



1 **[CONSENT AGENDA]**

2 A **motion** was made by **Councilmember Zegerman**, seconded by **Mayor Pro**  
3 **Tempore Gray**, to approve the Consent Agenda as presented.

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

5 **CN1 Agreements - Wake Transit Funding Agreements - Go Apex Funding FY25 -**  
6 **General Operating Agreement for Bus Operations - Community Funding Area Program**  
7 **Wake Transit FY 2025 and General Capital Funding Agreement Community Funding**  
8 **Area Program for Bus Infrastructure Wake Transit FY25 (REF: CONT-2024-345 and**  
9 **CONT-2024-346)**

10 Council voted to approve a General Operating Agreement between Research Triangle  
11 Regional Public Transportation Authority (Go Triangle) and Capital Area Metropolitan Planning  
12 Organization (CAMPO) and the Town of Apex, effective until December 31, 2025, for Bus  
13 Operations - Community Funding Area Program Wake Transit FY 2025 and to authorize the  
14 Town Manager, or their designee, to sign on behalf of the Town.

15 AND

16 Council voted to approve a General Capital Funding Agreement between Research Triangle  
17 Regional Public Transportation Authority (Go Triangle) and Capital Area Metropolitan  
18 Planning Organization (CAMPO) and the Town of Apex, effective until December 31, 2027, for  
19 Bus Infrastructure - Community Funding Area Program Wake Transit FY 2025 and to authorize  
20 the Town Manager, or their designee, to sign on behalf of the Town.

21 **CN2 Agreement - Sontiq, Inc. dba Identify Force - Identity Theft/Credit Report**  
22 **Monitoring - Employees and Post-65 Retirees - Eligible for Auto Renew Annually (REF:**  
23 **CONT-2024-347)**

24 Council voted to approve a Benefit Agreement between Sontiq, Inc. (dba IdentityForce) and  
25 the Town of Apex, to provide Identity Theft/Credit Report Monitoring and related services to  
26 employees and retirees not on the Town's Health Insurance Plan, and to authorize the Town  
27 Manager, or their designee, to sign on behalf of the Town.

28 **CN3 Agreement Amendment - HireRight, LLC - Additional New Hire Services - Motor**  
29 **Vehicle Record Check and Reference Check (REF: CONT-2024-348)**

30 Council voted to approve an Amendment to the Town's existing background check  
31 agreement with HireRight, LLC to include Motor Vehicle Record and Reference Checks.

32 **CN4 Agreement - Lease Agreement - Quadient Leasing - Postage Machine Town Hall**  
33 **and Apex Police Department through November 30, 2027 (REF: CONT-2024-349)**

34 Council voted to approve a lease agreement between the Town of Apex and Quadient  
35 Leasing for two (2) postage machines, IX1 and IX7, effective December 1, 2024 through

1 November 30, 2027 (36 months), and authorize the Town Manager, or their designee, to  
2 execute on behalf of the Town.

3

4 **[PRESENTATIONS]**

5 **PR1 Emergency Management Program Overview**

6 **Mayor Gilbert** invited Taylor Sanchez, Emergency Management Coordinator, Apex  
7 Fire Department, to give the following presentation.

8 **[SLIDE 1]**



9

10 **[SLIDE 2]**

**Emergency Management**

**Definition**  
The managerial function charged with creating the framework within which communities reduce vulnerability to hazards and cope with disasters.

**Mission**  
To protect the Town of Apex by coordinating and integrating all activities necessary to build, sustain, and improve the capability to mitigate against, prepare for, respond to, and recover from threatened or actual natural disasters, acts of terrorism, or other man-made disasters.

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1 **[SLIDE 3]**

**Legislation**

- Chapter 166A, North Carolina Emergency Management Act. 1977
- Robert T. Stafford Disaster Relief and Emergency Assistance Act, 1988
- Homeland Security Presidential Directive 5 (HSPD-5), 2003
- Post-Katrina Emergency Management Reform Act (PKEMRA), 2006
- Presidential Policy Directive 8 (PPD-8), 2011

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3 **[SLIDE 4]**

**Mission Areas**  
**National Preparedness Goal**

“A secure and resilient Nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk.”

- Measured by 32 core capabilities
- Over 5 mission areas
- Multidisciplinary / whole community involvement\*

4  
5 **[SLIDE 5]**

Prevention	Protection	Mitigation	Response	Recovery
Planning				
Public Information and Warning				
Operational Coordination				
Intelligence and Information Sharing	Community Resilience	Infrastructure Systems		
Interdiction and Disruption	Long-term Vulnerability Reduction	Critical Transportation	Economic Recovery	
Screening, Search, and Detection	Risk and Disaster Resilience Assessment	Environmental Response/Health and Safety	Health and Social Services	
Forensics and Attribution	Access Control and Identity Verification	Fatality Management Services	Housing	
	Cybersecurity	Fire Management and Suppression	Natural and Cultural Resources	
	Physical Protective Measures	Logistics and Supply Chain Management		
	Risk Management for Protection Programs and Activities	Mass Care Services		
	Supply Chain Integrity and Security	Mass Search and Rescue Operations		
		On-scene Security, Protection, and Law Enforcement		
		Operational Communications		
		Public Health, Healthcare, and Emergency Medical Services		
		Situational Assessment		

1 [SLIDE 6]



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3 [SLIDE 7]

**Defining Scope**

	Emergency	Disaster	Catastrophe
Individual	Physical Injury		
Organization / Departmental	Bomb threat	Building collapse	
Town	Cyber attack	Dixie Pipeline	
County		Localized Epidemic	Shearon Harris
Region			Hurricane Helene western NC

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5 [SLIDE 8]

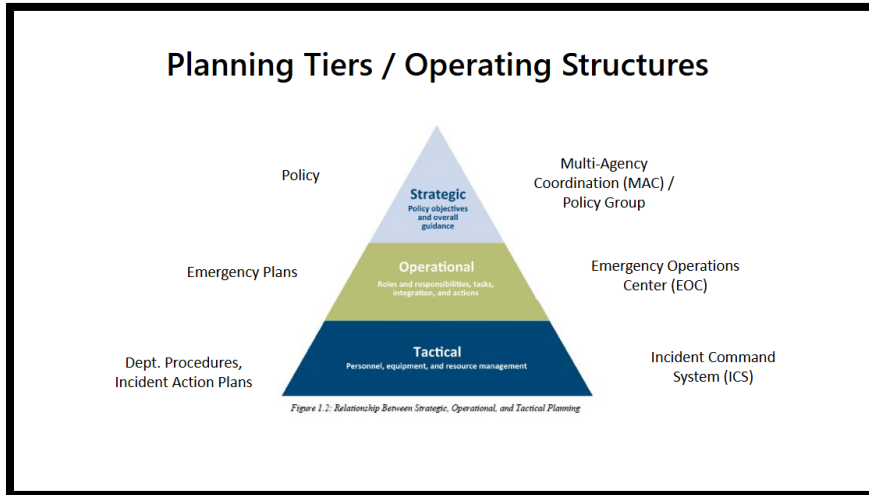
**Types of Incidents**

**Incident Complexity Level: Incident Effect Indicators Summary**

Type	Resistance to stabilization or mitigation	How long does it take for resources to meet incident objectives?	Effects on population immediately surrounding the incident	Length of incident effects	Evacuations necessary during mitigation	Adverse impact on CIKR	CIKR impact / mitigation measures	Coordination required with elected/governing officials and stakeholder groups	Do conditions or actions that caused original incident persist?	Probability of cascading event or exacerbation of current incident
5	None	1-2 hours	Minimal	Minimal	Few or none	None	None	Minimal or none	No	None
4	Low	Several to 24 hours	Limited	Up to 24 hours	Few or none	Minimal	Uncomplicated within one operational period	Minimal or none	No	Low to none
3	Moderate	At least 24 hours	Moderate	Several days to over one week	Possible; may require shelter	Threatens, damages, or destroys property	Adverse; multiple operational periods	Some	Possibly	Medium
2	High	Several days	Significant	Several days to two weeks	Possible; may require shelter/housing for several days to months	Threatens, damages, or destroys property	Destructive; requires coordination over multiple operational periods	Moderate, including political organizations	Possibly	High
1	High	Numerous operational periods	Significant	Two weeks to over a month	May require shelter/housing for several days to months	Significantly threatens, damages, or destroys property	Highly destructive; requires long-term planning and extensive coordination over multiple operational periods	High, including political organizations	Yes	High

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1 [SLIDE 9]



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3 [SLIDE 10]



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5 [SLIDE 11]

- EM Blue Sky Responsibilities**
- Develop and maintain Town wide emergency plans (EOP and Annexes)
  - Conduct training and exercise of emergency plans
  - Coordinate preparedness efforts with surrounding municipalities and Wake County
  - Ensure operational readiness of EOC
  - Develop EOC Staffing roles/responsibilities/procedures
  - Develop maintain emergency Memorandums of Understanding
  - Monitor potential Threats/Hazards (Weather/EM Network)

6

1 **[SLIDE 12]**

**EM Blue Sky Responsibilities**

- Advise TOA on emergency policy and procedure development
- Review Incident Action Plans for Town Events
- Inventory / accountability of emergency reserve equipment/supplies
- Processing reimbursement of deployed resources
- Support outreach initiatives to develop community preparedness

2  
3 **[SLIDE 13]**

**EM Grey Sky Responsibilities**

Response (Emergency Operations Plan)

- Incident Command System (ICS) *Advisor*
  - Operational Response Planning
  - EOP Coordination
- Emergency Operation Center (EOC) *Manager*
  - Ops Sync Coordination Calls
  - EOC Activation
  - COOP Manager
  - Battle Rhythm
- Multi Agency Coordination (MAC)/ Policy Group *Liaison*
  - Situational Briefings

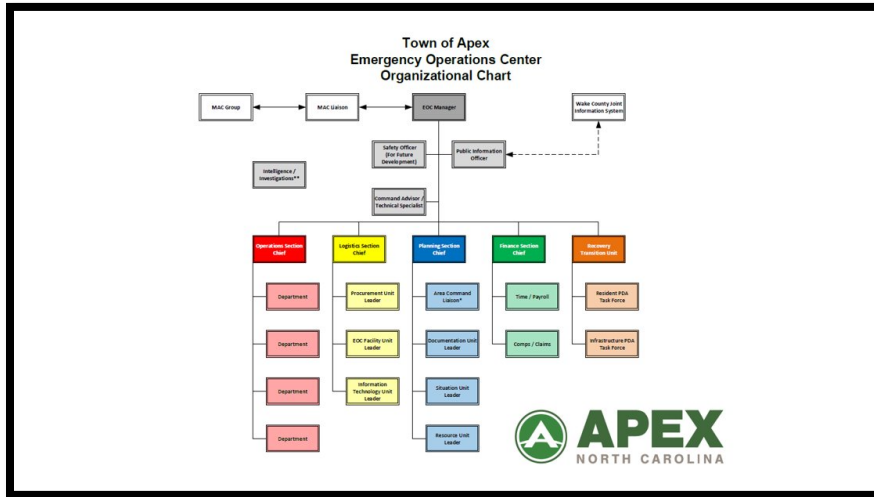
4  
5 **[SLIDE 14]**

**EM Grey Sky Operational Structures**

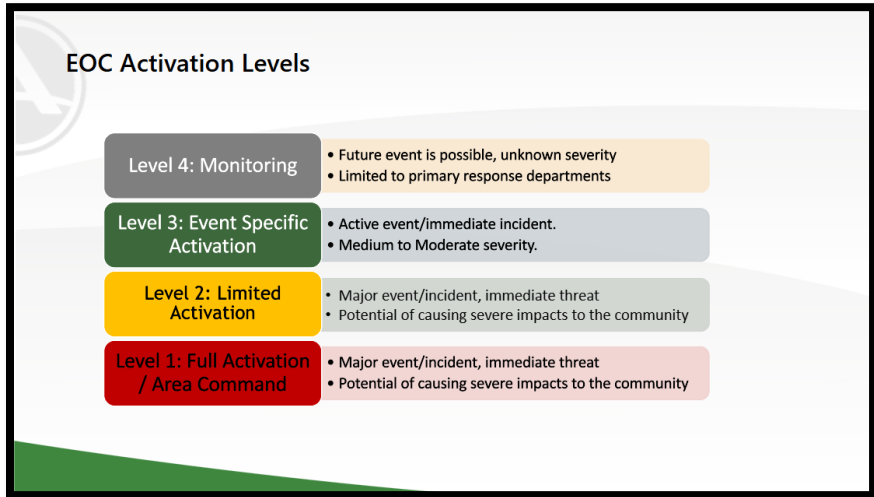
- Incident Command Structure (ICS)
  - Determine tactical objectives
  - Field Command and Control
  - Modular and Scalable
- Emergency Operations Center (EOC)
  - Coordination Center / resource, information and consequence management
  - Primary – PD HQ / Secondary – Public Safety Station #6
  - 1 monitoring level / 3 activation levels
  - Staffed by various departments
- Multi-Agency Coordination (MAC) / Policy Group
  - Establishing Goals / Priorities
  - Determine scarce resource allocations

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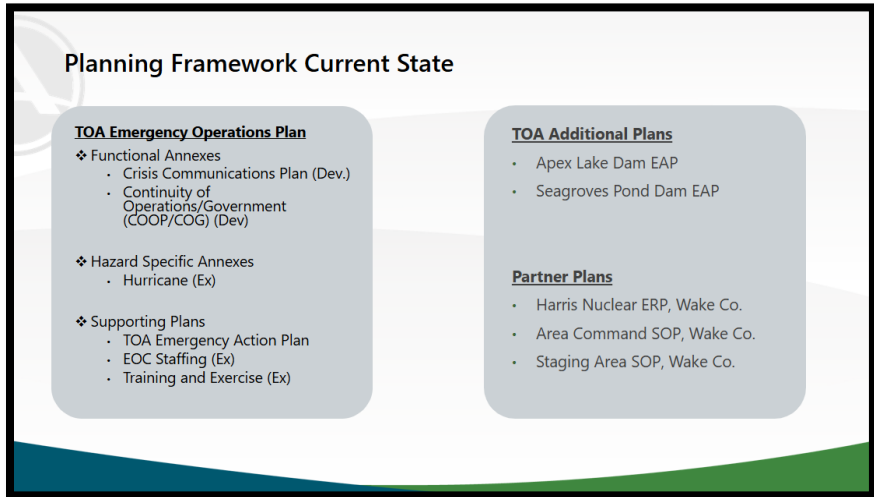
1 [SLIDE 15]



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3 [SLIDE 16]

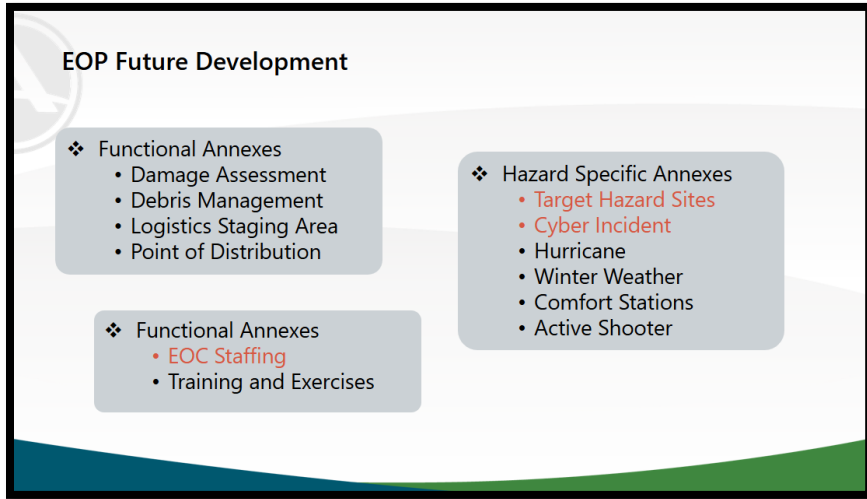


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5 [SLIDE 17]

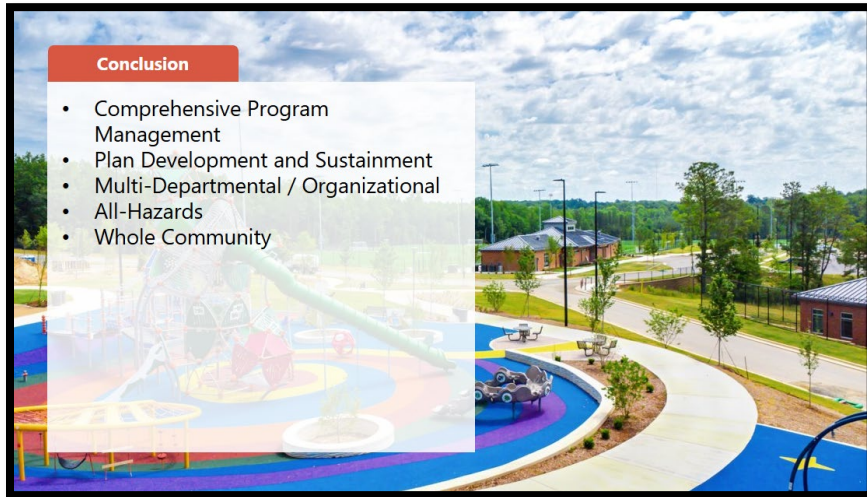




1 **[SLIDE 18]**



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3 **[SLIDE 19]**



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5 **Mr. Sanchez** asked if there were any questions.

6 **Councilmember Zegerman** asked what could be done for communications to  
7 residents in order to prepare them for different events before they may occur.

8 **Mr. Sanchez** said that the best way for the residents to stay informed is through Ready  
9 Wake alerts, which Wake County is responsible for maintaining. He said registering for that is  
10 key, as residents can get weather and emergency alerts directly. He said they plan to keep  
11 residents informed through social media, and can also plan outreach events in the future.

12 **Councilmember Zegerman** said it would be great to have people be prepared  
13 before an emergency occurs.

14 **Mr. Sanchez** said that one of the solutions is asking for volunteers during practice and  
15 exercises for emergencies.

16  
17 **[REGULAR MEETING AGENDA]**

18

1           **Mayor Pro Tempore Gray** noted that New Business Item 1 was labeled as Public  
2 Hearing 2 on the webpage, and offered the clarification that the Regular Agenda only has 1  
3 Public Hearing Item.

4  
5           A **motion** was made by **Councilmember Killingsworth**, seconded by  
6 **Councilmember Zegerman**, to approve the Regular Meeting Agenda as presented.

7  
8           **VOTE: UNANIMOUS (5-0)**

9  
10 **[PUBLIC FORUM]**

11  
12           **Mayor Gilbert** opened public forum and invited up the first speaker.

13  
14           First to speak was **Elizabeth Stitt** of 3113 Friendship Road  
15           "Allen's going to hand you a handout. So, as you guys know I follow tree patterns and  
16 policies from other communities and what I have for you here today is the Wake Forest tree  
17 policy that they are getting ready to adopt as a part of their revamp of their UDO, and what I  
18 wanted to bring to your attention is how the conversation around trees are changing, so you'll  
19 see on the second page they start talking about trees in the terms of tree canopy is no longer  
20 just about the number of trees it's about the actual canopy, what is that particular tree going  
21 to do. And so I just thought it was really interesting how they put it together and I know that  
22 this information will get shared out to the EAB and the Tree CAP and the planning  
23 department, but I just wanted to keep you up to speed as to what other communities are  
24 doing. It seems that the City of Raleigh, with their street tree program my daughter got a tree  
25 actually technically two, in the City of Raleigh's right-of-way. My son lives in downtown  
26 Durham, he got trees put in his right-of-way as well, and so I know that we've had discussions  
27 with the town before, but it' be nice if the town would look at putting trees in the towns right-  
28 of-way, you don't have to have large trees you can still have small trees. So, with that part of  
29 the community conversation I've been having is because we haven't heard any type of  
30 workshop around the tree canopy study that you know came out a year ago, we're probably  
31 going to own have our own workshop around trees and bring the forestry agency. I'm in the  
32 final stages of getting my Forestry Certification and my controlled burn permit as well, to be  
33 able to take care of underbrush. So it is something that I'm comfortable hosting out for the  
34 larger community, so once we get dates and we get speakers and all I'll let you guys know but  
35 I think there's a lot of people in our community that don't understand what you can do to  
36 preserve the trees and like in this UDO one of the things they were talking about in certain  
37 areas you wouldn't be allowed to use equipment to put in fences, you would have to do hand  
38 digging instead of equipment, and why would you do that, you know it's about the root  
39 structure and trying to preserve the trees because what we've heard from a lot of developers  
40 is, hey we want to clearcut it because if we don't clearcut it these trees on the perimeter are  
41 going to die anyways, and that is not necessarily true there are ways to preserve the trees so I  
42 just wanted to share what Wake Forest was doing, Thank you.

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**Mayor Gilbert** thanked Ms. Stitt and invited the next speaker.

Next to speak was **Panshul Aeron** at Green Level High School:

“Good evening Mayor Gilbert, Apex's respected Council Members and my fellow citizens my name is Panshul Aeron, and I am a 16-year-old 11th grader currently attending Green Level High School in Apex. I am proud to say that I've been living in the Cary / Apex area for almost 14 years now. I'm here with my childhood best friend Suayam who I've known since the third grade. Firstly, I'd like to express how grateful we are to have this opportunity to speak to you all today. We recently had the chance to speak at the Town of Cary, September Council meeting where we gathered strong support and we hope the Town of Apex will do the same. Suayam and I started off as two teenagers with a passion for teaching and helping others. We began by tutoring kids in our neighborhood hoping to make a small difference while earning volunteering hours, but as we quickly learned it wasn't easy to gather enough students, that's when we decided to take our efforts to the next level. In November 2023 we officially launched the Global Scholars Alliance, a 501c3 nonprofit dedicated to providing free and nutritious meals to WCPSS students. Since then, I am proud to say that our journey has been nothing short of remarkable. Throughout the past 10 months GSA has grown from a simple idea to a fully established nonprofit organization. We received certification from the IRS, created our own website, gathered a social media presence, launched a successful GoFundMe campaign, and even formed a team of seven student leaders. Through these efforts we've managed to raise over \$3,000 which has allowed us to expand our reach and provide ample services to our local community. Before we dive deeper I would like to introduce some of our talented student team members; Babik Kanimuri, a junior at Eno High School, Bobic is our Toastmasters public speaking instructor and a state level award-winning debater. Sadar Chakapuli is our competition math and SAT prep instructor, Sadar is a junior at Green Hope High School and a perfect scorer on the SAT, a 1600. Yasaswini Vadravu, a junior at Green level High School. Yasaswini is a website development intern dedicated to using her coding skills to help our community. Our mission extends beyond just providing free and nutritious meals, we also are advocating for increasing nutritional standards within the WCPSS. Countless students who rely on school cafeterias aren't receiving the vital nutrients that they need for proper development, energy, focus and academic performance. The main counterargument is that improved nutritional standards would decrease school lunch revenue. However, from our research concerning 330 Minnesota school districts and surveys from local teens, we found that school lunch revenue will not decrease and could potentially increase. It is up to us to minimize the gap between public and private school nutritional standards, the cost of higher quality ingredients is minimal compared to the profound impact on developing America's Future Leaders now I'll pass it off to Suayam.”

**Suayam Shah** continued:

1 "Hello everyone, my name is Suayam Shah, and I've been living here in the Apex area  
2 for the past decade. As an organization, one of our proudest accomplishments is our  
3 partnership with Davis Drive Middle School. Our team started coaching their math counts and  
4 science Teams and our students excelled beyond our expectations. In March, one of our math  
5 count students placed third at the State level, and the Science Bowl team that we coached  
6 won third place at the national competition, but we're not just about stem tutoring, GSA has a  
7 mission to focus on something even closer to our hearts. Ensuring that every WCPSS student  
8 has access to free and nutritious meals. How many of you in the audience have eaten at a  
9 school cafeteria in the past month? Now, we invite you Mayor Gilbert and the Council  
10 members to raise your hands if you have eaten inside a school cafeteria in the past month.  
11 Exactly, so when was the last time you had stepped foot in the school cafeteria? Not all adults,  
12 especially those who manage the education system, are able to experience the problem with  
13 school meals present in WCPSS. That's why Panshul and I took the initiative to be able to  
14 solve this problem ourselves as teenagers who regularly eat at its school cafeterias. We  
15 believe that no student should have to worry about where their next meal is coming from, and  
16 we're working hard to make this initiative a reality through a strong relationship with Council  
17 Member Sarika Bansal from the Town of Cary, we were able to meet Mrs. Lindsay Mahaffey,  
18 Mr. Mahaffey's wife, who is a WCPSS School Board member. She helped us research our  
19 cause and learn more. From our conversation with Mrs. Lindsay Mahaffey, we learned that a  
20 quality education is fueled by nutritious meals, something that not all students are able to  
21 access each and every day. We learned that it takes about \$2 to sponsor one meal, right now  
22 we have raised well over \$3,000 allowing us to sponsor 1,500 meals. We are looking to grow  
23 this number to be able to sponsor 5,000 student meals by the end of 2024. This is an  
24 ambitious goal, but we believe it's possible with your support. Throughout the past month  
25 we've been working with Josh Stein, NC's Governor-elect, as well as the vice president for the  
26 NCAIA, North Carolina Association of Indian Americans, both expressed their support for our  
27 mission, as well as that we've already begun reaching out to local businesses for Partnerships  
28 and today, we are here to request the Town of Apex's support in donating to our cause. We  
29 are formally requesting the town of Apex to support our mission by donating \$10,000 to go  
30 to free meals for WCPSS students. In addition, we would love to work with the town to gain  
31 support to help raise nutritional standards in our local WCPSS school system. Our team wants  
32 to ensure that our fellow WCPSS students can attend school knowing that they will be able to  
33 eat a healthy meal each day. We know that with the support of the Town of Apex and the  
34 wonderful people here, we can make a lasting impact in our community. Thank you all for  
35 your time and for giving us this incredible opportunity to speak to you all today."

36  
37 **Mayor Gilbert** thanked both speakers and called the next speaker.

38  
39 Next to speak was **Dawn Cozzolino** of 3632 Bosco Road:

40  
41 "Good evening, Town Council and Mayor Jacques. Mayor Jacques and Councilman  
42 Zegerman, thank you so much for reaching out to me on the traffic safety issues that we've

1 been voicing, I really appreciate this support and look forward to working with the Council  
2 and staff. So, I wanted to, I usually have a prop, so this is a new prop for tonight. This is just a  
3 regular old water container, but what I'm trying to do here is represent sustainability so I'm  
4 trying to practice better practices, not bringing a water bottle here and all those things. But  
5 how I'm thinking about how our community could be more sustainable, and what I noticed  
6 with the new traffic pattern and of course, everybody's talking about the congestion and so  
7 forth, is that I'm thinking twice about what I do because of either costs or because of  
8 congestion, hassle, frustration. I might not actually take a shopping trip that I might have  
9 planned normally, and I wonder if other people in Apex feel the same way that I do about,  
10 you know, making that decision to go out for dinner, making that decision to go to a park, to,  
11 you know, make those extra trips that maybe we can't afford anymore or it's too much stress.  
12 So, I was doing a little research online, and you know, there was something that was kind of  
13 nagging at me: this city structure and this city vision and It's blowing up so quick, and a lot of  
14 what I was reading about was something where the city goes into the suburb, right, but they  
15 kind of subsidize the city through the suburb, and that's not really an adequate or good  
16 growth strategy because it just leads to higher taxes for everybody. It destabilizes the  
17 downtown neighborhoods. Longer-term residents relocate, and there's a decline in economic  
18 productivity for the downtown, and that's your restaurants, your retail, and other businesses,  
19 more in the long term. So, I hope that doesn't happen to Apex. But, again, sustainability, can  
20 we think about more natural growth and think about how we treat our environment? Because  
21 we're living with that environment, just like our bodies. We're in it for the long haul. Thank you  
22 very much.”

23  
24 **Mayor Gilbert** thanked the speaker. He closed the Public Forum and moved to Public  
25 Hearings.

26

27 **[PUBLIC HEARINGS]**

28 **PH1 Western Big Branch Area Plan: Encompassing Portions of the Friendship and**  
29 **New Hill Communities**

30 **Jenna Shouse**, Senior Planner – Long Range, Planning Department gave the following  
31 presentation on Western Big Branch Area Plan: Encompassing Portions of the Friendship and  
32 New Hill Communities:

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1 [SLIDE 1]



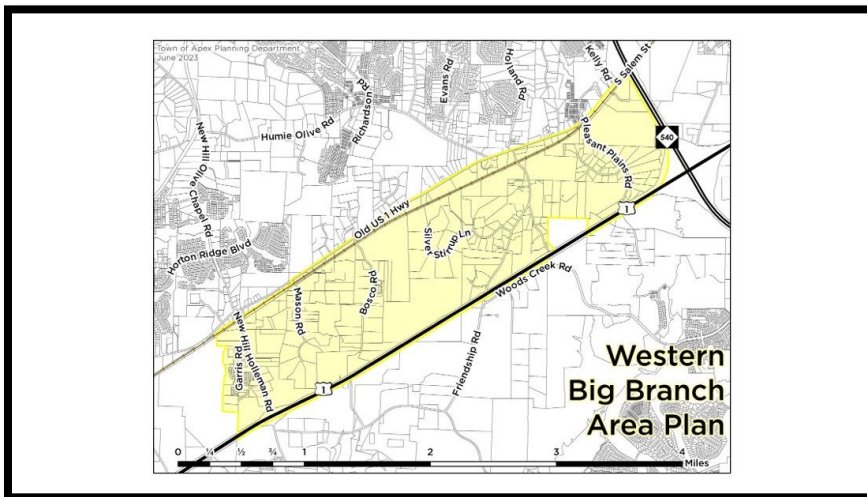
2  
3 [SLIDE 2]

### Overview

- Plan introduction, outcomes, and process
- Public engagement highlights
  - Planning Board & Town Council Updates in September 2023 & May 2024
- Draft Plan public input summary & resulting revisions
- Revised Draft Plan public input summary
- Staff-Recommended Plan recommendations
- Requested motion



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5 [SLIDE 3]




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1 [SLIDE 4]

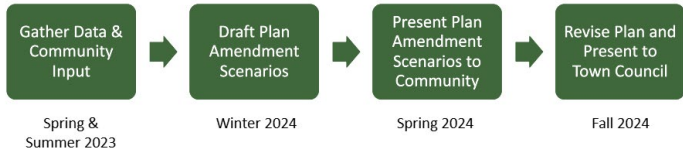
### Plan Considerations & Outcomes

- Considerations
  - Substantial development around the study area
  - Property owners and residents request for involvement
  - Planning for Big Branch Pump Station and Force Main project underway
- Outcomes
  - Revisions to the 2045 Land Use Map and 2045 Transportation Plan
  - Additional Plan Recommendations




2  
3 [SLIDE 5]

### Planning Process




```
graph LR; A[Gather Data & Community Input] --> B[Draft Plan Amendment Scenarios]; B --> C[Present Plan Amendment Scenarios to Community]; C --> D[Revise Plan and Present to Town Council];
```



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5 [SLIDE 6]

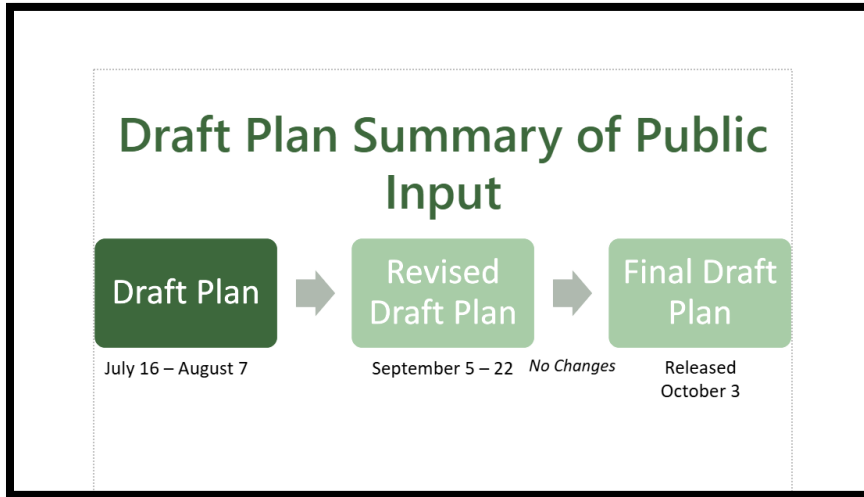
### Public Engagement Statistics

- In-Person**
  - Five in-person meetings.
  - 266 attendees at the in-person public meetings.
- Plan Development**
  - 71 participants in the online survey on the draft vision & goals.
  - 81 participants in the survey on the three plan amendment scenarios and draft additional plan amendment recommendations.
  - 474 views of the recorded presentation on YouTube describing the plan amendment scenarios.
- Plan Document Review**
  - 29 participants in the online survey on the Draft Plan.
  - Zero participants in the online survey on the Revised Draft Plan. Emailed comments from one person and petition from 78 residents.



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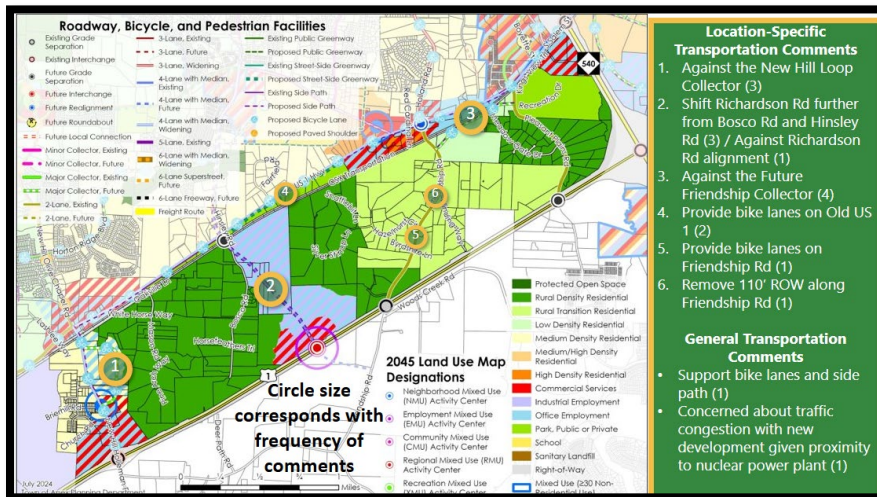
1 [SLIDE 7]



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3 [SLIDE 8]

- Comments on Additional Plan Recommendations**
- Support the community-proposed overlay district
  - A policy to encourage the preservation of forested areas does not address other environmental issues (climate change, impervious surface, light pollution, etc.)
  - Allow VADs and EVADs in Apex
  - Provide a 50-foot buffer between VADs/EVADs and new development
  - Concerned about traffic and safety at the intersection of Friendship Road and Old US 1
  - Economic development along the future Richardson Road corridor and at the future interchange benefits the developer rather than the community
- APEX NORTH CAROLINA**

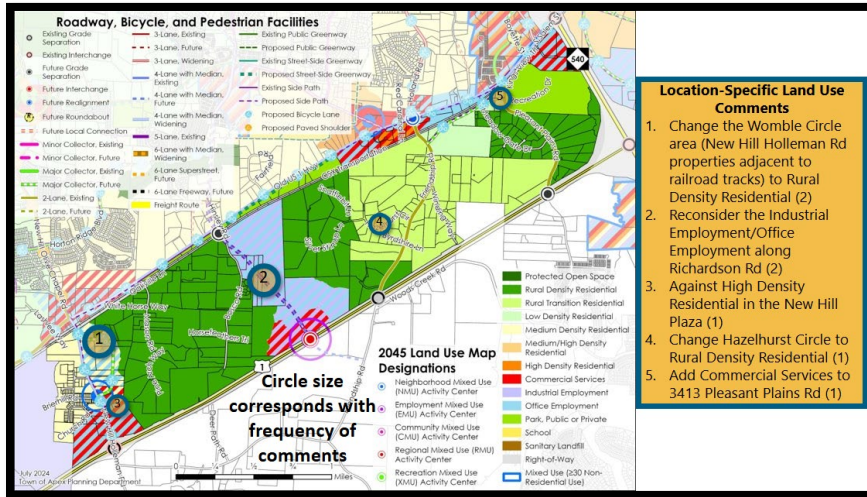
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5 [SLIDE 9]



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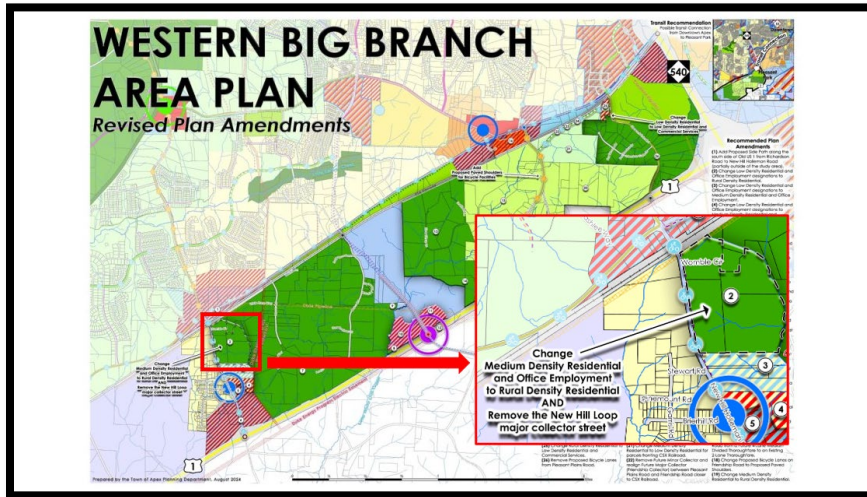
**1 [SLIDE 10]**



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3 [SLIDE 11]**

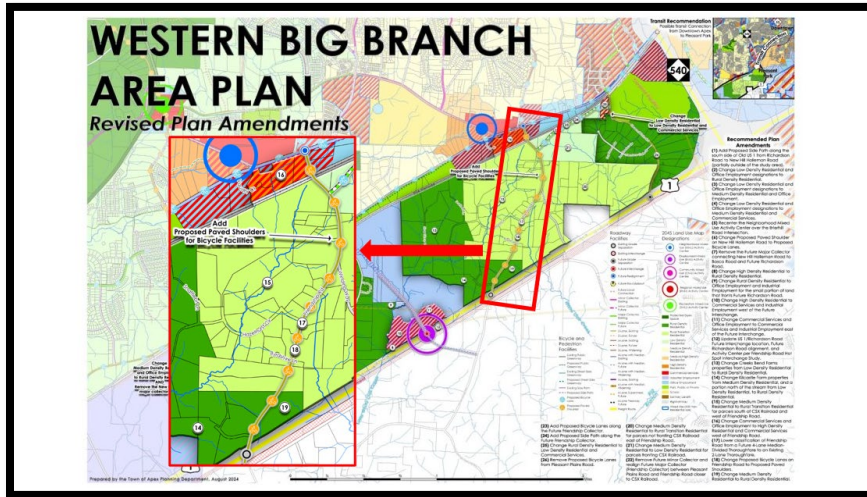
**Revisions Made to the Draft Plan**

**4  
5 [SLIDE 12]**

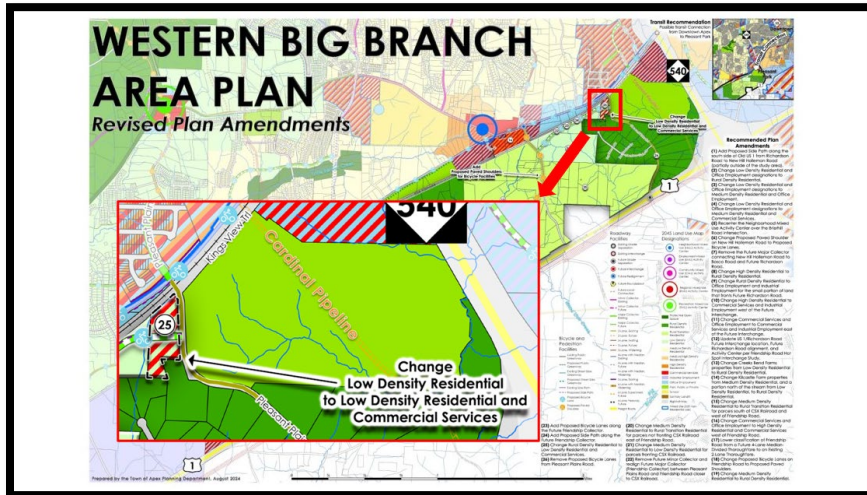


**6**

1 [SLIDE 13]




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3 [SLIDE 14]



4  
5 [SLIDE 15]

### Additional Plan Recommendations & Text Revisions

- Additional Plan Recommendations
  - Add 4B: Coordinate with Wake County to allow Voluntary Agricultural Districts & Enhanced Voluntary Agricultural Districts within the Apex corporate limits & ETJ
- Plan document text
  - Remove references to Town water
  - Update Figure 6. Transportation Crashes to include all crash data in the study area from July 2019 – June 2024




6

1 [SLIDE 16]

## Revised Draft Plan Summary of Public Input – New Comments

### No proposed Plan revisions




Draft Plan → Revised Draft Plan → Final Draft Plan

July 16 – August 7      September 5 – 22 *No Changes*      Released October 3

2  
3 [SLIDE 17]

## Location-Specific Land Use Comment

- Against Commercial Services designation at 3413 Pleasant Plains Road (28)



Change  
Low Density Residential  
to Low Density Residential and  
Commercial Services

APEX  
NORTH CAROLINA

4  
5 [SLIDE 18]

## Staff-Recommended Plan



Draft Plan → Revised Draft Plan → Final Draft Plan


July 16 – August 7      September 5 – 22 *No Changes*      Released October 3

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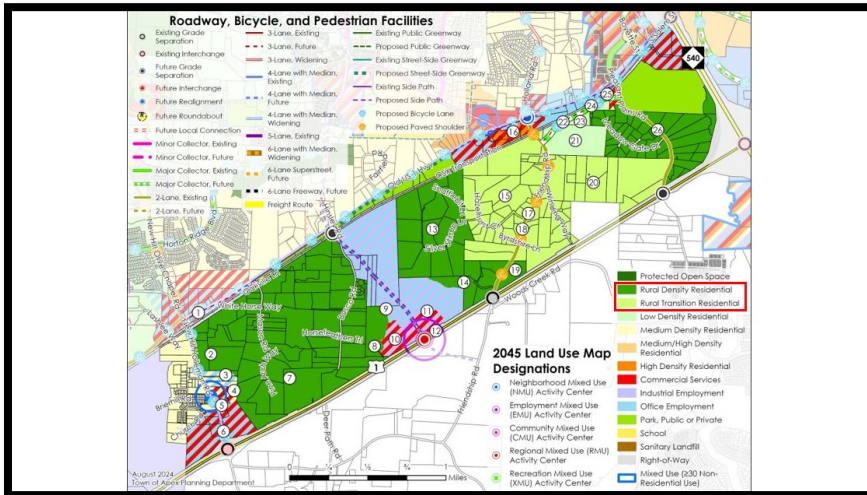
1 [SLIDE 19]

### Plan Amendment Staff Recommendations

- Generally, low-intensity residential land uses, consistent with current conditions.
  - Primarily Rural Density Residential (1 unit per 5 acres) & Rural Transition Residential (1 unit per acre).
  - Where residential is recommended, lower densities than Wake County portions of study area.
- Anticipate limited roadway improvements due to land uses.
- Maintain future Richardson Road corridor as a key regional connection and economic development opportunity.
- Align Richardson Road/US 1 interchange consistent with regional Hot Spot Study.
- Revise Context Areas map, consistent with plan amendment revisions.




2  
3 [SLIDE 20]



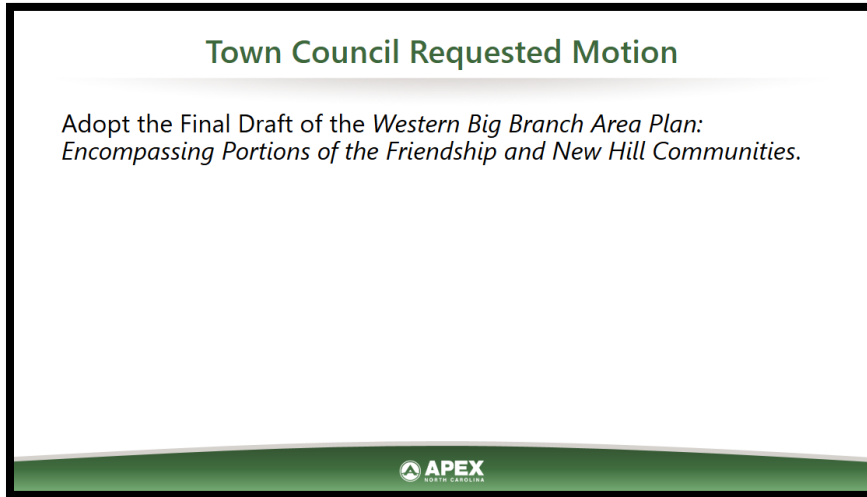
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5 [SLIDE 21]

### Additional Plan Recommendations

- Encourage agricultural business and agritourism.
- Encourage development of small-scale downtown near Humie Olive Road/Old US 1.
- Prepare a staff-recommended list of zoning conditions for rural areas for developers to consider.
- Study and potentially invest in turn lanes and a traffic signal at Friendship Road/Old US 1.
- Conduct a feasibility study to improve access to Pleasant Park.
- Review best practices and develop a policy to encourage the preservation of forested areas.



1 **[SLIDE 22]**



2  
3 **Councilmember Zegerman** asked if building Friendship Road to a lower spec than  
4 the Holly Springs side would create a bottleneck in that area.

5 **Ms. Shouse** said there was a two-lane bridge, and there was not a funded project to  
6 widen the bridge.

7 **Councilmember Zegerman** said that with the development going on the south side  
8 of the road, he was concerned having the town's side be narrower would create potential  
9 problems if the bridge is widened in the future.

10 **Ms. Shouse** said that is a fair concern, and that widening of the Friendship Road was  
11 not supported in the rural transition area, and with it being one unit per acre it is not likely  
12 that new development would widen Friendship Road.

13 **Shannon Cox**, Long Range Planning Manager, said that the Campo Hotspot study  
14 looked at Friendship Road Bridge planned to have a four-lane section on Friendship Road  
15 that would connect to Richardson Road with an interchange, and that would be the main  
16 thoroughfare with the bridge staying two-lane.

17 **Councilmember Zegerman** said that would make sense.

18 **Councilmember Gantt** said that in the presentation it was mentioned that there were  
19 three scenarios and asked if this would be considered scenario one.

20 **Ms. Shouse** said yes, they started with scenario one as a starting point based on the  
21 public input received.

22 **Councilmember Gantt** asked if it was considered removing residential use at 3413  
23 Pleasant Plains Road to support the commercial services for the park nearby.

24 **Ms. Shouse** said that they did not discuss removing it completely, she said keeping  
25 both allows the option of low density or commercial.

26 **Planning Director Dianne Khin** said that if a developer came in and bought up the  
27 property along the railroad tracks with low density, they would be likely put the Rec Center on  
28 Pleasant Plains Road, but if it were to develop by itself it would likely be a commercial land  
29 use.

30 **Councilmember Gantt** said a Rec Center would only be for residents of that area.

1           **Director Khin** said yes, and that would be captured in the residential option for the  
2 zoning.

3           **Mayor Gilbert** opened up Public Hearing and invited the first speaker.

4  
5           First speaker was **Elizabeth Stitt** of 3113 Friendship Road:

6  
7           "I wanted to share with you what our view of our area is. We're very appreciative of all  
8 the work that we did with Jenna and the Town, but I think one of the reasons that we feel like  
9 the low density is going to continue for a period of time, if you think about it from an  
10 infrastructure perspective, down along US1 is where the force main is going, and so if I were  
11 to extend sewer up to my property, I have to go through eight other people's property to get  
12 to mine, and they are smaller residential properties, whereas I have a larger tract.  
13 So, if you look at my larger tract, there's not enough developable area to pay for the cost to  
14 pull the infrastructure up, and so what's highlighted in the dark blue on your map, these are  
15 neighborhoods that have covenants that automatically renew where they cannot subdivide  
16 and if they sell, if they change their covenants, it's like 75 to 100% of the landowners. So, if  
17 you look at the geography and the lay of the land, these are our low areas. So, if you're going  
18 to do gravity-fed sewer, you're going to have to go through these neighborhoods, and it's  
19 going to be pretty tough. The conversations I've had with developers are that you're not  
20 going to get a lot of development for a long period of time because you have to be able to  
21 buy out a lot of land in order to pull the infrastructure up. And when we were working with the  
22 community, we had a number of our community members who were not going to support  
23 anything around the development because we were proposing one house per acre. They  
24 thought that was too dense. So, this was the best compromise that we could come up with  
25 our community to get the majority of them to say, "Hey, at least one acre." Most everybody  
26 here has an average of three to four acres, so the thought of somebody having only one acre  
27 was kind of a shock to some, so we definitely support what the town has put forth. We didn't  
28 get everything we wanted, and there's still some things we want to work towards, but overall,  
29 we're happy with the plan, and I just want to make sure you guys understood why the  
30 infrastructure was a limiting factor and why we ended up with one house per acre. Thank  
31 you."

32  
33           **Mayor Gilbert** thanked Ms. Stitt and called the next speaker.

34  
35           Next to speak was **Dawn Cozzolino** at 3632 Bosco Road:

36  
37           "So, as Elizabeth mentioned about the covenants, I actually have one, I didn't know I  
38 had one, it was discovered. So, I have eight acres, and I'm only allowed one house on that  
39 eight acres. I think it was really thoughtful of the people that started the covenants to think  
40 about bridging a community and keeping a community sustainable for a legacy to pass those  
41 farms on to generations and generations. So, I think it's kind of interesting how it came about.

1 And the other thing I'll add is everybody is on well water and septic, we maintain it per all the  
2 guidelines. It's not easy, but we do it because we enjoy where we live, we appreciate that, and  
3 the tree canopy will inevitably help Apex with their forestry numbers and so forth.  
4 So, I just wanted to say that as well, there were a lot of trade-offs, right? There are things that  
5 people who have been living in the area a very long time are used to, and they're used to  
6 living the way they're used to living. So, changes are very hard, but I think this proposal keeps  
7 a lot of green on the map. So, thank you.”  
8

9 **Mayor Gilbert** thanked Ms. Cozzolino and closed the public hearing, and moved the  
10 item back to Council for discussion.  
11

12 **Councilmember Zegerman** thanked the staff and all of the planning for the New Hill  
13 and Friendship Community area.

14 **Mayor Pro Tempore Gray** commented that that this plan has had a lot of compromise  
15 on both sides, and that there has been a lot of conversations about increasing the size of  
16 commercial in that area because of its access and closeness to US1. He said that there has  
17 been a lot of conversations about placing an overlay that would make it a lot denser in terms  
18 of the amount of housing, primarily to help support residents in the Holly Springs area. He  
19 said that this is a good compromise and gives those within that area the opportunity to  
20 maintain this overall aesthetic and outlook for as long as possible, and when looking at the  
21 practicalities, he reminded people that the land use map doesn't really get used until people  
22 start selling property, and in this case, there are a lot of things that will prevent a lot of sales in  
23 the short term. He said he appreciates what the staff has done, the interactions they have had  
24 with the community and the comments from those within the community.

25 **Councilmember Gantt** said he would be okay with putting this on ice if people  
26 wanted, but in lots of cases things like this end up getting changed if people start selling in  
27 the future. He said it's better to plan for the future in case something like that happens.

28 **Councilmember Killingsworth** said that she agrees and that this is a combination of  
29 staff listening to the community and compromising. She said she is in support of the plan as  
30 staff has presented.

31 **Councilmember Mahaffey** said that he hopes the community feels that they have had  
32 a role in shaping this plan, as it is evident, and he appreciates the efforts of staff in working  
33 with them. He said that he approves of the plan and pointed it out as a compromise, and that  
34 this plan reflects the priorities of Apex. He said he is in support of the plan.  
35

36 A **motion** by **Mayor Pro Tempore Gray**, seconded by **Councilmember Mahaffey**, to  
37 adopt the Western Big Branch Area Plan: Encompassing Portions of the Friendship and New  
38 Hill Communities.  
39

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

1 **Mayor Gilbert** thanked staff for the work on the plan. He then moved to New  
2 Business.

3 **[NEW BUSINESS]**

4 **NB1 Electric Utilities Updates**

5 **Eric Neumann**, Director, Electric Utilities Director gave the following presentation on  
6 Electric Utilities Updates:

7 **[SLIDE 1]**



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**[SLIDE 2]**



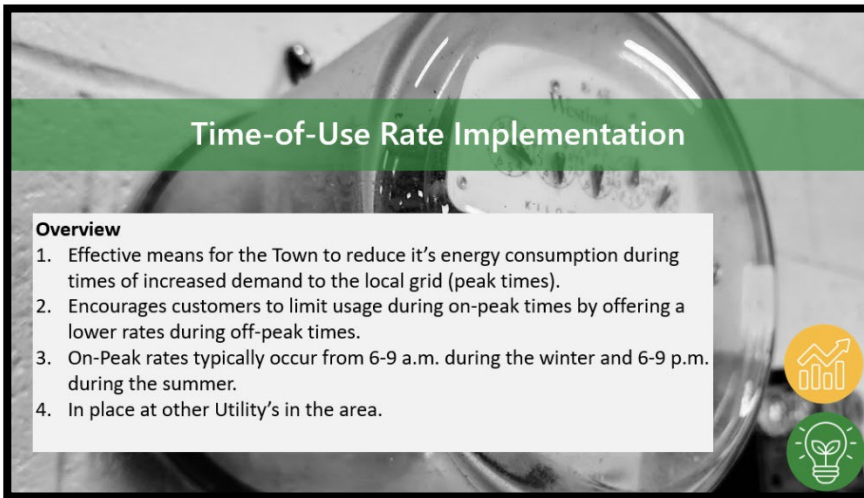
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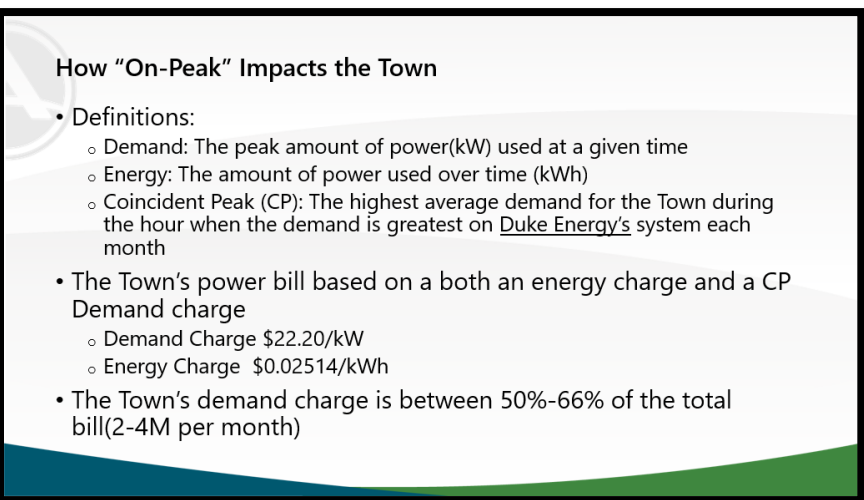
1 **[SLIDE 3]**



2  
3 **[SLIDE 4]**



4  
5 **[SLIDE 5]**



6

1           **Councilmember Gantt** asked if the reason for the difference in the rates in the  
2 Western part of the state was because of the power generation and that it was easier to cut  
3 on and off.

4           **Director Neumann** said they have a different Power Purchase Agreement with Duke  
5 Energy because they have the ability to generate and support energy needs in Western  
6 Carolina, so they are charged differently.

7           **Councilmember Gantt** said in our case the nuclear plant can't turn on and off.

8           **Director Neumann** said that was correct.

9 **[SLIDE 6]**

**TOU BENEFITS**

- Helps reduce load on local and national grid reducing the need for energy providers to run additional power plants to keep up with demand.
- Saves the Town money on the monthly power bill.
- Helps reduce the cost to customer.
- Reduces the amount of reserve capacity needed by the Town's grid.

The slide features a photograph of a town square with a clock tower, a brick walkway, and a flagpole under a clear blue sky.

10

11 **[SLIDE 7]**

**Need for Time-of-Use Rate Implementation**

- Impact of EV chargers
  - Large load
    - Level 1: 1.4 to 1.9 kW
    - Level 2: 2.5- ~19.2 kW (a 2.5 ton AC unit is ~2.4kW)
    - Level 3: 50kw+ (Commercial 3 phase applications)
  - Becoming more prevalent
- Time-of-Use will lessen impacts by adjusting behavior
  - Charging EV overnight, setting the delayed charge times found on most EV chargers
  - Washing and drying clothing outside of on-peak hours
  - Adjusting thermostats based on on-peak times
  - Preparing food outside of on-peak times

The slide has a decorative background with a blue and green gradient at the bottom.

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1 **[SLIDE 8]**

### Proposed Time-of-Use Rate Implementation

- Proposed rate times (to be verified after rate study)
  - Summer months 6-9 p.m.
  - Winter months 6-9 a.m.
- Time frame for implementation
  - After completion of AMI meter replacement (anticipated by December 2025)
- Commercial versus residential Implementation
  - Required for residential (optional for commercial)

2  
3 **[SLIDE 9]**

### Time-of-Use Rates at other Utilities

#### Duke Energy

- Offers non-TOU Rates and multiple TOU rate schedules. One includes notified "critical peak days" where on-peak rates increase 186%
- On-Peak Periods
  - Summer 6:00-9:00pm
  - Winter 6:00-9:00am
- Discount Periods
  - Summer 1:00-6:00am
  - Winter 1:00-3:00am, 11:00am-4:00pm
- Include Riders on most of their rate schedules which may change a customers bill (the example on the right has 8)

**TYPE OF SERVICE**  
The types of service to which this Schedule is applicable are alternating current, 60 hertz, either single-phase 2 or 3 wires, or three-phase 4 wires, at Company's standard voltages of 240 volts or less.

**MONTHLY RATE**

I. For Single-Phase Service:

A. Service used during the calendar months of May through September: 1. Basic Customer Charge: \$14.00	B. Service used during the calendar months of October through April: 1. Basic Customer Charge: \$14.00
--	--

NC First Revised Leaf No. 502  
Effective for service rendered from October 1, 2024 through September 30, 2025  
NCUC Docket No. E-2, Sub 1300, Order dated August 18, 2023  
Page 4 of 23

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Duke Energy Progress, LLC  
(North Carolina Only)

2. kWh Energy Charge: 28.82¢ per On-Peak kWh 10.91¢ per Off-Peak kWh 7.105¢ per Discount kWh	NC First Revised Leaf No. 502 Superseding NC Original Leaf No. 502  2. kWh Energy Charge: 28.82¢ per On-Peak kWh 10.91¢ per Off-Peak kWh 7.105¢ per Discount kWh
---	--

**Minimum Bill**  
The minimum monthly charge shall be the Basic Customer Charge.

II. For Three-Phase Service:  
The bill computed for single-phase service plus \$9.00.

4  
5 **[SLIDE 10]**

### Time-of-Use Rates at other Utilities

#### Fayetteville Public Works

- TOU Rate is the only available option to customers
- No "discount" period
- Lower rates with higher base charge

**MONTHLY RATE**

Basic Facilities Charge <sup>8</sup>	
Single Phase Service Charge	\$23.00
Three Phase Service Charge	\$28.75
<b>Energy Charge</b>	
All kWh On-Peak Hours:	\$0.14042 per kWh
All kWh Off-Peak Hours:	\$0.09152 per kWh

**DEFINITION OF PEAK PERIODS**  
Peak period is defined as daily (excluding Saturdays, Sundays, and Holidays)

- On-Peak Hours:
  - Summer: (April-October) 3:00 PM to 7:00 PM
  - Non-Summer: (November-March) 6:00 AM to 10:00 AM
- Off-Peak Hours: All other hours other than On-Peak Hours.
- All holiday and weekend hours are deemed to be Off-Peak Hours.

**POWER SUPPLY ADJUSTMENT (PSA)** All stated rates are subject to a monthly power supply adjustment (PSA).

**COAL ASH RIDER** As specified in the Service Regulations and Charges, a monthly surcharge to recover the portion of Duke Energy Progress' cost of cleaning up coal ash that is allocated to FWC.

Coal Ash Rider	\$2.00
----------------	--------

1 **[SLIDE 11]**

**Time-of-Use Rate Comparison with other Utilities**

Utility	Base Charge	On-Peak Rate	Off-Peak Rate	Summer Peak Hours	Winter Peak Hours
Duke Energy	\$14.00	28.821¢ / kWh	10.911¢ / kWh*	6:00pm – 9:00pm	6:00am – 9:00am
Fayetteville PWC	\$23.00	14.042¢ / kWh	9.152¢ / kWh	3:00pm – 7:00pm	6:00am – 10:00am
Apex (not in use)**	\$26.50	23.45¢ / kWh	6.23¢ / kWh	1:00pm – 6:00pm	6:00am – 9:00am

\*Duke offers 7.105 ¢ / kWh rate during "discount hours" 1-6am in summer months, 1-3am and 11am to 4pm in winter months.


\*\*This is the old TOU rate that Apex has but is not offered. This rate includes 3 additional peak hours during the first fifteen days of shoulder months (April and October).

2  
3 **[SLIDE 12]**

**Load Management**

**Overview**

1. Load management devices need to be upgraded if the program is to continue.
2. There are changes to the program's ordinance that should be implemented to increase efficiency and clarify the Town's requirements for the program.
3. The Load management program remains a viable and effective means for the Town to reduce its energy consumption during times of increased demand to the local grid.



4  
5 **Councilmember Gantt** asked if the time use decreases the need for the Load  
6 Management Program.

7 **Director Neumann** said that it would probably be the reverse if there is a success in  
8 the Load Management Program. He said time of use will encourage people to do this  
9 naturally, but the Load Management Program is more forced.

10 **Councilmember Gantt** said that there would not be a need to force them if they do it  
11 themselves based on economics.

12 **Director Neumann** said that this would be talked about.

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1 **[SLIDE 13]**

**Load Management Program Summary**

- Program helps reduce the Town's total electric usage during peak or high-demand hours
- Briefly cycles off the largest electric appliances in homes to reduce the aggregate usage
  - HVAC Unit heat pumps and compressors
  - Water Heaters
  - Heat Strips
- The Town has provided the Load Management switches for new construction since the programs inception
- Participation is optional
- Customers can select the level of participation for HVAC unit control
  - 25%
  - 50%
  - 100%
- Customers were given credits based on their level of participation

2  
3 **Councilmember Gantt** asked if the AMI had this built in.  
4 **Director Neumann** said no.

5 **[SLIDE 14]**

**Load Management Program Status**

- Since the inception of the program in the mid 90's over 20,000 load management switches have been installed in the Town. The exact number is unknown due to loss of records over the decades.
- Number of switches currently Installed\*
  - LCR-2000 – ~3400 – Prior to 2006
  - LCR-2000 – 600 – 2004 to 2006
  - LCR-5000 – 4,254 – 2006 to June 2013
  - LCR-5600 – 14,296 – June 2013 to 2023

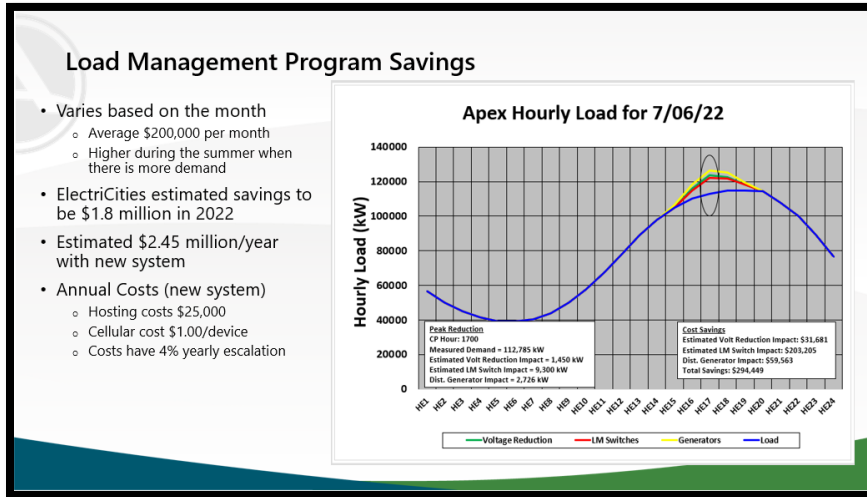
Total: 22,550

\*LCR-2000 quantities are assumed, all other quantities were provided by the Manufacturer from their records

It is estimated that only 40-50% of these switches are currently operational

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1 **[SLIDE 15]**



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3 **[SLIDE 16]**

### Load Management Switch Degradation

- LCR 2000 models have been non-operational for a number of years because they were based on radio frequency technology, which has been abandoned
- The LCR 5000 and 5600 devices utilize paging signals that are slowly losing coverage as the technology is being obsoleted
- HVAC technician often bypass the switches when diagnosing problems and never reconnect the switch
- Age, some existing switches have been in service for 25+ years

4  
5 **[SLIDE 17]**

### New Load Management Switch

- Has two-way communications allowing the utility to monitor the devices status and confirm functionality
- Will decrease the number of bypassed switches on the system
- Will be easier to maintain and can send trouble alarms
- Pay off time is 4 -6 years
- Life expectance 15-20 years

CAUTION

1 **[SLIDE 18]**

**Load Management Proposed Ordinance/Administration Changes**

- Remove credits for those participating the program
- Incentivize participation in the program by having a higher rate for those who choose not to participate
- Removal of the 50 and 100% participation level options (only 25% control will be used)
  - Few residents choose these participation levels, and their removal will simplify billing and system management
- Clarification of the customer’s responsibility to maintain building wiring
- Requirement of installation of load management devices on new construction and permits over \$10,000

2  
3 **[SLIDE 19]**

**Load Management Proposed Infrastructure Upgrades (CIP Projects)**

	<b>FY 25-26</b>	<b>FY 26-27</b>	<b>FY 27-28</b>	<b>FY 28-29</b>	<b>FY 29-30</b>
Professional Services	\$600,000	\$600,000	\$600,000	\$600,000	\$600,000
Equipment	\$965,000	\$965,000	\$965,000	\$965,000	\$965,000
Totals	\$1,565,000	\$1,565,000	\$1,565,000	\$1,565,000	\$1,565,000

**CIP Project Main points:**

- The majority of the LCR 2000s are to be replaced in FY 25-26, subsequent years will replace the remaining LCR 5000 & LCR 5600s
- Number of replacements per year (~5000) and costs will be adjusted as the projects progress
- Cost of Professional services is estimated based on current labor rate averages, and the assumed 5,000 device
- Service contract could be extended to help maintain the system yearly to lesson the need for additional town personnel

4  
5 **[SLIDE 20]**

**Thank you**

1 **[SLIDE 21]**



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**Director Neumann** asked if there were any questions.

**Councilmember Mahaffey** said that he is fully in support of this. He said that Duke wants us to do this, and this would be a good investment.

**Councilmember Gantt** asked how the mandate in Fayetteville worked for this program and if there were any pushbacks.

**Director Neumann** said that there was push back initially and then it subsided. He said it his highly recommended to switch everyone to time-of-use instead of creating an opt-out system.

**Councilmember Mahaffey** asked if there was any way to know when Load Management is going on in their homes.

**Director Neumann** said that there is a light on the switch for the mode. He said that they don't run it all the time. He said that it is within a 3-hour window typically 5 days a month. He said that with the new technology there can be texts sent out to let them know when the load management would be happening. He said that they could implement that as a text alert now.

**Councilmember Mahaffey** asked if there was a way to ensure when people get new technology items installed at their homes to ensure they are wired to the load management system.

**Director Neumann** said that there is not a way in the program to connect to the load management system with alterations/additions on the house, and they have to put a separate device. He suggested that people could set up a charging cycle.

**Councilmember Gantt** said that hot water heater and HVAC is where the load management system would be connected.

**Councilmember Mahaffey** asked if there was a way to motivate people to program the charging cycle.

**Director Neumann** said the best way would be to set up time of use rates.



1           **Councilmember Mahaffey** said Duke Energy is giving credit for the EV chargers and  
2 they are paying people to charge at certain hours. He asked if this was a model that could be  
3 used for Apex.

4           **Director Neumann** said that the best way for Apex is to incentivize them not to charge  
5 during the peak period.

6           **Councilmember Zegerman** said that requires a level of awareness and technical  
7 understanding.

8           **Director Neumann** said that those using the EVs are usually tech savvy.

9           **Councilmember Zegerman** asked said there could be some active outreach from the  
10 electric department in regards to that.

11           **Councilmember Mahaffey** said that it could be some training during the permitting  
12 process.

13           **Director Neumann** said that with the new system, they will know who is using car  
14 chargers based on energy usage patterns, and they could target and market to those for  
15 training.

16           **Councilmember Killingsworth** said that if they decide to move to time of use that  
17 there will be a marketing campaign and communication.

18           **Councilmember Gantt** said that if it stays the same throughout that would be good.

19           **Councilmember Mahaffey** said that doing comparisons with bills to show people  
20 what it looks like with this program before it officially launches.

21           **Director Neumann** said that showing people how their activities impact their bills  
22 would be a good way to get them interested in the program.

23           **Councilmember Zegerman** said that behaviors will adjust. He said that in the future  
24 he would like updates where Apex is with evaluating the battery backup capacity cost  
25 benefits. He asked if there was a way to enable smart thermostats to force load management.

26           **Director Neumann** said they could integrate thermostats similar to what Duke Energy  
27 does, but they negate the load management switch on the side of homes. He said if time use  
28 does what it should do, it may drive it down where the load management is no longer viable.  
29 He said that then people could possibly do this naturally with smart thermostats and smart  
30 programming.

31           **Mayor Gilbert** thanked Director Neumann for the presentation. He then moved to  
32 Town Manager updates.  
33

34 **[UPDATES BY TOWN MANAGER]**

35           **Town Manager Vosburg** gave an update on the contract that is in place with the  
36 third-party related reviewers of the utility issues with Barry Dunn. He said there would be a full  
37 scope completed by the end of February. He said that the Tunstall House went out for bid this  
38 week. He said that Apex received the 2025 Engineering Excellence Award for Pleasant Park.  
39 He said the last item was an update on the detour and Whitehall Manor. He had a report from  
40 the Apex Police Department that they have employed the 5 Es: engagement, education,  
41 engineering, enforcement and evaluation. He said that there is speed monitoring, and they

1 do not believe that there is a speeding issue. He said that the main issue being seen is stop  
2 sign violations. He said that they believe that the speed humps are effective. He said they  
3 have been meeting with the HOA and so if there are any changes to be made they are  
4 committed to that.

5

6 **Councilmember Gantt** said that he lives in that area and the neighbors are  
7 appreciating the enforcement and the thoughtfulness that has gone into this.

8 **[CLOSED SESSION]**

9 A **motion** was made by **Councilmember Gantt**, seconded by **Councilmember**  
10 **Zegerman** to enter into Closed Session pursuant to **NCGS §143-318.11(a)(1)** and **NCGS**  
11 **§143-318.11(a)(6)**.

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

13 Council entered into Closed Session at **7:56 p.m.**

14 **CS1 Randy Vosburg, Town Manager**

15 **NCGS §143-318.11(a)(1):**

16 *"To prevent the disclosure of information that is privileged or confidential pursuant to the law*  
17 *of this State or of the United States, or not considered a public record within the meaning of*  
18 *Chapter 132 of the General Statutes."*

19 **CS2 Laurie Hohe, Town Attorney**

20 **NCGS §143-318.11(a)(3):**

21 *"To consult with an attorney employed or retained by the public body in order to preserve the*  
22 *attorney client privilege between the attorney and the public body."*

23 **CS3 Mayor Jacques K. Gilbert**

24 **NCGS §143-318.11(a)(6):**

25 *"To consider the qualifications, competence, performance, character, fitness, conditions of*  
26 *appointment, or conditions of initial employment of an individual public officer or employee*  
27 *or prospective public officer or employee; or to hear or investigate a complaint, charge, or*  
28 *grievance by or against an individual public officer or employee."*

29 **CS4 Mayor Jacques K. Gilbert**

30 **NCGS §143-318.11(a)(6):**

31 *"To consider the qualifications, competence, performance, character, fitness, conditions of*  
32 *appointment, or conditions of initial employment of an individual public officer or employee*  
33 *or prospective public officer or employee; or to hear or investigate a complaint, charge, or*  
34 *grievance by or against an individual public officer or employee."*

1 **CS5 Mayor Jacques K. Gilbert**

2 **NCGS §143-318.11(a)(6):**

3 *“To consider the qualifications, competence, performance, character, fitness, conditions of*  
4 *appointment, or conditions of initial employment of an individual public officer or employee*  
5 *or prospective public officer or employee; or to hear or investigate a complaint, charge, or*  
6 *grievance by or against an individual public officer or employee.”*

7

8 Council returned to open session at **10:43 p.m.**

9

10 **ADJOURNMENT**

11 **Mayor Gilbert** adjourned the meeting at **10:44 p.m.**

12

13

Jacques K. Gilbert

14

Mayor

15 Allen Coleman, CMC, NCCCC

16 Town Clerk to the Apex Town Council

17

18 Submitted for approval by Town Clerk Allen Coleman and approved on \_\_\_\_\_.

19