

Zebulon Board of Commissioners
Work Session
Minutes
November 14, 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, Greg Johnson-Parks and Recreation, Eric Vernon-Attorney

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

APPROVAL OF AGENDA

Mayor Matheny stated that they needed to amend the agenda to add New Business so that resolution 2013-12 could be added.

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

NEW BUSINESS

A. Finance

Resolution 2013-12—Authorizing the execution and delivery of financing agreement

Emily Lucas explained that the LGC had approved the financing agreement between the Town of Zebulon and BB&T for the capital improvement projects at Community Park, Community Center and Public Works. The resolution authorizes staff to execute the necessary documents for financing with BB&T.

Commissioner Beck made a motion, second by Commissioner Strickland to approve resolution 2013-12. There was no discussion and the motion passed unanimously.

OLD BUSINESS

A. Planning

Transportation Plan

Mark Hetrick stated that there was a need to have a discussion about some of the issues and concerns related to the Transportation Plan and its enforcement. Most new developments required bonds for the Town to hold until there were sufficient funds to do the required improvements laid out in the plan. When existing businesses want to expand or there was a change in use for a site that could trigger the requirement for roadway improvements to be made.

There were some roads not covered in the plan like Pippin Road and Old US 264 from 39 to the county line, increase in the ETJ. The need to see how the plan could be updated, use of some of CAMPO's work to keep the Town from doing the work as well and decide if certain things were

needed or desired like the landscaped center turn lane, curb and gutter, sidewalks and so on. Staff needed input on the Boards thoughts and how they would like to see and how to proceed.

Commissioner Strickland said that he would like to see something that would benefit everyone and to do something that was attractive, logical and doable.

Mayor Matheny said that they needed to be reasonable with existing buildings so that they could be put back into use so they were not vacant and deteriorating. Identifying the primary growth corridors and have standards set for them and then where there was high traffic and impact. Utilizing the TIA and DOT would be good to catch those that may not be on the identified growth corridors. Commissioner Beck stated that he agreed with the Mayor and thought that they needed to work toward making it appealing to have businesses come to town and to use existing buildings.

Mark Hetrick stated that there was some flexibility but in other areas where flexibility was needed it was not available. Mainly, looking at the plan they needed to decide if those requirements were what they wanted and if so great, but if not what did they want to change.

There was discussion about what triggered the TIA and the Mayor said that he thought those were sufficiently high and good.

Will Letchworth said that there were two issues and those were plan issues and policy issues. The plan issues were that the plan was 10-11 years old and he thought it would be good to sit down and review the current plan and where the Board saw it going and discussion would take a day or so to talk through.

The second issue was the policy issue and how to implement those desires and how to deal with it. Will stated that the TIA thresholds were good and he said that one thing that could be done was to reserve and dedicate the right of way so it could be used when it was needed. The TIA would dictate the specific improvements that a development would have to construct.

Rick Hardin stated that he would work with Will Letchworth to put together items for a work session agenda. Will said he would work with staff by outlining how he saw the work flowing and time commitments for the Town and his company. He would provide a more detailed scope for Rick.

Facility Use Policy

Rick Hardin presented that last month the Board asked staff to come up with a policy for the use of the municipal complex. Staff met as well to talk about some of the things that needed to be considered if the complex was going to be rented and that needed to be included in the policy. Staff came up with two draft policies and one was keeping the use as it currently was and the second was opening it up to allow for additional entities to rent the facility.

Mayor Matheny stated that the building was an icon in the community and it needed to be made available for people to use with limitations. There should be no commercial use of the facility at

Board of Commissioners

Minutes

November 14, 2012

all, but a local nonprofit wanted to use it he thought that should be allowed. He agreed that the interior of the building was not designed for dinner or dances and it should not be used that way. But if someone wanted to use it they should have to pay for it to cover all the expenses associated with their use and insurance.

Rick Hardin said that staff needed to know if they want to rent the grounds, building or both. The front grounds and closing the gates was an issue and if the gates were to be closed the 911 phone would need to be moved and the cost to do that was approximately \$6300.

Eric Vernon stated that insurance was important and that we may want to have an insurance risk audit of the facility done to get an understanding of how to limit the risk to the Town. Then look at what groups should be allowed to use it and nonprofit is a very broad category and even if limiting it to 501c(3) was quite broad. The number of days a year or a week would also need to be addressed as well as time of day. Security needed to be considered for sure and when it was needed.

Eric explained that the one thing that they could not do was be arbitrary and the Board had every right to say they did not want to rent the facility and just continue to allow it to be used as it currently was being use. Either way the Board was fine as long as it did not become arbitrary when deciding who could and could not use the facility.

Commissioner Beck said that he had not changed his mind and that they should continue to use the policy that was currently being used. The building was built to run the government of the Town of Zebulon. Just like the government buildings in Raleigh they were not available for rental even though they were proud of those facilities. That was how it should be in Zebulon. He thought that the use of Town facility should not be changed and used only as they currently were being used.

Mayor Matheny asked Eric if the current policy was arbitrary since only two groups were allowed to use it. Eric Vernon said that the relationship with those two groups was unique and could be supported and not seen as arbitrary and he did not see a problem.

Commissioner Beck said that there needed to be a policy and the simpler the better and what was currently being done was adequate.

Commissioner Bumgarner stated that he agreed with it being as simple as possible and that no one should use the building. It should be permitted for a nonprofit tied to the Town of Zebulon. He agreed with restricting to the back of the building and nothing on the front lawn and the gates should not be closed. He thought that most important in his mind was that the people of Zebulon paid for the facility and he thought they should not be restricted from using it.

Commissioner Strickland said that he thought the old or current policy should be used. Letting the Friends of Wakelon and the Chamber use it as they have been was as far as he wanted to go. He did not think that letting a nonprofit use it was necessary. No use of the building should be allowed for anyone.

Board of Commissioners
Minutes
November 14, 2012

Commissioner Clark said that keeping it the way it was is what she wanted to do. No use of the building at all.

Commissioner Collins agreed with Commissioner Clark, Strickland and Beck at keeping it the way it was. He was mainly concerned with wear and tear on the building.

Mayor Matheny said that what was needed was the criteria on what was needed for the use of the facility.

Lisa Markland stated that there was a license agreement for use of the building that was done for the Friends of Wakelon. That document could be a starting point to write something that would work for all parties and not be group specific as it was written for the Friends of Wakelon. All the commissioners agreed with that.

MANAGERS REPORT

Rick Hardin stated that town offices would be closed November 22-23, Arbor Day was November 28 at 3:00 and the Zebulon Parade was December 2 at 2:00.

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