

**ZEBULON  
BOARD OF COMMISSIONERS  
AGENDA  
March 7, 2022  
7:00pm**

All meetings are live streamed on Facebook and posted to YouTube after the meeting.

**I. PLEDGE OF ALLEGIANCE**

**II. APPROVAL OF AGENDA**

**III. SCHOOL RECOGNITION**

*A. Wakelon Elementary School*

1. Gavin Farriss – Student
2. Rebecca Cone – Teacher

**IV. PRESENTATION**

- A. Proclamation Women's History Month*
- B. FY 22 Audit Presentation*

**V. 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. If you would like to submit comments to be read into the record at the meeting, please send comments, of 400 words or less, to Stacie Paratore ([sparatore@townofzebulon.org](mailto:sparatore@townofzebulon.org)) by 3:00pm on March 7, 2022.

**V. CONSENT**

*A. Minutes*

1. February 7, 2022 – Regular Meeting
2. February 7, 2022 – Closed Session
3. February 23, 2022 – Retreat
4. February 25, 2022 – Special Called Meeting

*B. Finance*

1. Monthly Items
  - a. Wake County Tax Report – December 2021
  - b. Monthly Financial Report

*C. Police*

1. 2022 Governor’s Highway Safety Program Grant Process

*D. General*

1. Five County Stadium Lease Agreement – Second Amendment

**VI. OLD BUSINESS**

*A. General*

1. Rotary Club “Flags for Heroes” Zebulon Municipal Complex Facility Use Application

**VII. NEW BUSINESS**

*A. Parks and Recreation*

1. Resolution 2022-12–Downtown Event: Spring Festival
2. Detailed Expenditure Report for 10-410
3. Mayor’s Monarch Pledge

**VIII. BOARD COMMENTS**

**IX. MANAGER’S REPORT**

**X. CLOSED SESSION**

Per N.C. General Statute § 143-318.11(a)(3): “To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.”

# PROCLAMATION

Designating the Month of March as “Women’s History Month”

**Whereas**, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

**Whereas**, American women have played and continue to play critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

**Whereas**, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

**Whereas**, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

**Whereas**, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

**Whereas**, American women have served our country courageously in the military; and

**Whereas**, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

**Whereas**, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history;

**Now, therefore, be it resolved** that the Zebulon Board of Commissioners, designates March as “Women’s History Month, calling upon the people of the Zebulon to observe **March as Women’s History Month**.

Adopted this the 7<sup>th</sup> day of March 2022

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Glenn L. York—Mayor

SEAL

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Lisa M. Markland, CMC—Town Clerk

**Topic:** FY 2021 Audit Presentation  
**Speaker:** Bobby Fitts, Finance Director introducing:  
Tim Lyons and Cynthia Biggar of Mauldin & Jenkins, CPA  
**From:** Bobby Fitts, Finance Director  
**Prepared by:** Bobby Fitts, Finance Director  
**Approved by:** Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

Presentation of the Fiscal Year 2021 annual audit.

**Background:**

The annual audit represents the conclusion of the FY '21 Budget process. Mauldin & Jenkins, CPA has completed the audit of the Town of Zebulon for Fiscal Year 2021. Preliminary work begins in late Spring each year for that year's audit and continues through the opinion date of the financial statements.

The auditor's responsibility is to express opinions on the financial statements based on their audit. The audit is conducted in accordance with generally accepted auditing standards in the United States of America and standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require the auditors plan and perform the audit to obtain reasonable assurance the financial statements are free of material misstatement.

**Discussion:**

Tim Lyons of Mauldin & Jenkins, CPA will present their findings at the meeting. Please note the following:

- The total and change of the Town's Assessed Valuation
- The General Fund balance
- Tax collections percentage
- The Town's outstanding debt total and change

**Policy Analysis:**

The annual audit of a local government is required by NCGS 159-34. It shall be done by a CPA or accountant certified by the Local Government Commission as qualified to audit local government accounts. The audit shall be performed in conformity with generally accepted auditing standards.

**Staff Recommendation:**

No staff recommendation or Board action is necessary. This is informational only, but the attached Comprehensive Annual Financial Report (CAFR) serves as a useful tool to prepare for the Fiscal Year 2023 budget. Staff recommends review of the document with specific attention paid to the following sections: *Management Discussion and Analysis* (with particular attention paid to sub sections *Governmental Activities*, *Governmental Funds*, and *Economic Factors*), *Notes to Financial Statements* (focusing

STAFF REPORT  
AUDIT PRESENTATION  
MARCH 7, 2022

particularly on the *Fund Balances* sub section), and the *Statistical Section* (with attention focused on the *Assessed Value* and *Principal Property Tax Payers* tables.

**Attachments (to be handed out at the meeting):**

1. Town of Zebulon, NC Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2021.
2. Fiscal Year Ending June 30, 2021 Audit Highlights

**Zebulon Board of Commissioners**  
**Minutes**  
**February 7, 2022**

Present: Glenn York, Beverly Clark, Quentin Miles, Larry Loucks, Shannon Baxter, 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

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

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Commissioner Clark.

**APPROVAL OF AGENDA**

Commissioner Baxter asked to move the monthly financial report, Ordinance 2022-33, Parks and Recreation Refund Policy from consent and to add virtual meetings and app development to the agenda.

Commissioner Miles asked to move Ordinance 2022-34 and the quarterly reports from Planning and Parks and Recreation from consent.

Lisa Markland asked to add Public Comment under the Proclamation.

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

**SCHOOL RECOGNITIONS**

Mayor York recognized student Landon Strickland and teacher Christian White, both from Zebulon Elementary School.

**PROCLAMATION – BLACK HISTORY MONTH**

Commissioner Baxter made a motion, second by Commissioner Clark to approve the Proclamation for Black History Month. There was no discussion and the motion passed unanimously.

**PUBLIC COMMENT PERIOD**

Honey Wiggs, the President of the Zebulon Rotary Club, gave an update and spoke about upcoming events.

**CONSENT**

*A. Minutes*

Commissioner Baxter made a motion, second by Commissioner Clark to approve the minutes of the August 2, 2021 closed session. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Clark to approve the minutes of the January 3, 2022 regular meeting. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Clark to approve the minutes of the January 10, 2022 Joint Public Hearing. There was no discussion and the motion passed unanimously.

Commissioner Baxter made a motion, second by Commissioner Clark to approve the minutes of the January 18, 2022 special called meeting. There was no discussion and the motion passed unanimously.

*B. Finance*

Commissioner Baxter made a motion, second by Commissioner Clark to approve the Wake County tax report – November 2021. There was no discussion and the motion passed unanimously.

*C. General*

Commissioner Baxter made a motion, second by Commissioner Clark to approve the change in meeting time. There was no discussion and the motion passed unanimously.

**PRESENTATIONS**

*A. Board Vacancy Applicants*

Joe Moore spoke about the steps and schedule to fill and Board vacancy.

The following applicants spoke about their reasons for wanting to serve on the Board of Commissioners:

- Eugene Blount
- Annie Moore
- David Lowry
- Kacie Germano
- Jessica Harrison
- Stephanie Taranto

Mayor York stated the Board would vote on the Board vacancy at the February 25, 2022 meeting.

**NEW BUSINESS**

*A. Parks and Recreation*

1. Resolution 2022-11 – St. Patrick’s Day Event

Sheila Long spoke about the time and resources required for Town planned events and the importance of working together with the private sector to hold events. Staff created an event review work group where each department would review the event details. An agreement was drafted by the legal team and insurance underwriters for private sponsored events.

Sheila Long asked the board to consider a request by the Wake & District Public Safety Pipes and Drums to hold a St. Patrick’s Day event in the public right-of-way on Saturday, March 19, 2022. The Town staffing included two Public Works employees and three Police officers.

It was stated the Special Event Policy needed street closure and social district guidelines. Three options were presented to the Board:

- Option A: Waive all staff related fees
- Option B: Waived fees for road closure/require payment of off duty officers
- Option C: Waive no fees

Most events were rain or shine. Staff could recommend certain vendors but was unable to require them since this was a private event.

Commissioner Loucks inquired about business owners who did not want the street closed. Staff worked to accommodate business owners and offered a time that would have the least impact on their businesses.

Commissioner Baxter made a motion, second by Commissioner Loucks to approve Resolution 2022-11 Option A. There was no discussion and the motion passed unanimously.

## 2. Youth Program Financial Aid Policy

Sheila Long spoke about the Youth Program Financial Aid Policy. The Parks and Recreation Advisory Board secured a \$1,000 donation from ERA Parrish Realty to begin the program. The Advisory Board would continue to seek sponsors for the youth financial aid scholarship program. Staff would manage available funds to cover recreation fees for Zebulon Parks and Recreation Programs for residents requesting support and meeting the criteria.

It was explained the eligibility was for youth up to 18 years old and they must be a Town of Zebulon resident.

Commissioner Loucks made a motion, second by Commissioner Baxter to approve the Youth Program Financial Aid Policy. There was no discussion and the motion passed unanimously.

## *B. Finance*

### 1. Monthly Items

#### a. Monthly Financial Report

Commissioner Baxter inquired about the expenditures for the Board being at 56%. Bobby Fitts explained professional services, legal fees and ordinance codification made up the majority of the department's budget. The majority of all the legal fees came out of the Governing Board's budget. There was discussion about allocating legal fees to the specific department utilizing the services.

The monthly financial report was approved by consensus.

### 2. Budget Amendments

#### a. Ordinance 2022-33 – Recognize Governor's Crime Commission Grant

Jacqui Boykin explained it was a three year grant for the development of a policy management program. After the three years, it would be roughly \$5,300/annually.



Chief Boykin explained how the award was evaluated and granted to the Zebulon Police Department and spoke about the Power DMS software.

Commissioner Baxter made a motion, second by Commissioner Miles to approve Ordinance 2022-33. There was no discussion and the motion passed unanimously.

b. Ordinance 2022-34 – Play Zebulon Implementation

Sheila Long spoke about the timeframe for the projects. Staff would bring forth the request for the remaining \$56,400 at a later date.

Commissioner Baxter made a motion, second by Commissioner Miles to approve Ordinance 2022-34. There was no discussion and the motion passed unanimously.

*C. General*

1. Quarterly reports from Planning and Parks and Recreation

Commissioner Miles inquired about the passing of House Bill 890 and what that meant for the Town. Michael Clark explained this allowed local municipalities to establish social districts based on certain perimeters and more information would be forthcoming.

Commissioner Baxter made a motion, second by Commissioner Loucks to approve the Planning and Parks and Recreation Quarterly reports. There was no discussion and the motion passed unanimously.

*D. Parks and Recreation*

1. Refund Policy

Sheila Long explained the refund policy would be posted on the RecDesk website and at the Community Center. If the Town canceled a program, a 100% refund would be applied. The convenience fee that was charged for processing a credit card payment could not be refunded.

It was stated if the participant requested a refund within 10 calendar days or more in writing by email or letter they would receive a full refund, minus a \$5 processing fee.

Commissioner Baxter made a motion, second by Commissioner Miles to approve the Parks and Recreation refund policy. There was no discussion and the motion passed unanimously.

*E. Board*

1. Virtual Meeting

Commissioners Baxter, Miles and Loucks asked staff to research how to implement virtual Board meetings. Joe Moore stated staff would analyze the polices, research the technology requirements and follow-up with the information.

2. App Development

Joe Moore spoke about the app the Town of Wake Forest created. Staff would investigate more details and follow-up with the Board.

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### **BOARD COMMENTS**

Commissioner Baxter stated spring sports registration ended on Friday, February 11, 2022 and the Teen Valentine activity was scheduled for February 10, 2022.

Commissioner Baxter thanked the Zebulon Police Department for their hard work and enjoyed the YouTube video that was recently shared.

The work session on February 17, 2022 would begin at 4:00pm.

Commissioner Miles recognized Revered Jack Glasgow for his contribution to the community over the last 44 years.

Thanked the Zebulon Police Department for their service to the citizens.

Commissioner Clark thanked the Board applicants.

Commissioner Loucks asked everyone to watch the video by Chief Boykin, thanked the Zebulon Police Department and reminded everyone to wear your mask.

Chris Ray and Public Works were thanked for their weather preparation and ERA Parrish realty for their donation to the Youth Financial Aid Program.

Mayor York thanked the Board applicants.

### **MANAGER'S REPORT**

Joe Moore stated the February 17, 2022 work session would begin at 4:00pm and spoke about the topics to be discussed at the meeting.

On February 23, 2022 the Board would have a mini-retreat at the Town of Apex.

A Special Called Meeting was scheduled for February 25, 2022 to discuss filling the Board vacancy.

Bobby Fitts reported the following budget transfers:

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

Moved \$2,636 from Contract Services-Janitorial - \$1,136 to Part-time Salaries and \$1,500 to

#### **Travel & Training;**

Moved \$2,000 from ZMC Maintenance to ZMC Water & Sewer;

Moved \$1,000 from ZCC Maintenance to Cell Phones;

Moved \$3,040 from Insurance & Bonds - \$40 to Insurance & Bonds (Stadium) and \$3,000 to Fuel

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Operations:

Moved \$5,000 from Insurance & Bonds to Fuel;

Moved \$5,000 from Contract Services (Yard Waste Management) to Materials & Supplies – Streets

Commissioner Miles asked to have the transfers emailed to the Board.

**CLOSED SESSION**

Per N.C. General Statute § 143-318.11(a)(5): "... to instruct the [Town] staff or negotiating agents concerning the position to be taken by or on behalf of the [Town] in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; ..."

Commissioner Loucks made a motion, second by Commissioner Clark 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 Baxter to come out of closed session. There was no discussion and the motion passed unanimously.

Commissioner Baxter 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 February 2022.

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Glenn L. York—Mayor

SEAL

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Lisa M. Markland, CMC—Town Clerk

**Zebulon Board of Commissioners**  
**Retreat**  
**Minutes**  
**February 23, 2022**

Present: Glenn L. York-Mayor, Beverly Clark, Shannon Baxter, Larry Loucks, Joe Moore-Town Manager, Lisa Markland-Town Clerk, Mike Clark - Planning, Sheila Long – Parks & Recreation, Teresa Piner - DAC, Eric Vernon-Attorney

Mayor York called the meeting to order at 9:00am.

**APPROVAL OF AGENDA**

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

Town Manager Joe Moore presented the reason for the retreat and why it was being held in Apex. Joe thanked the Apex staff that was present for helping with the retreat and the work that was put into the meeting to help Zebulon to be ahead of the game as it grows.

**DOWNTOWN**

Mike Clark, Planning Director introduced Apex staff members Russel Dalton – Transportation Engineer and Shannon Cox – Long Range Planning Manager. Shannon and Russell presented about the process they went through to develop their downtown to include mixed uses of commercial and residential. The Town of Apex created a Downtown Master Plan, as well as a 15 page brochure about their downtown. The community was involved in its creation, and it is utilized to direct how the downtown is developed.

There was discussion about how what the Town of Apex did applied to the Town of Zebulon. It was shown many things that Apex did that could apply to the Town of Zebulon.

The group took a walking tour of downtown Apex with Russel and Shannon talking about the various projects that had been completed and others that were underway so that everyone could see how what was previously discussed was implemented.

**PLACEMAKING**

The Mayor stated that the Building Upfit Grant would be discussed at another meeting, and they would move on to the Zebulon Social District. Teresa Piner, the DAC Coordinator, presented on the Zebulon Social District stating that it was being proposed by staff to meet the goal of the Strategic Plan to have a vibrant downtown. It was explained that there were many municipalities that were in the process of implementing the same program for their communities.

The proposed district was shown on the map, along with the regulations. There was a great deal of discussion about multiple districts, charging a fee to be in the district, public bathrooms, and how it would be implemented.

Teresa explained that there was an educational component to the process to help the businesses and community to understand what would be and would not be allowed to occur.

There was discussion about patrons being targeted for DUI and how that would be handled.

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The benefits of the social district were shared which included increase foot traffic, gathering downtown, use of outdoor space in the alleys, attraction of newcomers to downtown and increase in patrons to businesses.

There was discussion about the social district and the possibility of a hybrid and the need for additional information. Mike Clark stated that they would get some public input on a social district to find out what they would like and would not like to see.

Mayor York recessed for lunch and to reconvene at 1:30pm.

Mayor York called the meeting back to order at 1:30pm.

**ECONOMIC DEVELOPMENT**

Mike Clark introduced the next topic of economic development and the discussion panel of Albert Alwang – WC Economic Development, Gina Clapp – Former Holly Springs Planning Director, Irena Krstonobvic – Holly Springs Economic Development Director and Joanna Helms – Apex Economic Development Director.

Mike asked a series of questions that allowed each of the panelists to talk about what they did to promote development within their communities. There was a discussion about the importance of building relationships with property owners so that they know that what the Town wants to do is not tear down the buildings but to work with the property owners to bring the best options for the property and the Town.

The panelists explained that it would be important to have a person that did economic development for the Town, and they were specific to state that it should not be the Chamber of Commerce. The two entities did not work in the same realms, and it needed to be a Town position.

There was discussion about the work session on March 17<sup>th</sup> and that there was a need to meet at 4:00pm.

Commissioner Loucks made a motion, second by Commissioner Miles to change the time of the work session on March 17<sup>th</sup> to 4:00pm There was no discussion and the motion passed unanimously.

The meeting was adjourned at 3:47pm.

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Date

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Glenn L. York—Mayor

SEAL

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Lisa M. Markland, CMC—Town Clerk

**Zebulon Board of Commissioners**  
**Special Called Meeting**  
**Minutes**  
**February 25, 2022**

Present: Glenn York, Beverly Clark, Larry Loucks, Quentin Miles, Shannon Baxter, Joe Moore-Town Manager, Michael Clark-Planning, Sheila Long-Parks and Recreation, Chris Ray-Public Works, Jacqui Boykin-Police, Lisa Markland-Town Clerk, Eric Vernon-Attorney

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

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

**APPOINTMENT TO FILL BOARD VACANCY**

Mayor York stated Jessica Harrison was exposed to COVID and was not in attendance at the meeting.

The process for the Board vacancy appointment was read. Mayor York explained that voting would be done by ballot and the clerk would read the votes if there was a tie.

Mayor York opened the floor for nominations.

Beverly Clark nominated Jessica Harrison.

Shannon Baxter nominated Stephanie Taranto.

Mayor York asked if anyone else wished to make a nomination. There were none. Mayor York closed the floor for nominations.

Commissioner Miles read a statement to the applicants and spoke about the qualities, characteristics and attributes of each of the nominees.

Commissioner Baxter thanked the applicants and stated Stephanie Taranto would give good knowledge on where the Town was going and where it needed to be.

Commissioner Clark spoke about Jessica Harrison and her qualifications that would benefit the Board.

Commissioner Loucks stated he reviewed each application, listened to all the presentations and met with several of the applicants to determine the most qualified person for the vacancy.

Mayor York asked the attorney about the process and to give his feedback.

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Minutes  
February 25, 2022

Eric Vernon stated the voting process was dictated by the Town charter and the vacancy would be filled by a plurality.

Each Commissioner cast their vote. The ballots were collected by the Town Clerk.

Lisa Markland read each ballot.

Commissioner Baxter voted for Stephanie Taranto  
Commissioner Miles voted for Jessica Harrison  
Commissioner Clark voted for Jessica Harrison  
Commissioner Loucks voted for Stephanie Taranto

There was a tie, therefore Mayor York cast his vote to break the tie. His ballot was collected and read by the Town Clerk. Mayor York voted for Jessica Harrison.

Mayor York announced Jessica Harrison was the new Commissioner for the Town of Zebulon.

Mayor York welcomed Jessica Harrison to the Board of Commissioners.

Commissioner Loucks 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> of March 2022.

SEAL

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Glenn L. York—Mayor

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Lisa M. Markland, CMC—Town Clerk



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

TEL 919 856 6180  
FAX 919 856 5699

SIG HUTCHINSON, CHAIR  
SHINICA THOMAS, VICE-CHAIR  
VICKIE ADAMSON  
MATT CALABRIA  
MARIA CERVANIA  
SUSAN EVANS  
JAMES WEST

February 8, 2022

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 February 7, 2022, 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,

A handwritten signature in black ink that reads "Yvonne Gilyard".

Yvonne Gilyard  
Deputy Clerk to the Board  
Wake County Board of Commissioners

Enclosure(s)





Wake County Tax Administration

Rebate Details  
12/01/2021 - 12/31/2021

**ZEBULON**

DATE  
01/01/2022

TIME  
9:36:29 PM

PAGE  
1

REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	BILLING YEAR	BILLING TYPE	OWNER
<b>WILDLIFE BOAT ACCOUNTS</b>											
803405	3.69	0.00	0.37	0.00	4.06	12/14/2021	0004197045	2021	2021	000000	JENKINS, STEVEN VANCE
<b>SUBTOTALS FOR WILDLIFE BOAT ACCOUNTS</b>											
	3.69	0.00	0.37	0.00	4.06		<b>1</b>	<b>Properties Rebated</b>			
<b>TOTAL REBATED FOR ZEBULON</b>											
	3.69	0.00	0.37	0.00	4.06		<b>1</b>	<b>Properties Rebated for City</b>			



Wake County Tax Administration  
Rebate Details  
12/01/2021 - 12/31/2021  
ZEBULON

DATE 01/01/2022  
TIME 9:36:29 PM  
PAGE 1

REBATE NUMBER	PROPERTY	CITY TAG	LATE LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	BILLING YEAR	BILLING TYPE	OWNER
<b>Grand Total:</b>	<b>77,498.21</b>	<b>60.00</b>	<b>1,698.24</b>	<b>0.00</b>	<b>79,256.45</b>		<b>101</b>	<b>Properties Rebated for All Cities</b>			

**Topic: FY 2022 Monthly Financial Statement Update**

Speaker: Bobby Fitts, Finance Director (if pulled from Consent)

Prepared by: Bobby Fitts, Finance Director

Approved by:  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

This monthly report summarizes the status of the Town's revenues and expenditures.

**Background:**

The attached financials are a summary of revenues and expenditures to date. These monthly reports are provided to inform the Board of revenue and expenditure trends throughout the year. The enclosed statements are through February 21, 2022.

**Information:**

FY '22 Expenditures

Seven and a half months (63%) into Fiscal Year 2022, the Town has spent approximately \$7,436,000 (~44% of its General Fund budget of \$17,036,203). Some larger expenditures are made earlier in the fiscal year, such as debt service payments on the fire pumper truck, ladder truck, leaf truck, payloader and other vehicle purchases; and premiums on annual property & liability insurance and workers compensation.

FY '22 Revenues

The following summary provides insight into the revenue activity of the current fiscal year:

- Property Tax (largest revenue stream)
  - + FY 2022 collections: \$7,893,210 collected to date (103% of \$7,628,000 budget).
  - + Observations:
    - # 8.9% more than collected last fiscal year (\$7,246,817).
    - # Majority of property taxes have now come in.
    - # There are 5 months of vehicle tax remaining to be collected as well.
- Sales Tax (second largest revenue stream)
  - + Comparisons (November's sales (reports lag 3-months)):
    - # \$57,884 (51.8%) more collected than last November for all sales tax.
    - # \$22,473 (44.3%) more collected than last November for "local" sales tax.
  - + Year-to-Date comparisons
    - # \$263,663 (+49.9%) more collected than at this time last year for all sales tax
    - # Collections represent 61% of budgeted revenues at 42% of the fiscal year.
- Utilities Sales Tax (5% of revenue stream):
  - + Second disbursement due March 15
  - + Reflects natural gas and electricity sales and heavily weather dependent

- **Permits & Zoning**
  - + \$111,461 collected total (51% of budgeted revenues (\$220,000))
  - + 39.3% less than what was collected this time last fiscal year (\$183,548).
  - + An indication of development activity and corresponding support services.
  
- **Transportation Impact Fees**
  - + \$164,562 collected to date (82% of budgeted revenues (\$200,000)).
  - + 48.7% less than what was collected last fiscal year.
  - + Revenue placed in reserve for transportation projects to be spent within 10 years

**Policy Analysis: N/A**

**Financial Analysis:** Budgeted revenue in FY 2022 is \$17,036,203 while year to date revenue collected was \$11,246,395 (66% of budgeted). As shown in the chart on the Revenue Statement, 71.4% of year-to-date revenues come from property taxes as the total for the year has been collected.

**Staff Recommendation:**

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

**Attachments:**

1. General Fund Fiscal Year 2022 Expenditure Statement and Revenue Statement (as of February 21, 2022)
2. Sales Tax – FY 2022
3. Governing Body Detail Expenditure Report (per Board request from February meeting)
4. Budget Transfers (per Board request from February meeting)

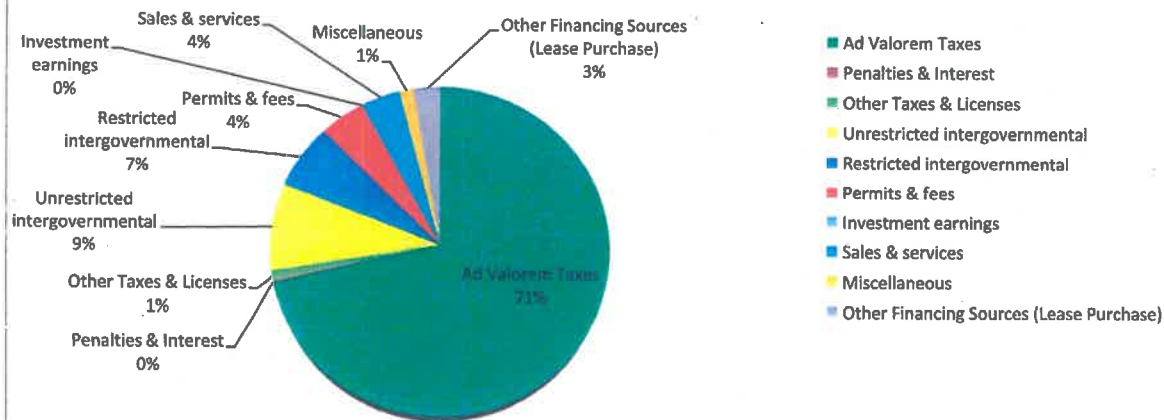
# ZEBULON

SOUTH CAROLINA

TOWN OF ZEBULON  
 Revenue Statement: 2021 - 2022 As of 2/21/2022  
 for Accounting Period 6/30/2022  
 GENERAL FUND

<u>Revenue Categories</u>	<u>Estimated Revenue</u>	<u>Revenue YTD</u>	<u>% Collected</u>	<u>% of Total Revenue YTD</u>
Ad Valorem Taxes	\$7,672,000	\$8,025,601	104.6%	71.4%
Penalties & Interest	\$13,500	\$16,582	122.8%	0.1%
Other Taxes & Licenses	\$145,400	\$101,266	69.6%	0.9%
Unrestricted intergovernmental	\$1,927,500	\$971,832	50.4%	8.6%
Restricted intergovernmental	\$943,845	\$739,276	78.3%	6.6%
Permits & fees	\$551,500	\$505,516	91.7%	4.5%
Investment earnings	\$3,500	\$934	26.7%	0.0%
Sales & services	\$931,400	\$434,727	46.7%	3.9%
Miscellaneous	\$77,136	\$145,661	188.8%	1.3%
Other Financing Sources (Lease Purchase)	\$315,000	\$305,000	0.0%	2.7%
Fund Balance Appropriated	<u>\$4,455,422</u>	<u>\$0</u>	<u>0.0%</u>	<u>0.0%</u>
<b>Total Revenues</b>	<b>\$17,036,203</b>	<b>\$11,246,395</b>	<b>66.0%</b>	<b>100%</b>

**Town of Zebulon General Fund % of Total Revenue To Date - FY 2022**



# ZEBULON

NORTH CAROLINA

TOWN OF ZEBULON  
 Expenditure Statement:2021 - 2022  
 for Accounting Period 6/30/2022  
 GENERAL FUND

As of 2/21/2022

<u>Dept #</u>	<u>Department</u>	<u>Approp Amount</u>	<u>Expenditure YTD</u>	<u>% Exp.</u>
410	GOVERNING BODY	\$435,015	\$280,176	64.4%
420	FINANCE	\$407,016	\$265,101	65.1%
430	ADMINISTRATION	\$1,021,700	\$553,473	54.2%
490	PLANNING AND ZONING	\$672,366	\$388,923	57.8%
500	PUBLIC WORKS-PROPERTY & PROJECT MGMT	\$2,854,915	\$671,492	23.5%
510	POLICE	\$2,768,155	\$1,859,481	67.2%
520	PUBLIC WORKS-OPERATIONS	\$3,338,766	\$1,499,451	44.9%
530	FIRE	\$3,038,614	\$1,252,932	41.2%
570	POWELL BILL	\$351,500	\$3,289	0.9%
620	PARKS & RECREATION	\$1,783,011	\$606,192	34.0%
690	COMMUNITY & ECONOMIC DEVELOPMENT	\$365,145	\$55,141	15.1%
	<b>Total Expenditures</b>	<b>\$17,036,203</b>	<b>\$7,435,651</b>	<b>43.6%</b>

**Sales Tax**

**FY 2022**

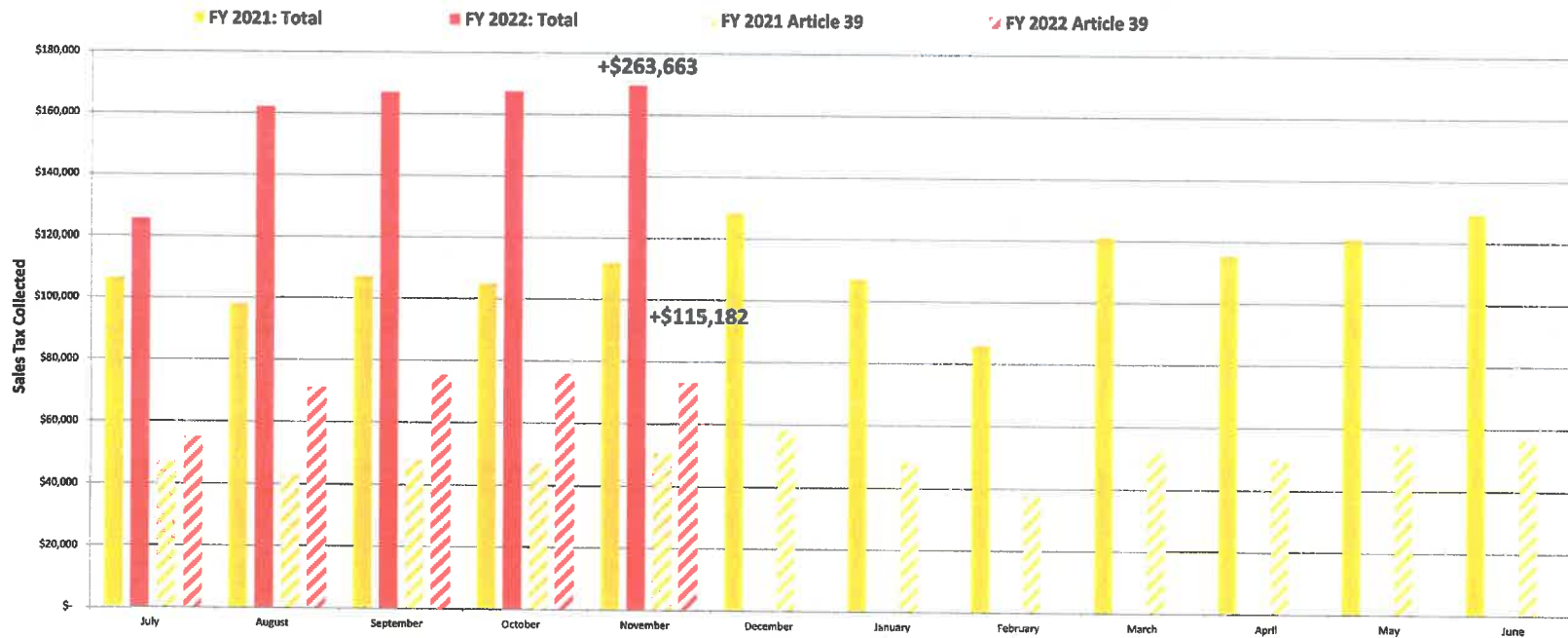
Month	Article 39 (1) *	Article 40 (1/2)	Article 42 (1/2)	Article 44 (1/2)	City Hold Harmless	FY 22 Totals	Prior Year (FY 2021)	% Inc (Dec) from Prior Yr
July	\$ 54,740	\$ 23,633	\$ 27,374	\$ (8)	\$ 19,820	\$ 125,560	\$ 106,293	18.1%
August	70,908	30,305	35,575	0	25,312	162,100	98,134	65.2%
September	75,195	30,242	37,636	(8)	23,969	167,034	107,017	56.1%
October	76,033	30,096	38,111	1	23,345	167,586	105,056	59.5%
November	73,190	32,351	36,680	0	27,435	169,657	111,773	51.8%
December	-	-	-	-	-	-	128,204	-100.0%
January	-	-	-	-	-	-	107,034	-100.0%
February	-	-	-	-	-	-	85,810	-100.0%
March	-	-	-	-	-	-	121,143	-100.0%
April	-	-	-	-	-	-	115,436	-100.0%
May	-	-	-	-	-	-	120,866	-100.0%
June	-	-	-	-	-	-	129,315	-100.0%
<b>Total</b>	<b>\$ 350,066</b>	<b>\$ 146,627</b>	<b>\$ 175,377</b>	<b>\$ (14)</b>	<b>\$ 119,881</b>	<b>\$ 791,937</b>	<b>\$ 528,274</b>	<b>49.9%</b>

**FY 2021**

Month	Article 39 (1) *	Article 40 (1/2)	Article 42 (1/2)	Article 44 (1/2)	City Hold Harmless	FY 21 Totals	Prior Year (FY 2020)	% Inc (Dec) from Prior Yr
July	\$ 46,727	\$ 19,891	\$ 23,331	\$ (7)	\$ 16,351	\$ 106,293	\$ 94,711	12.2%
August	42,713	18,626	21,327	11	15,457	98,134	96,820	1.4%
September	47,770	19,733	23,858	(2)	15,658	107,017	98,482	8.7%
October	46,956	19,326	23,433	(13)	15,354	105,056	101,205	3.8%
November	50,717	20,199	25,285	(2)	15,574	111,773	100,498	11.2%
December	58,329	23,016	29,146	10	17,704	128,204	108,478	18.2%
January	48,410	19,425	24,185	1	15,012	107,034	84,115	27.2%
February	37,570	16,223	18,734	1	13,282	85,810	85,027	0.9%
March	51,917	23,270	25,950	(2)	20,007	121,143	96,647	25.3%
April	50,198	21,765	25,058	(3)	18,418	115,436	81,112	42.3%
May	54,888	21,736	27,402	0	16,841	120,866	93,940	28.7%
June	56,533	24,213	28,255	2	20,313	129,315	112,742	14.7%
<b>Total</b>	<b>\$ 592,728</b>	<b>\$ 247,422</b>	<b>\$ 295,964</b>	<b>\$ (4)</b>	<b>\$ 199,972</b>	<b>\$ 1,336,082</b>	<b>\$ 1,153,778</b>	<b>15.8%</b>

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

# Monthly Summary of Sales Tax Collected





Range of Accounts: 10-410-0000 to 10-410-5810  
Include Cap Accounts: Yes As Of: 03/01/22  
Skip Zero Activity: Yes

NOTE: This report includes ONLY activity originally Budgeted/Charged to Budget Year 2.  
Prior Year Budgeted/Encumbered/Payable amounts rolled to Budget Year 2 have been EXCLUDED.

Account No	Description	Budgeted	Transfers	Encumber	Net Expd/Reimb	Payable	Balance YTD	%Used
10-410-0000	GOVERNING BODY:							
10-410-0200	SALARIES	39,600.00	0.00	0.00	25,005.21	0.00	14,594.79	63
10-410-0400	PROFESSIONAL SERVICES	300,000.00	0.00	4,792.00	198,316.70	0.00	96,891.30	68
10-410-0500	FICA	3,100.00	0.00	0.00	2,670.94	0.00	429.06	86
10-410-0600	GROUP INSURANCE	37,800.00	0.00	0.00	17,959.86	0.00	19,840.14	48
10-410-1100	POSTAGE	515.00	0.00	0.00	103.10	0.00	411.90	20
10-410-1101	CELL PHONES	600.00	0.00	0.00	349.30	0.00	250.70	58
10-410-1400	TRAVEL/TRAINING	9,500.00	0.00	0.00	3,906.86	0.00	5,593.14	41
10-410-1600	EQUIPMENT MAINTENANCE	500.00	0.00	0.00	0.00	0.00	500.00	0
10-410-3300	MATERIALS & SUPPLIES	3,400.00	0.00	0.00	2,924.31	0.00	475.69	86
10-410-3301	UNIFORMS	600.00	0.00	0.00	0.00	0.00	600.00	0
10-410-3400	ELECTIONS	15,000.00	0.00	0.00	11,179.71	0.00	3,820.29	75
10-410-3500	APPOINTED BOARD APPRECIATION	3,000.00	0.00	0.00	0.00	0.00	3,000.00	0
10-410-3700	TRIANGLE J COG	2,000.00	0.00	0.00	2,014.00	0.00	14.00	101
10-410-3800	NCLM	6,000.00	0.00	0.00	6,151.00	0.00	151.00	103
10-410-3900	SCHOOL OF GOVERNMENT	700.00	0.00	0.00	701.00	0.00	1.00	100
10-410-4000	CAMPO	3,000.00	0.00	0.00	0.00	0.00	3,000.00	0
10-410-5400	INSURANCE & BONDS	4,700.00	0.00	0.00	4,686.23	0.00	13.77	100
10-410-5800	DEW4HIM MINISTRIES, INC.	250.00	0.00	0.00	0.00	0.00	250.00	0
10-410-5801	EAST WAKE EDUCATION FOUNDATION	1,000.00	0.00	0.00	1,000.00	0.00	0.00	100
10-410-5802	INTERACT	1,000.00	0.00	0.00	1,000.00	0.00	0.00	100
10-410-5803	MISS ZEBULON ORGANIZATION	500.00	0.00	0.00	500.00	0.00	0.00	100
10-410-5806	SHARE HIS GLORY	250.00	0.00	0.00	250.00	0.00	0.00	100
10-410-5807	SHEPHERD'S CARE MEDICAL CLINIC	1,000.00	0.00	0.00	1,000.00	0.00	0.00	100
10-410-5808	ZEBULON UMC FOOD PANTRY	500.00	0.00	0.00	500.00	0.00	0.00	100
10-410-5809	GO THE EXTRA MILE	250.00	0.00	0.00	250.00	0.00	0.00	100
10-410-5810	PROGRESSIVE TEAMWORKS OUTREACH	250.00	0.00	0.00	250.00	0.00	0.00	100
Control: 0000	Total	435,015.00	0.00	4,792.00	280,718.22	0.00	149,504.78	66
Fund: 10	GENERAL FUND Budgeted Total	435,015.00	0.00	4,792.00	280,718.22	0.00	149,504.78	66
Fund: 10	GENERAL FUND Non-Budgeted Total	0.00	0.00	0.00	0.00	0.00	0.00	0
Fund: 10	GENERAL FUND Total	435,015.00	0.00	4,792.00	280,718.22	0.00	149,504.78	66

Town of Zebulon  
2022 Detail Expenditure Year Analysis

Account No	Description	Budgeted	Transfers	Encumber	Net Expd/Reimb	Payable	Balance YTD	%Used
Final Budgeted		435,015.00	0.00	4,792.00	280,718.22	0.00	149,504.78	66
Final Non-Budgeted		0.00	0.00	0.00	0.00	0.00	0.00	0
Final Total		435,015.00	0.00	4,792.00	280,718.22	0.00	149,504.78	66

**February 7, 2022**

I need to report the following budget transfers:

**Project & Property Management:**

Moved \$2,636 from Contract Services-Janitorial - \$1,136 to Part-time Salaries and \$1,500 to Travel & Training;

Moved \$2,000 from ZMC Maintenance to ZMC Water & Sewer;

Moved \$1,000 from ZCC Maintenance to Cell Phones;


Moved \$3,040 from Insurance & Bonds - \$40 to Insurance & Bonds (Stadium) and \$3,000 to Fuel

**Operations:**

Moved \$5,000 from Insurance & Bonds to Fuel;

Moved \$5,000 from Contract Services (Yard Waste Management) to Materials & Supplies – Streets

STAFF REPORT  
GOVERNOR'S HIGHWAY  
SAFETY PROGRAM GRANT  
MARCH 7, 2022

**Topic:** 2022 Governor's Highway Safety Program Grant Process  
**Speaker:** Jacqui Boykin (if pulled from Consent)  
**From:** Jacqui Boykin, Chief of Police  
**Prepared by:** Jacqui Boykin, Chief of Police  
**Approved by:**  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

Information on the 2022 Governor's Highway Safety Program grant process.

**Background:**

The Governor's Highway Safety Program (GHSP) is a subsidiary of the NC Department of Transportation focused on roadway safety. They support law enforcement organizations with programming and grants to enforce traffic laws and prevent traffic accidents.

The GHSP grants serve as "seed money" for agencies to develop traffic enforcement and accident prevention capacity by providing a decreasing supplement for specific costs over three years (ex. 85% in year one, 70% in year two, 50% in year three).

The Town is responding to, and tied down to managing, an increasing number of traffic related calls. Dedicating personnel to these traffic calls will free patrols to respond to traditional calls for service and to conduct the proactive policing strategies so effective in preventing crime. If funded in the FY '23 Budget, some personnel and equipment expenses of new officers would be eligible for reimbursement by a GHSP grant.

The GHSP grant cycle and the municipal fiscal calendar does not match. Agencies are required to submit applications prior to approval of the upcoming budget.

**Information:**

Staff applied for a 2022 GHSP grant.

**Policy Analysis:**

Hiring additional staff addresses the *Growing Smart* goal to "maintain appropriate staffing to support expected service levels for the growing community".

**Financial Analysis:**

If awarded, the GHSP grant could reimburse up to approximately \$250,000 of eligible expenses for new law enforcement positions funded in the FY '23 Budget.

If the FY '23 Budget does not include funding for law enforcement positions, and the GHSP grant is awarded, the Town would not adopt a resolution accepting the grant.

**Staff Recommendation:**

No staff recommendation or Board action is necessary at this time.

**Attachments:** None

**Topic: Five County Stadium Lease Agreement – Second Amendment**

Speaker: Eric Vernon (if pulled from Consent)

From: Eric Vernon, Town Attorney

Chris Ray, Public Works Director

Approved by:  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

The Board will consider a Second Amendment to the Five County Stadium Lease Agreement.

**Background:**

Five County Stadium has been home to the Carolina Mudcats (Mudcats Baseball, LLC) baseball team since opening in 1991. Per a 2002 Interlocal Agreement (ILA), the Town and Wake County respectively own 15% and 85% of Five County Stadium as tenants in common.

Lease of the facility assigns responsibility of ballpark operations to the Lessee (Mudcats) and responsibility of capital improvements, facility management, and utilities to the Lessor (Town and County). The current lease expires December 31, 2022, and includes options for two additional five-year terms.

In 2021, Major League Baseball (MLB) developed minimum Facility Standards as part of a new Player Development License (PDL) system. Each Minor League Facility must reach compliance with these standards or be designated a "Non-Compliance Event". Penalties for a "Non-Compliance Event" range from significant fines up to the loss of the PDL. Facilities are required to comply by April 2023 (Opening Day).

Wake County had hired an architectural firm to perform a facility assessment and results of the study are expected later in Spring 2022. Staff will follow-up with the Board at a future Work Session to share results of the assessment and recommendations on next steps.

In consideration of the pending facility assessment, and to allow additional time for all parties to reach agreement regarding the improvements and alterations noted in the assessment, the Milwaukee Brewers (owners of the Mudcats since 2017) have requested an amendment to the first five-year extension. This amendment would allow the Mudcats the option to terminate the first five-year extension at the end of Year 1 instead of Year 5.

Wake County Board of Commissioners approved this Amendment by Consent at their Regular Meeting on February 21, 2022.

**Discussion:**

The Board will consider adopting the Second Amendment to the Five County Stadium Lease Agreement.

**Policy Analysis:**

This action supports routine Town operations.

**Financial Analysis:**

There is no fiscal impact associated with this action

**Staff Recommendation:**

Staff recommends approving the Second Amendment to the Lease Agreement.

**Attachment(s):**

1. Second Amendment to the Five Count Stadium Lease Agreement

NORTH CAROLINA

WAKE COUNTY

SECOND AMENDMENT TO  
LEASE AGREEMENT

This Second Amendment to Lease Agreement (this "Second Amendment") is entered into on this \_\_\_ day of \_\_\_\_\_, 20\_\_ ("Effective Date") by and between **Town of Zebulon**, a North Carolina municipal corporation ("**Town**") and Wake County, North Carolina ("**Wake County**") (the Town and Wake County are collectively referred to herein as "**Lessor**") and **Mudcats Baseball, LLC**, a North Carolina limited liability company ("**Lessee**") (as assignee of Carolina Mudcats Professional Baseball Club, Inc., a North Carolina corporation n/k/a Pastime Holdings, Inc.). The capitalized terms which are not defined herein shall have the same meaning as otherwise set out in the Lease.

WITNESSETH:

WHEREAS, Lessor and Lessee are parties to that certain Lease Agreement (as previously amended by that certain First Amendment to Lease Agreement, the "Existing Lease," and as further amended by this Second Amendment, the "Lease");

WHEREAS, the Existing Lease is currently set to expire at 11:59 P.M. on December 31, 2022, unless earlier extended by Lessee in accordance with its rights under the Lease; and

WHEREAS, Lessor and Lessee desire to enter into this Second Amendment for the purpose of revising certain terms of the Lease as set out with specificity below.

NOW, THEREFORE, in consideration of these promises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Between the date of this Second Amendment and September 1, 2022, Lessor (or Wake County on behalf of Lessor) and Lessee shall work together in good faith in an attempt to reach a written agreement (which shall be in the form of a further amendment to the Lease with an attached schedule of agreed upon improvements and other alterations to be made to the Stadium and the Premises) in order to assure compliance with the Facility Standards and related requirements of MLB Professional Development Leagues, LLC ("MLB PDL"). Lessor and Lessee each retain full discretion as to whether and on what terms it would be willing to enter such amendment, and, for the avoidance of doubt, failure of Lessor and Lessee to agree on such an amendment shall not constitute a breach or default by either party under this Second Amendment or the Lease. In addition to the condition set forth in Section 21.17 as amended herein, Wake County and the Town must reach an agreement regarding Lessor's payment for any improvements or alterations, and such agreement between Wake County and the Town shall be subject to appropriation and approval by the respective governing authorities of the Town and Wake County.
2. Section 3.1 of the Lease is hereby amended so that it reads in its entirety as follows:

3.1 The initial term of the Lease shall be for twenty (20) years commencing on the effective date of this Lease (i.e., January 1, 2003) (“Lease Commencement Date”) and expiring on the twentieth anniversary of the Lease Commencement Date (i.e., 11:59 P.M. on December 31, 2022); provided, however that Lessee may extend the Lease for up to two successive additional terms with respective lengths of five (5) years (January 1, 2023 through December 31, 2027) (the “First Extension Term”), and five (5) years (January 1, 2028 through December 31, 2032) (the “Second Extension Term”); in accordance with this Section 3.1, with such extensions being upon the same terms and conditions as provided in this Lease (as amended). Lessee may exercise its options for the First Extension Term by providing written notice to Lessor at least ninety (90) days prior to the expiration of the initial term. The Lessee shall have the one time right to terminate the First Extension Term effective at the expiration of the first year of the First Extension Term (December 31, 2023) by providing written notice to Lessor at least ninety (90) days prior to the expiration of such first year (the “Termination Option”). Notwithstanding the foregoing, neither the First Extension Term nor the Second Extension Term option may be exercised without the prior approval of MLB PDL. Additionally, Lessee’s decision to exercise or to decline to exercise the Termination Option shall require the prior approval of MLB PDL. If Lessee has exercised its option for the full First Extension Term and chooses to exercise its option for the Second Extension Term, then Lessee shall give at least ninety (90) days written notice of intent to exercise its option for the Second Extension Term prior to the expiration of the First Extension Term. If the First Extension Term is terminated early, then Lessee shall not have the option for a Second Extension Term without the agreement of the parties and approval of the Lessor’s respective governing authorities.

3. Subject to and without waiving any of Lessee’s rights under the Lease (as amended by this Second Amendment), including, without limitation, its rights with respect to the Termination Option, and having obtained the approval of MLB PDL, Lessee hereby exercises its option to extend the Lease for the First Extension Term. ~~Mudeats Baseball LLC shall use good faith efforts to continue the operations of the minor league team pursuant to the terms of the Lease, including any obligations under the Management Agreement, for the 2023 season, subject to the approval of the MLB PDL. Accordingly, without waiving any of Lessee’s rights under the Lease (as amended by this Second Amendment), Lessee shall maintain a franchise/agreement for a minor league baseball team at the Premises for the 2023 season and cause such team to play home games at the Premises during the 2023 season per Sections 2.1(d) and 7.5 of the Lease, respectively, in each case subject to the terms and conditions of those sections and all other provisions of the Lease (as amended by this Second Amendment), and subject in all respects to the approval of MLB PDL.~~
4. The first sentence of Section 3.2 of the Lease is hereby amended and restated so that it reads in its entirety as follows:

Provided this Lease is still in effect during the year prior to the termination of the Second Extension Term, on or about one year prior to the termination of the Second



Extension Term, either Lessor or Lessee may request that the other party to this Lease meet and negotiate in good faith for a new lease.

5. Section 21.17 of the Lease is hereby amended so that it reads in its entirety as follows:

21.17 Amendment, Modification, or Alteration. No amendment, modification or alteration of the terms of this Lease shall be binding unless in writing, dated subsequent to the date hereon and duly executed by the parties hereto, and approved by the respective governing authorities of the Lessor (Wake County Board of Commissioners and Zebulon Board of Commissioners). Notwithstanding anything herein to the contrary, this Lease may not be amended, supplemented or otherwise modified, and no provision herein may be waived, unless Lessee has obtained all necessary approvals of MLB PDL in advance thereof.

6. Binding Effect. The amendments made to the Lease pursuant to this Second Amendment shall be binding upon the parties and their respective successors and assigns.
7. Nature of Amendments. The amendments made to the Lease pursuant to this Second Amendment shall constitute the only amendments to be effectuated and all other provisions of the Existing Lease not affected hereby shall remain in place and shall be in full force and effect. To the extent that there is any conflict between the terms of this Second Amendment and the Existing Lease, the terms of this Second Amendment will govern.
8. Memo of Recordation. Contemporaneous with the execution of this Amendment, Lessor and Lessee shall sign and deliver an amendment to the memo of lease in a mutually agreed upon, recordable form for recording in the Wake County Registry.

**(The remainder of this page is intentionally left blank. Next page is signature page.)**

IN WITNESS WHEREOF, Lessor and Lessee have entered into this Amendment by their duly authorized officers as of the date first above written.

**LESSEE:**

**MUDCATS BASEBALL, LLC**  
a North Carolina limited liability company

By Its Manager:

**MICRO BREW, LLC,**  
a Delaware limited liability company

By: \_\_\_\_\_  
Richard C. Schlesinger, President – Business Operations

STATE OF WISCONSIN  
MILWAUKEE COUNTY

I, \_\_\_\_\_, a Notary Public, in and for said County and State do certify that Richard C. Schlesinger, as President – Business Operations of the Manager of Mudcats Baseball, LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal/stamp, this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Notary Public

Printed Name of Notary: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

**LESSOR:**

**TOWN OF ZEBULON**

By: \_\_\_\_\_  
Glenn L. York, Mayor

Attest:

\_\_\_\_\_  
Lisa M. Markland, CMC, Town Clerk

NORTH CAROLINA  
WAKE COUNTY

I, \_\_\_\_\_, a Notary Public, in and for said County and State do certify that Lisa M. Markland, a person known to me or proven by satisfactory evidence, personally appeared before me this day and acknowledged that she is Town Clerk and that by authority duly given and as the act of said Town of Zebulon the foregoing instrument was signed in its name by its Mayor, Robert S. Matheny, sealed with its corporate seal and attested by its Clerk.

Witness my hand and notarial seal/stamp, this \_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Notary Public

Printed Name of Notary: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

**LESSOR:**

**WAKE COUNTY:**

BOARD OF COMMISSIONERS OF WAKE COUNTY, NORTH CAROLINA

By: \_\_\_\_\_  
\_\_\_\_\_, Chairman

Attest:

\_\_\_\_\_  
\_\_\_\_\_, Clerk  
Board of Commissioners of Wake County, North Carolina

NORTH CAROLINA  
WAKE COUNTY

I, \_\_\_\_\_, a Notary Public, in and for said County and State do certify that \_\_\_\_\_, a person known to me or proven by satisfactory evidence, personally appeared before me this day and acknowledged that he/she is Clerk of Wake County Board of Commissioners and that by authority duly given and as the act of said County of Wake the foregoing instrument was signed in its name by its Chairman, Sig Hutchinson, sealed with its corporate seal and attested by its Clerk.

Witness my hand and notarial seal/stamp, this \_\_\_\_\_ day of \_\_\_\_\_ 2022.


\_\_\_\_\_  
Notary Public

Printed Name of Notary: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

STAFF REPORT  
ROTARY CLUB "FLAGS FOR HEROES"  
ZEBULON MUNICIPAL COMPLEX FACILITY  
USE APPLICATION  
MARCH 7, 2022

**Topic: Rotary Club "Flags for Heroes" Zebulon Municipal Complex Facility Use Application**

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 Zebulon Rotary Club's request to use the Municipal Complex from May 27 (Memorial Day weekend) through June 14 (Flag Day).

**Background:**

On May 22, 2013, Zebulon's Board of Commissioners adopted a facility use policy detailing the requirements for non-profit groups to utilize the Municipal Complex.

The Zebulon Rotary Club has requested the use of the Municipal Complex to install 125, 10-foot US flags to support our veterans and other local heroes from May 27<sup>th</sup> through June 14<sup>th</sup>. The flags will be installed on Friday, May 27<sup>th</sup>, and kept up through Flag Day Monday, June 14<sup>th</sup>.

Flags will be placed in the same arrangement as the Veteran's Day event in 2021 (see attached layout).

Rotary Club members will work closely with Staff on the installation to avoid damage to the irrigation system. The Rotary Club requests a waiver of the facility use fee of \$1,000. All proceeds from the event will go to support Rotary Club charitable activities throughout the year.

Based on the projected number of attendees, the Rotary Club will not have a ceremony so there should be minimal impact to the facility grounds.

**Discussion:**

The discussion before the Board is whether to allow the Rotary Club to install flags and banners on the Municipal Complex grounds from May 27<sup>th</sup> through June 14<sup>th</sup>, and waive the facility use fee.

**Policy Guidance:**

The Zebulon Rotary Club's request to use the Municipal Complex facilities is consistent with the first four considerations of the Facility Use Policy for the Zebulon Municipal Complex:

- Nonprofit status or public service
- Substantial presence in the community

STAFF REPORT  
ROTARY CLUB "FLAGS FOR HEROES"  
ZEBULON MUNICIPAL COMPLEX FACILITY  
USE APPLICATION  
MARCH 7, 2022

- Proven track record over time of contributions to benefit the Town, its institutions, and its citizens
- Stimulate or encourage community participation in nonprofit activities

**Fiscal Analysis:**

The FY 2022 facility use fee is \$1,000. The Town's cost to support the event is approximately \$1,500 (estimates based upon \$1,000 in fuel to run the light towers, and \$500 budgeted for call-back of Staff over the three-weekend span). This is not a budgeted expense. The costs are marginal and should be covered within existing line items for fuel and salaries.

**Staff Recommendation:**

Staff recommends the Zebulon Board of Commissioners approve the use of the facility and waive the facility use fee.

**Attachments:**

1. "Zebulon Rotary Club Flags for Heroes Memorial Day"
2. Site Layout

**From:** [Honey Wiggs](#)  
**To:** [Lisa Markland](#)  
**Subject:** Re: Zebulon Rotary Club Flags for Heroes Memorial Day  
**Date:** Thursday, February 10, 2022 4:02:18 PM

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The Rotary club of Zebulon was extremely grateful for the opportunity to host our flags for heroes event over the Veterans Day weekend in conjunction with the parks and rec department. The flags that were on display were amazingly beautiful and patriotic. Our town genuinely loved the sight. We would like to host this fundraising event twice a year, Memorial Day and Veterans Day.

We are asking for use of the front lawn of town hall to be able to display our flags. This time we would like to be able to put the flags in a few rows of the front lawn instead of around the perimeter of the front lawn. We anticipate displaying 125 flags again. Our desire is to have them up through the memorial day weekend and take them down on June 15, after flag day, though we are open to any timeframe that you might suggest.

Once again, we will be selling sponsorships for flags so people can honor loved ones or local heroes over the holiday. All proceeds from sponsorships goes into our budget that is strictly set aside for giving back to the community. We support many local organizations, ministries, provide funding for scholarships and assist with needs within the community as we can.

I would ask that all fees for use of the front lawn be waived. If we need to cover expenses for assistance from Zebulon Public Works we can do that as well.

Honey Wiggs

**Honey Wiggs**

President, Legacy of Joy Inc.

Owner, Joyful Health LLC

[www.LegacyOfJoyInc.com](http://www.LegacyOfJoyInc.com)

**Author**, "Life is Sweeter with Honey: How to Create a Joy Filled Life". [amzn.to/3jZR9yp](https://amzn.to/3jZR9yp)

**Speaker**, "Designing the Life of Your Dreams" and "Honey for Your Holidays"

**Transformation Specialist**, certified coach assisting people to transform their lives one healthy habit at a time

919-250-8030 / [bit.ly/3nm2HhR](https://bit.ly/3nm2HhR)

On Feb 10, 2022, at 3:06 PM, Lisa Markland <[lmarkland@townofzebulon.org](mailto:lmarkland@townofzebulon.org)> wrote:

Honey

I will share this with Joe and give it a spot on the March agenda. Would you please provide the specifics of the program in writing that states it is a Rotary event, the cost, what you are raising funds for, and of course what you are asking for.

I will make sure a staff report goes with this and we will be good to go.

Thanks and I look forward to this again.

Lisa

**Lisa M. Markland, CMC**

Human Resources Director/Town Clerk  
Town of Zebulon

919.823.1800 (direct)

1003 N. Arendell Avenue  
Zebulon, NC 27597

[www.townofzebulon.org](http://www.townofzebulon.org)

<image001.jpg>

Email correspondence to and from this sender is subject to NC Public Records Law and may be disclosed to third parties.

**From:** Honey Wiggs <hbwiggs@gmail.com>

**Sent:** Monday, February 7, 2022 7:37 PM

**To:** Lisa Markland <lmarkland@townofzebulon.org>

**Subject:** Zebulon Rotary Club Flags for Heroes Memorial Day

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Lisa,

I would like to get the next Flags For Heroes event on the March calendar with the town. I spoke to Larry Louks at the January Business After Hours and he was very excited to help us have this event twice a year.

We would like to have the 125 flags in lines across the front lawn, per Chris Ray's



direction, from May 27th through Flag Day (June 14th) taking them down on the 15th, unless the board suggests a different time to take them down.

Let me know your thoughts and what you need from me. I appreciate you. Thanks so much for your service to our town and our club.

Honey

**Honey Wiggs**

President, Legacy of Joy Inc.

Owner, Joyful Health LLC

[www.LegacyOfJoyInc.com](http://www.LegacyOfJoyInc.com)

**Author**, "Life is Sweeter with Honey: How to Create a Joy Filled Life".

[amzn.to/3jZR9yp](https://amzn.to/3jZR9yp)

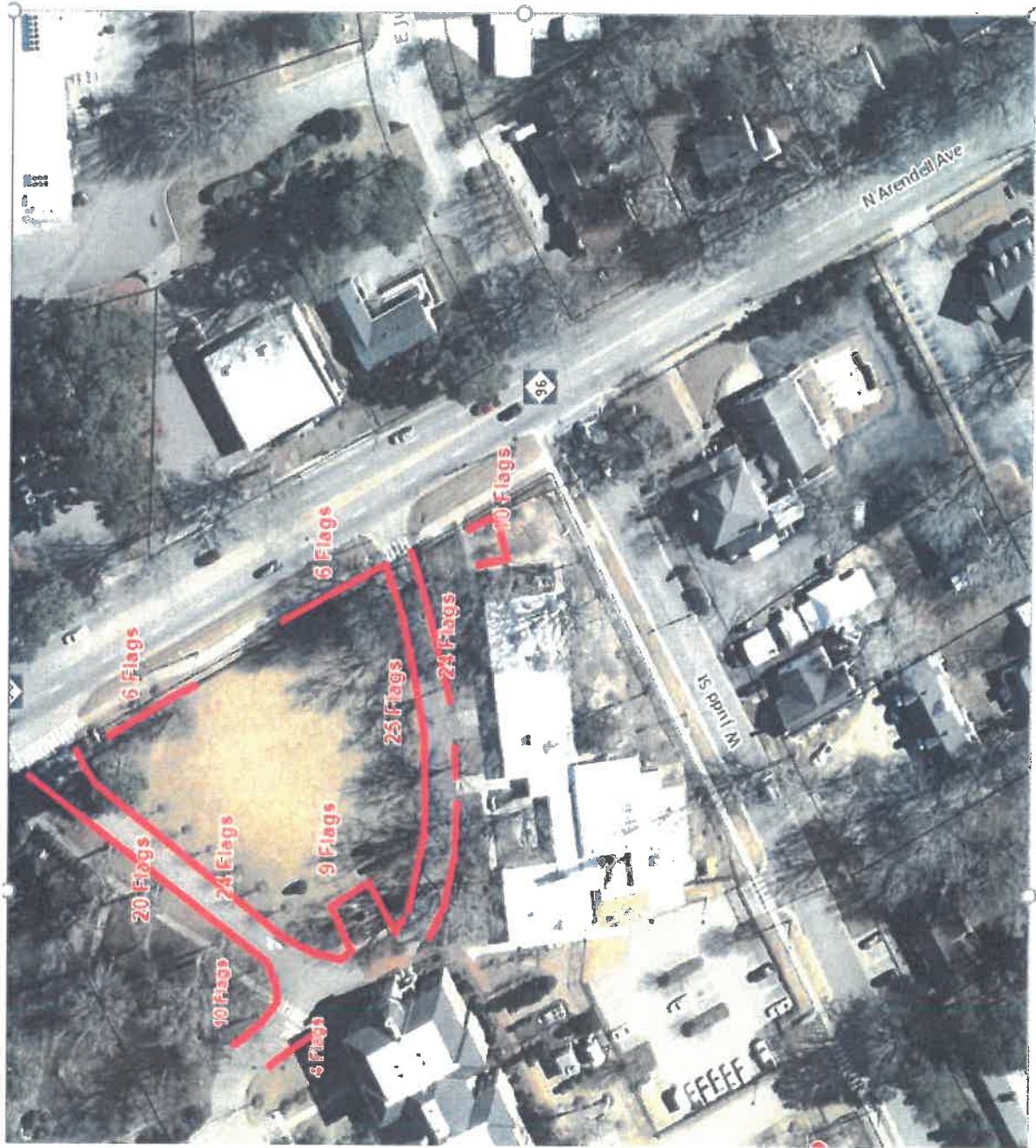
**Speaker**, "Designing the Life of Your Dreams" and "Honey for Your Holidays"

**Transformation Specialist**, certified coach assisting people to transform their lives one healthy habit at a time


919-250-8030 /

[bit.ly/3nm2HhR](https://bit.ly/3nm2HhR)

STAFF REPORT  
ROTARY CLUB – FLAGS FOR HEROES  
EXHIBIT LAYOUT  
MARCH 7, 2022



STAFF REPORT  
RESOLUTION 2022-12  
DOWNTOWN EVENT: SPRING FESTIVAL  
MARCH 7, 2022

**Topic:** Resolution 2022-12-- Downtown Event: Spring Festival  
**Speaker:** Sheila Long, Parks & Recreation Director  
**From:** Sheila Long, Parks & Recreation Director  
**Prepared by:** Sheila Long, Parks & Recreation Director  
**Approved by:**  Joseph M. Moore II, PE, Town Manager

**Executive Summary:**

The Board of Commissioners will consider a request to close roads and allow consumption of alcohol within the designated event boundary of a Spring Festival.

**Background:**

Community surveys collected during the development of Zebulon's 2030 Strategic Plan revealed an interest in "more community events/activities". At the December Work Session, the Board was presented an option to transition the ownership, format, and location of its spring event to one similar to the well-received Tree Lighting Festival.

The Spring Festival will create a second flagship event anchored downtown and sponsored by the Town. The Spring Festival will feature a regional band, local youth performances, local artistic performances, family friendly activities, food trucks, vendors, and more. Local organizations and businesses will be encouraged to participate.

Flagship street festivals require closing public right of way. The Spring Festival will require closing the following:

- Arendell Avenue from Vance St. to Sycamore St
- Sycamore St. from Arendell to N. Poplar St
- Horton St. from N. Church St. to N. Poplar St.
- The downtown public lot and adjacent alley to Horton St.

Staff will coordinate and communicate with NCDOT and businesses on street closures.

**Discussion:**

The Board will consider closing public right of way on Saturday, May 14th, 2022 and allowing the consumption of alcohol within the event boundary during the operating hours of the Spring Festival.

**Policy Analysis:**

The proposed event replicates the 2019 Tree Lighting Festival format. This event is consistent with the goals of the *Vibrant Downtown* and *Small-Town Life* Focus Areas of the *Zebulon 2030* Strategic Plan. The proposed event specifically addresses a recommendation of the *Play Zebulon* Parks and Recreation Master Plan, "Offer comprehensive services through programs, events, facilities, marketing, partnerships, and community engagement".

STAFF REPORT  
RESOLUTION 2022-12  
DOWNTOWN EVENT: SPRING FESTIVAL  
MARCH 7, 2022

**Fiscal Analysis:**

No new funds are requested.

**Staff Recommendation:**

Staff recommends approval of the attached Resolution.

**Attachments:**

1. Event Boundary/Street Closure
2. Resolution 2022-12 to temporarily close right of way

## Spring Festival

### Attachment 1: Public Owned Event Boundary/ Street Closure



#### Closures of Public Owned Property:

- Arendell Avenue from Vance to Sycamore St
- Sycamore St from Arendell to N. Poplar St
- Horton St from N. Poplar St to N. Church St.
- The downtown public lot and adjacent alley to Horton St.

#### NCDOT maintained Roads:

- Arendell Ave
- East Horton St (Arendell Ave. to Poplar St.)

**RESOLUTION 2022-12  
ZEBULON SPRING FESTIVAL**

**WHEREAS**, the *Zebulon 2030 Strategic Plan* includes a *Small-Town Life* goal to “promote more community events and festivals”, and a *Vibrant Downtown* goal to “develop events, entertainment, and cultural attractions to draw people downtown”; and

**WHEREAS**, the *Play Zebulon Parks and Recreation Master* recommends recreational programs that “offer comprehensive services through programs, events, facilities, marketing, partnerships, and community engagement”; and

**WHEREAS**, the Town has funded the installation of infrastructure, such as electric upgrades, and built place-making venues, such as the multiple phases of the Alley Activation projects, to support special events; and

**WHEREAS**, the Town has funded signature events, such as the 2019 Tree Lighting Festival, featuring regional live music, local musicians and artist, youth performers, food trucks, vendors, and family friendly activities.

**NOW, THEREFORE, BE IT RESOLVED**, the Town of Zebulon will sponsor the Spring Festival on Saturday, May 14<sup>th</sup>, 2022, close public right of way along Arendell Avenue: from Vance St. to Sycamore St., Horton St.: from N. Church St. to N. Poplar St., Sycamore St.: from Arendell Avenue to N. Poplar St., the downtown public lot at the corner of W. Vance St. and Arendell Avenue, and the adjacent alley between W. Vance St. and W. Horton St. from 9 AM to 11:59 PM, and permit public consumption of alcohol within the festival boundary during the event’s operating hours from 4PM to 9PM.

Adopted the 7<sup>th</sup> day of March 2022

SEAL

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Glenn L. York – Mayor

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Lisa M. Markland, CMC – Town Clerk