

# ZCAP Meeting

## May 27, 2025

### **QUESTION SET 1 - Unanswered questions submitted prior to the Feb 27 Talk with the Town:**

- 1. Can the Town amend their Charter to add one more Commissioner, to better align with Zebulon's significantly increasing population?**

Yes. By local act and in coordination with the Wake County Board of Elections to make them aware of the addition of a position.

The majority of city and county boards have five members and a chair/mayor.

Apex – 6 total

Cary – 7 total

Fuquay Varina – 6 total

Garner – 6 total

Holly Springs – 6 total

Knightdale – 6 total

Morrisville – 7 total

Raleigh – 8 total

Rolesville – 6 total

Wake Forest – 6 total

Wendell – 6 total

Zebulon – 6 total

Wake County – 7 total

- 2. Can the Town use funding from the open Town Clerk position to hire a temporary contractor to assist with the backlog of unpublished Open and Closed Session minutes, many of which have not been updated to the Town's website since June 2024?**

Yes. Ms. Markland, former HR Director is the Interim Town Clerk. This priority has been assigned to her. We anticipate the completion of this assignment by the end of June 2025.

- 3. Can the Town amend their Charter to include provisions for impeachment of elected officials?**

No. Only the North Carolina General Assembly has the authority to do so.

- 4. Can the Town amend their Charter to include provisions for citizens to proceed with recall vote(s) of elected officials?**

No. Only the North Carolina General Assembly has the authority to do so.

- 5. Can the Town amend their Charter to provide a process that allows citizens to give a “vote of no confidence”?**

No. Only the North Carolina General Assembly has the authority to do so.

- 6. Can the Town read into the record at each monthly Board of Commissioners meeting the Ethics Policy and Conflict of Interest policies that are in place?**

Yes. The Board has the authority to set its agenda. If a majority of the Board wants to read the Ethics Policy and Conflict of Interest policies into the record at every meeting, they may elect to do so.

- 7. Upon completing training or conference attendance that the budget has paid for, can all elected official attendees be asked to report out what they learned and explain how it helps them as elected officials?**

The Board has the authority to set its agenda. If a majority of the Board wants to receive and hear a report on conferences attended by Commissioners, they may elect to do so.

- 8. Can you amend agendas including Work Sessions to include Public Comment, so as to avoid those situations when a Commissioner shows up and adds a new topic to the agenda such as “community garden”, but without any other awareness and without the ability for the community to comment publicly about that topic?**

The Board has the authority to set its agenda. If a majority of the Board wants to include public comment in the Work Sessions, they may choose to do so. However, Board Work Sessions are typically for board engagement on matters that are time-constrained by regular board meetings.

**QUESTION SET 2 - Unanswered questions from the  
Feb 27 Talk with the Town:**

**47. Can you provide an update/overview of the Deacon Development lawsuit with the Town? Can you speak to the potential monetary impact to the Town?**

This response also answers questions 48 and 49. We are not able to discuss pending litigations. There will be an opportunity to talk about it once it is over, but it's not something we're allowed to comment on while it is ongoing.

Having said this, the insurance company (through the League of Municipalities) has agreed to cover the defense costs but reserved rights as to coverage of any ultimate liability.

**48. Who is funding the lawsuit involving the town and Deacon Developers?**

**49. If the court ends up entering a judgement against the town for the Deacon Development lawsuit, then how would the town pay for it and any additional damages that could continue to grow until the lawsuit is over?**

**50. What is going on with the firing and demoting of Public Works town staff?**

This is a confidential personnel matters protected by NC General Statute.

**51. Has the town heard or seen interest from another professional baseball team in playing at Five County Stadium?**

Negotiations are underway with a potential tenant.

**52. What are the development plans for Whitley Galleries?**

A new business has purchased the building. They are making renovations necessary to obtain a Certificate of Occupancy for retail use. 101 W Vance was purchased by a furniture store out of Goldsboro. Jernigan furniture has been family-owned for more than three generations. Now that the newly installed sewer line has been accepted by the City of Raleigh, the remaining Whitley buildings located along W Vance will be permitted to tie into sewer, allowing for rehabilitation of the buildings.

**53. Most residents on East Barbee Street are retired or disabled and on fixed incomes. Is there a plan to offset the increase of property tax due to the development for the residents on East Barbee Street?**

Tax incentives (or relief) for those on fixed income are do-able and could be explored in future budgets. With regards to Barbee Street, our Economic Development Department is working with Wake County to promote their Home Rehabilitation program. This initiative, which repairs essential elements of the homes of lower income and elderly residents, is a testament to our commitment to all members of our town.

**54. Why does it seem that items placed on the meeting agenda are always being moved and not discussed until a work session where public comment can be made? Are you moving these items to work session or closed session? It is difficult to follow whether the discussion takes place in an open forum.**

Work Sessions are the platforms for Commissioners to fully discuss items that do not necessarily need Board action. If there is not sufficient time on the Board's regular meeting agenda to engage on a topic needing additional discussion with no action, it is moved to a work session. Closed sessions are to discuss items pertaining to personnel matters, economic development matters and other topics allowed by North Carolina General Statute.

**55. What are suggestions from the Board about how the community can contribute to the town's goals?**

The 2030 Strategic Plan (adopted in 2017-2018) captures past and current Board members priorities for the Town:

- Vibrant Downtown
- Growing Smart
- Small-Town Life

The Board's annual budget is the adopted policy document that maps how these goals can be realized. The budget process includes staff requests, Board input which is based on conversations with constituents, and community feedback. The public hearing process is another avenue for the Board to receive ideas from the community about the annual budget. The FY26 budget proposes an update to the 2030 Strategic Plan. In addition to the budget, there are also other adopted plans (2021) that serve as policy documents for implementing the Board's priorities. These are:

- Grow Zebulon Comprehensive Land Use Plan
- Grow Zebulon Transportation Plan
- Zebulon Parks and Recreation Master Plan
- Walk Zebulon
- Economic Development Strategic Plan

These plans, and others, are subject to periodic implementations to capture evolving Board priorities, trends and community input.

**56. Is there a board-appointed "Innovative Committee" and if so, how can we share our ideas?**

There is no Innovative Committee. The Board does not have committees but may make the decision to do so by a majority of the members. Ideas can be emailed to the Manager's office or Department Directors. Since all ideas cannot be funded, aligning with Town goals and funding priorities should be prioritized.

**57. (Submitted by Mirella J.) How does the Board think you can make Zebulon a cutting-edge, forward-thinking town without losing its country feel?**

The 2030 Strategic Plan states that the Town "will preserve and enhance our small-town feel by developing more activities and locations to gather with family and neighbors, making Zebulon a safe, connected, family friendly and walkable town" and "we will plan for the growth with appropriate staffing and service levels to address land use and traffic concerns; promote economic development and preserve the affordability of our community."

The Board and staff recognize the need to accommodate new developments while appreciating the unique identity of our Town as a small but growing community. This is a challenge for every growing community. We are aware of this and will continue to accommodate trends that move us forward while respecting our identity.

**58. The Town of Zebulon's staff has had a lot of turnovers. What role does the Board of Commissioners play in hiring?**

The Board is only responsible for hiring the Manager, Clerk and Attorney. They play no role in hiring staff besides those positions. We acknowledge there are vacancies in the organization. We recently experienced a wave of transitions, with several employees choosing to retire and others resigning for various personal reasons. Each decision was made individually, and out of respect for personnel privacy laws, we are unable to share specific details. While the timing of these departures is unfortunate, we view this moment as an opportunity to reset, strengthen our organization, and move forward with fresh energy and focus. We are working steadfastly to fill these vacancies. Some of these vacancies are being filled and will continue to be filled in the month of June. Our ultimate vision is to continue to make the Town an employer of choice.

**59. Why can't Mayor York be more involved (like Apex's Mayor) and encourage the growth of our town?**

This question is best directed to Mayor York at [GYork@townofzebulon.org](mailto:GYork@townofzebulon.org).

**60. Why did the Board select an employee with no previous manager experience or educational background as a town manager?**

This is a confidential personnel matter protected by personnel privacy laws.

**Repeated Questions (These are answered in Questions 1-8).**

- 61. Can the Town amend their Charter to add one more Commissioner, to better align with Zebulon's significantly increasing population?*
- 62. Can the Town use funding from the open Town Clerk position to hire a temporary contractor to assist with the backlog of unpublished Open and Closed Session minutes, many of which have not been updated to the Town's website since June 2024?*
- 63. Can the Town amend their Charter to include provisions for impeachment of elected officials?*
- 64. Can the Town amend their Charter to include provisions for citizens to proceed with recall vote(s) of elected officials?*
- 65. Can the Town amend their Charter to provide a process that allows citizens to give a "vote of no confidence"?*
- 66. Can the Town read into the record at each monthly Board of Commissioners meeting the Ethics Policy and Conflict of Interest policies that are in place?*
- 67. Upon completing training or conference attendance that the budget has paid for, can all elected official attendees be asked to report out what they learned and explain how it helps them as elected officials?*
- 68. Can you amend agendas including Work Sessions to include Public Comment, to avoid those situations when a commissioner shows up and adds a new topic to the agenda such as "community garden", but without any other awareness and without the ability for the community to comment publicly about that topic?*

**QUESTION SET 3 - New questions**

- 1. When you served Zebulon previously, you suggested that the Commissioners have a team-building session to get to know one another better. Has this happened? What are the results? If not, will this happen?**

This was a suggestion by one of the Commissioners. This has not happened, but we have a budget retreat on June 7 and subsequent retreats in the future. These will provide platforms for Commissioners to engage and dialogue with one another.

- 2. For the last budget, you (and Manager Moore) both advocated that the tax rate should not be raised. This advice was ignored. How will you manage the budget process to reduce Zebulon's property tax rate?**

The Manager's primary responsibility is to recommend balanced budgets to the Board on an annual basis. The Board's primary responsibility is to adopt a balanced budget by State statute. Budgets go through several iterations and what is ultimately adopted targets priorities based on revenues generated by property tax rate, sales tax and other avenues.

- 3. When the town has updates to give, and since providing updates is one-way communication, could the Town simply publish a short video of those updates, thereby saving time at TOWN HALL meetings for more questions to be answered and dialog to occur?**

That's a good idea. Once we have a Communications Manager in place, we can employ short videos as a way of engaging our residents on key items such as budget, road constructions, etc.

- 4. Many residents are having trouble getting access to staff to hold meetings and ask questions face to face. Could department heads openly hold weekly office hours and publish them for transparency, so that citizens can get reasonable access to them?**

Typically, residents can visit the Town Hall or call us during business hours, 8am-5pm or email/leave phone messages after those hours. Sometimes staff persons are on site visits between these hours and scheduled appointments may be the best way to arrange meetings.

However, we need more information to fully understand if the lack of timely and prompt responses is the issue, or lack of responses due to current vacancies or if the issue is with specific employee. This will assist the Manager in clearly understanding how to practically address the issues.

- 5. The previous Town Manager said: "I encourage anyone who has reached out to staff and has not heard back within a few (3 business days) to reach out to me". When this process is followed and there are still no replies / citizens do not hear back, then who should they go to?**

We anticipate that over the next several months, an Assistant to the Manager will be hired who will be able to expedite how some of these responses are addressed.

- 6. When residents request a meeting with an elected official several times, and are seemingly ignored, who should they go to?**

This question is best directed to individual Commissioners with a copy of the communication to the mayor.

**7. As an example, when an elected official says things like: “The former town manager made some spurious statements on his way out indicating the board asked him to operate outside of his contract which is absolutely untrue.” Then, is that the position of the Town? The Mayor? All Commissioners?**

As stated clearly during the town hall meeting of April 28, the former Town Manager was asked to suspend (with pay), not fire the Assistant Town Manager due to some concerns which cannot be shared because of personnel privacy laws. Per North Carolina General Statute, Zebulon’s Town Managers serves at the pleasure of the Board of Commissioners. They are thus accountable to the Board and have disciplinary and firing authority. In this instance, the Board is within their rights to raise personnel concerns and expects that the Manager will have a plan of action to address those personnel concerns. While the former Manager has since made claims regarding being asked to perform unethical duties, we want to be clear: Mr. Todd was not asked to do anything outside the bounds of his professional responsibilities. He was not directed to fire the Assistant Town Manager. This is the position of the Board.