

DRAFT MEETING MINUTES

**TOWN OF APEX
TOWN COUNCIL WORK SESSION
TUESDAY, AUGUST 18, 2026
3:30 P.M.**

Following a dully noticed public meeting, the Apex Town Council met for a regularly scheduled work session on Thursday, August 18, 2026 at 3:30 p.m. at the Apex Town Hall located at 73 Hunter Street in Apex North Carolina.

This meeting was open to the public. Members of the public were able to attend this meeting in-person or watch online via the livestream on the Town's YouTube Channel: <https://www.youtube.com/watch?v=ml5RySIU9NE&>

[ATTENDANCE]

Elected Body

Mayor Jacques K. Gilbert (presiding)
Mayor Pro-Tempore Terry Mahaffey
Councilmember Ed Gray
Councilmember Arno Zegerman
Councilmember Shane Reese
Councilmember Sue Mu

Town Staff

Town Manager Randy Vosburg
Deputy Town Manager Shawn Purvis
Assistant Town Manager Demetria John
Assistant Town Manager Marty Stone
Interim Town Attorney Brian Meyer
Town Clerk Allen Coleman

All other staff members will be identified appropriately below.

[CALL TO ORDER AND PLEDGE OF ALLEGIANCE]

Mayor Gilbert called the meeting to order at 3:30 PM, welcomed everyone, and led in the Pledge of Allegiance.

Mayor Gilbert noted that he would need to leave the meeting earlier and would prefer to move the closed session item no. 6 up to immediately following the Christmas Parade Item (no. 3). He also noted that the Billing/Customer Service Update could be moved

to after Closed Session and before the Resident Advisory Board Appointment Process overview.

Councilmember Gray noted when these changes were made, it was usually because Council was biting off more than it could chew and recognized that they would likely not be enough time to cover all agenda items.

A **motion** was made by **Councilmember Gray**, seconded by **Councilmember Zegerman**, to approve the following agenda order:

1. **Call to Order | Pledge of Allegiance**
2. **2026 Christmas Parade Route Update**
3. **Closed Session Pursuant to North Carolina General Statutes 143-318.11(a)(6)**
4. **Billing/Customer Service Update**
5. **Resident Advisory Board Appointment Process Overview**
6. **Adjournment**

VOTE: UNANIMOUS (5-0)

Mayor Gilbert noted he had an Apex High School student with him that has been shadowing him. He encouraged Council to speak with him during a break or at the conclusion of the meeting to welcome him to the meeting.

Town Manager Vosburg noted it was a robust agenda, and expected an hour would be needed for the billing item. He said they'd try to get through the parade item quickly.

[2026 CHRISTMAS PARADE UPDATES]

Town Manager Vosburg gave an update regarding the route of the Christmas Parade, saying it will still go through downtown as in years past. He said there are 8 floats that may need to be smaller, and the Town is working on the logistics of that. He added that the Parade's insurance provider has worked with the Town to address any concerns on that front.

Robert Carmac with the Apex Rotary Club thanked the Town for the help in getting to this point. He said the conversation with insurance was surprisingly easy. He said registration is expected to be opened on September 7th, and he would be working on adding a marching band to the route as well. He said one of the local businesses has offered to sponsor the parade, which will increase the amount given to non-profits. He said the business will be announced shortly. He added WRAL has reached out to participate as well, and their data from last year noted over 6,300 unique individuals watched the parade live, with over 2,000 watching after the fact. He said that is close to double some of the other local Christmas parades. He said he is excited to have this continued and thanked the Town.

Mayor Gilbert said he was glad to hear about the sponsor, and this was a very special event. He said he was not surprised by the interest. He asked what the next steps were.

1 **Special Events Manager Lisa Raschke** said the plans would be more solidified
2 around October once the construction plans were more solid and Council would likely be in a
3 better position to weigh in at that time. She noted some of the additional logistics that were
4 still being worked through.

5 **Town Manager Vosburg** said the plan was to move forward as normal with the
6 parade with slight modifications.

7 **Mayor Pro-Tempore Mahaffey** said he wanted to confirm all was taken care of with
8 the insurance for the contractor downtown.

9 **Mr. Carmac** said the contractor looked at the parade's insurance policy, which
10 included the Town as an additional insurer, and they were added as well.

11 **Mayor Pro-Tempore Mahaffey** asked if having one side closed off would prevent
12 some spectators.

13 **Ms. Raschke** said it would depend on the width of the lane that was available. She
14 said they do not believe there will be a significant impact, but they are working on
15 contingencies as well.

16 **Mr. Cormac** said they are proceeding and planning for the worst-case scenario, and if
17 more space is available, it would be good.

18
19 A **motion** was made by **Councilmember Gray**, seconded by **Councilmember**
20 **Zegerman**, to enter into Closed Session pursuant to **NCGS 143-318.11(a)(6)**.

21
22 **VOTE: UNANIMOUS (5-0)**

23
24 Council entered closed session at **3:42 p.m.**

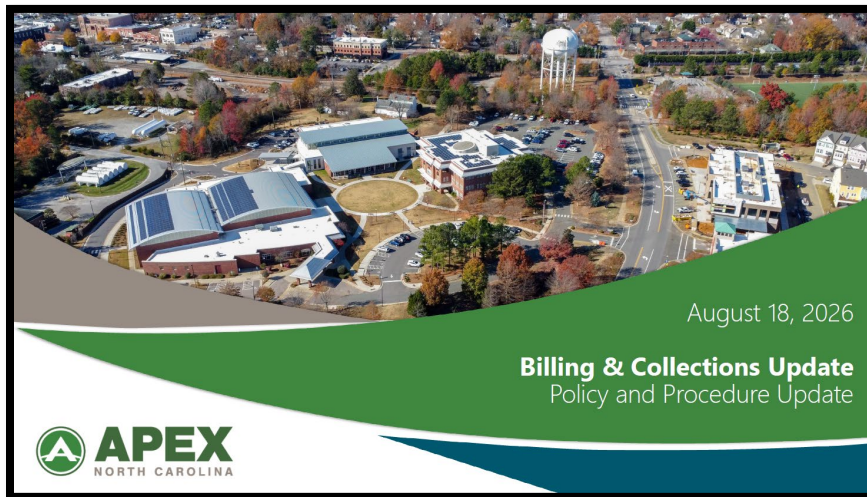
25
26 Council returned to open session at **4:11 p.m.**

27
28 **Town Manager Town Manager Vosburg** said they would be moving to a Billing &
29 Collections Update.

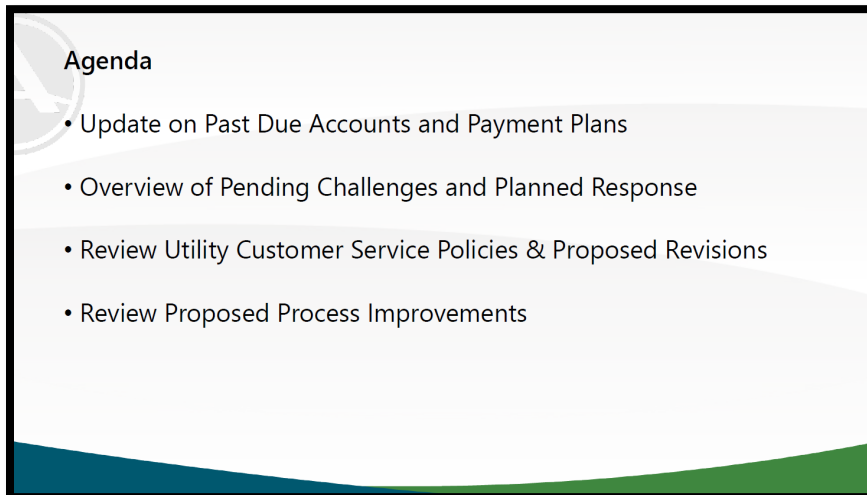
30
31 **[BILLING/CUSTOMER SERVICE UPDATE]**

32
33 **Deputy Town Manager Purvis** and **Finance Director Jon Griffin** gave the following
34 presentation:

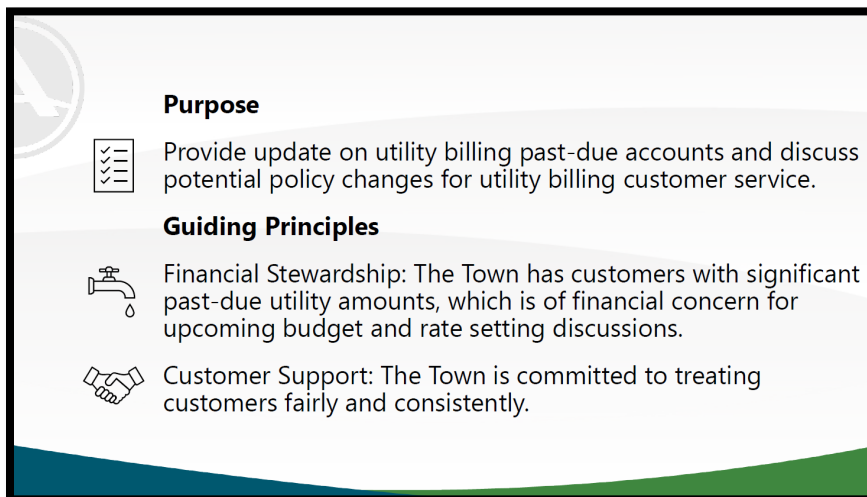
1 [SLIDE 1]



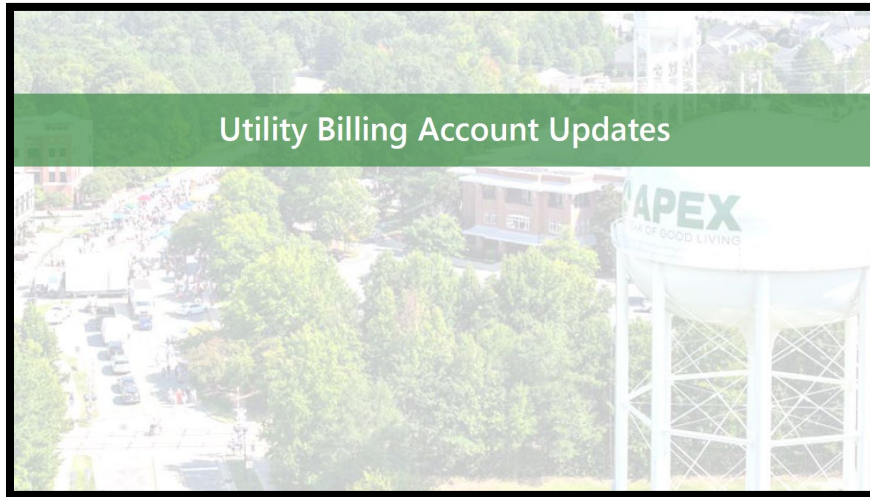
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3 [SLIDE 2]



4
5 [SLIDE 3]



1 [SLIDE 4]



2
3 [SLIDE 5]

Past Due Balance Update

- 30,883 active customer accounts as of August 2026
- 4,045 customers with a past due balance*
 - 3,670 residential accounts (>90 Days: 1660)
 - 375 commercial accounts (>90 Days: 144)

	Residential	Commercial
Maximum	\$19,647	\$38,169
Average	\$1,101	\$1,802

- \$4,717,600 total past due*
 - \$1,891,898 in balances due over 30 days but less than 89 days for active accounts
 - \$2,825,701 in balances due over 90 days for active accounts

*Does not include accounts on payment plans

As of 8/7/2026

4
5 [SLIDE 6]

Payment Plans Update

- Payment Plan Ending Balance: \$1,263,755

	# Payment Plans	\$ Payment Plans
Residential	498	1,121,978
Commercial*	10	141,777

- Recent developments:
 - 39 customers voided plans as of 7/28 due to non-payment, missed payment or disconnections

*Historically have not provided payment plans for commercial accounts

As of 7/31/2026

6

1 **Councilmember Zegerman** asked what the plan would be for individuals who moved
2 out of the Town but still owed money on their account.

3 **Director Griffin** said there are 3 things that can be done. He said the Town is a
4 member of an organization that is a service provider of bad utility debt, and the Town can
5 report the unpaid money to them, and it will be flagged by a new utility service in a new place
6 they move to. He said they can submit it to the state debt setoff program, which would
7 garnish money they may be owed by the state to recoup some costs. Finally, the Town could
8 sell the debt to private debt collectors, which they have not yet done.

9 **Mayor Pro-Tempore Mahaffey** asked if it was common to use private debt collection
10 for municipal utility debt.

11 **Director Griffin** said disconnection is typically used as the enforcement mechanism
12 long before that would be a factor.

13 **Councilmember Zegerman** asked what the amount was for those 39.

14 **Director Griffin** said about 77,000.

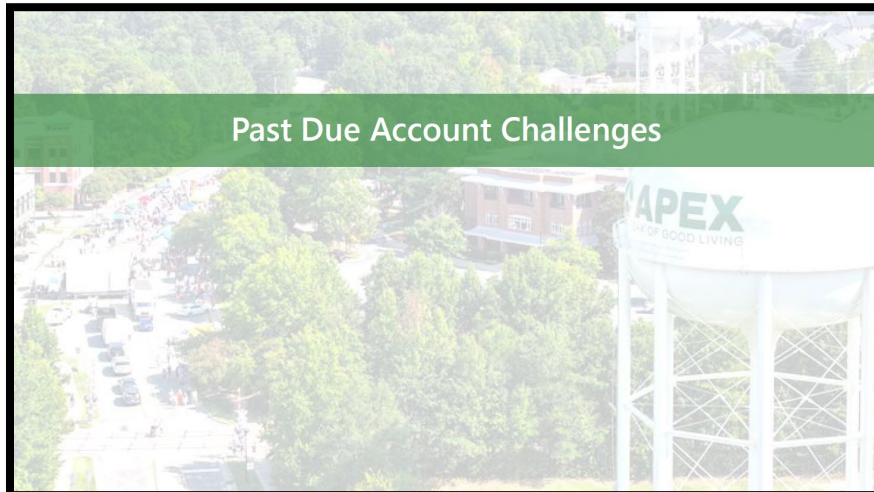
15 **Councilmember Zegerman** asked if they were included in some of the numbers
16 above.

17 **Director Griffin** said no.

18 **Councilmember Mu** asked about reporting to credit bureaus.

19 **Director Griffin** said that is a part of the process for the reporting they have already
20 done.

21 **[SLIDE 7]**



1 [SLIDE 8]

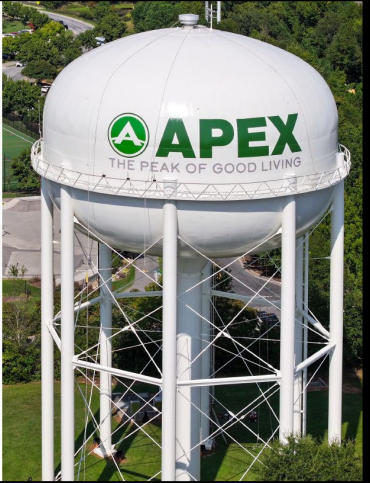
Challenges & Dilemmas

- **Balancing Service Continuity vs. Collections**
 - The Town has a responsibility to maintain utility service while ensuring appropriate collection of amounts due.
 - **Goal:** Establish a consistent and equitable approach that supports customers in resolving past-due balances while protecting the utility's financial integrity.
- **Accumulation of Large Past Due Balances**
 - Residential and commercial accounts have accrued significant past-due balances, often with minimal or no payments since July 2024.
 - **Goal:** Provide reasonable opportunities to resolve past-due balances while continuing to collect current charges.
- **Payment Plan Limitations**
 - Even extended payment plans can result in substantial additional monthly charges, making it difficult for some customers to remain current.
 - **Goal:** Allow reasonable time to resolve past-due balances while establishing consequences for failure to comply with payment plan terms.
- **Risk of Disconnection**
 - Customers who fail to remain current under a payment plan are subject to late fees and possible disconnection.
 - **Goal:** Balance avoiding disconnection, when possible, with the need to limit the utility's financial exposure from continued nonpayment.
- **Customer Mobility and Debt Recovery**
 - Customers may disconnect or move during a payment plan, making direct collection of remaining balances more difficult.
 - **Goal:** Establish effective collection options for balances remaining after service ends, including referral to the State debt setoff program when appropriate.

2
3 [SLIDE 9]

Challenges & Dilemmas Cont.

- **Establish a consistent and equitable approach that supports customers in resolving past-due balances while protecting the utility's financial integrity**
 - Offer Interest-Free Payment Plans
 - For customers with past-due balances
 - Encourage Early Plan Enrollment
 - To avoid potential disconnection/reconnection
 - Maintain Service for Customers Who Remain Current
 - To avoid late fees and disconnection



4
5 [SLIDE 10]

Challenges & Dilemmas Cont.

- **Provide reasonable opportunities to resolve past-due balances while continuing to collect current charges**
 - Encouraged Payment Plan Set-up Since February
 - Information in bill inserts, social media, website, newsletter, etc.
 - Provide Advance Notice of Potential Disconnection
 - Multiple notices and customer contacts (mail, phone) sent at 45, 35, 10, & 2 days before
 - Connect Customers With Payment Assistance Programs
 - Assistance programs available to customers to off-set past-due balance

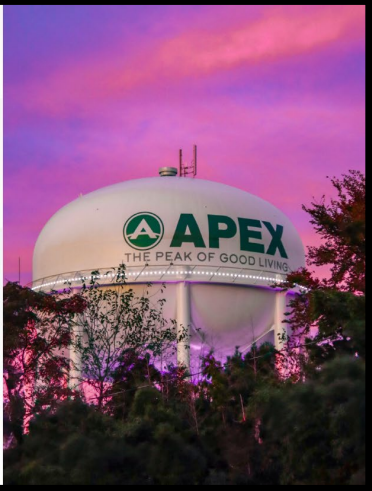


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1 [SLIDE 11]

Challenges & Dilemmas Cont.

- **Allow reasonable time to resolve past-due balances while establishing consequences for failure to comply with payment plan terms**
 - Offer 12-Month Payment Plans
 - Extensions available in appropriate circumstances
 - Allow One-Time Plan Restructuring
 - Re-structure available for customers who are current on plans and an adjustment would reduce financial hardship and remain current
 - Provide a One-Time Reset Opportunity
 - Re-set available for customers who have fallen behind, providing an opportunity to avoid disconnection while establishing a path to remain current



2
3 [SLIDE 12]

Challenges & Dilemmas Cont.

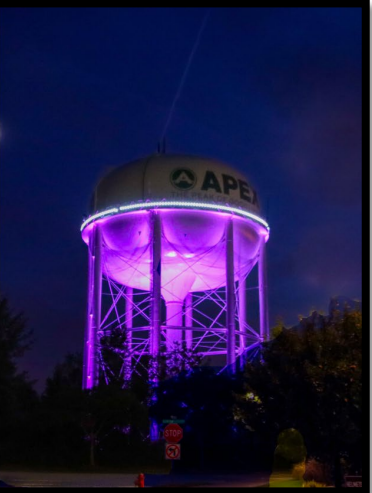
- **Balance avoiding disconnection, when possible, with the need to limit the utility's financial exposure from continued nonpayment**
 - Allow Reconnection With Partial Payment
 - Standard operations require full payment of the past-due balance
 - Waive Reconnection Fees
 - One-time waiver for customers who meet requirements to re-establish connection



4
5 [SLIDE 13]

Challenges & Dilemmas Cont.

- **Establish effective collection options for balances remaining after service ends, including referral to the State debt setoff program when appropriate**
 - Transfer Balances to New Accounts
 - Allow customers to transfer balances when requesting new service within Town; suspends requirement for full final payment before new service
 - Complete Final Billing
 - Provide timely and accurate final bill when service ends
 - Refer Eligible Balances to State Debt Setoff
 - Send past-due balances to debt-setoff program at appropriate time



1 **Councilmember Zegerman** said he didn't want to assume what people were able to
2 afford regarding the payment plans.

3 **Deputy Town Manager Purvis** said staff agreed and didn't want to make that
4 assumption as well. He said the plan was to try and keep people in mind who may not be able
5 to afford it.

6 **Councilmember Zegerman** said they were already doing a 12-month payment plan
7 instead of the usual 6. He said he wanted to be sensitive to people in legitimate hardships,
8 but didn't want to be too lenient, as most people simply chose not to pay their utility bills.

9 **Deputy Town Manager Purvis** said the Town wants to try and find the balance where
10 people can pay what they're able and not have service cut off.

11 **Councilmember Zegerman** asked how to ensure what an equitable solution would
12 be.

13 **Deputy Town Manager Purvis** said staff is working through that, and they have
14 guidelines they have prepared to manage these cases.

15 **Councilmember Zegerman** asked if it would be income based

16 **Deputy Town Manager Purvis** said he wasn't sure the Town would want to be
17 involved in that and didn't know if they had the ability to anyway. He said the assistance
18 programs available with outside organizations would be income-based.

19 **Councilmember Zegerman** asked if the Town could place liens on properties for
20 unpaid bills.

21 **Deputy Town Manager Purvis** said he would have to check for that on utilities.

22 **Interim Town Attorney Meyer** said the Town could potentially if they went to court
23 for it.

24 **Councilmember Zegerman** asked if the Town could add language regarding non-
25 payment leading to possible liens in the payment plan terms.

26 **Interim Town Attorney Meyer** said he didn't believe so but could check.

27 **Director Griffin** said renters would be an issue then, because the owner could not be
28 held liable for their renter's non-payment.

29 **Councilmember Zegerman** said the longer this goes on, the bigger the list of
30 disconnected accounts could become.

31 **Councilmember Gray** said there wasn't a statutory way for the Town to do liens for
32 utilities on their own.

33 **Deputy Town Manager Purvis** said the Town is working to get as many things as
34 possible back to standard operating procedure for standard late fees, disconnects, etc.

35 **Councilmember Mu** asked for additional information on the state program.

36 **Deputy Town Manager Purvis** said they would notify the state of the unpaid balance,
37 and the state would garnish any payment from them (tax returns, lottery winnings, etc.) to give
38 it back to the Town. He said it only comes into play if the state owes money to the individual.

39 **Mayor Pro-Tempore Mahaffey** asked about how much would likely be collectable.

40 **Director Griffin** the Town only receives a few hundred dollars a month from all
41 accounts that have been sent off.

1 **Deputy Town Manager Purvis** said typically they don't have many accounts that are
2 sent off to that program.

3 **Mayor Pro-Tempore Mahaffey** asked how much the debt would sell for to a private
4 collector.

5 **Deputy Town Manager Purvis** said he wasn't sure, and they would have to check on
6 the Town's legal limits there.

7 **Councilmember Zegerman** he would be interested in seeing more information about
8 that.

9 **Mayor Pro-Tempore Mahaffey** said they have a responsibility to collect as much as
10 they can.

11 **Deputy Town Manager Purvis** said that's correct, based on the statute and on the
12 setup of the enterprise system.

13 **Mayor Pro-Tempore Mahaffey** said the risk gets greater the longer these stretch on.
14 He said more people may decide to move and try their luck never paying it.

15 **Director Griffin** said the Town generally doesn't send the debt to the setoff program
16 until the statute of limitations to collect has expired. He said sewer is the shortest at 3 years.

17 **Deputy Town Manager Purvis** said staff can investigate further options.

18 **Mayor Pro-Tempore Mahaffey** asked about if someone who has a utility account dies
19 with an unpaid balance.

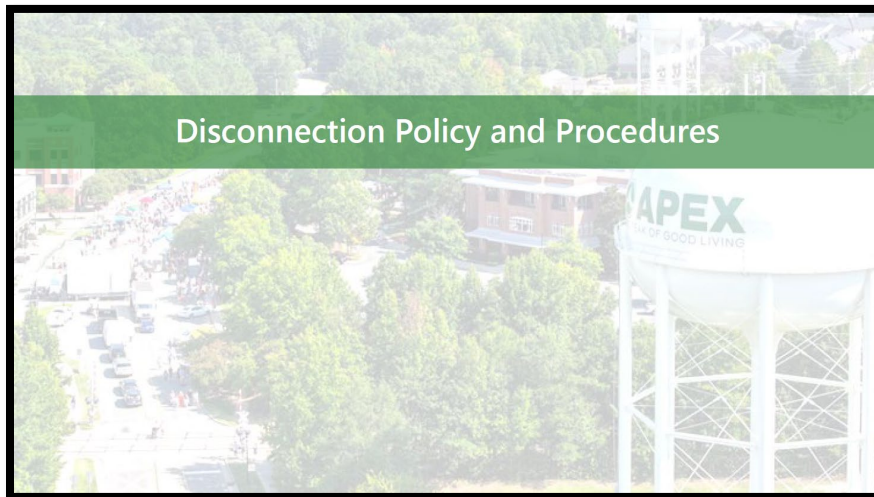
20 **Director Griffin** said there have been some instances where the Town has been
21 contacted by an estate, and Town legal staff have assisted in filing for the unpaid balance
22 through the estate. He said this is quite rare.

23 **Councilmember Reese** said there are different profiles of unpaid balances and asked
24 if someone who has a lower balance and has been in contact with the Town had to be treated
25 the same as someone who hasn't paid for two years and hasn't communicated.

26 **Deputy Town Manager Purvis** said legally and ethically, the staff does not treat
27 customers differently as a service provider. He said there is customer service discretion on a
28 case-by-case basis. He added they are working on plans to approach these scenarios. He said
29 eventually there is a finite length of time they can fund the operation without the outstanding
30 balance, so eventually they will have to be enforcing the cutoffs more strictly. He said there
31 are things like medical exceptions and other considerations for staff to be aware of with this.

32 **Councilmember Reese** said if someone had accrued \$20,000 worth of utility balance,
33 they would likely have the means to pay it back.

1 [SLIDE 14]



2
3 [SLIDE 15]

Customer Service Plan

- Balance Service Continuity & Collections
 - Keep customers connected when possible while fulfilling the Town's responsibility to collect amounts due.
 - Provide reasonable opportunities to resolve past-due balances through interest-free payment plans and financial assistance.
 - Address significant past-due balances while continuing to collect current charges.
 - Balance flexibility with accountability by establishing payment plan requirements and consequences for continued nonpayment.
 - Reconnect as quickly as possible with remote turn-on when account is in good status. (Water/sewer-only customers require manual reconnect.)

4
5 [SLIDE 16]

Customer Service Plan

- Tools for Customer Support & to Avoid Disconnection
 - Interest-Free Payment Plans
 - Provide 12-month plans with extensions available in appropriate circumstances
 - Flexible Reconnection Options
 - Allow partial payment toward the past-due balance when appropriate
 - Financial Assistance
 - Connect customers with available assistance programs that may help meet the initial payment requirement
 - Plan Restructuring
 - Allow customers to recommit to or restructure an existing plan following the required initial payment
 - Fee Relief
 - Waive reconnection fee for customers who meet requirements to re-establish connection

6

[SLIDE 17]

Short-term Policy	Long-term Policy
• Past Due Balance Threshold ◦ \$500 → \$1,000	• Past Due Balance Threshold ◦ \$500 (one bill)
• Past Due Balance Timeline ◦ 84 days late → Disconnection	• Past Due Balance Timeline ◦ 45 days late → Disconnection
• Past Due Balance Due ◦ Full balance → Partial payment	• Past Due Balance Due ◦ Full balance due for reconnection
• Deferred Payment Arrangements ◦ Residential up to 24 months ◦ Commercial up to 36 months	• Deferred Payment Arrangements ◦ Residential only up to 12 months
• Disconnection Fee Waived	• Disconnection Fee Assessed

Councilmember Reese asked why commercial accounts would be given 12 more months.

Director Griffin said they are some of the largest balances.

Councilmember Reese said they're also able to pay more being businesses.

Deputy Town Manager Purvis said they could adjust based on Council guidance.

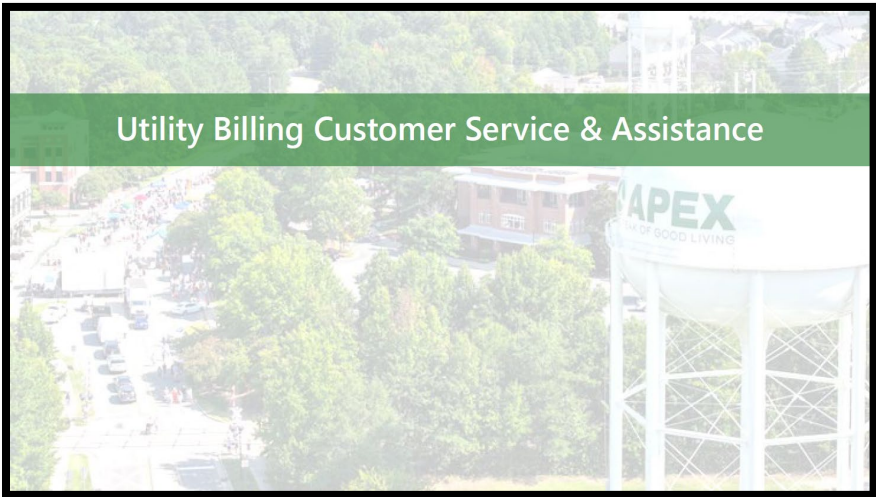
Director Griffin said it was about amortizing it as much as possible. He said they signed up one of the largest outstanding accounts with about a \$50,000 balance to a 12-month plan, and after a month that business said it was a growing concern for their financial stability.

Councilmember Zegerman said that customer was in that position by choice.

Deputy Town Manager Purvis said if a business must close, the debt won't be collectable at all. He said extending it further for businesses increases the chance for the debt to be collected. He said changes can be made. He said this is the first time the Town has had commercial payment plans.

Director Griffin said the Town is not planning to continue offering those plans for businesses after this situation passes.

[SLIDE 18]



[SLIDE 19]

Utility Customer Assistance Program (UCAP)

- Partnership with NeighborUp, open to residential customers in town limits
- Proposed changes
 - Assistance Amount**
 - Current maximum assistance per fiscal year = \$636
 - Propose scale based on household size = \$700 - \$1200
 - Eligibility**
 - Current thresholds are based on 2022 parameters
 - Propose eligibility based on *most recent* 80% AMI
- May require additional funding from Town

HH Size	\$ Available
1	\$700
2	\$800
3	\$900
4	\$1000
5	\$1100
6+	\$1200

Fiscal Year	Total Applications	Ineligible Applications
2021-2022	399	32
2022-2023	275	53
2023-2024	324	11
2024-2025	422	116
2025-2026	439	70
Total	1,859	282

Councilmember Mu asked what the number was for 80% AMI was.

Assistant Town Manager John said for a family of 4 it was \$76,554.

Mayor Pro-Tempore Mahaffey asked what the fund balance was.

Director Griffin said about \$12,000, but it had also been funded through Apex Cares.

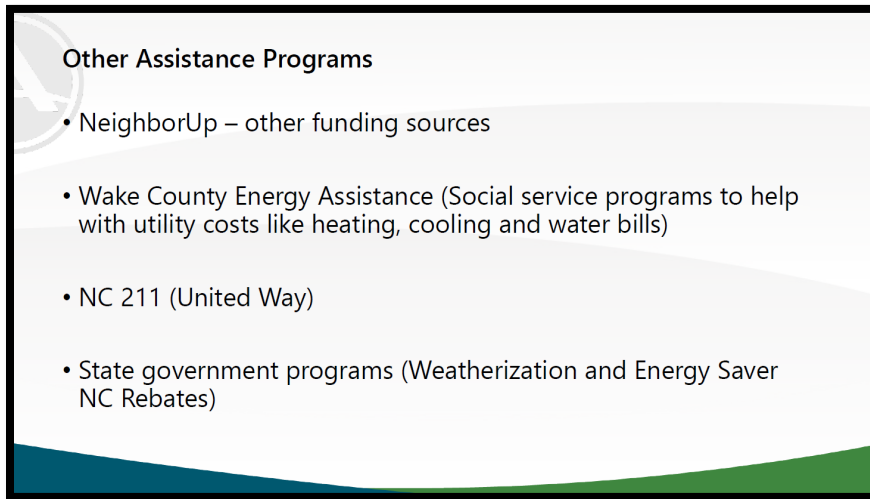
Mayor Pro-Tempore Mahaffey said it was refilled every year.

Director Griffin said essentially, a portion from Apex Cares allocation goes to this program.

Mayor Gilbert asked about other assistance sources.

Director Griffin said he'd cover that on the next slide.

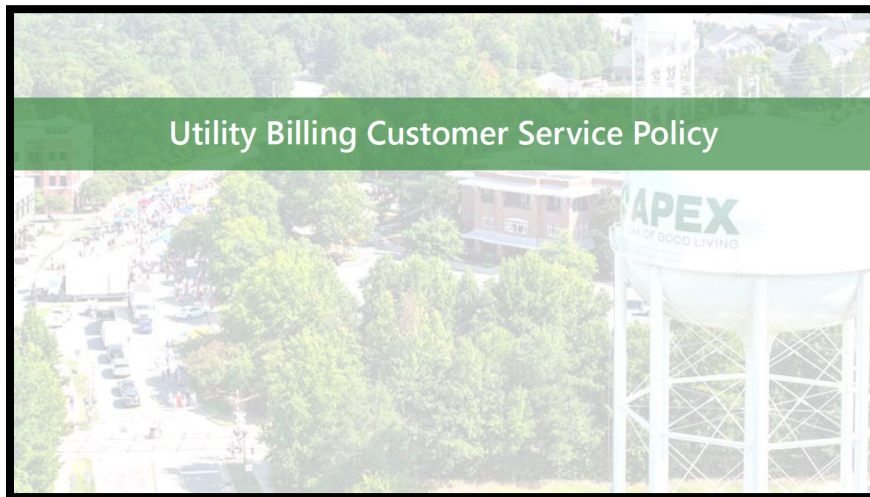
1 [SLIDE 20]



Other Assistance Programs

- NeighborUp – other funding sources
- Wake County Energy Assistance (Social service programs to help with utility costs like heating, cooling and water bills)
- NC 211 (United Way)
- State government programs (Weatherization and Energy Saver NC Rebates)

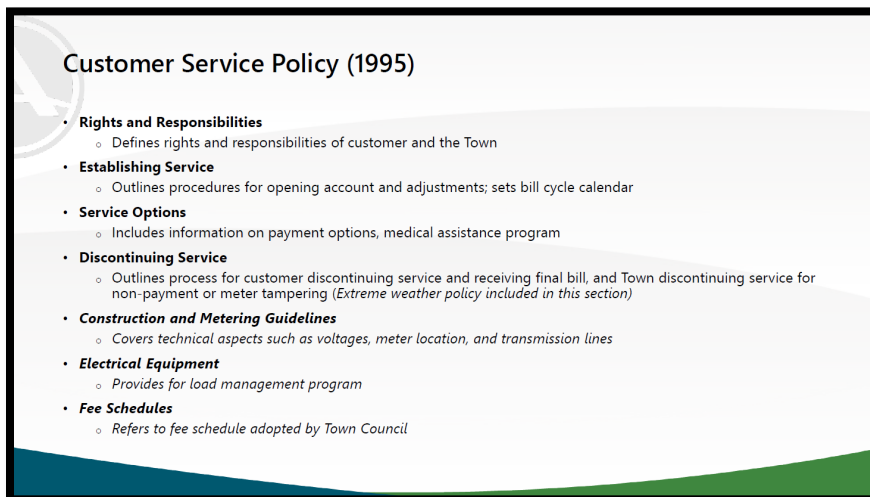
2
3 [SLIDE 21]



Utility Billing Customer Service Policy

APEX TOWN OF GOOD LIVING

4
5 [SLIDE 22]



Customer Service Policy (1995)

- **Rights and Responsibilities**
 - Defines rights and responsibilities of customer and the Town
- **Establishing Service**
 - Outlines procedures for opening account and adjustments; sets bill cycle calendar
- **Service Options**
 - Includes information on payment options, medical assistance program
- **Discontinuing Service**
 - Outlines process for customer discontinuing service and receiving final bill, and Town discontinuing service for non-payment or meter tampering (*Extreme weather policy included in this section*)
- **Construction and Metering Guidelines**
 - Covers technical aspects such as voltages, meter location, and transmission lines
- **Electrical Equipment**
 - Provides for load management program
- **Fee Schedules**
 - Refers to fee schedule adopted by Town Council

6

1 **Councilmember Reese** said he was concerned about the situation in Rocky Mount
2 and said they had considered revising it to 90 degrees for their disconnection policy.

3 **Town Manager Vosburg** said they can look at the data from the past year and see
4 where the thresholds may be.

5 **Councilmember Gray** said he would be interested in seeing the highest average
6 temperatures over a period of time.

7 **Councilmember Zegerman** asked how this worked in practice.

8 **Deputy Town Manager Purvis** said it is based around the billing cycles in which
9 extreme temperatures occur.

10 **Mayor Pro-Tempore Mahaffey** asked if they had thought about staged
11 disconnections for electric and water/sewer.

12 **Deputy Town Manager Purvis** said typically once electric is cut, people will pay their
13 bill to reestablish service. He said water/sewer would typically only be cut if that was the only
14 service a customer had.

15 **Mayor Pro-Tempore Mahaffey** asked about cutting service back on for a
16 disconnected account if extreme temperature came while they were still cut off.

17 **Deputy Town Manager Purvis** said that is a possibility, but they would have to look at
18 the logistics of it.

19 **Assistant Town Manager Stone** said that would be a logistical nightmare and very
20 difficult for staff.

21 **Councilmember Gray** said they would have to think that through. He wondered
22 about if the disconnection was Monday, and the extreme weather on Friday, should they
23 reestablish the connection.

24 **Town Manager Vosburg** said they could also look at the forecast, but it complicates
25 things further. He said staff are trying to exhaust all options before using disconnections.

26 **Councilmember Mu** asked if a household was disconnected and had it turned back
27 on because of extreme weather, who would be responsible for the bill.

28 **Town Manager Vosburg** said it would still be billed to the customer.

29 **Mayor Pro-Tempore Mahaffey** said the language of the policy should be flexible
30 enough for some discretion.

31 **Councilmember Mu** asked about seasonal businesses that have much higher
32 revenues in only certain months, and if the payment plans could be tailored to that.

33 **Director Griffin** said that is likely why the Town has never used this model for
34 businesses before.

35 **Councilmember Gray** said having the option to extend beyond 12 months may be
36 appropriate, up to staff discretion. He said that helps to address moral hazards.

37 **Councilmember Reese** asked if nearby Municipalities use Millsoft.

38 **Director Griffin** said Cary uses Oracle, and Holly Springs currently uses Tyler.

39 **Councilmember Reese** said he was wondering about debt collection if a customer
40 moved to a nearby Municipality.

41 **Director Griffin** said that would be through the broader utility program and not a
42 specific software.

Mayor Gilbert asked if there were any master meters for water & sewer.
Director Griffin said there were some, but none were past due.
Deputy Town Manager Purvis said the Town tries to avoid using those where they can.

[SLIDE 23]

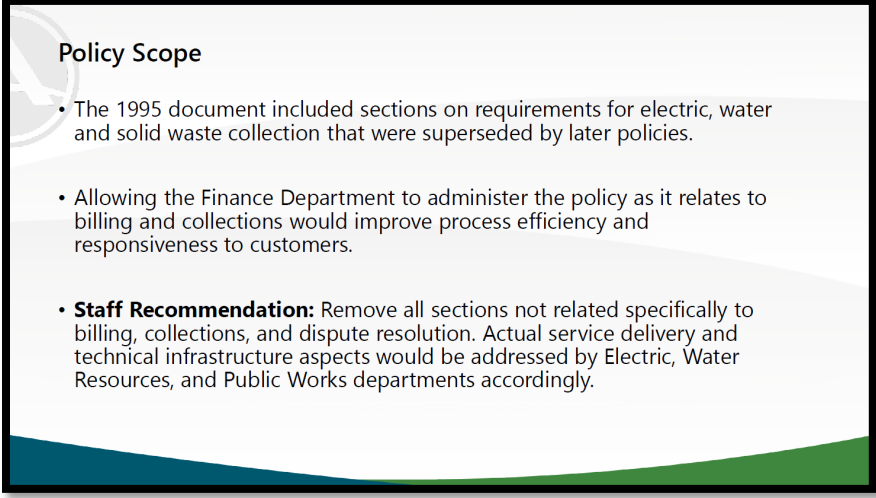


[SLIDE 24]

Policy Considerations

- Each of the following slides represent a new or revised recommended policy.
- Each begins with a problem statement or observation and ends with a staff recommendation.
- Goal is to receive feedback, thoughts, or comments prior to a formal proposal and adoption.

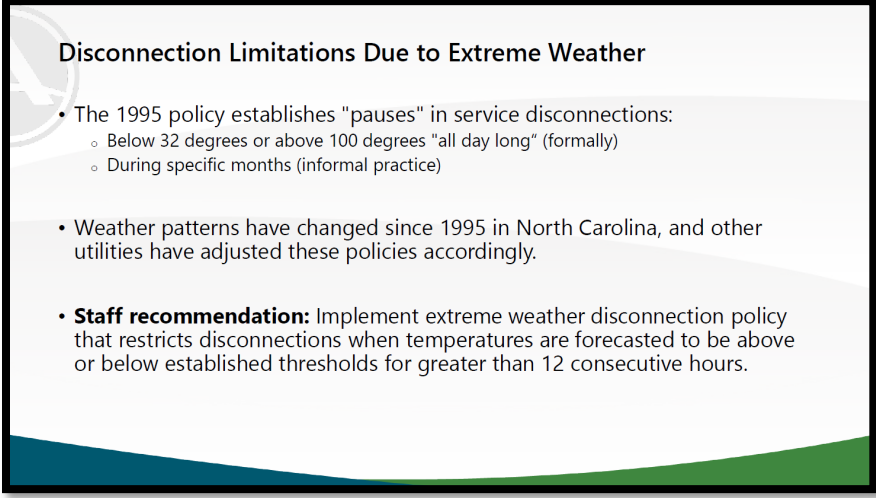
1 [SLIDE 25]



Policy Scope

- The 1995 document included sections on requirements for electric, water and solid waste collection that were superseded by later policies.
- Allowing the Finance Department to administer the policy as it relates to billing and collections would improve process efficiency and responsiveness to customers.
- **Staff Recommendation:** Remove all sections not related specifically to billing, collections, and dispute resolution. Actual service delivery and technical infrastructure aspects would be addressed by Electric, Water Resources, and Public Works departments accordingly.

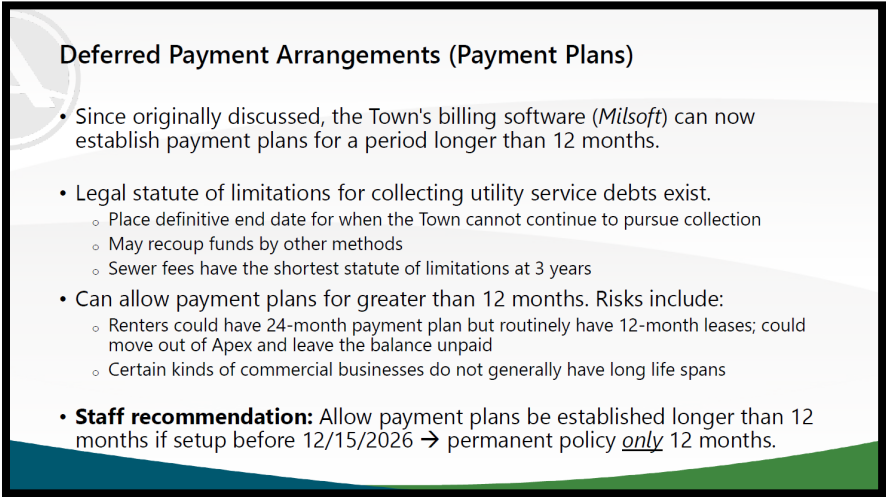
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3 [SLIDE 26]



Disconnection Limitations Due to Extreme Weather

- The 1995 policy establishes "pauses" in service disconnections:
 - Below 32 degrees or above 100 degrees "all day long" (formally)
 - During specific months (informal practice)
- Weather patterns have changed since 1995 in North Carolina, and other utilities have adjusted these policies accordingly.
- **Staff recommendation:** Implement extreme weather disconnection policy that restricts disconnections when temperatures are forecasted to be above or below established thresholds for greater than 12 consecutive hours.

4
5 [SLIDE 27]



Deferred Payment Arrangements (Payment Plans)

- Since originally discussed, the Town's billing software (*Milsoft*) can now establish payment plans for a period longer than 12 months.
- Legal statute of limitations for collecting utility service debts exist.
 - Place definitive end date for when the Town cannot continue to pursue collection
 - May recoup funds by other methods
 - Sewer fees have the shortest statute of limitations at 3 years
- Can allow payment plans for greater than 12 months. Risks include:
 - Renters could have 24-month payment plan but routinely have 12-month leases; could move out of Apex and leave the balance unpaid
 - Certain kinds of commercial businesses do not generally have long life spans
- **Staff recommendation:** Allow payment plans be established longer than 12 months if setup before 12/15/2026 → permanent policy only 12 months.

6

1 [SLIDE 28]

Billing Adjustment: Time Period

- The 1995 policy contains a variety of provisions for overcharge and undercharge adjustments that create a lack of consistency.
- The Town has a legal and financial obligation to ensure appropriate collections for its utility operations and a responsibility to provide fair and accurate billing to customers.
- The Town can monitor and notify customers of irregular usages, and the customer will have access to individual usage data.
- **Staff recommendation:** Clarify authority and period for collection of undercharges and reimbursement of overcharges.
 - Back billing (correcting for an undercharge) limited to 6 months.
 - Adjustments (correcting for an overcharge) limited to 12 months.

2
3 [SLIDE 29]

Refunds

- The 1995 policy contains limited authorization for refunds when customers have a credit on their accounts and primarily focuses discontinued service and a remaining deposit.
- Customers now have nearly real-time access to account balances and carry credit balances more frequently.
- **Staff recommendation:** Allow customers to request automatic refunds of credit balances if the balance is greater than 2x of their most recent bill and provide for supervisory/managerial review of other refund requests.

4
5 **Councilmember Zegerman** asked if refunds would be sent out if the balance hit 2x
6 the recent bill.

7 **Director Griffin** said it would be based on a request basis.

8 **Councilmember Gray** asked about just crediting the accounts.

9 **Deputy Town Manager Purvis** said they do, but sometimes people may accidentally
10 make a double payment, and this provides flexibility to help remedy that.

1 [SLIDE 30]

Solar Customers – Move All to Cycle 1

- Customers who have solar arrays on their homes often pair that equipment with power generation reports from their array.
- Generally, those applications report generation by calendar month, which has at times caused confusion when customers are on Cycle 2 (mid-month to mid-month service dates) and occasionally generates disputes.
- **Staff recommendation:** Migrate existing solar customers to Cycle 1 over time and require new solar customers to be on Cycle 1.

2
3 **Councilmember Mu** asked what percentage goes into the Town's system.

4 **Director Griffin** said it varies, and it's mostly to make sure the two parties are more on
5 the same page.

6 **Assistant Town Manager Stone** said he thinks this would help with solar customers.

7
8 [SLIDE 31]

Town Authority on Contracting Parties

- The Town regularly receives inquiries related to billing for renters, who have a lease with the property owner (landlord) responsible for maintenance and upkeep of equipment (water lines, HVAC).
- When town staff investigate the Town's side of water lines and determines no leak on town's side, property owners have contracted with a third party who may declare no issue on the owner's side, leaving renter responsible for what appears to be unreasonably high-water use.
 - General Statutes prohibit the Town from generally holding owners accountable for unpaid balances, unless the property owner is the contracting party.
- **Staff recommendation:** Implement policy whereby high bill complaints and high delinquent frequency rates trigger a notice from the Town that property owner will be required to be contracting party for services going forward.

9
10 **Councilmember Zegerman** said this would be very specific.

11 **Director Griffin** said yes, this would be in specific cases.

12 **Mayor Pro-Tempore Mahaffey** said this would be a scenario where after a situation
13 like this, a new renter would have to have the connection in the owner's name.

14 **Director Griffin** said that is correct.

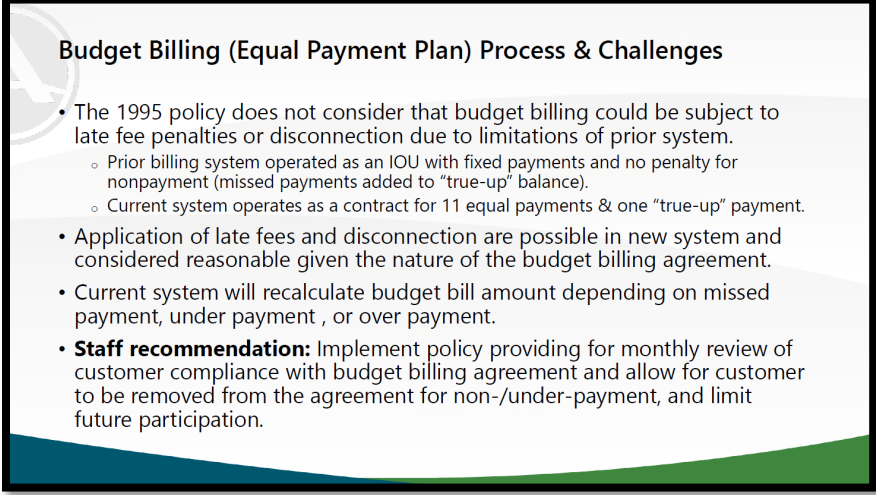
15 **Councilmember Gray** said he was concerned about people needing to have a utility
16 bill in their name to prove locations for schools or other things.

17 **Mayor Pro-Tempore Mahaffey** said it should be a very rare issue, and this would be a
18 way to hold the property owner responsible in the future.

1 **Councilmember Gray** said he was skeptical of the assumption of rarity. He said he
2 would want to think this one through a little bit more.

3 **Councilmember Zegerman** said he was directionally okay with this but echoed some
4 of Councilmember Gray's concerns.

5 **[SLIDE 32]**



Budget Billing (Equal Payment Plan) Process & Challenges

- The 1995 policy does not consider that budget billing could be subject to late fee penalties or disconnection due to limitations of prior system.
 - Prior billing system operated as an IOU with fixed payments and no penalty for nonpayment (missed payments added to "true-up" balance).
 - Current system operates as a contract for 11 equal payments & one "true-up" payment.
- Application of late fees and disconnection are possible in new system and considered reasonable given the nature of the budget billing agreement.
- Current system will recalculate budget bill amount depending on missed payment, under payment , or over payment.
- **Staff recommendation:** Implement policy providing for monthly review of customer compliance with budget billing agreement and allow for customer to be removed from the agreement for non-/under-payment, and limit future participation.

6
7 **Mayor Pro-Tempore Mahaffey** asked when the true up occurs.

8 **Director Griffin** said it's always June, but that can be changed.

9 **Mayor Pro-Tempore Mahaffey** asked about how it's calculated.

10 **Director Griffin** said it's based on past 12 months, incorporating any increases in the
11 next fiscal year.

12
13 **Mayor Jacques K. Gilbert** left the meeting at **5:12 p.m.**

14
15 **[SLIDE 33]**



1 [SLIDE 34]

Proposed Future Process Improvements

- Make rate increase for utility services effective later in the year (October 1st)
 - Minimizes initial impact of rate changes on customer bills
- Push MDM (Meter Data Management) to Customer Portal
 - Electric kWh purchased & sold
 - Water gallons purchased
- Add billing cycles (2 to 4)
 - Reduce processing workload per cycle
 - Spread out customer inquiries
 - Provides more opportunities for customer requested connections/disconnections

Current State	Customer Count	Future State	Customer Counts
Cycle 1	15,000	Cycle 1	8,000
Cycle 2	17,000	Cycle 2	8,000
		Cycle 4	8,000
		Cycle 5	8,000

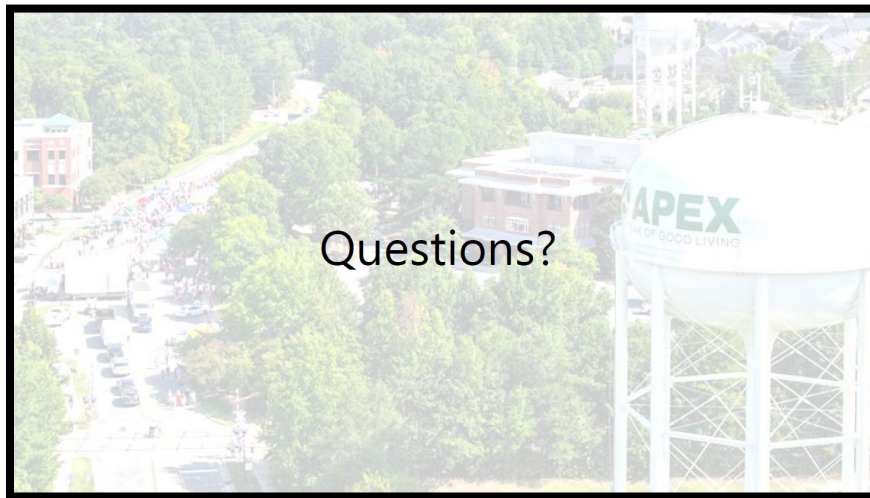
2
3 **Mayor Pro-Tempore Mahaffey** said there had been promises from the software about
4 real time detections of leaks.

5 **Deputy Town Manager Purvis** said that is still planned.

6 **Councilmember Zegerman** said this would lead to a more steady state process.

7 **Deputy Town Manager Purvis** said it would, and it would take a little time to get
8 there.

9
10 [SLIDE 35]



11 **Councilmember Gray** asked how much anticipated loss there would be in all of this.

12 **Deputy Town Manager Purvis** said they don't know those specific numbers, but they
13 do expect some loss. He said staff is working to mitigate that through all of the tools available.

14 **Councilmember Gray** said he appreciated staff's efforts and attempts to keep people
15 connected as much as possible to assist them and the Town in recovering the money owed.
16 He said he was still concerned about individuals who have legitimate hardships in paying
17 their bill, especially compared to people who have simply refused.
18

1 **Town Manager Vosburg** said the Town's goal is to help people as much as possible,
2 while also being mindful to people who have been paying their bills. He said writing off
3 losses would impact future rates. He said it's to everyone's benefit to get as much of this paid
4 as possible.

5 **Councilmember Zegerman** said customers who are choosing not to pay their bills
6 are only hurting other customers in Town.

7 **Town Manager Vosburg** there are also ways for individuals to help their neighbors in
8 the community through some of the organizations.

9 Council thanked staff for their updates and work.

10 **Deputy Town Manager Purvis** said he wanted to provide information on next steps,
11 and they would be sending that to them soon. He said they would continually provide
12 updates on numbers and details, and the first disconnection would be planned around
13 September 22nd. He said there is an operational plan in place to provide as much assistance
14 and support to customers as possible around that time.

15 **Mayor Pro-Tempore Mahaffey** asked if staff was anticipating higher call volume.

16 **Deputy Town Manager Purvis** said yes, and staff is working to ensure that is
17 addressed in the operational plan.

18 19 **[RESIDENT ADVISORY BOARD APPOINTMENT PROCESS OVERVIEW]**

20
21 **Mayor Pro-Tempore Mahaffey** said Mayor Gilbert had requested an Advisory Board
22 process overview. He asked if the Council wanted to push this discussion to another meeting
23 given the Mayor had to leave the meeting early.

24 **Councilmember Gray** said the Mayor had chosen to have it on the agenda. He added
25 Council is clear on the process. He said this is a formalization of an informal process.

26 **Mayor Pro-Tempore Mahaffey** said it was his understanding that the item was intent
27 to speak to the Advisory Board appointment procedures where voting by ballot was now part
28 of the Rules and this discussion was intended to clarify any points before the next round of
29 appointments on August 25, 2026.

30 **Town Clerk Coleman** said this would be looking at process changes in different
31 scenarios, such as when there was consensus, when there was some agreement, when there
32 was no consensus, or when there was no recommendation. He said there are 4 appointments
33 scheduled for August 25th.

34 **Mayor Pro-Tempore Mahaffey** said they would still need to approve the procedure.

35 **Councilmember Zegerman** said the main scenario to be addressed is when the
36 Mayor does not make a recommendation, as Council is currently not able to proceed without
37 a recommendation from the Mayor as the current ordinance is written. He said in those
38 scenarios, having people serve after their terms expired is against the spirit of the terms, and
39 unfair to the board members. He said it's also disrespectful to the people who have applied,
40 and there have been vacancies for long periods of time.

41 **Councilmember Gray** said the public would be able to see where the inaction is
42 coming from without a change to the process.

1 **Councilmember Zegerman** said he would like to see an update where Council could
2 make a recommendation if one did not come in from the Mayor within a certain timeframe.

3 **Interim Town Attorney Meyer** said this language would be included within the
4 Town's Ordinances but that this change would require action by the Town Council at a future
5 meeting.

6 **Mayor Pro-Tempore Mahaffey** said it comes down to the Council's willingness to
7 allow the Mayor a "pocket veto" on the process, and if not, then they may want to proceed
8 with changes. He said the intent is for the Mayor to provide recommendations to the Council.
9 He said that there may be a handful of times where the Council does not support the Mayor's
10 recommendation but in most circumstances Council has supported the Mayor's
11 recommended candidate.

12 **Councilmember Reese** asked about the timeframe allowed.

13 **Town Clerk Coleman** said that is one of the clarifying questions for the Council to
14 provide direction on.

15 **Mayor Pro-Tempore Mahaffey** said at this point there are a lot of vacancies and
16 individuals that continue to serve in essentially terms that were expired.

17 **Councilmember Reese** said some of the boards are statutorily required, and having
18 them individuals appointed to serve in positions is a disservice to the Town. He said
19 vacancies for this length of time should be noted.

20 **Mayor Pro-Tempore Mahaffey** said it's about figuring out what to do without a
21 recommendation. He said the Council does not currently have a rule and the ordinance is
22 silent on whether the Council could put forward a recommendation in the absence of a
23 recommendation from the Mayor.

24 **Councilmember Zegerman** said he would like to update the ordinance with a time
25 limit or timeframe when recommendations are expected. He said potentially at a minimum or
26 30 days prior to a term expiring.

27 **Mayor Pro-Tempore Mahaffey** said the mention of appointments in the Town Code
28 and the Town's Unified Development Ordinance. He said that the Town's Unified
29 Development Ordinance (UDO) would require a public hearing before any changes could be
30 made and any amendments would also require a recommendation from the Planning Board
31 prior to Council considering the amendment.

32 **Town Clerk Coleman** said it's unclear on the specific direction regarding preparation
33 of an ordinance amendment and asked for clarification on what next steps should be.

34 **Councilmember Zegerman** said he would like staff to prepare the appropriate
35 language for the ordinance and UDO changes. He said he would like to require the Mayor to
36 make a recommendation no more than 30 days prior to a term expiration, and if one was not
37 made, Council would have the authority to proceed.

38 **Interim Town Attorney Meyer** said the ordinance would just say Council has the
39 authority to make the appointments.

40 **Mayor Pro-Tempore Mahaffey** asked if the direction requested by Councilmember
41 Zegerman was to prepare the ordinance not move to adopt the ordinance at this meeting.

1 **Councilmember Gray** said he would like to see the language before proceeding on
2 approving it specifically.

3 **Mayor Pro-Tempore Mahaffey** said he also wanted the timelines for the ordinance
4 and UDO amendment to be considered, to ensure boards didn't have different guidelines.

5 **Councilmember Zegerman** said both the UDO and Town Code amendments could
6 come to the same meeting while still understanding and recognizing the UDO amendments
7 require a recommendation from the Planning Board.

8 **Town Clerk Coleman** said staff could work on getting some options and timelines put
9 together. He asked for clarification on when the Council would like to see the proposed
10 amendments and where the appointments could remain on the August 25, 2026, Council
11 Meeting Agenda as planned.

12 **Mayor Pro-Tempore Mahaffey** said the appointments could come back on August
13 25th under the current Town Code and UDO regulations related to resident advisory board
14 appointments. He asked for clarification on the number of positions that Council would be
15 taking action on and whether there was consensus among the nominated individuals.

16 **Town Clerk Coleman** said there was a consensus by Council for most of the positions,
17 but there were no recommendations from the Mayor submitted that had been submitted to
18 date.

19 **Mayor Pro-Tempore Mahaffey** asked for the PowerPoint overview originally
20 scheduled for this meeting to be provided immediately before the Resident Advisory Board
21 appointments on August 25.

22 **Town Clerk Coleman** said that he visually saw five head nods to proceed with
23 preparing associated Town Code and Unified Development Ordinance amendments
24 addressing the items presented to include a shock-clock on the Mayor to provide
25 recommendations to Council within 30 days of an expiring term or unexpected vacancy and
26 for the Council to have authority to make a recommendation and be voted on at the same
27 time as the Mayor's recommendation.

28 Council provided verbal consensus.

29 **Councilmember Gray** asked for clarification on which positions was not agreed on by
30 all Council.

31 **Town Clerk Coleman** said there is a chart he could get to them showing how each
32 member voted. He said there were Culture and Arts, Parks and Rec, Planning Board, and
33 Multimodal Transportation Board appointments to make, with multiple positions or
34 categories on each.

35 Mayor Pro-Tempore Mahaffey asked if members were allowed to move between
36 Boards and if that was a reason of one of the vacancies.

37 **Town Clerk Coleman** said yes, there have been members that have requested to
38 move to other Boards for example one member moved from the Multimodal Transportation
39 Advisory Board (MTAB) to the Planning Board and a member of the Culture and Arts Advisory
40 Board had moved to the Board of Adjustment (BOA).

41
42 **[ADJOURNMENT]**

With no further business being presented before the Council, **Mayor Pro-Tempore Mahaffey** adjourned the meeting at **5:56 p.m.**

Jacques K. Gilbert
Apex, Mayor

Allen Coleman, CMC
Town Clerk to the Apex Town Council

Submitted for approval by Apex Town Clerk Allen Coleman

Minutes approved on _____ of _____, 2026.