

Zebulon Board of Commissioners
Work Session
Minutes
November 16, 2011

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, Dennis Brannan-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.

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 according to the policy. 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. Ordinance 2012-21 would create the reserve fund if adopted by the Board.

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 would be 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 Zebulon was paying, were the average cost that others were spending.

Commissioner Clark made a motion, second by Commissioner Strickland to renew the auditor's 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

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 of a bona fide farm was so broad, and there was difficulty in determining if the property or a portion of the property was 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 in the county 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 park projects and the Boys and Girls Club. Staff would like to submit for two projects in the 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.

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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% 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 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 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 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 a good idea.

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 help 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.

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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.

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. The applicant would be responsible for half of the expansion.

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

Mark stated that staff would like to hire someone to do the work of reviewing the plan and then making recommendations on changes to what should 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 should first be looked at in house verses hiring someone else to do it so as not to 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, and 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 to of the plan that might be 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 the 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

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had several events planned for Friday, December 2 and finally the Zebulon Christmas Parade would be December 4 at 2:00pm.

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