

**Zebulon Board of Commissioners**  
**Minutes**  
**November 2, 2020**

Present: Robert S. Matheny, Beverly Clark, Annie Moore, Larry Loucks, Shannon Baxter, Glenn York, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Stacie Paratore-Deputy Town Clerk, Chris Ray-Public Works, Bob Grossman-Police, Chris Perry-Fire, Sheila Long-Parks & Recreation, Bobby Fitts-Finance, Michael Clark-Planning, Eric Vernon-Town Attorney

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

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Commissioner Baxter.

**APPROVAL OF AGENDA**

Commissioner Baxter asked to move Ordinance 2021-43 – Police Breakroom Renovation from the Consent Agenda to Old Business. Mayor Matheny asked to add East Wake Education Foundation Golf Ball Drop under New Business and to add a closed session for the purpose of personnel discussions.

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

**SCHOOL RECOGNITION**

Mayor Matheny recognized student Brad Orme and teacher Camesha Minto, both from Zebulon Elementary School.

**PUBLIC COMMENT PERIOD**

No one signed up to speak.

**CONSENT**

*A. Minutes*

Commissioner Loucks made a motion, second by Commissioner Baxter to approve the minutes of the October 5, 2020 meeting. There was no discussion and the motion passed unanimously.

Commissioner Loucks made a motion, second by Commissioner Baxter to approve the minutes of the October 12, 2020 Joint Public Hearing. There was no discussion and the motion passed unanimously

*B. Finance*

Commissioner Loucks made a motion, second by Commissioner Baxter to approve the tax report – August 2020. There was no discussion and the motion passed unanimously.

Commissioner Loucks made a motion, second by Commissioner Baxter to approve the financial report as of October 19, 2020. There was no discussion and the motion passed unanimously.

Commissioner Loucks made a motion, second by Commissioner Baxter to approve Ordinance 2021-40 – Fire Ladder Truck Debt Service Adjustment. There was no discussion and the motion passed unanimously.

Commissioner Loucks made a motion, second by Commissioner Baxter to approve Ordinance 2021-42 – Use of Forfeiture Funds for Public Informant Fees. There was no discussion and the motion passed unanimously.

Commissioner Loucks made a motion, second by Commissioner Baxter to approve the quarterly reports for Planning, Public Works, and Fire. There was no discussion and the motion passed unanimously.

## **OLD BUSINESS**

### *A. Planning*

1. Economic and Community Development – Business Retention and Expansion Agreement

Michael Clark explained there was a minor modification to the Business Retention and Expansion Agreement.

Commissioner Loucks requested the quarterly reports also be in writing be added to the agreement.

Commissioner Baxter made a motion, second by Commissioner Clark to approve the Business Retention and Expansion Agreement. There was no discussion and the motion passed unanimously.

2. Text Amendments

- a. Mass Grading in Conservation Subdivisions – Ordinance 2021-44

Michael Clark explained staff was proposing a text amendment to Section 6.2 of the UDO to regulate grading within conservation subdivisions. The modification restricted the time and method of grading and would preserve the natural vegetation and topography of the area. The Planning Board unanimously recommended approval at the October 26, 2020 Planning Board meeting.

Commissioner Clark made a motion, second by Commissioner Baxter to approve Ordinance 2021-44. There was no discussion and the motion passed unanimously.

- b. Sidewalks in Conservation Subdivisions – Ordinance 2021-45

Michael Clark explained staff proposed a text amendment to Section 6.8.1 of the UDO to require sidewalks on at least one side of local streets within a conservation subdivision. Sidewalks would need to be constructed on both sides of collector and arterial roads in all subdivisions. The sidewalks would be placed in the public right-of-way. The Planning Board unanimously recommended approval at the October 26, 2020 Planning Board meeting.

Commissioner Baxter made a motion, second by Commissioner York to approve Ordinance 2021-45. There was no discussion and the motion passed unanimously.

*B. General*

1. Ordinance 2021-43 – Police Breakroom Renovation

Commissioner Baxter inquired about the costs and bid process of the Police Breakroom renovation.

Chris Ray explained the process and that they ran into unexpected design issues and the bids were higher than projected.

There was discussion about contingencies for projects and their use.

Commissioner Baxter made a motion to not approve Ordinance 2021-43. Motion died for lack of a second.

Commissioner Clark made a motion, second by Commissioner Moore to approve Ordinance 2021-43.

Commissioner Loucks inquired about the range of bids. Chris Ray stated the low bid and the highest bid and explained that it depended on multiple factors such as the market and how much work the company had at that time.

Commissioner Baxter felt it was fiscally irresponsible to spend above the budget in the current environment.

The motion passed with a vote 4 to 1 with Commissioners Clark, Moore, Loucks, and York voting in favor, and Commissioner Baxter voting in opposition.

**NEW BUSINESS**

*A. Planning*

1. Barrington Consent Agreement

Michael Clark explained the consent agreement allowed lots 117-121 in the Barrington subdivision to remain in their proposed location and require a 15-foot landscape easement to be located on the private lots along the Old Bunn Road frontage. The easement would be maintained by the HOA in an effort to achieve the same screening intent.

There was discussion about the landscape easement. The 15-foot landscape easement would be part of the plat so it was clear that it had to be maintained and not developed.

Commissioner Clark made a motion, second by Commissioner Moore to approve the Barrington Consent Agreement. There was no discussion and the motion passed unanimously.

*B. Administration*

1. Board Appointments

Stacie Paratore explained four people had submitted applications for the one in-Town vacancy on the Planning Board. A statement from Gilbert Todd, Jr. was read. Damon Damphie and David Lowry spoke about why they wanted to serve on the Planning Board. Dale Beck was not present to speak.

Commissioner Loucks made a motion, second by Commissioner Baxter to appoint David Lowry to the Planning Board as an in-town members, with a term expiring on June 30, 2023. There was no discussion and the motion passed unanimously.

*C. General*

1. East Wake Education Foundation Golf Ball Drop

Mayor Matheny stated East Wake Education Foundation wanted to use the Town Hall front lawn to hold their annual golf ball drop fundraiser. Mayor Matheny asked the Board if they would allow with East Wake Education Foundation to use the Town Hall front lawn and Public Works' staff and equipment to perform the golf ball drop.

Commissioner Baxter inquired about the associated costs. Joe Moore explained the event lined up when a shift was ending, and the cost would be very minimal.

Commissioner Loucks made a motion, second by Commissioner York to approve the Town's participation in the East Wake Education Foundation Annual Golf Ball Drop. There was no discussion and the motion passed unanimously.

**BOARD COMMENTS**

Commissioner Loucks shared news from his Triangle J meeting about new businesses in RTP, more people are working from home and Zebulon may have RTP employees in the future, and the box yard will open later this year.

Commissioner Baxter thanked citizen Robert Thompson who assisted with a vehicle incident in Zebulon.

Commissioner York recognized Public Works' employee, Todd Roberts, for his 20 years with the Town and encouraged people to vote tomorrow.

**MANAGER'S REPORT**

Joe Moore stated the Town hired a new Police Chief, Jacqui Boykin. Chief Boykin would be sworn in on November 16, 2020 and would have a public swearing in at the December 7, 2020 Board of Commissioners meeting.

Mayor Matheny stated they needed a motion to go into closed session as permitted by NCGS 143-318.11(a)(6) for the purpose of personnel discussions.

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Commissioner Loucks made a motion, second by Commissioner York to go into closed session. There was no discussion and the motion passed unanimously.

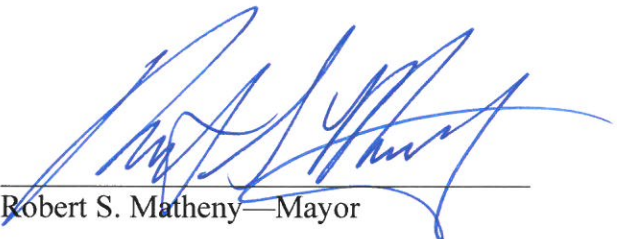
Note: In closed session Commissioner Loucks made a motion, second by Commissioner York to come out of closed session. There was no discussion and the motion passed unanimously.

Commissioner York made a motion, second by Commissioner Clark to have closed session personnel minutes for November 2, 2020 archived with Wyrick Robbins Yates & Ponton LLP. There was no discussion and the motion passed unanimously.

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

Adopted this the 7<sup>th</sup> day of December 2020.



  
Robert S. Matheny—Mayor

  
Lisa M. Markland, CMC—Town Clerk