

Zebulon Board of Commissioners
Work Session
Minutes
March 21, 2012

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

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

PRESENTATIONS

A. David Cooke and David King—Wake County Transit Plan

David Cooke presented that Wake County was proposing a large transit plan that included bus, commuter rail and possibly light rail. The discussions were about long term planning for transportation infrastructure. The county population was currently a little over 900,000 and the population was anticipated to grow about 600,000 by 2035. The growth estimates used were very conservative in the plan being presented.

David King presented that the bus plan called for more frequent service in the areas where it is used, expansion into areas that do not have it, feed services to rail stations when they are developed, park and ride lots and some technology to help customers to know where their bus may be. The plan would increase the current bus service by 322,000 bus hours. The majority of those hours would go to Cary and Raleigh and the balance went into the rest of the county.

Ridership on the Zebulon route had grown 53% from February 2011 to February 2012.

The rail part of the plan would have two parts, commuter rail and light rail. Commuter rail would be on existing rail tracks currently used by freight companies. Commuter rail would operate 6:30-9:30am and 3:30-6:30pm and a little bit of midday and weekend service. Capital cost to Wake County would be \$330 million and most of it would be to provide new capacity on the railroad and not interfering with freight ability to do their runs.

Operating cost for commuter rail would be a little under \$11 million per year. If the voters approved the half cent sales tax this year that could be completed and ready for use in about six years. Light rail would be a whole different story requiring its own tracks, was electric, allow for more trips, cheaper to operate and had a high capacity to shape growth and growth would occur around a station.

David Cooke said that they want to under promise and over deliver so that they are definitely confident about the plan. The plan was divided into the core transit plan and the enhanced transit plan. In the core transit plan it could be delivered with the local revenue sources and the existing funding formulas. The enhanced transit plan relied on funding from new federal and state money

to implement. The core plan would consist of bus and commuter rail and the enhanced plan would be light rail and state and federal money equaling 75% would be needed to make that possibility a reality. The first five years of the bus plan would cost \$344 million and would rely on existing funding, commuter rail would be \$650 million and that would be the entire line from Garner to Durham and Wake County's portion would be \$330 million. Finally, light rail would cost \$1.1 billion and that would rely on 75% of the money coming from state and federal government. The half-cent sales tax would have to be approved since it would be the largest revenue stream for the plan.

The approval of an interlocal agreement would come at a later date if the support for the plan was sufficient across the county. The hope would be that the half-cent sales tax referendum would be on the ballot for the November 6th election.

There was discussion about the benefit to Zebulon or lack thereof and that it was difficult to get excited about something that wasn't serving the Zebulon citizens. It was explained that everyone needed to look at the long range picture and benefits versus what they might see in the next five to ten years.

There was discussion about what would trigger various things to happen in the plan. It was stated that when the cost of expanding the highway exceeded the cost of putting rail in place that would be a trigger for commuter rail. With light rail they looked at how to channel growth since growth was attached to light rail stations. They would want to put the stations where infrastructure already existed.

David Cooke stated that the plan that was being presented was not intended to be a solution for congestion or the environment. It was to offer options for the 1.5 million citizens anticipated to be in the area in 2035.

There was discussion about reverse commuters and making sure that was taken into account since Zebulon was a positive employment destination. The Board stated that having additional trips during the day would allow people to use the bus service for mid day ridership.

B. Dr. Michael Sanera—John Locke Foundation

Dr. Sanera stated that they thought that elected officials and the public had not been given adequate information on the transit plans that had been considered over the years. He stated that buses were much more flexible than fixed rail systems to meet the needs. However, on the whole the Wake County Transit Plan was not technically or financially feasible and would be an unreliable basis for making decision on transit investment in the county. Dr. Sanera stated that there would be more than a number of unintended consequences that would be severe.

The bus part of the plan had two major problems with one being it did not serve the transit dependent population and two when doubling the service the ridership would not be doubled. The pollution created by the plan would be a much higher percentage per passenger mile. An analysis of pollution and energy use for the transit systems in the state was provided to the Board.

Costs per trip were looked at and compared to the US average and the total cost for the system presented did not include things that were required. Items not included were funding the current system, cost of spare vehicles, cost for ADA demand responsive services, and permission from the railroads to use their rails. Finally, construction cost overruns were not included either and the cost overruns for the Charlotte were double what was projected for the project.

NEW BUSINESS

A. Finance

Update on Fund Balance Policy

Emily Lucas gave an update on the fund balance and the policy associated with it. The unrestricted fund balance would be a minimum of 50% of the next year's budget. The current unrestricted fund balance was currently at 79% as of June 30, 2011. According to the policy there was an excess of \$325,073 that could be put into a reserve fund if the Board chose to do so. Staff was recommending that \$210,000 be put into a capital reserve fund to be used only for facility capital projects.

There was discussion about whether that money could be moved out of that reserve fund. Emily explained that the Board had the right to move that money and do with it what they choose.

Ordinance 2012-21

Commissioner Beck made a motion, second by Commissioner Strickland to approve ordinance 2012-21. There was no discussion and the motion passed unanimously.

Auditor Contract

Emily Lucas presented that Joyce and Company had been performing the audit for the Town for the last eight years and the current contract was due to be renewed. The proposed contract would be for the next three fiscal years and the not to exceed amounts were at \$26,400 for 2012, \$27,600 for 2013 and \$28,800 for the last year.

Emily stated that the actual amount spent for 2011 was \$24,740. Some of the other Towns with similar sized budgets were looked at and the fees, that the Town was paying, fell right in the middle or were the average cost that others were spending.

Commissioner Clark made a motion, second by Commissioner Strickland to renew the auditors contract with Joyce and Company at the not to exceed prices presented. There was no discussion and the motion passed unanimously.

B. Planning

Bona Fide Farms

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Mark Hetrick presented that according to House Bill 168 there were some changes to what was considered a bona fide farm and how they would be treated for annexation, and ETJ zoning. Mark showed a PowerPoint presentation to explain the changes.

Some of the problems and concerns that were raised by several agencies were that there would be abuse of the law since the definition was so broad of what a bona fide farm, and there was difficulty in determining if the property or a portion of the property were being used for bona fide farming purposes. Next, a county wide data base needed to be created and who would be responsible for housing, tracking and monitoring the sites. How would owners be notified of changes and finally who would deliver services when it came to planning issues.

A memorandum of understanding was being discussed and formulated so that everyone would be implementing the new law uniformly so that there would not be confusion for the property owners.

Mayor Matheny said that the new definition of a farm was so broad that by planting tomatoes in their yard and then selling them at the front of their home and that would make them a farm. A beehive on the property would make it a farm as well.

The Town would not have any control over property that was within the Town's ETJ if it was considered a bona fide farm.

Commissioner Beck stated that the legislature needed to revisit that law and make some necessary changes so that the definition was much clearer. The law was definitely too vague.

Staff was directed to keep the Board informed of what they were doing and the memorandum of understanding.

CDBG Projects

Mark Hetrick stated that every year projects were submitted for CDBG funding. The Town had received funding in previous years for things like sidewalks and the Boys and Girls Club. Staff would like to submit for two projects this coming year. They would be sidewalk, curb and gutter along Shepard School Road and Proctor Street. They would go from the middle school to the Boys and Girls Club and from the elementary school to the Boys and Girls Club.

Along Shepard School Road it would be a raised sidewalk across the bridge and have a railing for protection. It would terminate at the property line of the Boys and Girls Club but it would connect to what they would be installing with their project.

On Proctor Street the sidewalk would begin at the bus entrance and continue east along the south side of the street. It would terminate at Shepard School Road with a crosswalk and then the Boys and Girls Club would make their improvements along Old Bunn Road and Shepard School Road.

The Shepard School Road project was estimated to cost approximately \$207,000 with the CDBG share being 80% and the Town's would be 20 percent or approximately \$41,000. The Proctor Street project was estimated at \$48,000 being the Town's share.

Staff would like to know if the Board would like to proceed forward with the either or both of the projects and what kind of time frame would they like to do if they did want to proceed. The projects could be done in one year or spread over two years.

Staff would like to spread the projects over two years and if the Board wanted to do only one project it was recommended that the Shepard School Road project be done from the middle school to the Boys and Girls Club.

There was extensive discussion about the projects and timing for doing them. The Board was concerned about the cost of the projects and the fact that \$180,000 in capital projects had just been removed from the budget. The fact that some of the project along Proctor Street was also outside of the corporate limits and would benefit those that do not pay taxes to pay for that project.

Mayor Matheny asked if the County would pay for 100% of everything that was outside the corporate limits. Mark Hetrick did not know but said that he would ask the County about it. Rick Hardin asked what the deadline was for getting the application into the County. Mark Hetrick stated that it had to be in by December 14, 2011, however, the Town could submit for a project and then if the funding was not there to do the project then the Town could decline to accept the funding.

The Board also had concerns about elementary school children crossing a busy highway to get to the Boys and Girls Club. The discussion of a stop light or something like that was had and Mark Hetrick explained that staff did have conversations with NCDOT about Safe Routes to School funding to help make improvements to the entire intersection.

The Board stated that if they were to do a project they would prefer to do the Shepard School Road project.

Mayor Matheny said that he thought it would be best to get answers to the questions proposed and then bring it back in December. The Board thought that was best also.

Transportation Plan

Mark Hetrick gave a brief overview of the Transportation Plan stating that it was adopted in 2001 to help promote effective travel and accessibility in the Town. The plan was to be a guide through 2025 to help with the development of projects throughout the Town and helped to advance the Town's goals and objectives. It was also an important part in how the Town would accommodate growth.

No changes had been made to the plan since it's adopting in 2001.

Mark reviewed some of the projects that had come to the Town and what the property owner or developer would be required to do according to the Transportation Plan if they wanted to expand, develop etc.

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One of the cases presented was Five County Mini Storage that wanted to add another storage unit and to do that the plan would require the road to be expanded to 54' in width. The current road was 24' so it would end up with two lanes in each direction and a center turn lane. The applicant would be responsible for half of the expansion or six feet.

Coventry House and Hempstede on W. Gannon Avenue would be required to do the same improvements.

Mark stated that staff would like hire someone to do the work of reviewing the plan and then making recommendations on changes to what would be required of for development. Would the Town require that they do the improvements, would they develop a fee in lieu for the expansion or to just suspend the requirements until changes to the plan can be updated.

Mayor Matheny said that he thought that it would first be looked at in house verses hiring someone else to do it and the Town incur the costs involved. Mark Hetrick said that it could be done in house but by hiring someone else they could look at the actual traffic on the roads, the growth that had occurred, traffic impact that had occurred since the plan was adopted. There were many factors that needed to be addressed. Mark said that they did not want to make arbitrary changes to the plan without looking at it in depth as it might adversely affect something down the road.

Mayor Matheny said that he would like to see numbers on the costs, time factors and the fee lieu. He thought that the fee in lieu was a good idea but that money had to be used for that road not another road.

Rick Hardin said that he thought it would be best if it came back at a future work session or at the retreat. Staff would continue to enforce the plan as it was currently laid out.

Commissioner Beck asked if staff wanted to lessen the requirements, make it easier for development or to just make changes. Mark Hetrick said that staff wanted to know if the Board was interested in making changes to the plan in general or some of the plan was burdensome to development and so on.

Commissioner Beck said that he thought that it would be a good retreat topic.

Commissioner Strickland said that he did not think it was the Boards intention to do the projects in small sections but to do it as one project.

MANAGERS REPORT

Rick Hardin said that Arbor Day celebration would be November 17 at 2:00pm; the Town offices would be closed November 24 and 25 for Thanksgiving; the employee lunch was scheduled for December 1 at 11:45am; the Beautification Committee and the Community Center had several events planned for Friday December 2 and finally the Zebulon Christmas Parade would be December 4 at 2:00pm.

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

Date

Robert S. Matheny—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk