

**Zebulon Board of Commissioners**  
**Minutes**  
**June 5, 2023**

Present: Mayor Glenn York, Quentin Miles, Larry Loucks, Jessica Harrison, Shannon Baxter, Beverly Clark, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Chris Ray-Public Works, Jacqui Boykin-Police, Chris Perry-Fire, Sheila Long-Parks & Recreation, Bobby Fitts-Finance, Michael Clark-Planning, Eric Vernon-Town Attorney, Sam Slater-Town Attorney

Mayor York called the meeting to order at 6:00pm.

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Commissioner Miles.

**APPROVAL OF AGENDA**

Commissioner Baxter made a motion, second by Commissioner Harrison to approve the agenda.

Commissioner Miles asked to remove Resolution 2023-28, Ordinance 2023-46, Resolution 2023-30 and Resolution 2023-31 from consent.

Commissioner Baxter amended her motion to approve the agenda as amended and Commissioner Harrison amended her second to approve the agenda as amended.

There was no further discussion and the motion passed unanimously.

**RECOGNITIONS**

*A. East Wake High School*

Mayor York recognized student Lillie Shelton and teacher Angela Weaver both from East Wake High School.

*B. Spring Event Sponsor(s)*

Sponsors of the Town's spring events were recognized. The bronze sponsors included State Employees Credit Union and East Wake Academy. The gold sponsors were Parrish Realty and WakeMed and the platinum sponsor was Germano Architecture. Michael Germano was recognized for his \$5,000 donation toward the spring event sponsorship.

**PUBLIC COMMENT**

Sophia Williams spoke about Gill Street Park needing bathroom facilities and water fountains.

Ginger Dutmers spoke on behalf of the Zebulon Swim Team. It was explained the swim meets were held at Weaver's Pond pool and lights were needed at the pool. Ms. Dutmers asked about using Town lights for the swim meets each year. The non-profit paid approximately \$500 to rent lights last year.

Lisa Markland read a comment from V.R. Brantley about his concerns regarding traffic on Old Bunn Road.

## **CONSENT**

### *A. Minutes*

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the March 23, 2023 retreat. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the April 20, 2023 work session. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve the minutes of the May 1, 2023 regular meeting. There was no discussion and the motion passed unanimously.

### *B. Finance*

Commissioner Clark made a motion, second by Commissioner Loucks to approve the monthly financial report. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve the Wake County tax report – March 2023. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Loucks to approve Ordinance 2023-45 – Appropriation of Insurance Proceeds. There was no discussion and the motion passed unanimously.

### *C. Police*

Commissioner Clark made a motion, second by Commissioner Loucks to approve Ordinance 2023-47 – Off-Duty Work Reimbursement. There was no discussion and the motion passed unanimously.

### *D. Planning*

Commissioner Clark made a motion, second by Commissioner Loucks to approve Ordinance 2023-29 – Review Officer Appointment. There was no discussion and the motion passed unanimously.

## **PUBLIC HEARING**

Mayor York opened the public hearing.

Joe Moore spoke about the statutory requirements of assembling and adopting a budget, the budget schedule and process and the budget message. The budget was on the Town's website and books were located at the library, Chamber, Community Center, Town Hall, East Wake Academy and East Wake High School for citizens to view.

Mayor York asked if anyone wished to speak in favor. There were none.

Mayor York asked if anyone wished to speak in opposition. There were none.

Mayor York asked if anyone wished to speak in general. There were none.

Mayor York closed the public hearing.

**OLD BUSINESS**

*A. Planning*

i. Woodland Crossing Annexation (Ordinance 2023-42, 0 Parks Village Road)

Michael Clark stated the matter was continued from the May 1, 2023 meeting. The annexation request was for 21.85 acres located at 0 Parks Village Road in the Town's ETJ. The applicant DR Horton intended to build a single-family residential development on the site.

The standards to approve the annexation included:

1. Owner approval
2. Services can be provided
3. Cost/return
4. Public health, safety and welfare

The questions raised at the May meeting were reviewed. One concern raised was the road connection onto Old Bunn Road. Staff contacted NCDOT who reviewed the plans and determined there were no concerns about the location or design of the proposed driveway for the development.

Mike Surasky, with LGB Engineers who is a contractor for the Town of Zebulon, stated he reviewed the location and had no concerns of the driveway as it related to safety.

The applicant's attorney, Ashley Terrazas presented on the case for Davidson Homes. There was discussion about requesting annexation and the development plan. The Board was sent more information about the project and the access road prior to the meeting and that information was reviewed. Ms. Terrazas stated the developer had worked with Town staff since 2021 and discussed the conservation area on the property. The details about the improvements to Parks Village and Old Bunn Road were detailed.

Lucas Helms, a transportation engineer from Ramey Kemp Associates who is the engineer for the developer, spoke about the safety of the access road. Mr. Helms stated the road not only met but exceeded the requirements of NCDOT.

Ms. Terrazas further explained why the Town should accept the annexation and gave a summary of the request.

Michael Clark spoke about how all the standards were met to approve the annexation and staff recommended approval of the annexation. If the annexation was denied by the Board, the applicant could petition to the City of Raleigh to obtain water and sewer connection.

There was discussion about connections to Barrington.

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There was a question about the City of Raleigh approving utility connection if the annexation was denied. Michael Clark stated the City of Raleigh could allow connection, but land would remain in the ETJ and the Town would not receive any tax benefits.

Commissioner Loucks spoke about limiting access points to eliminate accidents and suggested moving the access point to Parks Village Road.

Mr. Lucas explained the development had 45 homes and equated to one car per home during peak hours and would not exceed the requirements on a state-maintained road.

There was a discussion about NCDOT's ability to look at the sites. Michael Clark stated NCDOT was part of the developmental review process, and they review the location of the proposed access drives before the development is constructed.

Commissioner Miles made a motion to deny Ordinance 2023-42. The motion died for lack of a second.

Commissioner Clark made a motion, second by Commissioner Harrison to approve Ordinance 2023-42.

Commissioner Miles spoke about his concerns with the entrance on Old Bunn Road.

Commissioner Harrison stated she agreed with the concerns but could not go against the experts, NCDOT and the engineers' findings.

Commissioner Loucks stated he liked the development and asked why the access point could not be relocated to Parks Village Road. Ms. Terrazas stated that area was the conservation area and Mr. Lucas further spoke about why that area could not be the access point.

Commissioner Baxter stated if the development was annexed the road widening, walking area and buffer would be built by the developer.

There was discussion about safety with the proposed access point.

There was no further discussion and the motion passed 4 to 1 with Commissioners Loucks, Harrison, Clark and Baxter voting in favor and Commissioner Miles voting in opposition.

## **NEW BUSINESS**

### **A. Planning**

#### **i. Zebulon Asphalt Plant Settlement (SUP 2023-01)**

Sam Slater presented the information on the Zebulon Asphalt Plant Settlement.

Commissioner Harrison made a motion, second by Commissioner Clark to approve Zebulon Asphalt Plant Settlement SUP 2023-01.

Commissioner Miles stated the plant could cause potential harm to the environment.

There was no further discussion and the motion passed 4 to 1 with Commissioners Loucks, Harrison, Clark and Baxter voting in favor and Commissioner Miles voting in opposition.

*B. Administration*

*i. Board Appointments*

Lisa Markland stated there were two vacancies on the Planning Board with applications received from David Lowry, Michael Germano and Latoya Carter.

Lisa Markland read comments submitted by Latoya Carter who could not be present to speak.

David Lowry and Michael Germano spoke to their Board about their reasons for wanting to serve on the Planning Board.

Commissioner Clark made a motion, second by Commissioner Harrison to reappoint Michael Germano and David Lowry to the Planning Board.

Commissioner Baxter asked staff to contact East Wake TV to create a promotional video for the appointed boards to be able to get more applications.

Commissioner Harrison asked what happened if the seats were left unfilled. Lisa Markland explained the person could continue to serve their current role until someone was appointed.

There was discussion about advertising vacancies on the appointed boards.

There was no further discussion and the motion failed with a vote 2 to 3 with Commissioners Clark and Harrison voting in favor and Commissioners Baxter, Loucks and Miles voting in opposition.

Commissioner Miles spoke about staff finding a way to get more information out about the vacancies. Commissioner Loucks suggested sending the vacancy information to HOAs. Lisa Markland recommended the Board wait until the August meeting so staff had time to prepare a video to attract more people to apply for a position on an appointed Board.

Commissioner Baxter thanked the applicants for their desire to serve on an appointed board.

Dexter Privette spoke about his reasons for wanting to continue his service on the Parks and Recreation Advisory Board.

Joe Moore stated staff recommended the Board place text amendment 2023-01 on the August Public Hearing.

Commissioners Loucks and Baxter stated they were not agreeable to do away with the Board of Adjustment.

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Commissioner Harrison wanted to wait until after the promotional video was released to see if there was more interest for serving on the Board of Adjustment.

Commissioner Loucks asked for educational background to be added to the applications.

There was consensus among the Board to wait to schedule the public hearing until after the promotional video was completed.

ii. Governing Board Rules of Procedure: Remote Participation

Sam Slater provided a draft about remote participation.

Commissioner Baxter asked for clarification about limit on remote participation and the restriction where only one member could attend a meeting remotely.

Commissioner Miles spoke about the items he would like revised. Those items being giving notice 11 days prior to a meeting, limiting three meeting per year and the time to reconnect if disconnected during a meeting to be longer than two minutes.

Sam Slater spoke about the differences in emergency needs and planned needs for a remote meeting.

Eric Vernon suggested starting conservative and it could be adjusted later if needed.

There was discussion about meeting types, number of remote participation allowed in a calendar year, and emergency vs. planned meetings.

Mayor York stated there would be a five-minute recess.

The meeting was called back into session at 8:14pm.

*C. Budget*

Joe Moore stated the Town satisfied all requirements to adopt the Budget ordinance and gave the options before the Board.

Commissioner Baxter stated she still had questions and would like to take the budget to the June 15 work session. Commissioner Harrison agreed and stated she wanted to meet with Joe Moore. There was consensus among the Board to wait until the June 15, 2023 work session.

Commissioner Baxter made a motion, second by Commissioner Harrison to table Ordinance 2023-48 to the June 15, 2023 work session. There was no discussion and the motion passed unanimously.

Commissioner Baxter asked Chris Ray about the overtime in Public Works. Mr. Ray stated most of the overtime in his department was related to their assistance with Town events as well as the vacancies in the department.

There was discussion about vacancies in the department.

*D. General*

i. Appointment of Tax Collector - Resolution 2023-28

Commissioner Miles asked what the cost would be to have a tax collector in house. Bobby Fitts stated the cost would be approximately \$400,000 to \$500,000 and Wake County did a great job of billing and collecting.

Commissioner Baxter made a motion, second by Commissioner Miles to approve Resolution 2023-28. There was no discussion and the motion passed unanimously.

ii. Budget Amendment Contract Services – Ordinance 2023-46

Commissioner Miles asked about the day-to-day needs of IT and the cost difference between contract and in-house IT.

Lisa Markland spoke about the typical tasks performed by IT and explained the cost difference of having a full-time position versus a contract with Network South having someone in person once per week.

Commissioner Baxter made a motion, second by Commissioner Miles to approve Ordinance 2023-46. There was no discussion and the motion passed unanimously.

iii. Jasper Place Resolution 2023-31

Commissioner Miles asked about the impact adding more roads would have to Public Works' workload. Chris Ray gave details about the work done by his department and the need of a Construction Plan Reviewer to help with the workload.

Commissioner Baxter made a motion, second by Commissioner Loucks to approve Resolution 2023-31. There was no discussion and the motion passed unanimously.

iv. Barrington Phase II A, B, C, F Infrastructure Acceptance - Resolution 2023-31

Commissioner Baxter stated there will be increased needs in departments as the Town grows.

Commissioner Baxter made a motion, second by Commissioner Miles to approve Resolution 2023-31. There was no discussion and the motion passed unanimously.

**PROCLAMATIONS**

Mayor York read the proclamation for Women's Veterans Day.

**BOARD COMMENTS**

Commissioner Baxter recognized female Veterans in her life. Commissioner Baxter also spoke about ways to prepare for storm season, the upcoming spring concert, Juneteenth Celebration on June 17, and the construction on S. Arendell Avenue.

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Commissioner Miles thanked staff for their work on the budget, welcomed the new Public Works employee, and encouraged everyone to look on the Town's website for upcoming events.

Commissioners Clark spoke about the Board's work on the budget.  
Commissioner Harrison spoke about her experience with Angel Prints and recognized them for their work in the community. A review of her experience with a flag football organization was also detailed for the Parks and Recreation department to look into.

Commissioner Loucks stated he received budget comments after the 3:00pm deadline but would read them at the June 15, 2023 work session. Staff were thanked for their work on the budget.

Mayor York thanked staff for all their work on the budget and spoke about attending the East Wake Academy graduation with Commissioners Clark and Harrison.

### **MANAGER'S REPORT**

Michael Clark gave a monthly development update.

Lisa Markland provided a Human Resources update.

Mayor York stated he was appointed to the Board of Directors of the North Carolina League of Municipalities.

Bobby Fitts reported the following budget transfers:

#### **Governing Board:**

Moved \$1,500 from Materials & Supplies to Travel & Training

#### **Finance:**

Moved \$6,000 from Salaries to Retiree Insurance;

Moved \$1,000 from Travel & Training to Contract Services – Wake County Tax Collection

#### **Administration:**

Moved \$2,500 from Retirement to Advertising

#### **Property & Project Management:**

Moved \$3,500 from Salaries to Professional Services;

#### **Operations:**

Moved \$3,000 from Salaries to Fuel;

Moved \$1,500 from Insurance & Bonds to Professional Services

#### **Parks & Recreation:**

Moved \$3,300 from Community Center Programs - \$2,500 to Summer Camps;

Moved \$350 from Computers - \$150 to Cemetery Landscape;

Moved \$1,500 from Equipment Maintenance to Grounds Maintenance;




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Moved \$500 from Team Uniforms to Athletics

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

Adopted this the 7<sup>th</sup> day of August 2023.



  
Glenn L. York—Mayor

  
Lisa M. Markland, CMC—Town Clerk