

DRAFT MEETING MINUTES

**TOWN OF APEX
ELECTRONIC REGULAR TOWN COUNCIL MEETING
TUESDAY, JANUARY 27, 2026
6:00 P.M.**

The Apex Town Council met electronically for a Regular Town Council Meeting on Tuesday, January 27th, 2026 at 6:00 p.m. The meeting was conducted by use of simultaneous communication, which all members were participating remotely via Microsoft Teams. The public was able to submit written comments in advance of the meeting and able to view the meeting live by electronic means.

On Wednesday, January 21, 2026, the Governor of the State of North Carolina declared a state-wide state of emergency in anticipation of Winter Storm Fern. On Friday, January 23, 2026, the Chairperson of the Board of Commissioners of Wake County declared a county-wide state of emergency. On that same date, a town-wide state of emergency was issued for the Town of Apex corporate limits in both Wake and Chatham Counties by Mayor Jacques K. Gilbert. This declaration was distributed to local news media, posted on the Town’s website, and filed with the Apex Town Clerk.

Pursuant to North Carolina General Statutes (NCGS) § 166A-19.24, upon issuance of a declaration of emergency under G.S. 166A 19.20, any public body within the emergency area may conduct remote meetings in accordance with this section and Article 33C of Chapter 143 of the General Statutes throughout the duration of that declaration of emergency.

An electronic meeting notice was posted to the Town’s website, social media platforms, and on the main bulletin board at Town Hall. A copy of the notice is included at the end of these minutes as **“EXHIBIT A; January 27, 2026 Electronic Meeting Public Notice”**.

The meeting recording can be viewed at the following link:
<https://www.youtube.com/watch?v=p8uxEW6EgI4>

Each of the below members participated remotely:

- [ATTENDANCE]**
- Elected Body
- Mayor Jacques K. Gilbert (*presiding officer*)
- Mayor Pro-Tempore Terry Mahaffey
- Councilmember Edward Gray
- Councilmember Arno Zegerman

DRAFT | JANUARY 27, 2026 ELECTRONIC REGULAR TOWN COUNCIL MEETING MINUTES

1 Councilmember Shane Reese
2 Councilmember Sue Mu

3 **ABSENT:** NONE

4
5 Town Staff
6 Town Manager Randy Vosburg
7 Deputy Town Manager Shawn Purvis
8 Assistant Town Manager Marty Stone
9 Assistant Town Manager Demetria John
10 Town Attorney Laurie Hohe
11 Town Clerk Allen Coleman

12 **[COMMENCEMENT]**
13

14 **Mayor Jacques K. Gilbert** called the meeting to order at **6:00 p.m.** He said
15 that in accordance with Executive Order No. 31 issued by the Governor of the State of
16 North Carolina declaring a State of Emergency and pursuant to North Carolina
17 General Statutes 166A-19.24, the Town was conducting an electronic meeting. He
18 said the Town Clerk would call each member by name and ask them to identify him
19 or herself for the record so that the records reflect who's present and participating in
20 the meeting.

21 **Town Clerk Allen Coleman** called the roll of each elected member in order
22 by position and seniority. Each member identified themselves by stating present or
23 here. He announced all five (5) members of the Apex Town Council were present and
24 that a quorum of the Council was established.

25 **Clerk Coleman** called the roll of each member of the Senior Executive
26 Leadership Team which consisted of the Town Manager, Town Attorney, Town Clerk,
27 Deputy Town Manager, and both Assistant Town Managers. He said that concluded
28 the attendance portion of the meeting.

29
30 **Mayor Gilbert** said the public was welcomed to view this meeting by visiting
31 the Town of Apex website at www.apexnc.org forward slash 838 forward slash
32 Agendas dash minutes and click on the public link under the header "Electronic
33 Format Regular Town Council Meeting - January 27, 2026" or contact the Town
34 Clerk's Office by telephone at 919-249-1260. He said notices had been posted at the
35 Town Hall building and that members of the Town Clerk's Office was ready to assist
36 anyone that needed assistance with accessing the meeting.

37
38 **Mayor Gilbert** said this meeting was being recorded and would be uploaded
39 to the Town's Youtube Channel on Wednesday, January 28, 2026 and that public
40 comments would not be accepted live during the meeting. He said that residents

DRAFT | JANUARY 27, 2026 ELECTRONIC REGULAR TOWN COUNCIL MEETING MINUTES

1 had the opportunity to submit written comments to the Town Clerk by emailing
2 townclerk@apexnc.org.

3
4 **Mayor Gilbert** said that all matters would require action by the Council would
5 be conducted by a roll call vote consistent with the remote meeting statutes. He said
6 that after a motion was made and properly seconded he would call upon the Town
7 Clerk to conduct the roll of each member present and announce the results of the
8 vote. He said that if a member loses connection during the meeting, for them to
9 notify the Town Clerk by other means. He said the Town Clerk would announce this
10 member is no longer present and ensure a quorum of the body still remains. He said
11 if he was to lose connection, the Mayor Pro-Tempore would continue running the
12 meeting until he is able to rejoin.

13
14 **Mayor Gilbert** said that while participating remotely, members should kindly
15 remember to mute themselves when they are not speaking to prevent any
16 background noise interference.

17
18 **[ADOPTION OF REGULAR MEETING AGENDA]**

19
20 **Mayor Gilbert** said the Regular Meeting Agenda was being displayed on the
21 screen and had been published on the website since Friday, January 23, 2026.
22 Hearing no additions, questions, or comments, he called for a vote.

23
24 A **motion** was made by **Mayor Pro-Tempore Terry Mahaffey**, seconded by
25 **Councilmember Arno Zegerman** to set the regular meeting agenda.

26 **Town Clerk Coleman** called all Apex Town Councilmembers by name to
27 confirm their vote to comply with the remote meeting requirements.

28 Mayor Pro-Tempore Mahaffey - Yes

29 Councilmember Gray - Yes

30 Councilmember Zegerman - Yes

31 Councilmember Reese - Yes

32 Councilmember Mu - Yes

33

34 **VOTE: UNANIMOUS (5-0)**

35

36 **Town Clerk Coleman** announced the vote was unanimous 5-0.

37

38 **[CONSENT AGENDA]**

39

40 **Mayor Gilbert** said the Consent Agenda was being displayed on the screen
41 and called for any questions or comments from Councilmembers.

42

43 **Councilmember Reese** said that he had a question that was potentially for the
44 Town Manager related to consent item number one (1). He said that for transparency

DRAFT | JANUARY 27, 2026 ELECTRONIC REGULAR TOWN COUNCIL MEETING MINUTES

1 and clarification it would be beneficial to know who was eligible to participate in the
2 Master’s Collaborative Program as outlined in this agenda item.

3 **Town Manager Vosburg** said that he appreciated the question and would be
4 happy to provide a response. He said this program was put together by Wake
5 County and that several municipalities within Wake County were participating in this
6 interlocal agreement. He said the program was intended for staff within those Towns
7 only and that elected officials would not be eligible to participate in the program. He
8 said that Town staff had the ability to apply for consideration of the program and that
9 a selection process was conducted internally. He continued by stating that
10 participations were from all three (3) portfolios and the program would be multi-year.

11 **Councilmember Reese** said he appreciated that response and had no
12 additional questions.

13
14 Hearing no questions or comments, **Mayor Gilbert** called for a vote.

15
16 A **motion** was made by **Mayor Pro-Tempore Terry Mahaffey**, seconded by
17 **Councilmember Arno Zegerman** to approve the consent agenda as presented.

18 **Town Clerk Coleman** called all Apex Town Councilmembers by name to
19 confirm their vote to comply with the remote meeting requirements.

20 Mayor Pro-Tempore Mahaffey - Yes

21 Councilmember Gray - Yes

22 Councilmember Zegerman - Yes

23 Councilmember Reese - Yes

24 Councilmember Mu - Yes

25
26 **VOTE: UNANIMOUS (5-0)**

27
28 **Town Clerk Coleman** announced the vote was unanimous 5-0

29
30 The following items were included on the consent agenda:

31
32 **CN1 AGREEMENT - INTERLOCAL AGREEMENT BETWEEN WAKE COUNTY AND**
33 **THE TOWN OF APEX - MASTERS PUBLIC ADMINISTRATION (MPA) PROGRAM**
34 **COLLABORATIVE (CONT-2026-XXX)**

35 Council approved an Interlocal Reimbursement Agreement between Wake County
36 and Wake County Municipal Partners for participation in an Executive Master of
37 Public Administration (eMPA) program.

38
39 **CN2 ANNEXATION NO. 802 - 7625, 0 ROBERTS ROAD AND 8112 GREEN**
40 **LEVEL CHURCH ROAD - 5.23 ACRES (RES-2026-004) (RES-2026-005) (OTHER-**
41 **2026-014)**

42 Council adopted a Resolution Directing the Town Clerk to Investigate Petition
43 Received, accepted the Certificate of Sufficiency by the Town Clerk, and adopted a
44 Resolution Setting the Date of a Public Hearing for February 10, 2026, on the

DRAFT | JANUARY 27, 2026 ELECTRONIC REGULAR TOWN COUNCIL MEETING MINUTES

1 Question of Annexation - Apex Town Council's intent to annex 5.23 acres, located at
2 7625 Roberts Road (PIN 0723-95-2564), 0 Roberts Road (PIN 0723-95-5524), and
3 8112 Green Level Church Road (PIN 0723-95-2216), Annexation No. 802, into the
4 Town Corporate limits.
5

6 **CN3 ANNEXATION NO. 817 - PEAK CITY CHURCH - 2401 AND 2325 OLD US 1**
7 **HIGHWAY - 23.87 ACRES (RES-2026-006) (RES-2026-007) (OTHER-2026-15)**

8 Council adopted a Resolution Directing the Town Clerk to Investigate Petition
9 Received, accepted the Certificate of Sufficiency by the Town Clerk, and adopted a
10 Resolution Setting the Date of a Public Hearing for February 10, 2026, on the
11 Question of Annexation - Apex Town Council's intent to annex 23.87 acres, Peak City
12 Church located at 2401 Old US 1 Highway (PIN 0720-88-6397) and 2325 Old US 1
13 Highway (PIN 0720-87-9899), Annexation No. 817, into the Town Corporate limits.
14

15 **CN4 ANNEXATION NO. 818 - JAINIX LLC - 7809 SECLUDED ACRES - 3.502**
16 **ACRES (RES-2026-008) (RES-2026-009) (OTHER-2026-16)**

17 Council adopted a Resolution Directing the Town Clerk to Investigate Petition
18 Received, accepted the Certificate of Sufficiency by the Town Clerk, and adopted a
19 Resolution Setting the Date of a Public Hearing for February 10, 2026, on the
20 Question of Annexation - Apex Town Council's intent to annex 3.502 acres, located at
21 7809 Secluded Acres (PIN 0723-71-6349), Annexation No. 818, into the Town
22 Corporate limits.
23

24 **CN5 ANNEXATION NO. 820 - 2301 APEX PEAKWAY - 3.803 ACRES (RES-**
25 **2026-010) (RES-2026-011) (OTHER-2026-17)**

26 Council adopted a Resolution Directing the Town Clerk to Investigate Petition
27 Received, accepted the Certificate of Sufficiency by the Town Clerk, and adopted a
28 Resolution Setting the Date of a Public Hearing for February 10, 2026, on the
29 Question of Annexation - Apex Town Council's intent to annex 3.803 acres, located at
30 2301 Apex Peakway (PIN 0742-71-8313), Annexation No. 820, into the Town
31 Corporate limits.
32

33 **CN6 APPOINTMENT TO NORTH CAROLINA EASTERN MUNICIPAL POWER**
34 **AGENCY (NCEMPA) BOARD OF COMMISSIONERS - KATHY MOYER**

35 Council appointed Electric Utilities Director, Kathy Moyer, as the Commissioner for
36 the Town of Apex on the North Carolina Eastern Municipal Power Agency (NCEMPA)
37 Board of Commissioners.

38 Council appointed Deputy Town Manager, Shawn Purvis, as the second (2nd)
39 Alternate for the Town of Apex on the North Carolina Eastern Municipal Power
40 Agency (NCEMPA) Board of Commissioners.

41 Council confirmed Assistant Town Manager, Marty Stone, as the first (1st) Alternate
42 for the Town of Apex on the North Carolina Eastern Municipal Power Agency
43 (NCEMPA) Board of Commissioners.
44

DRAFT | JANUARY 27, 2026 ELECTRONIC REGULAR TOWN COUNCIL MEETING MINUTES

CN7 BUDGET ORDINANCE AMENDMENT NO. 10 AND CAPITAL PROJECT ORDINANCE AMENDMENT NO. 10 - NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY SPRING 2025 FLOOD RESILIENCY GRANT AWARD - \$2,110,854 (ORD-2026-011) (ORD-2026-12)

Council adopted Budget Ordinance Amendment No.10 and Capital Project Ordinance No. 2026-10 appropriating funds for the North Carolina Department of Environmental Quality Spring 2025 Flood Resiliency Grant award in the amount of \$2,110,854.

CN8 CAPITAL PROJECT ORDINANCE AMENDMENT NO. 6, NO. 7, NO. 8, AND NO. 9 - INTEREST EARNED TO CAPITAL PROJECTS (ORD-2026-013) (ORD-2026-014) (ORD-2026-015) (ORD-2026-016)

Council adopted Capital Project Ordinance No. 2026-6, No. 2026-7, No. 2026-8, and No. 2026-9 appropriating interest earnings funds for projects in the Transportation, ARPA, Water Sewer, and Electric capital funds.

CN9 COMMUNITY EVENT POLICY REVISION - PROHIBITING SELLING, GIVING AWAY, AND/OR PROVIDING SAMPLES OF FIREARMS, WEAPONS, TOBACCO OR VAPE PRODUCTS, CBD, ETC. (PLCY-2026-002)

Council amended the Community Special Event Policy to include a prohibition from selling, giving away, or providing samples of firearms, weapons of any kind, tobacco or vape products (including e-cigarettes), and CBD, CBD infused, or hemp-derived THC consumable products at events.

CN10 REZONING CASE NO. 25CZ16 - 3521 OLD US 1 HIGHWAY (55 AUTO GROUP) - STATEMENT AND ORDINANCE (ORD-2026-010)

Council approved the Statement of the Town Council and Ordinance for Rezoning Application No. 25CZ16, Sadik Bourousse, applicant, for the property located at 3521 Old US 1 Hwy (portion of PIN 0710625854).

[TOWN MANAGER'S REPORT]

Town Manager Vosburg said that a huge thank you was owed to many of the Town staff members who worked over the last weekend in both storm preparation and also for the visit of the monks that came through our jurisdiction. He said it was truly a team effort, with several departments mobilizing and people staying overnight, so it would not list everyone or department by name but wanted them to know how much they were appreciated. He continued by stating that a huge thank you was owed to many town residents for being prepared and listening to the Town's messaging about staying off the roadways during the winter storm. He said that this action was a huge benefit to the town and voided a lot of unnecessary accidents which pulls on both the public safety departments - fire and police.

DRAFT | JANUARY 27, 2026 ELECTRONIC REGULAR TOWN COUNCIL MEETING MINUTES

1 **Town Manager Vosburg** said the last item for discussion was related to the
2 upcoming Thursday work session. He said that members recall that a portion of the
3 Data Center presentation was deferred until January 29, 2026 (Thursday) and this was
4 also the time for public safety to provide their bi-annual updates to the elected body.
5 He provided an overview of the anticipated timeline of the agenda as originally
6 published and stated the meeting had the potential to go until 7:30 p.m. or later. He
7 said in order to protect staff time and to ensure everyone had a clear understanding
8 of how long the meeting would go, it would be helpful for Council to weigh in on
9 whether they had a hard stop at 5:00 p.m. or were fine going several hours beyond
10 the normal stopping time.

11
12 **Mayor Gilbert** thanked Manager Vosburg for his update and said that it was
13 his understanding that the February 17 Work Session did not have any topics so items
14 could be continued until this date if they were not time sensitive.

15 **Manager Vosburg** said that was correct.

16
17 **Mayor Gilbert** said that he would personally prefer to separate the Data
18 Center discussion from the other agenda items. He said the information related to
19 the Data Centers was a lot to absorb and, as seen in the previous work session, their
20 may need to be time baked in for questions. He said his preference was to end at
21 5:00 p.m. or as close to that time as possible to allow staff more time with family and
22 Councilmembers time to absorb the information.

23
24 **Councilmember Zegerman** said he would prefer to cover as much as possible
25 during he work session on Thursday, January 29, 2026 and cancel the February 17
26 work session. He said that an alternative option could be to present these items at
27 the Council Retreat which was coming up where three full-days were committed to
28 receiving information and updates from Town staff.

29
30 **Mayor Gilbert** thanked Councilmember Zegerman and said that he wanted to
31 clarify his statements. He said that his preference was to cover all of the Data Center
32 presentation on Thursday, January 29, and continue the public safety updates and
33 the municipal election budget discussion until February 2026. He said the Data
34 Center topic was a lot to digest.

35
36 **Manager Vosburg** said that was correct. The work session for this Thursday
37 (January 29) was originally scheduled to be a public safety work session where
38 Council would receive updates from both the Fire Chief and the Police Chief on
39 related projects, department initiatives, etc. He said that staff was ready to present
40 either way but he concurred that it may be a bit of an overload of information. He
41 said that preliminarily staff was estimating at minimum a three to four hour meeting.

42
43 **Mayor Gilbert** said he appreciated that information. He said he understood
44 that the November public safety work session was cancelled so he hated to defer

DRAFT | JANUARY 27, 2026 ELECTRONIC REGULAR TOWN COUNCIL MEETING MINUTES

1 their updates again but he also felt that Council and he needed to be fresh when
2 receiving those updates.

3
4 **Mayor Pro-Tempore Mahaffey** said that he concurred with the idea of getting
5 all of the material covered while everyone was together. He said the reason the Data
6 Center portions were continued until Thursday, January 29 was because the last
7 remaining portions were related to Public Safety and the original thought was this
8 work session was scheduled for public safety anyway. He said his preference was to
9 keep items on the agenda as presented and push through the material.

10
11 **Councilmember Gray** said that he would defer to his colleagues and did not
12 have a strong preference either way.

13
14 **Councilmember Mu** said that she agreed with continuing to press forward.

15
16 **Councilmember Reese** said he was supportive of the stated approach. He
17 said the intensity of the material presented was initially concerning but also
18 understood the direction of the body was to push through the material and
19 potentially cancel the work session on February 17, 2026.

20
21 **Town Clerk Coleman** said to clarify the meeting agenda for Thursday, January
22 29, 2026, was proposed to change to reflect the Data Center item going first,
23 followed by both of the public safety department presentations. He said this was
24 different from what had been published.

25
26 **Town Manager Vosburg** said Planning Board members were initially invited
27 to attend the work session on January 22, 2026 and may attend this meeting. He said
28 with the reordering of the agenda it might make it easier for others to tune in and
29 then leave verses sitting through the material beforehand.

30
31 **Mayor Gilbert** said that it sounded like consensus was to proceed with the
32 agenda as published and thanked the Town Manager for his updates.

33
34 *****

35 **[TOWN CLERK’S REPORT]**

36
37 **Town Clerk Coleman** said the Clerk’s Office was currently accepting
38 applications for several positions on the Town’s Resident Advisory Boards. He said
39 that two positions existed on the Planning Board - one corporate limits position as
40 well as an ETJ representative. He said additional positions existed on the Board of
41 Adjustment and the Environmental Advisory Board (EAB) and that interested
42 individuals were encouraged to apply online or contact the Town Clerk’s Office for
43 more information.

DRAFT | JANUARY 27, 2026 ELECTRONIC REGULAR TOWN COUNCIL MEETING MINUTES

1 **Town Clerk Coleman** said that staff was working diligently on the
2 development of the Town’s Legislative Agenda for the short session coming up in the
3 spring of this year. He said that the Town’s contracted Lobbyist, Checkmate, would
4 be presenting to the Department Directors next week and they would also be
5 presenting to the Town Council at their Retreat on February 13, 2026. He said that it
6 would be beneficial if members could bring ideas to the retreat and he welcomed
7 any questions from members ahead of time.

8
9 **Mayor Gilbert** thanked the Town Clerk for his updates.

10
11 *****

12
13 **[PUBLIC COMMENT]**

14
15 **Mayor Gilbert** said that as previously mentioned live public comments would
16 not be taken during this electronic meeting but individuals did have the opportunity
17 to submit written comments in advance of the meeting. He called upon the Town
18 Clerk to announce any written comments for the record.

19
20 **Town Clerk Coleman** said only one written comment was received from Elisa
21 Haire related to Data Centers. Her comments are included below:

22
23 Date Sent: January 26, 2026 at 9:04 p.m.
24 Email Address: elisahaire@gmail.com
25 Subject: January 27, 2026 Public Forum Comments - Town of Apex

26
27 Greetings, Council.

28
29 My name is Elisa Haire and I am a lifelong resident of Apex. I reside at 1003
30 Brickstone Drive, Apex, North Carolina 27502.

31
32 I would like to submit the following comments for consideration by the Council,
33 specifically regarding the data center project (the "Data Center").

34
35 First, I vehemently oppose the Data Center. It is my opinion that a data center built
36 by Old US 1 and Shearon Harris Road is not in the best interests of the Town, nor its
37 residents and would only serve to enrich the developer, Natelli Holdings, and benefit
38 their client that would utilize the Data Center. While I have read the research the
39 Town compiled regarding the potential impacts and benefits of the Data Center, I fail
40 to see any reason why the Data Center is good for residents and local businesses who
41 call Apex home. As the Town's research admits, there are serious negative impacts of
42 the Data Center that are likely to negatively affect residents and businesses.

DRAFT | JANUARY 27, 2026 ELECTRONIC REGULAR TOWN COUNCIL MEETING MINUTES

1 Like a number of the members of the Council and Mayor Gilbert, I have been a
2 resident of Apex long enough to remember waking up early in the morning on
3 October 5, 2006, after an explosion at the Environmental Quality Industrial Services,
4 Inc. facility ("EQ") on Schieffelin Road. I remember my mother waking me up in the
5 early hours of October 5, 2006, telling me that I needed to pack a bag quickly
6 because we had to evacuate due to a chemical explosion. I remember smelling a foul
7 burning scent that lingered in my nose long after I arrived at my Grandmother's
8 house, unsure of when I would return home. Nearly 17,000 people evacuated,
9 businesses closed, and residents and local businesses experienced financial losses.
10 (WRAL News, 2006). Furthermore, inhaling the fumes likely will negatively impact the
11 health of a number of residents who may or already have experienced the resulting
12 health issues known to be caused by exposure to toxic chemicals. (American Lung
13 Association, 2023). The events of October 5, 2006, cost the town hundreds of
14 thousands of dollars, led to a nearly Eight Million Dollar Settlement in a lawsuit filed
15 against EQ, a fine paid by EQ to the state of North Carolina, and new laws and
16 regulations in the state of North Carolina governing and restricting the operation of
17 facilities like EQ. (WRAL News, 2007; WRAL News, 2009).

18
19 Nearly 20 years after the 2006 Explosion that threatened the residents of the Town,
20 the Data Center is being considered. The potential environmental impacts of data
21 centers are too great to ignore. As the Town's own research admits, there are
22 significant environmental impacts associated with the Data Center such as chemical
23 hazards, fire and explosion hazards, light noise pollution, and depletion of and
24 pollution to the local water supply. (Copley, 2025). Data centers are also known to
25 raise energy prices in surrounding residential areas and strain local resources.
26 (Jacobs, 2025).

27
28 During a public meeting with residents on November 12, 2025, Michael Natelli of
29 Natelli Holdings, stated "What I would say is we're working really hard to come up
30 with a program that really standardizes what we need to do to ensure that we're not
31 impacting neighboring properties in a negative way." (George, 2025). I would like to
32 draw the Council's attention to the nuance in this statement. Mr. Natelli has not
33 promised that there is a program that will ensure the Data Center will not impact
34 neighboring properties. He instead states they are "working really hard" to develop a
35 program to "standardize" what needs to be done to ensure they are not negatively
36 impacting neighboring properties. Id.

37
38 I strongly urge the members of the council to say NO to the Data Center and not
39 allow a potential threat to our environment, residents, and businesses be built in our
40 Town. Please do not let Apex be Natelli's Guinea pig to develop a Data Center and
41 test their environmental impact "program" for their data center projects.

42
43 I thank the Council for their time in reviewing and considering my comments.
44

DRAFT | JANUARY 27, 2026 ELECTRONIC REGULAR TOWN COUNCIL MEETING MINUTES

1 Kind regards,
2 Elisa

3
4 Sources

5
6 Apex Residents, Businesses Glad To Be Back Despite Losses. (2006, December 12).
7 WRAL News. <https://www.wral.com/story/1092135/>

8
9 Toxic Air Pollutants. (2023, October 25). American Lung Association.
10 [https://www.lung.org/clean-air/outdoors/what-makes-air-unhealthy/toxic-air-](https://www.lung.org/clean-air/outdoors/what-makes-air-unhealthy/toxic-air-pollutants)
11 [pollutants](https://www.lung.org/clean-air/outdoors/what-makes-air-unhealthy/toxic-air-pollutants)

12
13 Settlement reached over Apex chemical explosion. (2009, July 23). WRAL News.
14 <https://www.wral.com/story/5641875/>

15
16 EQ Won't Rebuild in Apex. (2007, October 15). WRAL News.
17 <https://www.wral.com/story/1930222/>

18
19 Jacobs, M. (2025, September 29). Data Centers Are Already Increasing Your Energy
20 Bills. We Have the Receipts. Union of Concerned Scientists.
21 [https://blog.ucs.org/mike-jacobs/data-centers-are-already-increasing-your-energy-](https://blog.ucs.org/mike-jacobs/data-centers-are-already-increasing-your-energy-bills/)
22 [bills/](https://blog.ucs.org/mike-jacobs/data-centers-are-already-increasing-your-energy-bills/)

23
24 Copley, M. (2025, October). Data centers are booming. But there are big energy and
25 environmental risks. National Public Radio. [https://www.npr.org/2025/10/14/nx-s1-](https://www.npr.org/2025/10/14/nx-s1-5565147/google-ai-data-centers-growth-environment-electricity)
26 [5565147/google-ai-data-centers-growth-environment-electricity](https://www.npr.org/2025/10/14/nx-s1-5565147/google-ai-data-centers-growth-environment-electricity)

27
28 George, T. (2025, November). Apex neighbors raise concerns about proposed data
29 center. ABC 11. [https://abc11.com/post/apex-neighbors-raise-concerns-proposed-](https://abc11.com/post/apex-neighbors-raise-concerns-proposed-data-center/18149782/)
30 [data-center/18149782/](https://abc11.com/post/apex-neighbors-raise-concerns-proposed-data-center/18149782/)

31
32 **Town Clerk Coleman** said the above-mentioned email was the only written
33 comments that had been received.

34
35 *****

36
37 **[PRESENTATIONS]**

38
39 **Mayor Gilbert** said all of the proclamations and special presentations
40 previously scheduled for this evening's meeting had been deferred until February 10,
41 2026.

42
43 *****

DRAFT | JANUARY 27, 2026 ELECTRONIC REGULAR TOWN COUNCIL MEETING MINUTES

[PUBLIC HEARINGS]

Mayor Gilbert stated that each of the public hearing items would be continued until February 10, 2026. He said for clarity and to adhere to the statute on remote meetings, all of the continued public hearings would be conducted by a roll call vote.

PH1 ANNEXATION NO. 812 - 2224 OLIVE CHAPEL ROAD - 2.13 ACRES

A **motion** was made by **Councilmember Arno Zegerman**, seconded by **Councilmember Edward Gray** to continue the public hearing, discussion, and vote on Public Hearing Item No. 1 until February 10, 2026.

Town Clerk Coleman called all Apex Town Councilmembers by name to confirm their vote to comply with the remote meeting requirements.

- Mayor Pro-Tempore Mahaffey - Yes
- Councilmember Gray - Yes
- Councilmember Zegerman - Yes
- Councilmember Reese - Yes
- Councilmember Mu - Yes

VOTE: UNANIMOUS (5-0)

Town Clerk Coleman announced the vote was unanimous 5-0

PH2 ANNUAL OPERATING BUDGET PUBLIC HEARING - FISCAL YEAR 2026-2027 - ONE OF TWO

A **motion** was made by **Councilmember Edward Gray**, seconded by **Mayor Pro-Tempore Terry Mahaffey** to continue the public hearing, discussion, and vote on Public Hearing Item No. 2 until February 10, 2026.

Town Clerk Coleman called all Apex Town Councilmembers by name to confirm their vote to comply with the remote meeting requirements.

- Mayor Pro-Tempore Mahaffey - Yes
- Councilmember Gray - Yes
- Councilmember Zegerman - Yes
- Councilmember Reese - Yes
- Councilmember Mu - Yes

VOTE: UNANIMOUS (5-0)

Town Clerk Coleman announced the vote was unanimous 5-0

DRAFT | JANUARY 27, 2026 ELECTRONIC REGULAR TOWN COUNCIL MEETING MINUTES

PH3 ELECTRIC TIME OF USE (TOU) RATE SCHEDULE AMENDMENTS - SMALL, MEDIUM, AND LARGE GENERAL SERVICE RATE RIDERS

A **motion** was made by **Councilmember Arno Zegerman**, seconded by **Councilmember Shane Reese**, to continue the public hearing, discussion, and vote on Public Hearing Item No. 3 until February 10, 2026.

Town Clerk Coleman called all Apex Town Councilmembers by name to confirm their vote to comply with the remote meeting requirements.

- Mayor Pro-Tempore Mahaffey - Yes
- Councilmember Gray - Yes
- Councilmember Zegerman - Yes
- Councilmember Reese - Yes
- Councilmember Mu - Yes

VOTE: UNANIMOUS (5-0)

Town Clerk Coleman announced the vote was unanimous 5-0

PH4 REZONING CASE NO. 25CZ17 - 0 SMITH ROAD

A **motion** was made by **Mayor Pro-Tempore Terry Mahaffey**, seconded by **Councilmember Arno Zegerman** to continue the public hearing, discussion, and vote on Public Hearing Item No. 4 until February 10, 2026.

Town Clerk Coleman called all Apex Town Councilmembers by name to confirm their vote to comply with the remote meeting requirements.

- Mayor Pro-Tempore Mahaffey - Yes
- Councilmember Gray - Yes
- Councilmember Zegerman - Yes
- Councilmember Reese - Yes
- Councilmember Mu - Yes

VOTE: UNANIMOUS (5-0)

Town Clerk Coleman announced the vote was unanimous 5-0

PH5 UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS - JANUARY 2026

A **motion** was made by **Councilmember Edward Gray**, seconded by **Mayor Pro-Tempore Terry Mahaffey** to continue the public hearing, discussion, and vote on Public Hearing Item No. 5 until February 10, 2026.

Town Clerk Coleman called all Apex Town Councilmembers by name to confirm their vote to comply with the remote meeting requirements.

- Mayor Pro-Tempore Mahaffey - Yes

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- 1 Councilmember Gray - Yes
- 2 Councilmember Zegerman - Yes
- 3 Councilmember Reese - Yes
- 4 Councilmember Mu - Yes

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6 **VOTE: UNANIMOUS (5-0)**

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8 **Town Clerk Coleman** announced the vote was unanimous 5-0

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12 **[CLOSED SESSION]**

13 None Held.

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17 **[ADJOURNMENT]**

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19 With no additional business being presented by the governing body, **Mayor**
20 **Jacques K. Gilbert** adjourned the meeting at **6:25 p.m.**

Jacques K. Gilbert
Apex Mayor

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22
23 Allen Coleman
24 Apex Town Clerk

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26 Submitted for consideration and approved on _____.