

**ZEBULON
BOARD OF COMMISSIONERS
AGENDA
April 2, 2018
7:00pm**

I. PLEDGE OF ALLEGIANCE

II. APPROVAL OF AGENDA

III. PUBLIC COMMENT PERIOD

All wishing to speak must sign up prior to 6:50pm. The comment period will be no longer than 15 minutes with speakers having three minutes each to speak. No speaker can speak on a public hearing item or any item that would need to be discussed under closed session. Speakers cannot give their minutes to another speaker.

IV. CONSENT

A. Minutes

1. March 5, 2018—Regular Meeting

B. Finance

1. Monthly Items
 - a. Tax Report—January 2018
 - b. Financial Report as of March 2018

C. Planning

Annexation Request – 2340 Zebulon Road

- a. Resolution 2018-12—Directing Clerk to Investigate Sufficiency

Action Requested: Adoption of All Consent Agenda Items

V. NEW BUSINESS

A. Public Works

1. Weaver's Pond—Acceptance of Final Overlay Phase 2D
 - a. Resolution 2018-13

Action Requested: Vote on Resolution

2. Beaverdam Creek Greenway – Phase I
 - a. Ordinance 2018-24
 - b. Ordinance 2018-25

Action Requested: Vote on Ordinances

VI. BOARD COMMENTS

VII. MANAGER'S REPORT

Zebulon Board of Commissioners
Minutes
March 5, 2018

Present: Robert S. Matheny-Mayor, Curtis Strickland, Beverly Clark, Dale Beck, Don Bumgarner, Annie Moore, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Greg Johnson-Parks & Recreation, Bobby Fitts-Finance, Mark Hetrick-Planning, Chris Ray-Public Works, Chris Perry-Fire, Tim Hayworth-Police, Eric Vernon-Attorney

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

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Morgan Bulgin from Wakelon Elementary School.

AGENDA

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

SCHOOL RECOGNITION

Mayor Matheny recognized student Morgan Bulgin and teacher Amanda Maddox both from Wakelon Elementary School.

PUBLIC COMMENT PERIOD

Mayor Matheny reminded those speaking that they would have three minutes to speak and the lit timer would show them time was up.

Shannon Baxter stated that she was in favor of using FEMA funds for rebuilding the dam at Little River Park.

Denise Nowell with the Zebulon Chamber of Commerce thanked the Board for being at the annual meeting/banquet and including them in the annual Board retreat. Denise shared information on economic development.

Scott Carpenter stated that he was in favor of rebuilding the dam at Little River Park.

John Middleswarth thanked the Board for working together for the betterment of Zebulon. He stated he was upset about issues with the dam and was not in favor of rebuilding the dam at Little River Park.

PRESENTATIONS

Greg Johnson introduced Vickie Curtis and her work with the Zebulon Youth Council.

Vickie Curtis gave an update on the progress with the youth council and stated that the group was growing and doing a lot to serve in the community. They will be conducting a camp called Camp Smiles for children 4-7 in June at no cost to the children.

CONSENT

A. Minutes

Commissioner Clark made a motion, second by Commissioner Moore to approve the minutes of February 5, 2018. There was no discussion and the motion passed unanimously.

Commissioner Clark made a motion, second by Commissioner Moore to approve the minutes of the February 22 & 23, 2018 Board Retreat. There was no discussion and the motion passed unanimously.

B. Finance

Commissioner Clark made a motion, second by Commissioner Moore to approve the tax report for December 2017. There was no discussion and the motion passed unanimously.

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

C. General

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

NON-PROFIT FUNDING

Mayor Matheny stated that there was an opportunity to allow for groups requesting funding in the FY 2018-2019 budget to present their requests.

Shannon White with the East Wake Education Foundation presented that they were a pre-k program located in Wendell servicing children in eastern Wake County. The services were for children birth to five years of age free of charge.

Allison Strickland with Interact located in Wake County was the only agency that provided comprehensive services for victims of domestic violence and sexual assault. They provided services to at least 238 people from Zebulon in the last year. They had a 24 hour crisis line, an emergency shelter for women and children, and a success rate of approximately 90% for those that complete the shelter program not returning to a violent home.

Mary Beth Carpenter was with Preservation Zebulon which was a group that promoted preservation of historic buildings, landscapes and districts. They were currently working on the Zebulon Memory Project and would be conducting downtown tours soon. Funding would be used to establish an historic district and would pay for the National Registry application costs.

Laura Johnson was with the Martin Luther King breakfast committee that had been in place for the last 12 years and was asking for funds to continue to hold the event, which was free of charge to all in attendance.

Ayana Joseph with North Carolina Family Training and Counseling Center was requesting funding to continue the Camp I Can summer camp that was academically based and served children ages 5-12.

Susan Pearce represented Zebulon Downtown Arts Council (zdac) that wanted to bring arts to the Town with murals, festivals, an art center with classes and music. The group was requesting that funding to move forward with developing that vision in downtown Zebulon.

OLD BUSINESS

A. Public Works

North Arendell Avenue Access Project

Chris Ray gave an update on the N. Arendell access project and was prepared to share the responses from CAMPO and NCDOT.

1. The elimination of the five foot median did not meet the safety goals of the grant and could not be eliminated from the project.
2. Removal of the sidewalks and curb and gutter at the Sheetz intersection along Pearces Road was a possibility. The potential savings would be approximately \$50,000 after losing the 50% match from CAMPO.
3. Shortening the scope of work north of Pearces Road on Arendell Avenue. The Town had to prove it would not cause a drop in service level for the intersection. The consultants analyzed the information and stated that it would not cause a drop in service and the taper could be shortened by approximately 100'. Savings would be in pavement at \$17,500 after the loss of the 50% CAMPO match.
4. The request to receive funding from CAMPO greater than 50% was made and the Town was told that it was highly unlikely due to setting precedence for future requests.

There was some savings but none of it was significant.

Mayor Matheny asked about the modification of the median. Chris Ray explained that DOT stated that the Town was required to comply with DOT standards.

Commissioner Strickland asked about Jones St. being completed. Chris Ray stated that in the budget amendment there were funds to complete the design of Jones St.

There was discussion about environmental survey at Eddins. Chris said that the phase I environmental had already been done but the federal government required a phase II environmental and a statement from experts that endangered species would not be harmed in the project.

Board of Commissioners
Minutes
March 5, 2018

Commissioner Bumgarner asked if scaling back on the project would still accomplish most goals the Board set out to do. Chris Ray said it would.

Commissioner Bumgarner made a motion, second by Commissioner Beck to approve Ordinance 2018-22 to proceed with the project. There was no discussion and the motion passed unanimously.

NEW BUSINESS

A. Budget Comments

There was no one present that wished to speak on the budget.

B. Police

Ordinance 2018-23

Chief Tim Hayworth presented that they were requesting funding to replace the police vehicle that was wrecked back in February. The insurance company would not pay for it up front but would reimburse the Town for the equipment that was totaled in the accident.

There was discussion on why the insurance company would not pay for it up front.

Commissioner Beck made a motion, second by Commissioner Clark to approve Ordinance 2018-23. There was no discussion and the motion passed unanimously.

BOARD COMMENTS

Commissioner Moore thanked those that came out.

MANAGERS REPORT

Joe Moore stated that Friday was movie night.

Pictures with the Easter Bunny would be on March 23rd and the Easter Egg Hunt would be March 24th. There would not be a joint public hearing or worksession in March. Town Offices would be closed Friday, March 30, for the holiday.

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

Date

SEAL

Robert S. Matheny—Mayor

Lisa M. Markland, CMC—Town Clerk



Board of Commissioners
P.O. Box 550 • Raleigh, NC 27602

TEL 919 856 6160
FAX 919 856 5699

JESSICA N. HOLMES, CHAIR
SIG HUTCHINSON, VICE-CHAIR
JOHN D. BURNS
MATT CALABRIA
GREG FORD
IRV PORTMAN
JAMES WEST

March 20, 2018

Ms. Lisa Markland
Town Clerk
Town of Zebulon
1003 North Arendell Avenue
Zebulon, North Carolina 27597

Dear Ms. Markland:

The Wake County Board of Commissioners, in regular session on March 19, 2018, approved and accepted the enclosed tax report for the Town of Zebulon.

The attached adopted actions are submitted for your review; no local board action is required.

Sincerely,

Denise Hogan
Clerk to the Board
Wake County Board of Commissioners

Enclosure(s)



Wake County Revenue Department

Rebate Details

01/01/2018 - 01/31/2018

ZEBULON

PAGE

1

TIME

11:06:40 AM

DATE

02/01/2018

REBATE NUMBER	PROPERTY TAG	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	BILLING YEAR	OWNER
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BUSINESS ACCOUNTS

691361	162.29	0.00	16.23	0.00	178.52	01/11/2018	0006793127	2017	2017 000000	DR HORTON INC
690831	0.00	0.00	1.34	0.00	1.34	01/04/2018	0006538809	2017	2017 007200	PRIMO WATER CORPORATION


SUBTOTALS FOR BUSINESS ACCOUNTS: 162.29 0.00 17.57 0.00 179.86 2 Properties Rebated

TOTAL REBATED FOR ZEBULON: 162.29 0.00 17.57 0.00 179.86 2 Properties Rebated for City



STAFF REPORT
FINANCIAL STATEMENTS UPDATE
APRIL 2, 2018

Topic: FY 2018 Monthly Financial Statement Update

From: Bobby Fitts, Finance Director
Prepared by: Bobby Fitts, Finance Director
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The attached financials are for Board of Commissioners review only. See discussion below for details on statements.

Background:

The attached financials are a summary of revenues and expenditures to date. These are provided to keep the Board informed, on a monthly basis, of how revenues and expenditures are trending throughout the year.

Information:

These financial statements are through March 19, 2018. We have received six months of sales tax and two of the quarterly distributions of utilities sales in FY 2018. As usual, the majority of property taxes were received in late December and early January. See notes below for analysis on those and other revenues.

For FY 2018, approximately 8 ½ months in to the new year, the Town has spent about 57% (approximately \$6,476,000) of its General Fund budget of \$11,259,972. Almost all operating lines are trending to be at or under budget. The only exception continues to be with Fire-Vehicle Maintenance which has seen an extraordinary amount of unexpected repairs that have caused it to run over budget currently. Some discussion on some revenue activity such as zoning fees and property taxes are below. The revenue and expenditure statements are included for your review.

A few highlights to date include:

Sales Tax

- Sales taxes collected in December 2017 were received and were 2.7% (\$2,694) more than the distribution received for the same period in FY 2017.
- For the first six months of FY 2018 they are 5.3% (\$26,402) ahead of FY 2017.
- Article 39 receipts, proceeds returned to the county of origin, were 2.6% (\$1,216) more in December than the distribution received for the same period in FY 2017.
- Article 39 totals are ahead of last year's year-to-date total for the first six months by 4.8% (\$11,210). (Ref. attached Sales Tax Collections spreadsheet).



STAFF REPORT
FINANCIAL STATEMENTS UPDATE
APRIL 2, 2018

Utilities Sales Tax (Sales tax on natural gas, electricity, telecommunication services and video programming)

- The second distribution for FY 2018 was received March 15 for the quarter ending December 31, 2017.
- Utilities Sales tax received for the quarter was 0.41% (\$662) more, as a whole, than the distribution received for the same quarter in FY 2017.
 - The natural gas component of the above was up 29.6% (\$242) from the same quarter in FY 2017.
 - Electricity was up 1.41% (\$1,619) from the same quarter in FY 2017.
 - Telecommunications was down 7.4% (\$992) from the same quarter in FY 2017.
- Video programming sales tax received for the quarter was 4.6% (\$334) less than the distribution received for the same quarter in FY 2017.

Property Tax

- Property taxes collected so far in FY 2018 are approximately \$6,068,000. This is 103% of budgeted revenues (\$5,838,800).
- This is 15.2% more than what was collected to date in FY 2017 (\$5,215,000).

Permits & Zoning

- Permit and zoning fees collected to date in FY 2018 are \$115,046.
- This is 135% of budgeted revenues (\$85,000) for the year.
- It is about 216% more than what was collected to date in FY 2017 (\$36,391).

Transportation Impact Fees

- Transportation Impact fees collected to date for FY 2018 are \$60,200.
- This is 241% of budgeted revenues (\$25,000) for the year.
- It is 279% more than what was collected to date in FY 2017 (\$15,857).
- The unaudited balance to date of Transportation Impact fees is \$60,200.
- This revenue is placed into a reserve for current and future transportation projects to be spent within 10 years.

Policy Analysis: The expenditures reflect the policy goals adopted in the FY '18 Budget Ordinance (Ordinance 2017-27).

Financial Analysis: Budgeted revenue is \$11,301,172 while year to date revenue collected is \$8,554,771 (76% of budgeted). As shown in the chart on the Revenue Statement, 72% of year to date revenues come from property taxes.



STAFF REPORT
FINANCIAL STATEMENTS UPDATE
APRIL 2, 2018

Staff Recommendation:

No staff recommendation or Board action is necessary. These are informational only.

Attachments:

1. General Fund Fiscal Year 2018 Expenditure Statement and Revenue Statement
(as of March 19, 2018)
2. Sales Tax – FY 2018

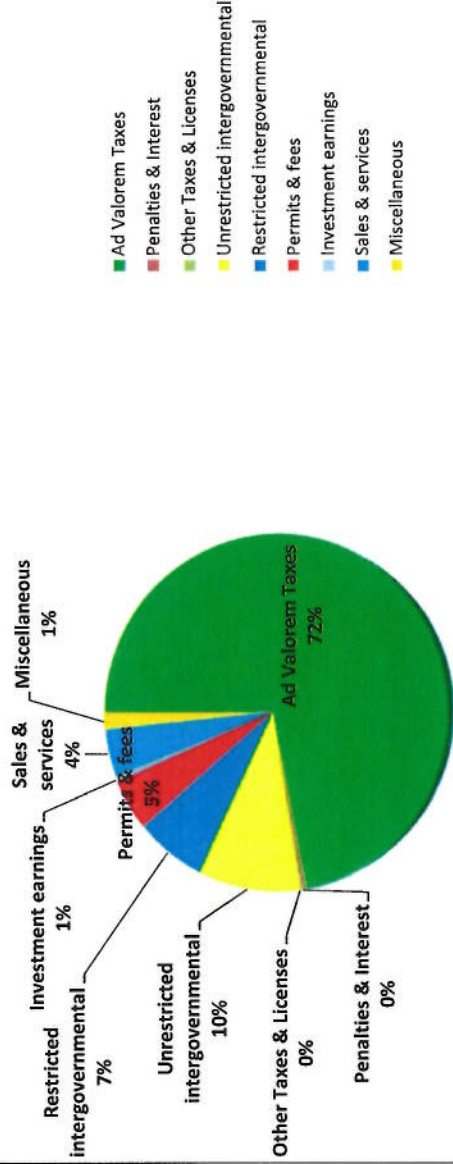


TOWN OF ZEBULON
 Revenue Statement: 2017 - 2018
 for Accounting Period 6/30/2018
 GENERAL FUND

As of 3/19/2018

Revenue Categories	Estimated Revenue	Revenue YTD	% Collected	% of Total Revenue YTD
Ad Valorem Taxes	\$5,882,800	\$6,143,144	104.4%	71.8%
Penalties & Interest	\$12,500	\$22,291	178.3%	0.3%
Other Taxes & Licenses	\$35,500	\$26,551	74.8%	0.3%
Unrestricted intergovernmental	\$1,675,000	\$826,886	49.4%	9.7%
Restricted intergovernmental	\$937,300	\$566,834	60.5%	6.6%
Permits & fees	\$130,500	\$399,188	305.9%	4.7%
Investment earnings	\$15,000	\$55,692	371.3%	0.7%
Sales & services	\$587,250	\$376,027	64.0%	4.4%
Miscellaneous	\$176,775	\$138,158	78.2%	1.6%
Fund Balance Appropriated	\$1,848,547	\$0	0.0%	
Total Revenues	\$11,301,172	\$8,554,771	75.7%	100%

Town of Zebulon General Fund % of Total Revenue To Date - FY 2018





TOWN OF ZEBULON
 Expenditure Statement: 2017 - 2018
 for Accounting Period 6/30/2018
 As of 3/19/2018
 GENERAL FUND

<u>Dept #</u>	<u>Department</u>	<u>Approp Amount</u>	<u>Expenditure YTD</u>	<u>% Exp.</u>
410	GOVERNING BODY	\$357,400	\$209,682	58.7%
420	FINANCE	\$346,850	\$216,552	62.4%
430	ADMINISTRATION	\$557,450	\$310,342	55.7%
450	CONTRACTED SERVICES	\$17,000	\$16,242	95.5%
470	STADIUM	\$55,500	\$26,166	47.1%
490	PLANNING AND ZONING	\$516,400	\$263,219	51.0%
500	BUILDINGS & GROUNDS	\$1,322,035	\$788,539	59.6%
510	POLICE	\$2,195,375	\$1,555,935	70.9%
530	FIRE	\$1,705,300	\$986,208	57.8%
560	STREETS AND HIGHWAYS	\$1,345,967	\$569,732	42.3%
570	POWELL BILL	\$223,000	\$99,000	44.4%
580	SANITATION	\$1,000,250	\$672,263	67.2%
590	STORMWATER	\$336,700	\$149,284	44.3%
620	PARKS & RECREATION	\$1,195,245	\$576,478	48.2%
690	SPECIAL PROJECTS	\$126,700	\$36,663	28.9%
Total Expenditures		\$11,301,172	\$6,476,305	57.3%

Sales Tax

FY 2018

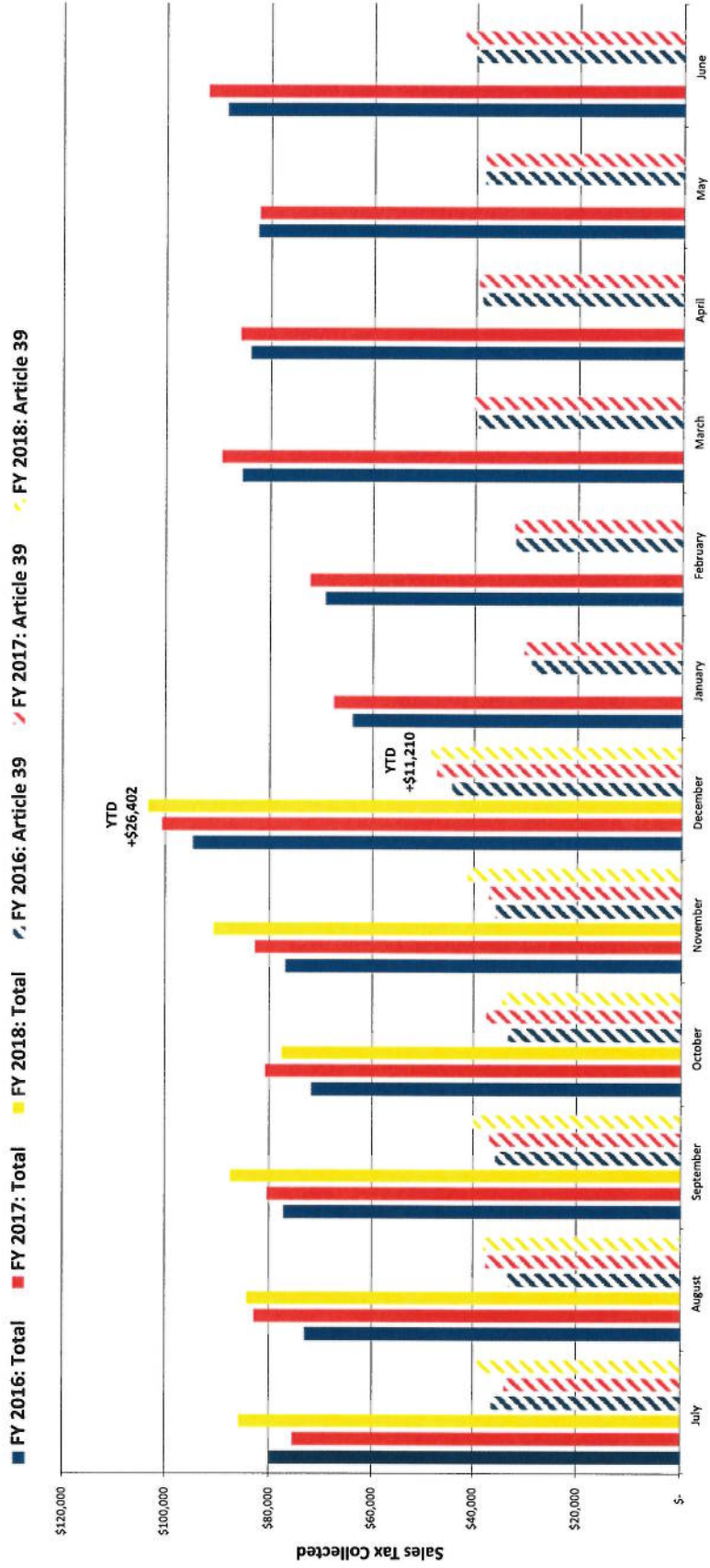
Month	Article 39 (1) *	Article 40 (1/2)	Article 42 (1/2)	Article 44 (1/2)	City Hold Harmless	FY 18 Totals	Prior Year (FY 2017)	% Inc (Dec) from Prior Yr
July	\$ 39,291	\$ 15,388	\$ 19,542	(205)	\$ 11,766	\$ 85,782	\$ 75,359	13.8%
August	38,167	15,189	18,990	0	11,909	84,256	82,879	1.7%
September	40,136	15,606	19,988	(4)	11,763	87,489	80,395	8.8%
October	34,599	14,293	17,203	(11)	11,526	77,610	80,741	-3.9%
November	41,413	16,168	20,614	0	12,527	90,722	82,777	9.6%
December	48,633	17,785	24,242	3	12,695	103,358	100,663	2.7%
January	0	0	0	0	0	0	67,521	-100.0%
February	0	0	0	0	0	0	72,155	-100.0%
March	0	0	0	0	0	0	89,323	-100.0%
April	0	0	0	0	0	0	85,773	-100.0%
May	0	0	0	0	0	0	82,182	-100.0%
June	0	0	0	0	0	0	92,134	-100.0%
Total	\$ 242,238	\$ 94,429	\$ 120,579	(217)	\$ 72,185	\$ 529,215	\$ 502,813	5.3%

FY 2017

Month	Article 39 (1) *	Article 40 (1/2)	Article 42 (1/2)	Article 44 (1/2)	City Hold Harmless	FY 17 Totals	Prior Year (FY 2016)	% Inc (Dec) from Prior Yr
July	\$ 34,032	\$ 13,729	\$ 16,935	(44)	\$ 10,707	\$ 75,359	\$ 79,966	-5.8%
August	37,673	14,904	18,698	(1)	11,605	82,879	73,018	13.5%
September	37,017	14,249	18,357	1	10,770	80,395	77,225	4.1%
October	37,651	14,056	18,774	1	10,260	80,741	71,829	12.4%
November	37,238	15,058	18,530	3	11,949	82,777	76,904	7.6%
December	47,416	17,228	23,584	(0)	12,435	100,663	94,836	6.1%
January	30,490	12,323	15,166	0	9,542	67,521	63,979	5.5%
February	32,352	13,225	16,078	1	10,500	72,155	69,330	4.1%
March	40,433	16,157	20,137	1	12,596	89,323	85,422	4.6%
April	39,482	15,199	19,653	1	11,438	85,773	83,877	2.3%
May	38,339	14,221	19,048	1	10,572	82,182	82,551	-0.4%
June	42,330	16,292	21,063	(0)	12,450	92,134	88,447	4.2%
Total	\$ 454,453	\$ 176,640	\$ 226,023	(38)	\$ 134,824	\$ 991,902	\$ 947,384	4.7%

* Net proceeds of the Article 39 tax are returned to the county of origin.


Monthly Summary of Sales Tax Collected





STAFF REPORT
RESOLUTION 2018-12
REQUEST FOR SUFFICIENCY – AN 2018-03
April 2, 2018

Topic: AN 2018-03—2340 Zebulon Road

Speaker: Julie Spriggs, GISP, Senior Planner
From: Mark Hetrick, Planning Director
Prepared by: Julie Spriggs, GISP, Senior Planner
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider directing the Town Clerk to investigate sufficiency for the voluntary annexation petition received for approximately 35 acres of land located at 2340 Zebulon Road (NC PIN: 1796 67 3644).

Background:

North Carolina General Statute §160A-31 states that the governing board of any municipality may annex by ordinance any area contiguous to its boundaries upon presentation to the governing board of a petition signed by the owners of all the real property located within such area. Upon receipt of the petition, the municipal governing board shall cause the clerk of the municipality to investigate the sufficiency thereof and to certify the result of the investigation.

Discussion:

The discussion before the Board is whether or not to direct the Town Clerk to investigate the voluntary annexation petition's sufficiency. The Board will determine whether it is interested in annexing the proposed area, or at least investigating the question. If the Board is interested in investigating the annexation, the case will be referred to the Town Clerk to investigate the petition's sufficiency. If the Board is not interested in annexing the proposed area under any circumstances, the Board should table the petition or decide not to continue the process for annexation.

Policy Analysis:

None

Fiscal Analysis:

None

Staff Recommendation:

Staff recommends directing the Town Clerk to investigate sufficiency for AN 2018-03 by adopting Resolution 2018-12.

Attachments:

1. Annexation Petition
2. Deed
3. Wake County Tax Card
4. Maps of Request Area
5. Resolution 2018-12

Date Received: FEBRUARY 27, 2018
Annexation Petition Number: AN 2018-03

Received By: MARK HETRICK

**TOWN OF ZEBULON PETITION
RE: REQUESTING CONTIGUOUS ANNEXATION**

To the Board of Commissioners of the Town of Zebulon, North Carolina:

- ✓ 1. I/We the undersigned owner(s) (If the property is jointly owned, all parties must sign the annexation request below.) of real property respectfully request that the area described in "exhibit A" be annexed to the Town of Zebulon, North Carolina. (If there are not enough spaces on the front, continue name, address, and signature on the back of this form. Proof verifying signature may be required.)
- ✓ 2. The area to be annexed is contiguous to the Town of Zebulon, North Carolina and the boundaries of such territory are as follows: (Attach Copy of Deed which contain a Metes & Bounds Description)
- ✓ 3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the Town of Zebulon, North Carolina.
- 4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.
likely to be developed within 1-2 years with approx 4 units per acre
- 5. I/We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.) *N/A*

	Name	Address	Signature
1.	<u>Robert Moore</u>	<u>3112 Hickory Rd. Raleigh, NC</u>	<u>[Signature]</u>
2.	<u>Anthony Moore</u>	<u>3212 Regwood Dr. Raleigh, NC</u>	<u>[Signature]</u>
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

When a petition for annexation is received, the governing body must direct the Clerk to investigate the sufficiency thereof. This means the Clerk has found as a fact that the petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

WAKE COUNTY, NC 167
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
10/15/2014 16:20:13

BOOK:015810 PAGE:01977 - 01981

Excise tax: -0- Dollars Parcel ID#: 0115641

Prepared By: HANSEN LAW FIRM, PLLC, 1618 Glenwood Avenue, Raleigh, NC 27608
WITHOUT TITLE EXAM OR TAX ADVICE

Return To: Anthony L. Moore @ 3212 Dogwood Dr., Raleigh, NC 27604

Brief Description for the Index: TR 1, 2, 3 Tucker Heirs

_____ If initialed, the property includes the primary residence of at least one of the Grantors. (NCGS § 105-317.2)

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED, made and entered into this the ^{14th} day of October, 2014, by and between:

GRANTOR	GRANTEE
Moore & Sons Realty I, LLC, A North Carolina limited liability company	Anthony L. Moore, a 1/2 undivided share; and Robert A. Moore, a 1/2 undivided share; as Tenants in Common
	2400 Zebulon Rd. Zebulon, NC 275997

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell, and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Wake County, North Carolina and more particularly described as follows:

BEING all of Tracts 1, 2 and 3, according to the survey entitled "Property of Tucker Heirs," by Tarheel Engineering, dated March 28, 2007 and recorded at Book of Maps 2007, Page 1149, in the Office of the Register of Deeds of Wake County, North Carolina.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

The property hereinafter described was acquired by Grantor(s) by instrument recorded at Book 12619, Page 651.

Title to the property hereinabove described is subject to the following exceptions:

Subject to ad valorem taxes; all applicable zoning and land use ordinances, statutes and regulations; and to the provisions of all applicable restrictive covenants, utility easements and rights of way of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal.

Moore & Sons Realty I, LLC

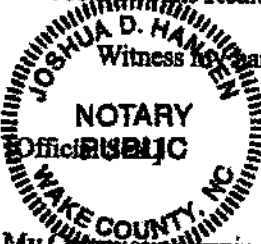
By: Anthony L. Moore (SEAL)
Anthony L. Moore, Member/Manager

By: First-Citizens Bank & Trust Company, Trustee of the Alvin G. Moore Living Trust

By: [see attached]
[Name]
[Title]

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Joshua D. Hansen a Notary Public for said County and State, certify that Anthony L. Moore personally came before me this day and acknowledged that he/she is a Member / Manager of Moore & Sons Realty I, LLC, a North Carolina Limited Liability Corporation, and that by authority duly given and as an act of the entity, executed the foregoing instrument in and on behalf of Moore & Sons Realty I, LLC.



Witness his hand and official seal, this the 14 day of October, 2014.

Joshua D. Hansen
NOTARY PUBLIC

My Commission Expires: 9-17-19

And the Grantor covenants with the Grantee, that Grantor has nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

The property hereinafter described was acquired by Grantor(s) by instrument recorded at Book 12619, Page 651.

Title to the property hereinabove described is subject to the following exceptions:

Subject to ad valorem taxes; all applicable zoning and land use ordinances, statutes and regulations; and to the provisions of all applicable restrictive covenants, utility easements and rights of way of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal.

Moore & Sons Realty I, LLC

By: [see attached] (SEAL)
Anthony L. Moore, Member/Manager

By: First-Citizens Bank & Trust Company, Trustee of the Alvin G. Moore Living Trust

By: Suzanne B. King
[Name] Suzanne B. King
[Title] Senior Vice President

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____ a Notary Public for said County and State, certify that _____ personally came before me this day and acknowledged that he/she is a Member / Manager of Moore & Sons Realty I LLC, a North Carolina Limited Liability Corporation, and that by authority duly given and as an act of the entity, executed the foregoing instrument in and on behalf of Moore & Sons Realty I LLC.

Witness my hand and official seal, this the _____ day of _____, 2014.

[Official Seal]

NOTARY PUBLIC

My Commission expires:

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Carrie R. Garity a Notary Public for said County and State, certify that
Suzanne B. King personally came before me this day and acknowledged that he/she is a
Senior Vice President [Corp. Title] of First Citizens Bank & Trust Company, Trustee of the
Alvin G. Moore Living Trust, and that by authority as Trustee of the Alvin G. Moore Living Trust and as
an act of the Moore and Sons Realty I, LLC, executed the foregoing instrument in and on behalf of Moore
and Sons Realty I, LLC.

Witness my hand and official seal, this the 14th day of October, 2014.



Carrie R. Garity
NOTARY PUBLIC

8/20/15

Wake County Real Estate

[Home](#)

Data

[iMaps](#)



Real Estate ID
0447867

Account Summary
PIN # **1796673644**

[Tax Bills](#)

WAKE COUNTY
NORTH CAROLINA

Location Address Property Description
2340 ZEBULON RD ANTHONY MOORE & ROBERT MOORE
TR2 BM2017-01330

Account Search

[Pin/Parcel History](#) [New Search](#)

Account | Buildings | Land | Deeds | Notes | Sales | Photos | [Tax Bill](#) | [Map](#)



Property Owner MOORE, ANTHONY L MOORE, ROBERT A (Use the Deeds link to view any additional owners)		Owner's Mailing Address 3212 DOGWOOD DR RALEIGH NC 27604-3980	Property Location Address 2340 ZEBULON RD ZEBULON NC 27597-8154
Administrative Data Old Map # 392-- Map/Scale 1796 02 VCS 09WC900 City Fire District 23 Township LITTLE RIVER Land Class VACANT ETJ WC Spec Dist(s) Zoning R-40 History ID 1 History ID 2 Acreage 34.53 Permit Date Permit #	Transfer Information Deed Date 10/15/2014 Book & Page 15810 1377 Revenue Stamps Pkg Sale Date Pkg Sale Price Land Sale Date Land Sale Price Improvement Summary Total Units 0 Recycle Units 0 Apt/SC Sqft Heated Area	Assessed Value Land Value \$405,615 Assessed Bldg. Value Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value \$405,615 Assessed*	

*Wake County assessed building and land values reflect the market value as of January 1, 2016, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2016 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2016 Schedule of Values.

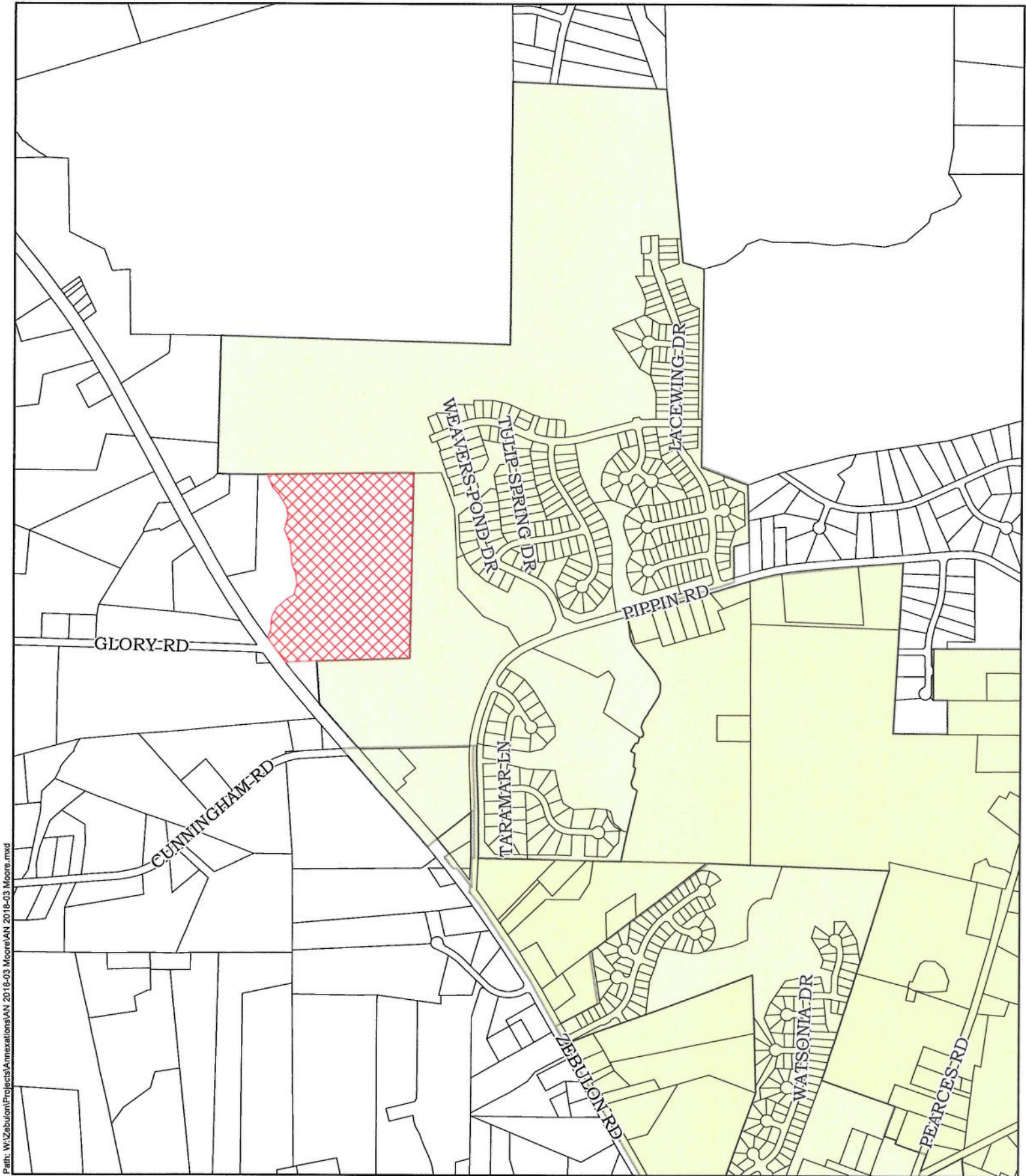
For questions regarding the information displayed on this site, please contact the Revenue Department at RevHelp@wakegov.com or call 919-856-5400.



PIN: 1796673644
 PIN Ext: 000
 Real Estate ID: 0447867
 Map Name: 1796 02
 Owner: MOORE, ANTHONY L MOORE,
 ROBERT A
 Mail Address 1: 3212 DOGWOOD DR
 Mail Address 2: RALEIGH NC 27604-3980
 Mail Address 3:
 Deed Book: 015810
 Deed Page: 01377
 Deed Date: 10/15/2014
 Deed Acres: 34.53
 Building Value: \$0
 Land Value: \$405,615
 Total Value: \$405,615
 Billing Class: Individual
 Description: TR2 ANTHONY MOORE &
 ROBERT MOORE BM2017 -01330
 Heat Area: 0
 Site Address: 2340 ZEBULON RD
 City:
 Township: Little River
 Year Built: 0
 Sale Price: \$0
 Sale Date:
 Use Type:
 Design Style:
 Land Class: Vacant
 Old Parcel Number: --



Disclaimer
 Maps makes every effort to produce and publish
 the most current and accurate information possible.
 However, the maps are produced for information purposes,
 and are NOT surveys. No warranties, expressed or implied,
 are provided for the data therein, its use, or its interpretation.



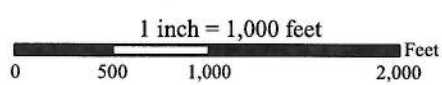
Path: W:\Zebulon\Projects\Amexations\AN 2018-03 Moore\AN 2018-03 Moore.mxd

Owner: Anthony and Robert Moore
 3212 Dogwood Drive
 Raleigh, NC 27604-3980
 NC PIN: 1796 67 3644

-  Request Area
-  Town Limits
-  ETJ

AN 2018-03

BOC April 2, 2018



Resolution 2018-12

Directing the Clerk to Investigate the Sufficiency of an
Annexation Petition Received Under G.S. 160A-31 from
Robert and Anthony Moore for
NC Pin #1796 67 3644 Located at 2340 Zebulon Road Zebulon, NC

WHEREAS, a petition requesting annexation of an area described by the attached metes and bounds description in said petition from Robert and Anthony Moore was received on February 27, 2018 by the Town of Zebulon; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Board of Commissioners of the Town of Zebulon deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Town of Zebulon, North Carolina that the Zebulon Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Commissioners the results of said investigation.

Adopted April 2, 2018

Robert S. Matheny—Mayor


SEAL

Lisa M. Markland, CMC—Town Clerk



STAFF REPORT
RESOLUTION 2018-13
WEAVERS POND PHASE 2D
FINAL ASPHALT OVERLAY
April 2, 2018

Topic: Weavers Pond Phase 2D – Final Asphalt Overlay

Speaker: Chris Ray, Director of Public Works
From: Chris Ray, Director of Public Works
Prepared by: Chris Ray, Director of Public Works
Approved by:  Joseph M. Moore II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider acceptance of the final asphalt overlay for Weavers Pond Phase 2D and acceptance of all supporting documentation detailed below.

Background:

The Board of Commissioners accepted the final plats and utility and roadway improvements for Phase 2D Section 1-2 (3/6/2017) and Section 3-4 (6/13/2017). The developer posted a Letter of Credit for the final asphalt overlay of both sections.

Phase 2D includes the following streets: Golden Plum Lane, Tulip Spring Drive, Cattail Pond Drive, Lacewing Drive, Sage Tree Drive, Lily Pad Court, and Blue Iris Way.

Discussion:

The discussion before the Board is whether to approve Resolution 2018-13. We received the following list of documents:

- Dedicated Infrastructure Cost dated March 22, 2018
- Developer's One-Year Guaranty and Warranty dated March 22, 2018
- Developer's Two-Year Guaranty and Warranty dated March 22, 2018
- Engineer's Certification dated March 22, 2018
- Geo-Tech Engineer's Report dated January 8, 2018

The Zebulon Public Works Department was on-site during the entire construction process completing inspection for proper materials, temperatures and density, and overall quality of workmanship. Daily inspection reports and photos were taken to document the construction process. All punch list items have been completed to the satisfaction of the department.

Policy Analysis:

The final asphalt overlay is in compliance with the latest version of Town of Zebulon's streets and stormwater standards and specifications. As submitted, Phase 2D complies with all other ordinances, the requirements of the amended special use permit, and the requirements of the Technical Review Committee. The Town of Zebulon has received a 2-year warranty for Blue Iris Way due to compaction being 1.5% below acceptable compaction of 90% for SF 9.5A asphalt mix.



STAFF REPORT
RESOLUTION 2018-13
WEAVERS POND PHASE 2D
FINAL ASPHALT OVERLAY
April 2, 2018

Fiscal Analysis:

The value of the dedicated overlay is \$397,127.70. This value will be added to the Town's fixed assets and balance sheet. The Town of Zebulon has released the Letters of Credit regarding final overlay.

Staff Recommendation:

Staff recommends approval of Resolution 2018-13.

Attachments:

1. Dedicated Infrastructure Cost dated March 22, 2018
2. Developer's One-Year Guaranty and Warranty dated March 22, 2018
3. Developer's Two-Year Guaranty and Warranty dated March 22, 2018
4. Engineer's Certification dated March 22, 2018
5. Geo-Tech Engineer's Report dated January 8, 2018
6. Resolution 2018-13



Piedmont Land Design, LLP

8522-204 Six Forks Road • Raleigh, NC 27615 • (919) 845-7600 • Fax (919) 845-7703

Engineer's Certified Statement of Cost of Improvements Installed

Weavers Pond 2D – Final 1" Asphalt Overlay

The Town of Zebulon has asked for a certified statement as to the quantities and cost of the final 1" of asphalt overlay for public roadways that has been installed for Weavers Pond Phase 2D.

<u>Type of Improvement</u>	<u>Est. Quantity</u>	<u>Unit Price</u>	<u>Total Cost</u>
1" Final Asphalt Overlay	13,647 sy	\$29.10 / sy	\$397,127.70

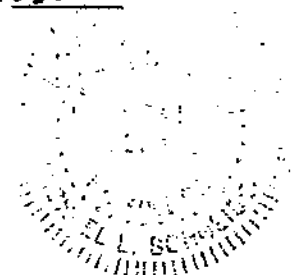
Public Roadways included:

- Golden Plum Lane STA: 11+75 – 29+90 (Phase 2D)
- Tulip Spring Drive STA: 10+00 – 17+25 (Phase 2D)
- Cattail Pond Drive STA: 10+00 – 16+02 (Phase 2D)
- Sage Tree Court STA: 10+15 – 15+11 (Phase 2D)
- Lilly Pad Court STA: 10+10 – 11+85 (Phase 2D)
- Lacewing Drive STA: 10+00 – 16+02 (Phase 2D)
- Blue Iris Way STA: 10+15 – 11+68 (Phase 2D)

Signature 

Registration No. 030850

Date: 3/22/18



Weavers Pond Development Company, LLC
9407 Bartons Creek Road
Raleigh, NC 27615
(919) 604-1928

March 21, 2018

DEVELOPER'S GUARANTY


Re : Town of Zebulon, N.C. (the "Town")
Weaver's Pond Phase 2D
Final 1" Asphalt Overlay

Weavers Pond Development Company LLC (the "Developer") provides the following Statement of Guaranty and Warranty on the referenced project: Weaver's Pond Phase 2D, final 1" asphalt overlay on the following public roadways:

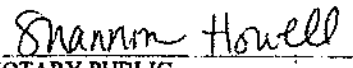
Golden Plum Lane	STA: 11+75 - 29+90 (Phase 2D)
Tulip Spring Drive	STA: 10+00 - 17+25 (Phase 2D)
Cattail Pond Drive	STA: 10+00 - 16+02 (Phase 2D)
Sage Tree Court	STA: 10+15 - 15+11 (Phase 2D)
Lilly Pad Court	STA: 10+10 - 11+85 (Phase 2D)
Lacewing Drive	STA: 10+00 - 16+02 (Phase 2D)

Developer guarantees and warrants that all material and equipment furnished and all work performed on the final 1" asphalt overlay in Phase 2D (the "Work") conforms with the Town's requirements, and that this guaranty and warranty will remain in full force and effect for a period of one year from the date of the acceptance of the Work. Developer hereby agrees to indemnify, defend and hold harmless the Town from and against all costs, loss and damages, including attorney's fees, arising from the failure of the Work to conform to the Town's standards.

Developer has executed this Developer's Guarantee this 21st day of March, 2018.
Weavers Pond Development Company, LLC

By: 
Name: David Berry
Title: Manager

Sworn to and subscribed before me this
21st day of March, 2018.


NOTARY PUBLIC

Commission Expires: 9/10/2020
SEAL

21848.81-00002
SHANNON HOWELL
NOTARY PUBLIC
Wake County
North Carolina
Commission Expires 9/10/2020

Weavers Pond Development Company, LLC
9407 Bartons Creek Road
Raleigh, NC 27615
(919) 604-1928

March 21, 2018

DEVELOPER'S GUARANTY

Re : Town of Zebulon, N.C. (the "Town")
Weaver's Pond Phase 2D
Final 1" Asphalt Overlay

Weavers Pond Development Company LLC (the "Developer") provides the following Statement of Guaranty and Warranty on the referenced project: Weaver's Pond Phase 2D, final 1" asphalt overlay on the following public roadways:

Blue Iris Way STA: 10+15 - 11+68 (Phase 2D)

Developer guarantees and warrants that all material and equipment furnished and all work performed on the final 1" asphalt overlay in Phase 2D (the "Work") conforms with the Town's requirements, and that this guaranty and warranty will remain in full force and effect for a period of two years from the date of the acceptance of the Work. Developer hereby agrees to indemnify, defend and hold harmless the Town from and against all costs, loss and damages, including attorney's fees, arising from the failure of the Work to conform to the Town's standards.

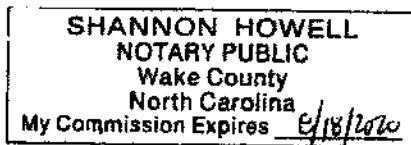
Developer has executed this Developer's Guarantee this 21st day of March 2018.
Weavers Pond Development Company, LLC

By: 
Name: David Berry
Title: Manager

Sworn to and subscribed before me this
21st day of March, 2018.


NOTARY PUBLIC

Commission Expires: 3/18/2020
SEAL





Piedmont Land Design, LLP

8522-204 Six Forks Road • Raleigh, NC 27615 • (919) 845-7600 • Fax (919) 845-7703

Engineer's Certification

I, Mike Schneider, as a duly registered Professional Engineer in the State of North Carolina, having been authorized to observe periodically the construction of the project segments as listed below:

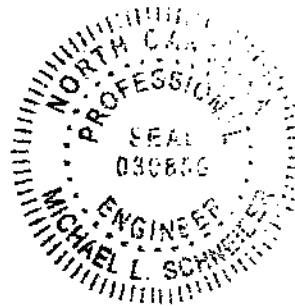
Weavers Pond Phase 2D

for the Weavers Pond Development Co., LLC, hereby state that, to the best of my abilities; due care and diligence was used in the observation of the project construction such that the Roadway System (final 1" asphalt overlay) was observed to be built within substantial compliance and general intent of the Town of Zebulon Standards and Specifications.

Signature 

Registration No. 050656

Date: 3/22/14





Geotechnical and Construction Materials Testing Services

January 8, 2018

Weavers Pond Development, LLC
4020 Wake Forest Road, Suite 306
Raleigh, NC 27609

Reference: Asphalt Testing, RSF 9.5A Surface.
Weavers Pond Phase 2D
Zebulon, North Carolina
GeoTechnologies Project No. 1-16-0401-CA

Dear Sir:

GeoTechnologies, Inc. has been providing the construction testing services for the Weavers Pond Subdivision - Phase 2D project located in Zebulon, North Carolina. Our services included inspections and testing for the roadways within the subdivision. Previous letters have been issued on subgrade, CABC, and asphalt base course for the roadways in this phase. This letter covers RSF 9.5A surface mix for the Phase 2D roadways listed on the attachments, including: Golden Plum Rd, Lacewing Dr., Sage Trail, Lilly Pad, Cattail Pond, Tulip Springs, and the stub road not yet named.

GeoTechnologies representatives returned to the site to obtain core samples at locations determined by random sampling for verification of surface pavement thickness and density. Overall thickness of the core samples ranged from 3.375 to 4.625 inches with an average thickness of 3.816 inches. The RSF 9.5A surface thickness ranged from 1.125 to 1.875 inches with an average thickness of 1.55 inches. The compaction of the RSF 9.5A surface samples ranged from 88.8 to 95.0 percent on the initial 12 cores obtained. Two additional cores were taken offset from core number 12 and ranged from 85.1 to 91.4 percent. The overall average compaction is 90.8 percent based on the rice value of 2.504. The required average compaction for RSF 9.5A is 90.0 percent. The summary of the asphalt core results is attached to this letter. A site plan showing the approximate locations of the cores is included in the attachments as well. Average compaction per individual street is adequate except for the unnamed stub where cores 12, 12a, and 12b were obtained. Average compaction in this section is approximately 1.5 percent low. The effects of the lower compaction are not specifically quantifiable; however, average thickness in this section is 0.75 inches above the required thickness, and will offset the marginal compaction to some extent.

GeoTechnologies appreciates that opportunity to be of service on this project. Please do not hesitate to contact us if you have any questions regarding this submittal.

Sincerely,

GeoTechnologies, Inc.

Allen K. Henry
Assistant Manager of Construction Services

Conrad E. Harris, P.E.
NC Registration No. 39768

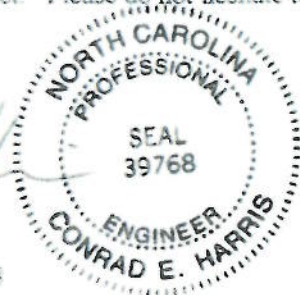


Table 1
 Asphalt Thickness And Density Measurements
 Weavers Pond - Phase 2D
 Zebulon NC
 Geotechnologies Project No. 1-16-0401-CA

Core #	Mix Type	Dry Weight	Weight In Water	SSD Weight	Volume	Specific Gravity	Rice	Percent Compaction	Final Lift Thickness (in.)	Total Thickness (in.)
1	RSF 9.5A	1854.2	1045.3	1854.9	809.6	2.290	2.504	91.6	1.675	4.625
2	RSF 9.5A	1309.3	728.7	1310.6	561.5	2.250	2.504	89.8	1.375	3.625
3	RSF 9.5A	1457.9	811.3	1459.2	647.8	2.250	2.504	89.8	1.625	4.125
4	RSF 9.5A	1836.2	931.4	1838.4	707.0	2.314	2.504	92.4	1.625	3.625
5	RSF 9.5A	1446.2	810.4	1447.7	637.3	2.269	2.504	90.6	1.625	3.375
6	RSF 9.5A	1876.0	1045.3	1877.3	832.0	2.265	2.504	90.8	1.875	4.625
7	RSF 9.5A	1546.7	888.5	1547.6	669.0	2.347	2.504	93.7	1.375	3.125
8	RSF 9.5A	1223.4	683.5	1224.2	540.7	2.283	2.504	90.4	1.125	3.625
9	RSF 9.5A	1311.3	750.6	1312.0	551.4	2.378	2.504	95.0	1.375	3.875
10	RSF 9.5A	1545.4	869.8	1546.9	678.1	2.279	2.504	91.0	1.625	4.375
11	RSF 9.5A	1202.2	677.5	1203.6	526.1	2.285	2.504	91.3	1.375	3.625
12	RSF 9.5A	1440.3	793.4	1441.5	648.1	2.222	2.504	88.8	1.625	3.875
12a	RSF 9.5A	898.7	478.5	900.0	421.5	2.132	2.504	85.1	1.125	3.5
12b	RSF 9.5A	1510.9	851.8	1512.1	660.3	2.288	2.504	91.4	1.625	3.875
13	RSF 9.5A	1429.7	796.1	1430.7	634.6	2.253	2.504	90.0	1.625	3.375
14	RSF 9.5A	1657.9	952.3	1658.1	705.8	2.349	2.504	93.6	1.875	3.875
15	RSF 9.5A	1391.8	773.1	1392.5	619.4	2.247	2.504	89.7	1.625	3.375
16	RSF 9.5A	1598.9	905.8	1599.4	693.6	2.306	2.504	92.1	1.625	4.125
17	RSF 9.5A	1448.0	802.5	1449.1	646.6	2.236	2.504	89.4	1.375	3.625
Average RSF 9.5A								90.8	1.55	3.803

88.43

Note: The required average compaction for RSF 9.5A is 80%.

Weavers Pond Phase 2D Core Locations

12-6-17



ROADWAY LEGEND



GREENWAY LEGEND

- 10' GREENWAY WITH 20' EASEMENT. DEVELOPER RESPONSIBLE FOR CONSTRUCTION
- 20' EASEMENT DEDICATED TO TOWN. TOWN RESPONSIBLE FOR FUTURE 10' GREENWAY CONSTRUCTION
- IF SINGLE FAMILY, 20' EASEMENT DEDICATED TO TOWN. TOWN RESPONSIBLE FOR FUTURE 10' GREENWAY CONSTRUCTION IF TOWNHOUSES, 20' EASEMENT DEDICATED TO TOWN. DEVELOPER RESPONSIBLE FOR PRIVATE PAVED TRAIL

LOT COUNTS

PHASE	# LOTS IF PHASE IS SINGLE FAMILY	# LOTS IF PHASE IS TOWNHOUSES
1	44	44
2A-2C	128	128
2D	88	81
3A	64	67
3B	128	128
4	55	55
5	78	78
6	19	79
7	44	44
8	88	88
TOTAL	723	771

BUILDING SETBACKS

SINGLE FAMILY

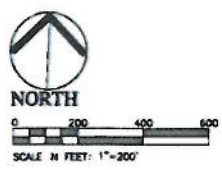
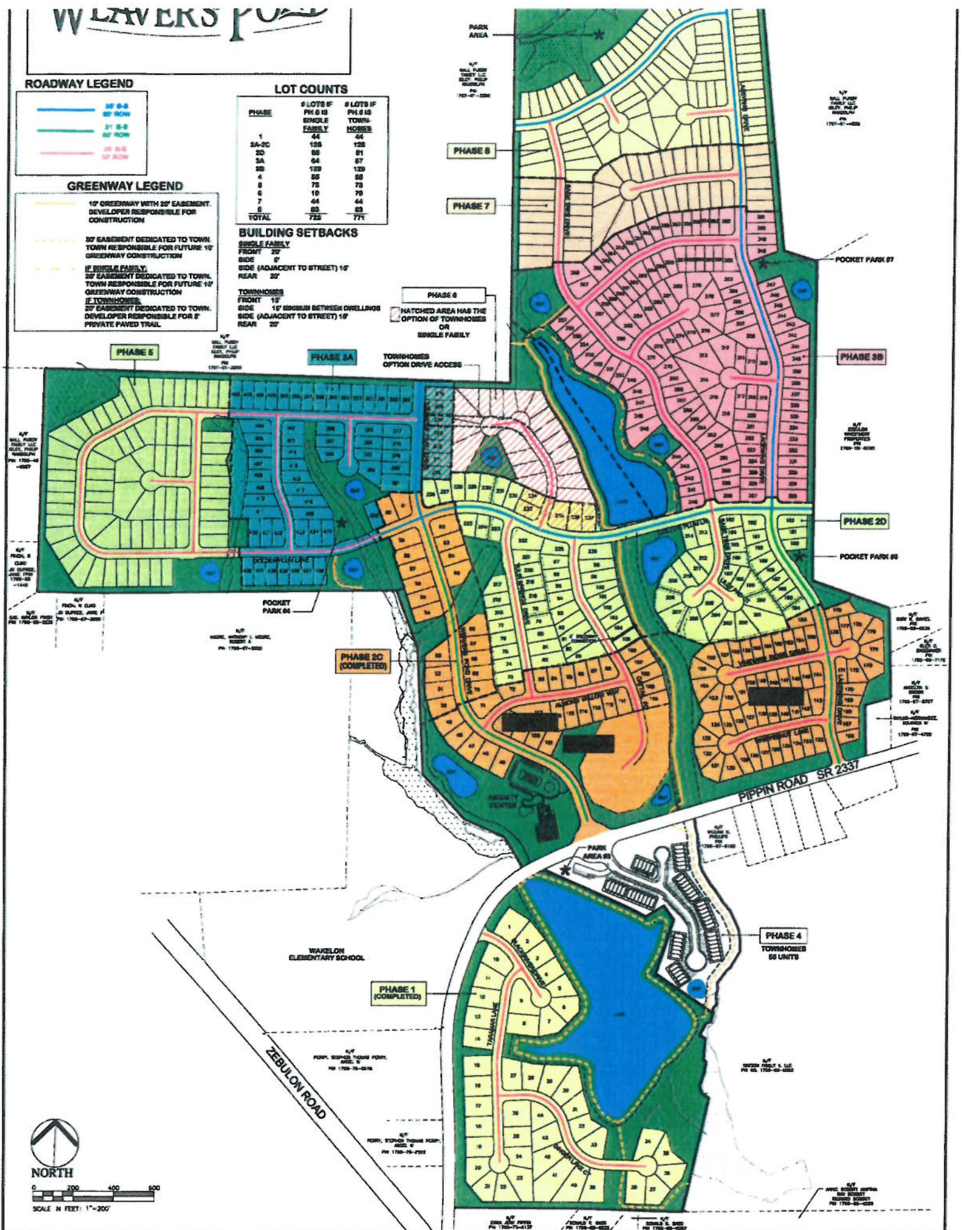
FRONT 20'
SIDE 0'
SIDE (ADJACENT TO STREET) 10'
REAR 20'

TOWNHOUSES

FRONT 10'
SIDE 10' (MINIMUM BETWEEN DWELLINGS)
SIDE (ADJACENT TO STREET) 10'
REAR 20'

HATCHED AREA HAS THE OPTION OF TOWNHOUSES OR SINGLE FAMILY

TOWNHOUSES OPTION DRIVE ACCESS



RESOLUTION 2018-13

**ACCEPTING FINAL ASPHALT OVERLAY FOR
WEAVERS POND PHASE 2D – SECTION 1-2 AND SECTION 3-4
CONSISTING OF GOLDEN PLUM LANE, TULIP SPRING DRIVE,
CATTAIL POND DRIVE, LACEWING DRIVE, SAGE TREE DRIVE,
LILY PAD COURT, AND BLUE IRIS WAY**

WHEREAS, Weavers Pond Development Company, LLC, the developers of Weavers Pond Phase 2D, has requested the Town of Zebulon to assume ownership and maintenance of the final asphalt overlay within the public right-of-way of Section 1-2 and Section 3-4; and

WHEREAS, the Town of Zebulon Public Works Department has inspected said infrastructure; and

WHEREAS, the Town of Zebulon Public Works Director has received all required documentation needed for acceptance; and

WHEREAS, the Town of Zebulon has received a one-year warranty for the final asphalt overlay on Golden Plum Lane, Tulip Spring Drive, Cattail Pond Drive, Lacewing Drive, Sage Tree Drive, and Lily Pad Court; and,

WHEREAS, the Town of Zebulon has received a two-year warranty for the final asphalt overlay on Blue Iris Way;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Town of Zebulon accepts dedication of the aforementioned Final Asphalt Overlay as described in attached documents.

Adopted this 2nd day of April, 2018

Robert S. Matheny - Mayor


SEAL

Lisa M. Markland, CMC - Town Clerk



STAFF REPORT
RECOGNIZE FUNDING FOR
BEAVERDAM CREEK GREENWAY – PHASE I
APRIL 2, 2018

Topic: Budget Ordinances 2018-24 & 25 – Beaverdam Creek Greenway – Phase I

Speaker: Chris D. Ray, Director of Public Works
From: Chris D. Ray, Director of Public Works
Prepared by: Chris D. Ray, Director of Public Works
Approved by:  Joseph M. Moore, II, PE, Town Manager

Executive Summary:

The Board of Commissioners will consider recognition of funding from Cypress Creek EPC LLC for Beaverdam Creek Greenway – Phase I.

Background:

Cypress Creek EPC LLC contributed \$102,238.00 in lieu of installing greenway trails in Wakefield Solar Farm.

Discussion:

The discussion before the Board is whether to approve General Fund Ordinance 2018-24, which appropriates the Fee-in-lieu received in the General Fund and transfers it to the Greenway Capital Project Fund. Ordinance 2018-25 which appropriates these funds for construction in the capital project fund.

Policy Analysis:

Ordinance 2017-07, approved by the Board of Commissioners on October 3, 2016, permits payment of a fee-in-lieu for greenways by the developer.

The budget amendment process is consistent with N.C.G.S. 159-15, The Local Government Budget and Fiscal Control Act.

The Beaverdam Creek Greenway-Phase I project is consistent with the goals of the Zebulon Comprehensive Plan (June 2008) and the priority of the Greenway, Bicycle & Pedestrian Master Plan (October 5, 2015).

Fiscal Analysis:

If recognized, the funds available for project construction will total \$454,648. These funds may be used as the Town's matching component for a FY2019 NC-PARTF grant and/or other grants.

Staff Recommendation:

Staff recommends approval of Ordinance 2018-24 (General Fund) and Ordinance 2018-25 (Greenway Capital Project Fund).

Attachments:

1. Cypress Creek EPC LLC documents including invoice, cost estimate, and check
2. Ordinance 2018-24
3. Ordinance 2018-25

TOWN OF ZEBULON PLANNING DEPARTMENT

1003 N. Arendell Avenue
 Zebulon, NC 27597
 (919) 269-7455
 (919) 269-6200 (fax)
 www.townofzebulon.org



Date: 8/31/2017
 Prepared by: JES
 Invoice No. : 2018-0079

INVOICE

Qty	Description	Unit Price	Total
	Utility Fees		
	Code 41		\$ -
	Code 42		\$ -
	Code 43		\$ -
	Code 45		\$ -
	Code 47		\$ -
	Code 48		\$ -
	Inspection Fees		
	Code 46		\$ -
	Code 47		\$ -
	Code 99		\$ -
	Transportation Impact Fees		
	Code 44		\$ -
	Zoning Fees		
	Code 40		\$ -
	Case Fees		
	Code 40		\$ -
	Development Fees		
	Code 78		\$ -
	Code 79		\$ -
	Code 65		\$ -
	Residential Permitting Fees		
	Code 40		\$ -
	Code 76		\$ -
	Non-Residential Permitting Fees		
	Code 40		\$ -
	Code 76		\$ -
	Other Fees		
1	Greenway Fee-in-lieu	\$102,238.00	\$ 102,238.00
1	Roadway Fee-in-lieu	\$102,945.00	\$ 102,945.00
			\$ -
			\$ -
Detailed Fee Calculations Available Upon Request			

Building Permit: **Wakefield Solar Farm**
 Applicant/Owner: Cypress Creek EPC LLC
 Contact Number: 919-230-2937
 Development/Subdivision:
 Lot Number:
 Physical Address: 505 S Wakefield Street
 PIN: 2705 41 0911

	SubTotal \$	205,183.00
	Shipping & Handling	
	Taxes	
TOTAL	\$	205,183.00

Checks Made Payable to the Town of Zebulon

PAID

1/23/2017
 PER

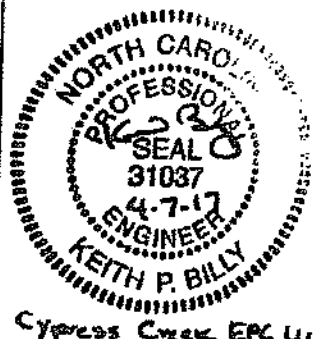
Wakefield Solar Farm Greenway
Opinion of Probable Cost Estimate
Thursday, April 06, 2017

Prepared By: Chris D. Ray, Director of Public Works
 Requested By: Julie Springs, Senior Planner

Engineering : FY-2017-2018	Description	Amount
	Design, Permitting, & Bidding @ 15%	\$ 9,737.00
	Survey - Level B @ 2.0%	\$ 1,428.00
	Geotechnical Allowance	\$ 1,500.00
	Engineering Subtotal	\$ 12,665.00
	Engineering Budget	\$12,665.00

ROW Acquisition : Greenway Easement FY2017-2018	Amount
Easement and Construction Acquisition - 30'	\$ -
Easement Plans	\$ -
Attorney Fees (Easement Agreement)	\$ -
Easement Acquisition Cost	\$ -
Easement Acquisition contingency @ 10%	\$ -
Total Easement Acquisition Cost	\$ -
ROW Budget - All Easements Dedicated by Property Owner	\$ -

Construction Cost					
Line Item #	Description	Quantity	Unit	Price	Amount
1	Mobilization	1	LS	\$ 5,000.00	\$ 5,000.00
2	Temporary Silt Fence	1720	LF	\$ 3.50	\$ 6,020.00
3	Tree Protection Fence	450	LF	\$ 2.10	\$ 945.00
4	Construction Entrance with Matting	1	LS	\$ 2,000.00	\$ 2,000.00
5	Traffic Control Signage	1	LS	\$ 500.00	\$ 500.00
6	Trail excavation	2080	SY	\$ 3.00	\$ 6,240.00
7	Construction Survey Allowance	1	LS	\$ 1,750.00	\$ 1,750.00
8	Undercut excavation	40	CY	\$ 50.00	\$ 2,000.00
9	Geotextile fabric for soil stabilization	45	SY	\$ 5.00	\$ 225.00
10	Screenings for under cut material	55	Tons	\$ 42.00	\$ 2,310.00
11	24" RCP Class III for creek crossing	15	LF	\$ 93.00	\$ 1,395.00
12	24" RCP Class III - Flare end section	2	LF	\$ 1,000.00	\$ 2,000.00
13	Rip Rap - class B	3	tons	\$ 125.00	\$ 375.00
14	Comprehensive Grading - fine grading, shoulders and ditches	2080	SY	\$ 2.00	\$ 4,160.00
15	4" Aggregate Stone Base - ABC	231	CY	\$ 35.00	\$ 8,085.00
16	2" Asphalt type -SFB.5B	210	Tons	\$ 55.00	\$ 11,550.00
17	3" steel pipe bollard (in concrete)	2	EA	\$ 500.00	\$ 1,000.00
18	3" Steel Pipe bollard - removable	1	EA	\$ 750.00	\$ 750.00
19	Bicycle Rack	1	EA	\$ 360.00	\$ 360.00
20	Trash Receptacle	1	EA	\$ 1,050.00	\$ 1,050.00
21	Bench with back	1	EA	\$ 1,000.00	\$ 1,000.00
22	Pet Waste Station	1	EA	\$ 425.00	\$ 425.00
23	Signage allowance (mile marker, informational, rules and regs)	1	EA	\$ 2,000.00	\$ 2,000.00
24	Seeding and Mutching	0.4	AC	\$ 2,500.00	\$ 1,000.00
25	Pavement Markings	1386	LF	\$ 2.00	\$ 2,772.00
	Construction sub-total				\$ 64,912.00
	2017 Construction CIP @ 10%				\$ 6,492.00
	Construction Contingency @ 12%				\$ 8,560.00
	Construction Engineering Inspection Allowance (20 days * 480 per day)				\$ 9,600.00
	Construction Total				\$ 89,573.00
	Construction Budget				\$ 89,573.00



Cypress Creek Eng, LLC
 601-A W. Main St.
 Carrboro, NC 27516
 NC Lic D-0383

Summary	Amount
Engineering Budget Amount	\$ 12,665.00
ROW Acquisition Budget Amount	\$ -
Construction Budget Amount	\$ 89,573.00
Total Project Expenditure	\$ 102,238.00

Cypress Creek Renewables Development, LLC
3250 Ocean Park Blvd, Suite 366
Santa Monica, CA 90406

First Republic Bank
11-8196/3210

002853

08/21/2017

PAY TO THE ORDER OF
Town of Zebulon

\$

***205,183.00**

Two Hundred Five Thousand One Hundred Eighty Three Dollars

DOLLARS

Town of Zebulon
1003 N Arendell Avenue
Zebulon, NC 27597
United States



[Handwritten Signature]

AUTHORIZED SIGNATURE

MEMO Wakefield-Roadway/Greenway Fee

⑆002853⑆

Cypress Creek Renewables Development, LLC/3250 Ocean Park Blvd. Suite 355

V01399--Town of Zebulon
Print As: Town of Zebulon

1003 N Arendell Avenue
Zebulon, NC 27597

002853
First Republic Bank
CCRD 1stR 7269 726
Date: 08/21/2017

Date 08/17/2017
Bill # V01399
Net Amount \$205,183.00

Account ID
\$205,183.00

4-10	21-10
4-10	51-10
4-10	51-24
1-10	5-10
1-10	3-10

70-10	70-10
1-10	1-10

Security Features Included

ORDINANCE 2018-24

BE IT ORDAINED by the Board of Commissioners of the Town of Zebulon, that pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2018.

Section 1. To amend the General Fund budget as follows:

	INCREASE	DECREASE
REVENUES		
Recreation Fee-in-Lieu	\$102,238.00	
EXPENDITURES		
Parks & Recreation—		
Transfer to Greenway Capital Project Fund	\$102,238.00	

Section 2. Copies of this amendment shall be furnished to the Town Clerk, and to the Budget Officer, and to the Finance Officer for their direction.

Adopted: April 2, 2018

Effective: April 2, 2018

Robert S. Matheny—Mayor

ATTEST:

Lisa M. Markland, CMC—Town Clerk

ORDINANCE 2018-25

BE IT ORDAINED by the Board of Commissioners of the Town of Zebulon, that pursuant to North Carolina General Statutes 159-15, the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2018.

Section 1. To amend the Greenways Capital Project Fund budget as follows:

	INCREASE	DECREASE
REVENUES		
Transfer from the General Fund	\$102,238.00	
EXPENDITURES		
Construction	\$102,238.00	

Section 2. Copies of this amendment shall be furnished to the Town Clerk, and to the Budget Officer, and to the Finance Officer for their direction.

Adopted: April 2, 2018

Effective: April 2, 2018

Robert S. Matheny—Mayor

ATTEST:

Lisa M. Markland, CMC—Town Clerk