

**Zebulon Board of Commissioners**  
**Work Session**  
**Minutes**  
**February 20, 2013**

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, Bobby Fitts-Finance, Tim Hayworth-Police, Chris Ray-Public Works, Sidney Perry-Fire, Greg Johnson-Parks and Recreation, Eric Vernon-Attorney

Mayor Matheny called the meeting to order at 7:03pm.

**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.

**OLD BUSINESS**

A. General

*Facility Use*

Rick Hardin presented this topic and said that developing a good policy was difficult until additional information could be obtained from the Board on specifically where they wanted to go. Just saying a non-profit was difficult since that covered just about everyone, and a 501(c)(3) covered quite a few entities as well. The Chamber however was a 501(c)(6). Additional direction was requested and a significant presence in the Town needed to be defined.

Mayor Matheny stated that he felt very strongly about prohibiting the public from using the facility. He thought that the public wanted the building and did not want to slam the door and not allow them to use it at all. The number of organizations that wanted to use the facility did not seem to be so over whelming to make it difficult to allow it to happen.

Eric Vernon said that he thought that there was very little liability to the Town. The policy would need to define the types of organizations that would be considered for using the facility and the more restrictive the policy the easier it was to enforce.

Commissioner Strickland said that he wanted it to be really simple and he thought it should be Town sponsored events or co-sponsored events only. That would cut out figuring out a fee and so on. Mayor Matheny said that it made it discretionary again because the Board would have to decide if it wanted to co-sponsor events.

Commissioner Strickland said that he was trying to keep it simple and the building was not set up for rental events. Commissioner Beck agreed and said that he had not changed his position either. He stated his first choice was to not rent it at all, the second would be to allow only the Friends of Wakelon use it.

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Commissioner Beck said that they needed to realize that tours were still allowed and they were never a part of the discussion that the Board was having. But it was a governmental facility and it was not equipped to deal with a lot of the things that might go on. The events on the grounds should be for the good of the entire community and the Community Center was set up to provide a space for anyone that needed a rental space.

Mayor Matheny said that he was worried about being discretionary and he did not want to do that when doing something with co-sponsored by the Town. He wanted to allow 501 non-profit entities that had a physical presence in the Town of Zebulon, or were bringing something of substance to the Town. It could not be commercial in nature like a carnival or for weddings either.

Commissioner Strickland said that he did not understand why they needed to accommodate anyone at all. It was not the facility to do it at. He said that he was totally against it being used by outside entities.

Commissioner Beck said that the Friends of Wakelon had a special relationship with the Town and the facility was purchased for the purpose of having town offices not rental to the public.

Commissioner Bumgarner said that he thought that too much was being made out of the issue. He thought it would only be a few groups that would really want to use the facility per year and that would not be a problem.

Commissioner Clark said that she did not want anyone to use the inside of the building and then the Friends of Wakelon or the Chamber of Commerce would be ok. No other groups should use the facility. The Community Center was available for rental and should be used for that not the municipal complex.

Commissioner Beck made a motion to go with option two—to allow only the Friends of Wakelon use the facility. The motion died for lack of a second.

Commissioner Strickland made a motion, second by Commissioner Bumgarner to make it necessary for all requests to come before the Board for approval.

Rick Hardin asked that the Board to narrow it down so that staff knew what was to be brought before the Board. Commissioner Beck asked where that would put the Town legally if everything came before the Board.

Eric said that they still needed to come up with a policy and the only way it would be discriminatory was if someone was told no, but if it was in a written policy with guidelines to make the decision then that would reduce the risk. He continued by stating that it would need to be a benefit to the Town, a substantial presence in the community and a limit on the times per year it could be used.

Other governmental groups would be ok and the manager had the right to decide on those.

There was no other discussion and the motion passed with a vote of 3-2, with Commissioners Bumgarner, Strickland and Collins voting in favor and Commissioners Clark and Beck voting against.

*Ordinance 2013-36*

Bobby Fitts presented that the Public Works server was failing and needed to be replaced at a cost of approximately \$4650.

Commissioner Clark made a motion, second by Commissioner Beck to approve ordinance 2013-36. There was no discussion and the motion passed unanimously.

B. Planning

*Transportation Plan*

Mark Hetrick stated that staff thought it would be good to have a committee that would help review and rewrite the current plan. They would review things like a fee in lieu, safety concerns, other areas that the plan deals with, ordinances that may be affected, sidewalk placement and median to name a few. Staff wanted to know if the Board was in favor of having a committee to do that work and who should be on it.

Mark explained that having the committee would be easier than having several special called meetings of the Board of Commissioners and would keep the process moving. It should take approximately three to four months to update before it came back to the Board of Commissioners.

Mayor Matheny said that he thought that a committee would be well worth the effort and that there should be two people from the Board and some staff. The plan should be taken to the people like attending Rotary or Lion's club meetings to let see what the changes that were being proposed. He recommended Commissioner Bumgarner and Commissioner Strickland be on the committee and that he would be an ex-officio member of all committees.

Rick Hardin said that from the staff side Mark Hetrick, Chris Ray and himself should be on that committee as well.

Mark Hetrick asked what the timing needed to be for the meetings and if that the preference was to meet during the day to make it easier for everyone. Rick stated that could be worked out.

Commissioner Beck made a motion, second by Commissioner Collins to create a committee for review of the Transportation Plan that would include Commissioners Bumgarner and Strickland and staff. There was no discussion and the motion passed unanimously.

**MANAGERS REPORT**

Rick Hardin stated that the Mayor and he would be attending the Wake Delegation meeting to discuss the concerns that the Town had which would include the hold harmless money.

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The Mayor and Rick would be attending the Wake County retreat at the airport.

The Board retreat would be Tuesday, February 26 in the training room at the Police Department with breakfast starting at 8am. The reception for Sidney Perry was scheduled for February 27 from 5-7 at the Community Center. Then the reception for Chris Perry was scheduled for March 4 from 5:30-6:30 in the lobby of Town Hall.

Mayor Matheny said that he would like to send a letter to Ramona stating her request would be taken into consideration. The Board agreed.

Commissioner Beck 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