

Zebulon Board of Commissioners
Work Session
Minutes
August 17, 2016

Present: Robert S. Matheny-Mayor, Curtis Strickland, Beverly Clark, Dale Beck, Glenn York, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Chris Ray-Public Works, Mark Hetrick-Planning, Tim Hayworth-Police, Wayne Dupree-Fire, Greg Johnson-Parks & Recreation, Bobby Fitts-Finance, Eric Vernon-Attorney

Absent: Don Bumgarner

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

APPROVAL OF AGENDA

Mayor Matheny stated that he would like to amend the agenda to add an additional item to consult with the attorney which was allowed by 143.318(a(3)).

Commissioner Strickland made a motion, second by Commissioner York to approve the agenda as amended. There was no discussion and the motion passed unanimously.

NEW BUSINESS

A. General

Little River Reservoir Interlocal Agreement Amendment

Joe Moore introduced the topic explaining that the City of Raleigh would like to amend the Interlocal Agreement (ILA) and would be presenting what their desired amendments were and Tim Maloney and Kenny Waldroup were present to present the request and information.

Tim Maloney gave a PowerPoint that explained that the requests being proposed were due to the fact that the ILA was written in such a way that it did not allow for certain types of development in the Little River Reservoir so as to protect the surface water supply. Currently, the ILA did not allow for extension of water and sewer, non-residential development except in designated activity centers and, municipal annexation into the watershed.

Tim Maloney stated that he was of the opinion that it was not the intent when the agreement was written back in 2008 that it would restrict development to the level that it read currently. Therefore, when requests were being made for development in that area they had to be denied because of the strict language in the ILA. The request being made was that there be a change to allow for non-residential development, commercial, that is outside of the activity centers. The request would allow for things like the expansion of existing churches, a county park, telecommunication towers, solar farms or a convenience store that does not sell gasoline.

There have been requests by entities that want to do expansion and all projects were put on hold until a change to the ILA could be done. Tim Maloney stated that there was interest from other partners to the ILA for the change and meetings had been held to discuss the proposed changes.

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He continued by explaining that they would like to hear from the Board and it was tentatively scheduled to go to the Wake County Board of Commissioners at the September 6, 2016 meeting.

Mayor Matheny stated that his issue was with item two dealing with the expansion of municipalities into the watershed in the noncritical areas. He wanted to make sure that there would be a study on that expansion in that area so that there could be utilities and annexation. There was discussion about density, zoning, and the fact that the Little River Reservoir was not going to happen any time soon so being able to expand into that area responsibly was necessary. There was discussion about septic systems instead of sewer systems and Commissioner Beck stated that he totally agreed with the Mayor on expanding into that area but thought that a sewer system was much safer than a septic system.

Commissioner Strickland said he really didn't have an opinion and asked who had invested the money for the purchase of the property in that area. Tim Maloney stated that it was the residents of Wake County. Commissioner Strickland said that he had never heard it was moving forward and the residents were tired of waiting for something to happen.

Mayor Matheny said that the other issue he had was with solar farms and the high density of impervious surface was in the watershed. He continued to explain that it needed to be controlled with a stormwater management plan and best management practices if allowed. There was discussion about why it was added and some concern voiced from the City of Raleigh and Wake County staff and the argument could go either way as far as whether it was pervious or impervious. Maintenance agreements and better conditions could be used if the County were to set those conditions so as to have a standard level of ground cover and it would be inspected every year. Kenny Waldroup shared information about working with a private partner on a solar farm project to do a pilot program for ground cover opportunities for pollinators and they had to meet certain design criteria that were shade tolerant.

Commissioner Strickland asked what happened if they were abandoned and it was explained that there was a decommissioning part of the ordinance and they would have to submit a plan on how they would decommission the site and when it would have to be done.

Kenny Waldroup gave an overview PowerPoint presentation on the Falls Lake Reallocation for water and the permitting of the Little River Reservoir. He explained that it would be best to wait until the water was actually needed to go through all the steps necessary with the Corp of Engineers because it probably would not be needed for another generation. Mayor Matheny asked if there were interbasin transfer rules that could be modified that would allow for drawing from other water resources in Falls Lake. Kenny stated that was very difficult and only three had been approved since the rule went into place in the 1980's, so possible yes, probable no.

Mayor Matheny asked about the status of the ETJ policy amendments and Tim Maloney stated that the criteria was written 15 or more years ago and the laws had changed so it was necessary to revisit the criteria used when considering ETJ expansion and that would begin soon.

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Mayor Matheny thanked Tim Maloney and Kenny Waldroup for their time and updating the Board on the process.

Mayor Matheny stated that the next thing on the agenda was to go into closed session as allowed by 143-318.11(a(6)) and 143-318.11(a(3)).

Commissioner Clark made the motion, second by Commissioner Beck to go into closed session.

NOTE: In closed session Commissioner Strickland made a motion, second by Commissioner Beck to come out of closed session.

Commissioner Beck made motion, second by Commissioner Strickland to award Joe Moore a merit increase of three percent. There was no discussion and the motion passed unanimously

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

Date

Robert S. Matheny—Mayor

SEAL

Lisa M. Markland, CMC—Town Clerk