a motion, second by Commissioner Beck to reopen the meeting. There was no discussion and the motion passed unanimously.

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

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

Commissioner Clark made a motion, second by Commissioner Beck to award Lisa Markland, Town Clerk a 1.5% pay increase. There was no discussion and the motion passed unanimously.

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

Date

Robert S. Matheny—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk