



# AGENDA | REGULAR TOWN COUNCIL MEETING

Tuesday, March 10, 2026 at 6:00 PM  
Council Chambers - Apex Town Hall, 73 Hunter Street

The meeting will adjourn when all business is concluded or 10:00 PM, whichever comes first

## **Governing Body and Town Senior Executive Leadership**

Mayor: Jacques K. Gilbert | Mayor Pro-Tempore: Terry Mahaffey  
Council Members: Edward Gray, Arno Zegerman, Shane Reese, Sue Mu  
Town Manager: Randal E. Vosburg  
Deputy Town Manager: Shawn Purvis  
Assistant Town Managers: Demetria John and Marty Stone  
Town Clerk: Allen L. Coleman | Town Attorney: Laurie L. Hohe

English	Spanish	Chinese (Simplified)
<p><b>ANNOUNCEMENTS</b> Members of the public can access and view the meeting on the Town’s YouTube Channel <a href="https://www.youtube.com/c/TownofApexGov">https://www.youtube.com/c/TownofApexGov</a> or attend in-person. The meeting date, start time, and location details are included at the top of this agenda document.</p>	<p><b>ANUNCIOS</b> Las personas interesadas pueden acceder y ver la reunión a través del canal de YouTube de la Ciudad en <a href="https://www.youtube.com/c/TownofApexGov">https://www.youtube.com/c/TownofApexGov</a> o asistir en persona. En la parte superior de este documento de agenda se indican la fecha, la hora de inicio y la ubicación de la reunión.</p>	<p><b>公告</b> 公众可通过镇政府的YouTube频道 <a href="https://www.youtube.com/c/TownofApexGov">https://www.youtube.com/c/TownofApexGov</a> 在线旁听会议，或选择现场参与。会议日期、开始时间及地点详情见本议程文件顶部。</p>
<p><b>Accommodation Statement:</b> Anyone needing special accommodations to attend this meeting and/or if this information is needed in an alternative format, please contact the Town Clerk’s Office. The Town Clerk is located at 73 Hunter Street in Apex Town Hall on the 2nd Floor, (email) <a href="mailto:allen.coleman@apexnc.org">allen.coleman@apexnc.org</a> or (phone) 919-249-1260.</p>	<p><b>Aviso sobre adaptaciones:</b> Si necesita adaptaciones especiales para asistir a esta reunión o requiere esta información en un formato alternativo, comuníquese con la Oficina del Secretario Municipal, ubicada en el segundo piso del Ayuntamiento de Apex, en 73 Hunter Street, por correo electrónico a través de <a href="mailto:allen.coleman@apexnc.org">allen.coleman@apexnc.org</a> o llamando al 919-249-1260.</p>	<p><b>便利服务声明:</b> 如需特殊便利服务以参加本次会议，或需要将本信息提供为其他格式，请联系镇书记官办公室。 办公地址：Apex镇政务厅二楼（Hunter街73号） 邮箱：<a href="mailto:allen.coleman@apexnc.org">allen.coleman@apexnc.org</a> 电话：919-249-1260</p>

## **COMMENCEMENT, INVOCATION, AND PLEDGE OF ALLEGIANCE**

The Town of Apex values and celebrates diversity and inclusion. We see diversity as a strength that binds our community together - inviting members from different faith communities to deliver the invocation at the beginning of our Council meetings, supports this unity.

Recognizing that not everyone practices the same traditions, we welcome you to have a private moment of silence.

Please stand as you are able for the Pledge of Allegiance

## **ANNOUNCEMENTS AND PETITIONS BY THE GOVERNING BODY**

Members of the governing body may use this time to share updates on a variety of different topics or submit petitions for future consideration with the entire board and the community.

### **ADOPTION OF THE MEETING AGENDA**

The Mayor will call for additional Agenda items from Council or Staff and set the Regular Meeting Agenda prior to Council actions. Items to be pulled or added should be submitted to the Town Clerk in advance of the meeting.

### **CONSENT AGENDA**

All Consent Agenda items are considered routine, to be enacted by one motion with the adoption of the Consent Agenda, and without discussion. If a Council Member requests discussion of an item, the item may be removed from the Consent Agenda and considered separately. The Mayor will present the Consent Agenda to be set prior to taking action on the following items:

- CN1 Agreement - Interlocal Agreement between the Town of Apex and Capital Area Metropolitan Planning Organization (CAMPO) - Study of Five (5) Potential Multimodal Access Points at Pleasant Park**  
*Shannon Cox, Long Range Planning Manager, Planning Department*
- CN2 Agreement - Wake County Public School System (WCPSS) - Right of Entry - Little Beaver Creek Gravity Sewer Extension Project - Installation of 2,000 Linear Feet of New Gravity Sewer**  
*Chandler Bailey, P.E., Utilities Engineer, Water Resources Department*
- CN3 Agreement - Seth A. Felder LLC - DJ and Sound Services for Fireworks Frenzy - July 03, 2026 - USA 250<sup>th</sup> Anniversary**  
*Megan Shea, Special Events Specialist, Parks, Recreation, and Cult. Res. Department*
- CN4 Agreement Ratification - Black and Veatch International Company - Design Services of the Western Transmission Main Phase II Project - Part 2 of Kelly Road Waterline Project**  
*Matthew Reker, Utilities Engineering Intern, Water Resources Department*
- CN5 Agreement Ratification - Highfill Infrastructure Engineering, P.C. - Beaver Creek Commons Sewer and Water Improvements Project**  
*Matthew Reker, Utilities Engineering Intern, Water Resources Department*
- CN6 Agreement Ratification - Norfield Development Partners, LLC - Continuation of Locator Logix Software for Electric and Water Lines**  
*Kathy Moyer, Director, Electric Utilities Department*
- CN7 Agreement Ratification - Warrior Physical Therapy and Performance - Injury Prevention Workshops**  
*Timothy Herman, Fire Chief, Apex Fire Department (AFD)*

**CN8 Annexation No. 805 - Welch Homestead - Associated Rezoning 25CZ10**

*Allen Coleman, Town Clerk*

**CN9 Annexation No. 825 - 631 Wimberly Road**

*Allen Coleman, Town Clerk*

**CN10 Council Meeting Minutes - Various**

*Allen Coleman, Town Clerk*

**CN11 Ordinance Amendment - Traffic Schedules I and II - Stop and Yield Signage Updates**

*Russell Dalton, P.E., Traffic Engineering Manager, Transportation and Infr. Dev. Dept.*

**CN12 Revisions to Town Standard Details - Section 300, Neighborhood Traffic Mini-Circle, Temporary Turnaround, and Single-lane Roundabout**

*Chris Johnson, P.E., MPA, Director, Transportation and Infrastructure Development Dept.*

**CN13 Rezoning Case No. 25CZ12 - Apex Baptist Church - Statement of Denial**

*Amanda Bunce, Assistant Director, Planning Department*

**CN14 Tax Report - January 2026**

*Allen Coleman, Town Clerk*

**CN15 Town Council Rules of Procedures Amendment - Ordinance Introduction and Adoption**

*Allen Coleman, Town Clerk*

**CN16 Unified Development Ordinance (UDO) Amendments -February/March 2026 - Statement**

*Bruce Venable, Planner III, Planning Department*

**TOWN COUNCIL COMMITTEE REPORTS - None Scheduled**

**TOWN MANAGER'S REPORT**

**TOWN CLERK'S REPORT**

**TC1 Appointments - Board of Adjustment (BOA)**

*Allen Coleman, Town Clerk*

**TC2 Appointments - Environmental Advisory Board (EAB)**

*Allen Coleman, Town Clerk*

**TC3 Appointments - Planning Board**

*Allen Coleman, Town Clerk*

## **PUBLIC ART MOMENT QUARTERLY - None Scheduled**

### **PUBLIC FORUM**

Public Forum allows the public an opportunity to address the Mayor and Town Council. The speaker is requested not to address items that appear as Public Hearings. The Mayor will recognize those who would like to speak at the appropriate time.

Large groups are asked to select a representative to speak for the entire group.

Comments must be limited to 3 minutes to allow others the opportunity to speak.

Members of the public are encouraged to view the Public Forum and Public Hearing Participation Guidelines.

### **PROCLAMATIONS / SPECIAL PRESENTATIONS**

**PR1 Proclamation - Ask Apex Day - March 11, 2026**

*Mayor Jacques K. Gilbert*

**PR2 Proclamation - Regional Creek Week 2026 - Sunday, March 15 through Saturday, March 21, 2026**

*Mayor Jacques K. Gilbert*

**PR3 Proclamation - Women's History Month - March 2026**

*Mayor Jacques K. Gilbert*

### **PUBLIC HEARINGS**

**PH1 Annexation No. 815 - 7200 Jenks Road - 4.23 acres**

*Dianne Khin, Director, Planning Department*

**PH2 Annexation No. 823 - 8001 Green Level Church Road - 2.16 acres**

*Dianne Khin, Director, Planning Department*

**PH3 Annual Operating Budget Public Hearing Fiscal Year 2026-2027**

*Councilmember Ed Gray, Sponsor*

**PH4 Fee Schedule Amendment - Residential and Residential Time-of-Use (TOU) - Service Schedule related to Detached Garages**

*Kathy Moyer, Director, Electric Utilities Department*

### **REGULAR MEETING AGENDA**

**RA1 Consideration of a One (1) Year Moratorium on Data Center Construction within the Town of Apex**

*Mayor Pro-Tempore Terry Mahaffey, Sponsor*

**RA2 Consideration of a Non-Standing Committee to Research Impacts and Provide Policy and Transparency Recommendations**

*Mayor Jacques K. Gilbert, Sponsor*

**INFORMATIONAL ITEMS**

Information items focus on educating and bringing awareness to matters or topics that do not require immediate decision or action. Information items are for informational purposes only and may not be discussed as part of the business meeting.

**CLOSED SESSION**

Council will enter into closed session pursuant to:

**CS1 Laurie Hohe, Town Attorney**

**NCGS §143-318.11(a)(3):**

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

**CS2 Allen Coleman, Town Clerk**

**NCGS §143-318.11(a)(1):**

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

**ADJOURNMENT**

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Shannon Cox, Long Range Planning Manager

Department(s): Planning Department

### Requested Motion

Motion to approve a Interlocal Agreement for Apex Pleasant Park Access Study between the Town of Apex and the Capital Area Metropolitan Planning Organization (CAMPO), to evaluate the multimodal connectivity to Pleasant Park including the study of five (5) potential access points, and to authorize the Town Manager, or their designee, to execute on behalf of the Town.

### Approval Recommended?

Yes

### Item Details

The Planning Department's operational budget includes up to \$75,000 to participate with the Capital Area Metropolitan Planning Organization (CAMPO) in a study that will evaluate the feasibility of improving multimodal access to Pleasant Park by way of an additional access point(s). The consultant will evaluate up to five (5) potential multimodal access alternatives, with the intent of identifying a single recommended connection or series of connections for further analysis through a future study. This work is consistent with recommendations from the Town of Apex Western Big Branch Area Plan. The scope of work is attached. In summary, tasks will include: coordinating with regional and state partners, analyzing up to five potential new access connections to the park, supporting the narrowing of alternatives, preparing a planning-level cost estimate and implementation plan for the recommended alternative only, and providing public engagement opportunities. Functional or preliminary design is not included under this scope.

The total estimated cost is \$150,000. Per the agreement, CAMPO and the Town of Apex would each commit \$75,000. The purpose of this agreement is to establish the terms and responsibilities for the Town of Apex and CAMPO. CAMPO will enter into a separate contract with the selected consultant, which may be modified from time to time.

***Continued on next page. . .***

## Attachments

- CN1-A1: Interlocal agreement for Apex Pleasant Park Access Study between the Town of Apex and the Capital Area Metropolitan Planning Organization (CAMPO).
- CN1-A2: Exhibit 1 - Scope of Work for Consultant Engineering Services - CAMPO Apex Pleasant Park Access Study (may be modified).



**INTERLOCAL AGREEMENT FOR APEX PLEASANT PARK ACCESS STUDY BETWEEN  
THE**

**TOWN OF APEX**

**and the**

**CAPITAL AREA METROPOLITAN  
PLANNING ORGANIZATION (CAMPO)**

**THIS INTERLOCAL AGREEMENT** (“Agreement”), is made and entered into on the last date executed below by and between the Town of Apex, a N.C. municipal corporation, (“Apex”) and the Capital Area Metropolitan Planning Organization, a metropolitan transportation planning organization, (“CAMPO”) (collectively, the “Parties”).

**BACKGROUND AND RECITALS:**

**WHEREAS**, the U.S. Congress has mandated the establishment of Metropolitan Planning Organizations (MPOs) to encourage and promote the safe and efficient management and operation of surface transportation systems. 23 U.S.C. § 134 (a) (1)-(2), to wit:

*“(a) Policy.-It is in the national interest-*

*(1) to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight, foster economic growth and development within and between States and urbanized areas better connect housing and employment, and take into consideration resiliency needs while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter; and*

*(2) to encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes by metropolitan planning organizations, State departments of transportation, and public transit operators as guided by the planning factors identified in subsection (h) and section 135(d).”*

23 U.S.C. § 134 (a) (1)-(2)

**WHEREAS**, CAMPO has been established and exists under the authority and mandate of Article 16 of Chapter 136 of the North Carolina General Statutes; and

**WHEREAS**, pursuant to the above referenced federal and State laws, CAMPO has the authority and responsibility for development of multi-modal transportation plans (including plans for pedestrian and pedestrian transportation facilities); and

**WHEREAS**, CAMPO will enter into a contract with, Vanasse Hangen Brustlin, Inc. (“Consultant”), in partnership with the Town of Apex to perform an Apex Pleasant Park Access Study (or the “Study”) with a view toward identifying one or more preferred alternatives to facilitate additional multimodal connection to Pleasant Park through a comprehensive analysis of up to five alternatives.

**WHEREAS**, the Apex Pleasant Park Access Study contract will be entered into for FY 26 and FY27 and submitted in final form to CAMPO and the Town of Apex; and

**WHEREAS**, the Apex Pleasant Park Access Study will develop feasible alternatives to achieve additional access into Pleasant Park in Apex, NC (“Park”). The study will include planning level cost estimates, stakeholder engagement, and a recommended implementation strategy; and

**WHEREAS**, the Town of Apex and CAMPO have made funding commitments to the Study, and they desire to formally acknowledge their respective funding commitments and assignment of coordination and implementation responsibility to CAMPO.

**NOW, THEREFORE**, for the consideration set forth herein, the mutual agreements set forth below, and other good and valuable considerations, the Parties agree as follows:

## **I. BACKGROUND AND PURPOSE.**

The Parties acknowledge their mutual support for continued planning, project management, and related work for the Study. To this end, the Parties desire to affirm their respective financial and other commitments to the Study.

## **II. APEX PLEASANT PARK ACCESS STUDY SCOPE**

The Parties acknowledge and agree that the Apex Pleasant Park Access Study contract entered into between Consultant and CAMPO should include the work elements set forth below.

The Consultant’s fee for the Study shall be the sum of one hundred fifty thousand dollars (\$150,000.00). This cost will cover 100% of the Study’s elements, including the following:

To study the feasibility of improving multimodal access to the park by way of an additional access point(s), the MPO seeks the following tasks to be performed by a professional consultant or firm. The consultant will evaluate up to five (5) potential multimodal access alternatives, with the intent of identifying a single recommended connection or series of connections for further analysis.

Tasks and Outcomes expected under this project include:

- Preparing a detailed work plan and schedule, including a specific public and stakeholder engagement plan, to guide project implementation and administration.
- Refining a study area in coordination with the client and consultant team.
- Reviewing relevant plans such as, but not limited to, the Western Big Branch Area Plan, the Apex Transportation Plan, Peak Plan 2055 (currently underway), the CAMPO Blueprint for Safety (multimodal safety design elements), the 2055 Metropolitan Transportation Plan (MTP), and any relevant NCDOT requirements.
- Coordinating regular meetings with a Core Technical Team (CTT) comprised of staff from CAMPO, the Town of Apex, NCDOT Turnpike Authority, NCDOT Division 5, and railroad stakeholders. The consultant will prepare meeting agendas, summaries, and materials for all CTT meetings.
- Coordinating with Wake County and Holly Springs staff as project stakeholders.
- Defining the purpose and need for the project
- Identifying and analyzing up to five potential new access connections to the park (see Figure 1), and evaluating their ability to address the defined purpose and need.
- Considering factors such as current and projected traffic volumes, the park master plan, study area geography, conceptual planning-level design, multimodal safety, environmental features, property acquisition, and other considerations as identified by the CTT.
- Supporting the narrowing of alternatives in coordination with the CTT, and preparing a planning-level cost estimate and implementation strategy for the recommended alternative(s) only. Functional or preliminary design is not expected under this scope.
- Preparing appropriate public and stakeholder engagement materials, including but not limited to flyers and handouts (digital/paper), postcard mailers, pamphlets, website and e-newsletter content, yard signs, and digital graphics. Consultants will participate in select stakeholder and/or public engagement activities to provide technical expertise, while logistics and support staffing will be primarily resourced by the client.
- Preparing all agendas and presentations, and leading two community meetings.
- Preparing and delivering presentations at two Planning Board meetings, two Town Council meetings, and up to two MPO TCC and Executive Board meetings.

This project will be guided by a CTT of staff from CAMPO, the Town of Apex, NCDOT Turnpike Authority, NCDOT Division 5, railroad stakeholders, and other key stakeholders. It is anticipated that this committee will meet monthly as needed throughout the study. The consultant project manager will also convene bi-weekly with the CAMPO project manager and Apex project administrator for project management check-ins. The consultant will be responsible for preparing and leading all meeting agendas, materials, and summaries.

Deliverables for this effort include:

- Preparation for and documentation of all project and CTT meetings.
- Agendas, meeting summaries, and materials for up to 12 CTT meetings.
- Editable engagement material files, including content suitable for social media, web postings, email communications, in-person events, and other outreach methods.
- Documentation of all analysis parameters used to evaluate each potential connection.
- GIS files, static and interactive maps, and all design files associated with the project.

- A planning-level cost estimate and implementation strategy for the recommended alternative(s) only.
- A final report and associated executive summary in editable formats.
- Presentation materials suitable for the Town Planning Board, Town Council, and MPO TCC and Executive Board meetings.
- Administrative documents including the project work plan and schedule, public and stakeholder engagement plan, invoices, and progress reports for billing.
- Administrative documents including project work plan and schedule, public and stakeholder engagement plan, invoices and progress reports for project billing.

The Study is summarized, and costs broke down according to category in Attachment 1: Pleasant Park Access Study Scope and Fee.

### **III. CAMPO AS LEAD AGENCY FOR STUDY**

The Town of Apex and CAMPO acknowledge and agree that CAMPO should be the entity to coordinate and lead the Study. CAMPO acknowledges and agrees that, subject to approval by the CAMPO Executive Board, it is willing to serve as the lead agency for the Apex Pleasant Park Access Study.

CAMPO shall engage the Town of Apex throughout the Study, providing specific and sufficient opportunities to:

- Review the scope of services between CAMPO and the Consultant
- Provide data to inform the study
- Review plans for stakeholder engagement
- Review all deliverables

### **IV. FINANCIAL PROJECT COMMITMENTS BY THE TOWN OF APEX.**

In recognition of the Study cost of \$150,000.00, the Town of Apex and CAMPO are willing to make the following funding commitments in support of planning costs identified in the Study as follows:

- Apex has budgeted the sum of seventy-five thousand dollars (\$75,000.00), to defray the costs of the Study contract.

-As approved by formal action of its Board of Directors, CAMPO agreed to commit the sum of seventy-five thousand dollars (\$75,000.00) to defray the costs of the Study contract.

### **V. INCORPORATION OF THE APEX PLEASANT PARK ACCESS STUDY PROJECT INTO THE UPWP**

In furtherance of the Project, the Parties acknowledge that the Apex Pleasant Park Access Study has been incorporated into CAMPO’s adopted *FY26* Unified Planning Work Program (“UPWP”). CAMPO

shall accordingly take all steps necessary and appropriate to advance, support, and carry forward the Apex Pleasant Park Access Study Project.

## **VI. COMMUNICATIONS; CONTACTS**

CAMPO will regularly communicate with the Town regarding the Apex Pleasant Park Access Study, including contracts entered into, progress made, and work performed on the specific project elements enumerated in Article II hereof. CAMPO will also ensure Apex receives a full and complete copy of the Study.

For purposes of such communications, including notices to be given under terms of this Agreement, the Parties have designated the following contact persons and/or entities:

FOR CAMPO:

Caleb Allred,  
Senior Transportation Planner  
One Main St. Fenton, Suite 201  
Cary, NC 27511

FOR THE TOWN OF APEX:

Shannon Cox  
Long Range Planning Manager  
Planning Department, Town of Apex  
PO Box 250  
Apex, NC 27502

## **VII. SCOPE OF SERVICES AND RESPONSIBILITY OF PARTIES**

Anticipating that a contract for the Study will be entered into between CAMPO and Consultant. it is acknowledged and agreed as follows:

- A. CAMPO has ensured that a qualified firm is obtained through an equitable selection process, so that the prescribed work is properly accomplished, in a timely manner, and at a just and reasonable cost.
- B. CAMPO will take appropriate steps to ensure that, with respect to the Study contract and performance of all work associated therewith, Title 2 Code of Federal Regulations Part 200; Title 23 of the Code of Federal Regulations, Part 172; Title 40 United States Code, Chapter 11, Section 1101-

1104; and the U.S. Department of Transportation's Policies and Procedures for Major Professional or Specialized Services Contracts, will be adhered to.

C. CAMPO is responsible for the administration of all agreements, contracts, and work orders entered into or issued for the Study.

D. CAMPO and its agents shall maintain all books, documents, papers, accounting records, and such other evidence as may be appropriate to substantiate costs and financial obligations incurred under this Agreement. Further, CAMPO shall make such materials available at its office and shall require its agent to make such materials available at its office at all reasonable times during the term of this Agreement, and for three (3) years from the date of payment of the final vouchers for services or other expenses incurred by CAMPO in fulfillment of the Study. All funds received by CAMPO for, and to be applied to costs of, the Study shall be maintained in a designated project fund balance. All such funds will be held and managed in accordance with the budgeting, fiscal control, and accounting standards applicable to units of local government in North Carolina, including compliance with requirements for annual, or more frequent, audits.

## **VIII. FUNDING PROCEDURES**

A. CAMPO shall bill Apex for a lump sum once the Consultant has completed and provided invoice(s) for \$75,000.00 of eligible Study costs by submitting an itemized invoice to the TOWN OF APEX (Apex.Invoices@apexnc.org). Proper supporting documentation shall accompany the invoice as may be required by Apex.

B. Apex shall reimburse CAMPO for the invoice within thirty (30) days of receipt of invoice by Apex.

## **IX. TERM OF AGREEMENT; AMENDMENT; APPOINTMENT OF PERSONNEL**

A. Term. This Agreement shall be effective as of the date it is duly executed by all the Parties. Unless terminated sooner, it shall expire on June 30, 2027, or at the conclusion of the Study, whichever is earlier. This Agreement may be terminated by any party after such notice is given, upon six months' notice given in writing prior to the start of the fiscal year in which termination is effective. Notwithstanding the termination date heretofore established, the Parties' obligations to contribute to the cost of the Study shall survive the termination of this Agreement unless both Parties mutually agree to terminate the Study and its associated costs.

B. Amendments. This Agreement may be amended from time to time upon mutual consent of the respective governing bodies of the Parties expressed in writing.

C. Appointment of Personnel. It is agreed that the duly authorized officer executing this Agreement on behalf of his or her respective Party, shall designate persons to carry out the respective Party's obligations under this Agreement.

## **X. MISCELLANEOUS**

A. Available Funds Condition. All terms and conditions of this Agreement are dependent upon, and subject to, the allocation of funds for the purpose set forth in the Agreement, and the Agreement shall automatically terminate if funds cease to be available. By executing this Agreement, the Parties acknowledge that at the time of the signing, the funds required by the terms of this Agreement are available and allocated to the Study.

B. Acknowledgment of Authority. All Parties hereby respectively confirm that the individuals executing the Agreement are authorized to execute this Agreement and to bind the respective entities to the terms contained herein. All Parties confirm they have read this Agreement, conferred with counsel, and fully understand its contents.

C. Merger and Severability. This Agreement supersedes any and all prior agreements or understandings, oral or written, among the Parties, and shall comprise the whole agreement regarding any agreements or undertakings with respect to the subject matters addressed hereunder. In the event any provision hereof shall be adjudicated to be invalid or unenforceable, in whole or in part, the remaining provisions hereof shall remain in full force and effect, and this Agreement is accordingly declared to be Severable.

D. Governing Law. This Agreement shall be interpreted under the laws of the State of North Carolina, with venue in Wake County, resolving any ambiguities and questions regarding the validity of specific provisions, so as to give maximum effect to the values and purposes sought to be set forth herein.

E. E-Verify. The Parties herein have complied with E-Verify, the federal E-Verify program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law and as in accordance with N.C.G.S. §64-25 et seq. In addition, to the best of the Parties' knowledge, any subcontractor employed by a contractor as a part of this Agreement shall be in compliance with the requirements of E-Verify and N.C.G.S. §64-25 et seq.

F. IRAN DIVESTMENT ACT CERTIFICATION. The Parties herein certify that, as of the date listed below, neither is on the Final Divestment List as created by the State Treasurer pursuant to N.C.G.S. § 147-86.55, et seq. In compliance with the requirements of the Iran Divestment Act and N.C.G.S. § 147-86.59, the Parties shall not utilize in the performance of this Agreement any subcontractor that is identified on the Final Divestment List.

G. NON-DISCRIMINATION. To the extent permitted by law, the Parties hereto for themselves, their agents, officials, employees, and servants agree, with respect to the subject matter of this contract, not to discriminate in any manner based on race, color, creed, national origin, sex, age, disability, handicap, marital status, pregnancy, or sexual orientation. The Parties further agree, to the extent permitted by law, to comply with all State, Federal, and local statutes, ordinances, and regulations prohibiting discrimination, including but not limited to Title VI of the Civil Rights Act of 1964 (42 U.C.C. 2000 et seq.); the Fair Housing Act, Title VII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794); the Age Discrimination Act of 1975, as amended (42 U.S.C.6101 et seq.); Title II of the Americans with Disabilities Act of 1990; and Wake County Code of Ordinances Section 34.01.

H. Electronic Signature. Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this Agreement and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The Parties hereby consent to use electronic or digitized signatures in accordance with Apex's Electronic Signature Policy and intend to be bound by the Agreement and any related documents. If electronic signatures are used the Agreement shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

[The Remainder of This Page Intentionally Left Blank; Signatures Follow]

In witness thereof, the Parties, by their authorized agents, affix their signatures and seals  
this \_\_\_\_ day of \_\_\_\_\_, 2026.

**THE CAPITAL AREA METROPOLITAN PLANNING ORGANIZATION “CAMPO”**

By: \_\_\_\_\_  
Chris Lukasina, Executive Director

ATTEST:  
By: \_\_\_\_\_  
Susan A. Owens, Office Manager



**TOWN OF APEX**

\_\_\_\_\_  
Randal E. Vosburg, Town Manager

\_\_\_\_\_  
Date

This Instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Jon Griffin, Finance Director

\_\_\_\_\_  
Date

Attachment 1: Pleasant Park Access Study Scope and Fee

**APEX PLEASANT PARK ACCESS STUDY VANASSE HANGEN BRUSTLIN, INC. and CAMPO Contract**



## **Scope of Work for Consultant Engineering Services**

### **CAMPO APEX PLEASANT PARK ACCESS STUDY**

#### ***PROJECT PURPOSE***

The purpose of this project is for the Consultant (VHB Engineering) to assist the Capital Area Metropolitan Planning Organization (CAMPO) in evaluating new access and multi-modal connectivity to Pleasant Park, as identified in the recently adopted Town of Apex's Western Big Branch Area Plan. The Consultant will develop, evaluate and make recommendations for increasing multimodal access to Pleasant Park by evaluating up to five options for new access points for feasibility. This scope of services includes approach tasks and deliverables for the following major tasks:

1. Project Management and Coordination
2. Stakeholder and Public Engagement; Core Technical Team (CTT) development and coordination
3. Existing Conditions Analysis
4. CTT Project Area Virtual Tour and Visioning Session
5. Develop and Evaluate Alternatives
6. Cost Estimates
7. Implementation Strategy
8. Final Report

#### **1. *PROJECT MANAGEMENT***

##### **1.1 KICK-OFF MEETING**

VHB will begin the project by facilitating a kick-off meeting with the Project Team, comprised of CAMPO staff, Town of Apex representative(s), and key VHB task leads. VHB will work with CAMPO to schedule this administrative kick off meeting promptly. This meeting will confirm a thorough understanding of the project goals, schedule and deliverables, as well as confirm expected communication protocols and administrative processes.

During this meeting, VHB will identify expected data needs for the study and use the discussion to develop an information request to CAMPO and the Town for available information like GIS data sets and existing/available traffic information for use in the Existing Conditions Analysis.

##### **1.2 PROJECT MANAGEMENT PLAN (PMP) AND SCHEDULE**

Following the kickoff meeting, VHB will develop a Project Management Plan (PMP) outlining key milestones and deliverables as well as targeted dates of completion for them. The PMP will consist of a summary of the scope of services contained here along with a detailed schedule. The PMP and schedule will be submitted for review to CAMPO.

### **1.3 MONTHLY PROJECT STATUS MEETINGS**

VHB will facilitate up to sixteen (16) monthly status meetings either on Microsoft Teams or in person, as determined by the CAMPO project lead and VHB project manager, throughout the period of performance. Up to four (4) additional meetings can be held when the VHB project manager and CAMPO project lead determine that additional updates and feedback are needed to move the project forward. At project status meetings, VHB will lead discussions on activities completed since the last meeting, problems encountered/anticipated and potential solutions, project schedule updates, action items, and coordination with other stakeholders. For all meetings, VHB will develop agendas and submit them one week prior to each meeting; meeting summaries will be circulated for review within one week of each status meeting and finalized within two weeks.

### **1.4 PROJECT MANAGEMENT AND COORDINATION**

The VHB Project Manager will regularly inform the Project Team of the ongoing schedule and plan development, and prepare written progress reports with each invoice (submitted monthly, to be confirmed at the kickoff meeting).

#### **VHB Deliverables:**

- Project kickoff meeting
- Project Management Plan (PMP), including milestone deliverables schedule
- Monthly Project Status Meetings (up to 20) and associated agendas and meeting summaries
  - 3 VHB staff members at each meeting with additional SME/task leads included as needed at various project phases
- Ongoing project coordination and contract administration
  - Monthly invoices and progress reports

## **2. PUBLIC AND STAKEHOLDER ENGAGEMENT**

### **2.1 DEVELOP ENGAGEMENT PLAN**

VHB will document the expected engagement activities for general public outreach (2.2), the Core Technical Team (CTT) (2.3), and stakeholders (2.4) to be undertaken in support of this project in an Engagement Plan (EP). The EP will include the goals and phases of the engagement for this study, a table of events and associated details (event name, purpose, advertising plan, schedule, roles and responsibilities before and at the event). The EP will also explain how VHB will gather, track and manage any public comments received. Finally, it will include performance measures to help assess the efficacy of any engagement events.

While the EP will refine details and logistics about the outreach activities, for the purpose of overall scope and fee, the following assumptions can be made about the level of effort and deliverables for outreach activities:

- Public Engagement will include two (2) rounds of outreach, each including a community meeting. The phases will be focused on the following milestones:
  - Round 1: Review of existing conditions, visioning, and establishing performance measures
  - Round 2: Presentation of improvement concepts and prioritization
- All engagement and outreach materials will be developed by consultant, with up to two (2) reviews before public distribution. Materials can range from project website content to

presentations to in-person meeting displays, etc. Materials for each outreach effort will be further described in the EP.

- Major public facing materials will be translated into Spanish by consultant.
- The events to be facilitated by VHB during each round of engagement include:
  - Community Open House
  - Summary presentation at one meeting each of Apex Planning Board, Apex Town Council, CAMPO TCC and CAMPO Executive Board. The same presentation will be used at each meeting.
  - Tabling at community events (materials only)

## **2.2 GENERAL PUBLIC OUTREACH**

To engage the general public, our team will facilitate two (2) rounds of public outreach alongside the Project Team and CTT. We will build upon the Summer 2023 public engagement conducted for the Western Big Branch Area Plan, ensuring that the project direction is in line with the ideas and plan amendments approved with that study adoption.

### **2.2.1 PROJECT WEBSITE/DIGITAL MEDIA**

VHB will develop content and provide it to CAMPO/Town of Apex for a project website to be built/hosted by CAMPO/Town of Apex (such as publicinput.com). This content can also be used on the Town's projects page for additional exposure. The website will include project information to be updated after each round of public outreach; it should also include an option for visitors to sign up for an email notification list for project updates. If given admin access to the website, VHB will track web traffic, email subscribers and submitted comments.

VHB will also design a yard sign advertising the study and providing a QR code to the project website. The Town of Apex will produce the hard copies of the yard sign for placing at the park or other locations.

### **2.2.2 PUBLIC OUTREACH ROUND 1**

The first round of public outreach will focus on presenting a review of existing conditions, discussing visioning, and establishing performance measures for evaluating improvement alternatives. VHB will develop a program for an open-house style community meeting, including a project information station, a visioning station, a performance measure station, and a comment station. Materials can include up to six (6) large format boards to present information and/or facilitate interactive discussion and use of the virtual site visit video developed for Task 4. At least one station will include an interactive activity, such as a voting exercise, to solicit feedback. Advertisement by VHB for the meeting will include a postcard mailing to surrounding residents (up to 300 mailers); the area receiving mailers will be discussed among the project team and a corresponding address list will be provided to VHB by the Town of Apex. Additional means of advertising can be conducted at the discretion of and execution by CAMPO/Town of Apex.

VHB will provide:

- Postcard/mailed with community meeting information and QR code for the project website, printed and mailed (up to 300 copies) along with digital copies for distribution
- Up to four (4) team members to facilitate the 2-hour community event, as well as set up and tear down
- Up to six (6) large format information boards
- Meeting logistics plan
- Facilitator handout

- Sign-in sheets and comment forms
- Engagement summary, to date, including a comments received and response summary from the event.

It is expected that CAMPO and/or the Town of Apex will coordinate and provide:

- Meeting location (assumed to be at a Town facility) with A/V capability
- Supplemental staff to assist with meeting facilitation
- QR code to access project website and/or digital comment form
- Printing/reproduction of materials beyond those already noted or for use at other events

### **2.2.3 PUBLIC OUTREACH ROUND 2**

The second round of public outreach will focus on presenting the conceptual access improvement alternatives and soliciting feedback on how the public prioritizes them for implementation. VHB will develop a program for an open-house style community meeting, including a review project information station, a conceptual design station, a prioritization station and a comment station. Materials can include up to eight (8) large format boards to present information and/or facilitate interactive discussion. At least one station will include an interactive activity to solicit feedback. Advertisement by VHB for the meeting will include an email blast to all emails collected for the project through prior engagement (website subscribers, meeting sign-ins). Additional means of advertising can be conducted at the discretion of and execution by CAMPO/Town of Apex.

VHB will provide:

- Text for email blast advertising the community meeting
- Up to four (4) team members to facilitate the 2-hour community event, as well as set up and tear down
- Up to eight (8) large format information boards
- Meeting logistics plan
- Facilitator handout
- Sign-in sheets and comment forms
- Engagement summary, to date, including a comments received and response summary from the event.
- Summary presentation at one meeting each of Apex Planning Board, Apex Town Council, CAMPO TCC and CAMPO Executive Board. The same presentation will be used at each meeting.

It is expected that CAMPO and/or the Town of Apex will coordinate and provide:

- Meeting location (assumed to be at a Town facility) with A/V capability
- Supplemental staff to assist with meeting facilitation
- QR code to access project website and/or digital comment form
- Printing/reproduction of materials beyond those already noted or for use at other events

### **2.2.4 TABLING AT COMMUNITY EVENTS**

VHB will tailor and repackage materials developed for the community open house meetings for use at up to three (3) other community events. VHB will provide digital materials for reproduction; CAMPO/Town of Apex will provide staff for the tabling events.

## 2.3 STAKEHOLDER ENGAGEMENT

### 2.3.1 CORE TECHNICAL TEAM (CTT)

The CTT is an important element of the project as it is intended to establish early concurrence about potential improvements among key transportation decision makers. VHB will collaborate with the Project Team to establish specific contacts within appropriate agencies or applicable entities and invite them to be a part of the CTT. In addition to CAMPO, the CTT is expected to be comprised of representatives from the Town of Apex (Planning; Transportation and Infrastructure Development; Parks, Recreation, and Cultural Resources; Fire; and Police), NCDOT Division 5, NC Turnpike Authority, and CSX Railroad through NCDOT Rail Division.

The VHB team will conduct up to twelve (12) monthly meetings to inform the CTT members on study progress and solicit feedback on the project direction throughout the duration of the study.

In addition to the status meetings, a CTT Project Area Virtual Tour and Visioning Workshop will be conducted with this group; that task is detailed in Section 4.

### 2.3.2 GENERAL STAKEHOLDER TARGETS

In addition to the CTT, VHB will conduct up to 2 meetings for general coordination and information sharing with a group of stakeholders that will benefit from knowing about the study and can offer feedback on how the project may interact with other plans and projects under their purview. This group is expected to include planning and transportation staff from both Wake County and Holly Springs, but this list can be expanded as necessary during the project kickoff and CTT discussions. These stakeholders will also be invited to the CTT workshop detailed in Section 4.

All deliverables will be submitted to the project team for up to two (2) rounds of review/comments prior to distribution to stakeholders or for public use.

#### VHB Deliverables:

- Engagement Plan (EP) document
- Public and stakeholder engagement materials, to support the website, community open house meetings, and public advertisement of the study as indicated above, including website content, postcard mailer, yard sign design, and meeting information boards.
- CTT member list; up to 12 monthly status meetings, including agendas and summaries
- Stakeholder Target list; up to 2 information exchange meetings, including agendas and summaries

## 3. EXISTING CONDITIONS ANALYSIS

The initial task for this project will be to gather, review and evaluate existing conditions data. After establishing a study area for the project, in coordination with the Town, VHB will conduct the following tasks:

### 3.1 REVIEW OF RELEVANT PLANS AND STUDIES

VHB will review adopted transportation plans (include ped/bike and transit plans) pertinent to the study area; if plans are in process of updates, CAMPO/Apex will provide those to VHB as appropriate. Our team will also research and review adjacent project plans, including roadway projects and private developments such as phases of Veridea.

## 3.2 DATA COLLECTION

VHB will gather data to support the Existing Conditions Analysis. This will be a combination of data requests from nearby municipalities, downloads of publicly available data and incorporation of any CAMPO or Town provided data.

### 3.2.1 EXISTING DATA REQUESTS

Data, presumed to be available and to be requested includes:

- Available traffic data, including any available pedestrian and bicycle counts in or around the study area (VHB to request from NCDOT, Town to provide)
- Land use/interactive development information
- Crash data (VHB to request from NCDOT)
- Available GIS data related to the natural and human environment, using a combination of the NCDOT ATLAS platform and other GIS databases.

### 3.2.2 O/D TRAFFIC ANALYSIS

VHB will conduct an origin/destination analysis for existing trips to/from the park using Streetlight or similar data. It is assumed that VHB will be granted access to this data via NCDOT. If VHB is not allowed this access, we will develop an information request detailing the information needed for the analysis that CAMPO can submit to NCDOT to obtain the needed data. The O/D analysis results can be used in evaluating/prioritizing improvement alternatives.

## 3.3 ENVIRONMENTAL SCREENING

Using the data collected in Task 3.1, VHB will develop an environmental screening map to evaluate potential environmental fatal flaws or overall risks for the project implementation within the study area. Areas of review will include but are not limited to natural resources, cultural resources, area demographics, hazardous materials, and protected/managed lands.

## 3.4 FIELD VISIT(S)

The project team will conduct a site visit needed to ground check the gathered existing conditions data; detailed surveys of natural resources are not included in this scope of work. Field visits will be conducted for the following discipline specific teams:

- Natural Resources or Structures (1 person)
- Environmental Planning (2 people)
- Roadway Design (2 people)

Effort will be made to coordinate a single site visit with all disciplines represented. VHB will coordinate with the Project Team such that CAMPO and Town staff can attend.

## 3.5 EXISTING CONDITIONS TECHNICAL MEMORANDUM

VHB will summarize the existing conditions inventory into a Technical Memorandum for approval by CAMPO to document findings from Tasks 3.1-3.4. A summary of this memo will be included in the final Access Study Report.

### VHB Deliverables:

- Data/information requests to various sources, including CAMPO and the Town of Apex
- Environmental screening map, to be discussed and approved at a project team meeting from Task 1.

- Field Visit(s)
- Draft Existing Conditions Technical Memorandum (2 revision submittals)
- Final Existing Conditions Technical Memorandum

#### **4. CTT PROJECT AREA VIRTUAL TOUR AND VISIONING WORKSHOP**

One of the early CTT meetings will comprise of an in-person project area virtual tour and visioning workshop to align members of the CTT on the vision for access to Pleasant Park, the purpose and methodology for this study, and how the outcomes/recommendations could be used for decision making in the future. VHB will facilitate this workshop by:

- Using a combination of site photos, aerial mapping and drone footage, VHB will deliver a virtual tour of the project study area and surrounding vicinity.
- Present up to five (5) conceptual alternatives, including those already described in the RFP (“line on a map” level of detail) to initiate conversations
- Facilitate a discussion to establish access priorities (users, origins/destinations, etc)
- Up to 4 printed boards/visuals to encourage discussion and interaction

As noted in Section 2, all materials for the workshop will be developed by the consultant, with up to two (2) reviews before use. It is assumed that a meeting location with A/V capability will be provided by the Town of Apex.

##### **VHB Deliverables:**

- Virtual Site Visit video
- Visioning Workshop materials, facilitation, and summary

#### **5. DEVELOP AND EVALUATE ALTERNATIVES**

##### **5.1 DOCUMENT PERFORMANCE MEASURES**

VHB will utilize information gathered through the existing conditions analysis and stakeholder meetings to identify performance measures on which to evaluate the effectiveness of potential access improvement concepts. These measures may include environmental impacts, multimodal connectivity, constructability, and cost and funding sources, among others to be decided on by the Project Team and the CTT. These parameters will be quantifiable in such a way as to be useful in project scoring/ranking during the evaluation phase.

##### **5.2 PLANNING-LEVEL DESIGN CRITERIA AND TYPICAL SECTION**

Planning-level design criteria assumptions and typical sections for the proposed access improvement projects will be described with tables and cross-section visual(s). As part of identifying the appropriate design criteria, Town of Apex design criteria; federal and state guidance such as the NCDOT’s Roadway Design Manual and NCDOT Structures Management Unit Manual; the Manual on Uniform Traffic Control Devices (MUTCD); and the American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities, as well as the AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities will be consulted.

### 5.3 DEVELOPMENT OF CONCEPTUAL DESIGNS

VHB will utilize information gathered through the existing conditions analysis, public engagement, and stakeholder meetings to identify five (5) potential access improvement options. A description of opportunities and constraints associated with each alternative will be summarized; VHB will facilitate a discussion on these concepts and potential refinements at a CTT meeting, prior to producing any conceptual designs.

VHB will then prepare CAD based conceptual designs (transferable to GIS for deliverables) for the 5 project options based on the CTT feedback. The conceptual designs will constitute 10% design, with enough detail to establish a project impact area for resource impact estimation, to conduct a constructability review and develop an opinion of probable cost for each.

### 5.4 EVALUATE ALTERNATIVES

Once the conceptual designs are acceptable to the Project Team (2 rounds of comments/revisions), VHB will evaluate each alternative based on the documented performance measures from Task 5.1. This quantitative exercise will help to summarize the opportunities and constraints associated with each alternative and assist in the improvement project prioritization and implementation process.

#### VHB Deliverables:

- One page fact sheet for each of the five (5) potential access improvement options, including opportunities and constraints.
- One (1) CAD based conceptual design for the five (5) project options at 10% design; five (5) CAD files total.

## 6. ***COST ESTIMATING***

VHB will prepare planning-level estimates for each access improvement project. Accurate and robust estimates in the early stages of design ensure that proper funding can be allocated for construction and implementation of the developed improvement projects. These estimates will include anticipated costs associated with the construction of the improvement projects. Input from major disciplines, such as hydraulics and structures, will be considered to ensure that the estimate accurately reflects the magnitude of each improvement project. Planning-level right of way and utility estimates will also be included in the estimates.

VHB will compile all this information into a preliminary estimate form for each improvement project to submit to the CAMPO.

#### VHB Deliverables:

- Planning-level cost estimates for up to 5 conceptually designed access improvement projects

## 7. ***FEASIBILITY STUDY REPORT***

### 7.1 DRAFT FEASIBILITY STUDY REPORT

VHB will prepare a Feasibility Study report documenting the purpose and need for the project, methodology, analysis, alternatives, engagement efforts and recommendations of the study. In close cooperation with the Project Team, VHB will include an implementation plan that outlines our recommendations; designates potential funding sources; lists regional and local partners (both public and

private); and notes significant contingencies. The draft report will be available for comments from CAMPO staff (assumed 2 rounds of comments and revisions).

## **7.2 FINAL FEASIBILITY STUDY REPORT**

After all comments are resolved, a final report will be issued in PDF format, with supporting documents provided in their original file types (e.g. Word, Excel, PowerPoint files). The report will include text and graphics to convey the outcome and recommended path forward toward the implementation of the access improvement projects.

## **7.3 REPORT PRESENTATION**

VHB will develop a PowerPoint presentation summarizing the study process, conceptual access improvement projects, and the recommendations and strategies for moving the projects forward through subsequent phases.

### **VHB Deliverables:**

- Draft Feasibility Study report (2 revision submittals)
- Final Feasibility Study report
- Summary presentation at one meeting each of Apex Planning Board, Apex Town Council, CAMPO TCC and CAMPO Executive Board. The same presentation will be used at each meeting.
- Digital file copies for supporting the final report and associated maps, map files usable with ESRI products , MS Word, and PDF files.

CAMPO Apex Pleasant Park Access Study prepared by VHB 1/20/26	VHB											Task Hours	Task Budget
	Project Manager	QA/QC Manager	Senior Planner	Senior Planner	Project Planner	Project Planner	Senior Engineer - Design	Project Engineer - Design	Senior Engineer - Traffic	Senior Engineer - Structures	Drone Pilot/Visualization Specialist		
TASK DESCRIPTION	L. Triebert	T. Goins	L. Blackburn	J. Powell	J. Honey	J. Wiswell	J. Townsend	R. Sargent	A. Topp	J. Wilson	D. Hinnant		
Base Rate	\$77.32	\$101.86	\$79.11	\$44.96	\$57.70	\$33.66	\$80.99	\$52.64	\$86.54	\$72.12	\$55.71		
<b>Project Management</b>													\$ 10,889.31
Kick-Off Meeting	4.00	1.00		1.00		1.00		1.00		1.00	1.00	10	\$ 670.23
Project Management Plan and Schedule	4.00	1.00										5	\$ 411.14
Monthly Project Status Meetings (16 months)	24.00	4.00	4.00	4.00		32.00		8.00	4.00	2.00	2.00	84	\$ 4,859.46
Project Management and Coordination	64.00											64	\$ 4,948.48
<b>Stakeholder and Public Engagement</b>													\$ 14,439.33
Develop Engagement Plan	2.00			8.00								10	\$ 514.32
General Public Outreach													
Project website content, tracking; 2 updates	3.00			3.00		6.00						12	\$ 568.80
Public Outreach Round 1	18.00			12.00		38.00		8.00				76	\$ 3,631.48
Public Outreach Round 2	18.00			12.00		38.00		8.00			12.00	88	\$ 4,300.00
Summary Presentation (PPT + 4 meetings)	12.00					12.00		2.00				26	\$ 1,437.04
Materials for Tabling Events	3.00					9.00						12	\$ 534.90
Stakeholder Engagement													\$ -
Establish CTT Members/Facilitate Monthly Meetings	25.00			4.00		24.00						53	\$ 2,920.68
Establish Stakeholder Targets/Information Exchange Meetings	3.25			4.00		3.00						10	\$ 532.11
<b>Existing Conditions Analysis</b>													\$ 6,405.42
Review of Relevant Plans and Studies	1.00				2.00	4.00						7	\$ 327.36
Data Collection													\$ -
Existing Data Requests	2.00				2.00	6.00						10	\$ 472.00
OD Traffic Analysis	4.00					4.00			12.00			20	\$ 1,482.40
Environmental Screening	2.00					12.00						14	\$ 558.56
Field Visits	4.00					8.00		4.00	4.00	4.00		24	\$ 1,423.76
Existing Conditions Tech Memo	8.00		2.00			24.00		4.00	4.00			42	\$ 2,141.34
<b>CTT Project Area Virtual Tour and Visioning Workshop</b>	16.00	2.00		12.00		20.00		20.00			32.00	102	\$ 5,489.08
<b>Develop and Evaluate Alternatives</b>													\$ 6,653.86
Document Performance Measures	2.00	1.00			2.00	4.00		2.00				11	\$ 611.82
Planning-Level Design Criteria and Typical Sections	1.00	1.00						10.00				12	\$ 705.58
Development of Conceptual Designs	4.00		5.00				10.00	40.00	5.00	5.00		69	\$ 4,413.63
Evaluate Alternatives	2.00	2.50	2.00		2.00	4.00		2.00				15	\$ 922.83
<b>Cost Estimating</b>	5.00	2.50	2.00		4.00			10.00		2.00		26	\$ 1,700.91
<b>Feasibility Study Report</b>													\$ 4,477.98
Draft Feasibility Study Report	12.00	2.00				24.00		4.00				42	\$ 2,149.96
Final Feasibility Study Report	4.00	1.00				8.00		4.00				17	\$ 890.98
Report Presentation (PPT + 4 meetings)	12.00					12.00		2.00				26	\$ 1,437.04
<b>Total Staff Hours</b>	259	18	15	60	12	293	10	129	29	14	47	886	
<b>Payroll Sub-Total</b>	\$ 20,045.21	\$ 1,833.48	\$ 1,186.65	\$ 2,697.60	\$ 692.40	\$ 9,862.38	\$ 809.90	\$ 6,790.56	\$ 2,509.66	\$ 1,009.68	\$ 2,618.37		\$ 50,055.89
<b>Total Payroll Burden</b>													\$ 50,055.89
<b>Audited OH rate (167.23%)</b>													\$ 83,708.46
<b>Sub-total (Payroll + OH)</b>													\$ 133,764.35
<b>Comparative Fee (9%)</b>													\$ 12,038.79
<b>Cost of Capital (0.61%)</b>													\$ 305.34
<b>VHB Labor Cost Sub-Total</b>													\$ 146,108.49
<b>Direct Expenses</b>	-	-	-	-	-	-	-	-	-	-	-		\$ 3,502.38
<b>Grand Total</b>													\$ 149,610.87

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Chandler Bailey, P.E., Utilities Engineer

Department(s): Water Resources

### Requested Motion

Motion to approve a Right of Entry agreement between The Wake County Board of Education and Town of Apex, to access Apex Friendship Campus property in connection with the Little Beaver Creek Gravity Sewer Extension project, and to authorize Town Manager, or their designee, to execute on behalf of the Town.

### Approval Recommended?

Yes

### Item Details

This item requests authorization to execute a Right of Entry Agreement with the Wake County Board of Education for property located at 7801 Humie Olive Road (Apex Friendship Campus) in connection with the Little Beaver Creek Gravity Sewer Extension Project.

The agreement permits the Town of Apex, its agents, and consultants to access designated areas of the campus to conduct surveying and existing conditions investigative studies. No soil borings, construction, drone usage, or disturbance of protected areas is permitted without prior Board approval. The Town agrees to indemnify the Board to the extent authorized by law.

The agreement requires advance coordination with school administration, daily check-in procedures, display of identification, appropriate parking, and avoidance of peak arrival and dismissal times. The Right of Entry becomes effective upon full execution and terminates 90 days thereafter.

### Attachments

- CN2-A1: Agreement - Wake County Public School System (WCPSS) - Right of Entry - Little Beaver Creek Gravity Sewer Extension





Real Estate Services

RIGHT OF ENTRY

This Right of Entry will become effective upon receipt of a fully executed copy of same by the Real Estate Services Department of the Wake County Public School System.

The undersigned, for and on behalf of The Wake County Board of Education ("Board"), hereby grants unto the Town of Apex, its agents, consultants, and invitees, the right to enter upon property located at or near 7801 HUMIE OLIVE RD, Apex, NC, further identified as Wake County PIN 0720-69-4728, said property being known as the Apex Friendship High, Middle and Elementary Schools campus (Apex Friendship Campus). The property is currently titled in the name of The Wake County Board of Education.

This right of entry is granted for the exclusive purpose of allowing the Town of Apex, its agents, consultants, and invitees to enter Board property to survey and perform existing conditions investigative studies related to Little Beaver Creek Gravity Sewer Extension Project. No soil borings or construction work is allowed without the prior review and approval by the Board. THE USE OF DRONES IS NOT AUTHORIZED ON BOARD PROPERTY. No trees or vegetation shall be disturbed in any required landscape buffer or resource conservation area. The area onto which entry is sought is depicted on Exhibit A attached hereto as the red and purple routes and further identified as the "right of entry area".

It is understood and a condition hereof that to the extent authorized by law the Town of Apex agrees to indemnify The Wake County Board of Education from all loss, damage, or liability as a result of the activities of the Town of Apex, its agents, consultants, and invitees arising from its activities on the property related to the above mentioned purpose.

It is understood and a condition hereof that the Town of Apex, its agents, consultants, and invitees agree to:

- 1) Make advance arrangements with the Apex Friendship ES administration to notify them of the date(s) that the access will take place (please contact Tara Yunker, Principal, at 919.694.8454); and with the Apex Friendship HS administration to notify them of the date(s) that the access will take place (please contact Brian Pittman, Principal, at 919.694.0500); and
2) Display personal identification badges to identify their employment/employer; and
3) Contractor agrees to park vehicles in appropriate locations and not impede traffic flow at any time; and
4) Contractor agrees to avoid both school's peak arrival period (6:30 a.m.-9:30 a.m.) and peak dismissal period (2:00 p.m.-4:15 p.m.); and
5) Contractor lead shall check in daily upon arrival with the Apex Friendship ES administration office to inform that contractors are on campus and how many contractors are on site;
6) The Town of Apex acknowledges that N.C. Gen. Stat. § 14-208.18 prohibits registered sex offenders from being on property owned by the Board as set forth in that statute.

This Right of Entry will terminate 90 (ninety) days from the last date set forth in the acknowledgments below.

The Wake County Board of Education

Town of Apex

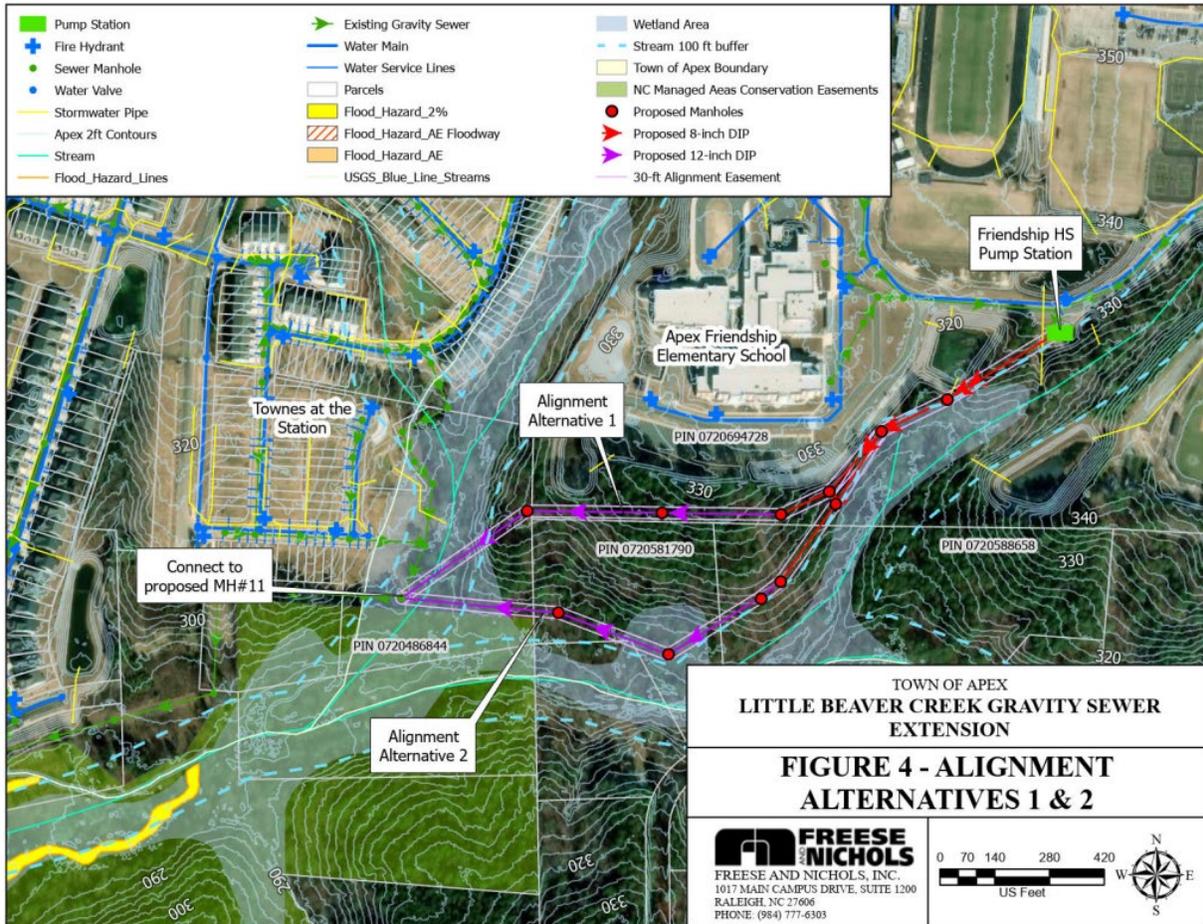
Approved By: Margaret Sutter
WCPSS, Director Real Estate Services

Accepted By:
Printed Name:
Title:

Date:

Date:

# Exhibit A



# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Megan Shea, Special Event Specialist

Department(s): Parks, Recreation, and Cultural Resources Department

### Requested Motion

Motion to approve a Standard Services Agreement between Seth A Felder, LLC and Town of Apex, for DJ and sound services for the Fireworks Frenzy event on July 3, 2026, and to authorize the Town Manager, or their designee, to execute on behalf of the Town.

### Approval Recommended?

Yes

### Item Details

This item requests approval of a Standard Services Agreement between the Town of Apex and Seth A. Felder LLC for DJ and sound services for the Town's Fireworks Frenzy event scheduled for July 3, 2026.

Under the agreement, the contractor will provide a four-hour DJ and sound package, including a four-speaker setup, two subwoofers, wireless handheld microphone, and DJ entertainment. Event setup will occur from 3:00 p.m. to 4:30 p.m., with event coverage from 5:00 p.m. to 10:00 p.m., and all breakdown and cleanup completed by 11:00 p.m. The Town will provide a tent, refreshments, and electrical access.

The total contract amount is \$2,622.50, payable within 30 days of invoice receipt.

### Attachments

- CN3-A1: Agreement - Seth A. Felder LLC - DJ and Sound Services for Fireworks Frenzy - July 03, 2026



THIS STANDARD SERVICES AGREEMENT (hereinafter "Agreement") is entered into this between, Seth A Felder LLC, a North Carolina limited liability company with its principal business offices located at 6002 Olson Drive, Durham, NC, 27712 (the "Contractor"), and the Town of Apex, a municipal corporation of the State of North Carolina, (the "Town"). Town and Contractor may collectively be referred to as "Parties" hereinafter.

**WITNESSETH:**

The Town and the Contractor, for the consideration stated herein, agree as follows:

**1. SCOPE OF SERVICES.**

The Contractor agrees to perform for the Town the following services:

DJ and sound services for the Fireworks Frenzy event on July 3, 2026. The package includes: 4 hour duration, 4 speaker set-up, 2 subwoofers, wireless handheld microphone, and DJ entertainment. The set-up for this event will be from 3:00 PM - 4:30 PM. The event duration is from 5:00 PM - 10:00 PM. All clean-up should be complete by 11:00 PM. The town shall provide a tent, refreshments, and electricity.

In the event of a conflict between the terms of the attached Scope of Services and this Agreement, this Agreement shall control.

**2. SPECIFICATIONS.**

Contractor shall provide services in accordance with all governing agency regulations and shall be held to the same standard and shall exercise the same degree of care, skill and judgment in the performance of services for Town as is ordinarily provided by a similar professional under the same or similar circumstances at the time in North Carolina. Upon request by the Town, Contractor will provide plans and specifications prior to engaging in any services under this Agreement. Contractor hereby acknowledges that it is fully licensed to perform the work contemplated by this Agreement. In the event of a conflict between any provided plans and specifications and this Agreement, this Agreement shall control.

**3. TIME OF COMMENCEMENT AND COMPLETION.**

Contractor shall commence the work required in this Agreement no more than **160** days after the date of execution of this Agreement, and the Contractor shall complete entire work no later than **July 3rd, 2026** . If a Scope of Services is provided Contractor shall also comply with all timelines and deadlines documented in the Scope of Services. If Contractor has not satisfactorily commenced or completed the work within the times specified, the Town may declare such delay a material breach of contract and may pursue all available legal and equitable remedies. Any changes to the schedule(s) provided in the Agreement must be agreed to in writing by the Town and the Contractor.

**4. CONSIDERATION AND PAYMENT OF SERVICES.**

In consideration of the above services, the Town will pay the Contractor **the total sum of \$2622.50** to be paid according to the following schedule: **30 days** from receipt of invoice. Town has the right to require the Contractor to produce for inspection all of Contractor's records and charges to verify the accuracy of all invoices. Town shall pay Contractor's invoices at times set forth above unless a bona fide dispute exists between Town and Contractor concerning the accuracy of said invoice or the services covered thereby.

**5. INDEMNIFICATION.**

To the extent permitted by law, the Contractor agrees to defend, pay on behalf of, indemnify, and hold-harmless the Town of Apex, its elected and appointed officials, employees, agents, and volunteers against any and all claims, demands, suits or losses, including all costs connected therewith, for any damages which may be asserted, claimed or recovered against or from the Town of Apex, its elected or appointed officials, employees, agents, and volunteers by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof resulting from the negligence of the Contractor.

**6. APPLICABILITY OF LAWS AND REGULATIONS.**

The Contractor shall adhere to all laws, ordinances, and regulations of the United States, the State of North Carolina, the County of Wake, and the Town of Apex in the performance of the services outlined in this Agreement and any attached specifications.

This Agreement shall be governed by the laws of the State of North Carolina. Any and all suits or actions to enforce, interpret or seek damages with respect to any provision of, or the performance or nonperformance of, this Agreement shall be brought in the General Court of Justice of North Carolina sitting in Wake County, North Carolina, or the United States District Court sitting in Wake County, North Carolina, and it is agreed by the Parties that no other court shall have jurisdiction or venue with respect to such suits or actions.

**7. E-VERIFY COMPLIANCE.**

The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify). Contractor shall require all of the Contractor's subcontractors to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify).

**8. ANTI-HUMAN TRAFFICKING.**

The Contractor warrants and agrees that no labor supplied by the Contractor or the Contractor's subcontractors in the performance of this Agreement shall be obtained by means of deception, coercion, intimidation or force, or otherwise in violation of North Carolina law, specifically Article 10A, Subchapter 3 of Chapter 14 of the North Carolina General Statutes, Human Trafficking.

**9. QUALITY AND WORKMANSHIP.**

All work shall be performed to the satisfaction of the Town. The work shall not be considered complete nor applicable payments rendered until the Town is satisfied with the services provided.

**10. INSURANCE.**

The Contractor shall maintain valid general liability insurance in the minimum amount of \$1,000,000, commercial automobile liability insurance in the minimum amount of \$0.00, and provide certificates of such insurance naming the Town of Apex as an additional insured by endorsement to the policies. If the policy has a blanket additional insured provision, the contractor's insurance shall be primary and non-contributory to other insurance. Additionally, the contractor shall maintain and show proof of workers' compensation insurance within the statutory limits, and employer's liability insurance in the minimum amount of \$1,000,000. The Contractor shall provide notice of cancellation, non-renewal or material change in coverage to the Town of Apex within 10 days of their receipt of notice from the insurance company. All required certificates of insurance, endorsements, and blanket additional insured policy provisions are attached and considered part of this document. Notwithstanding the foregoing, neither the requirement of Contractor to have sufficient insurance nor the requirement that Town is named as an additional insured, shall constitute waiver of the Town's governmental immunity in any respect, under North Carolina law.

**11. PRE-PROJECT SAFETY REVIEW MEETING.**

When specified by the Safety and Risk Manager, the Contractor shall attend a pre-project safety review meeting with the contacting Department Head and Supervisors and Safety and Risk Manager prior to the start of work.

**12. DEFAULT.**

In the event of substantial failure by Contractor to perform in accordance with the terms of this Agreement, Town shall have the right to terminate Contractor upon seven (7) days written notice in which event Contractor shall have neither the obligation nor the right to perform further services under this Agreement.

**13. TERMINATION FOR CONVENIENCE.**

Town shall have the right to terminate this Agreement for the Town's convenience upon thirty (30) days written notice to Contractor. Contractor shall terminate performance of services on a schedule acceptable to the Town. In the event of termination for convenience, the Town shall pay Contractor for all services satisfactorily performed.

**14. NOTICE.**

Any formal notice, demand, or request required by or made in connection with this Agreement shall be deemed properly made if delivered in writing or deposited in the United States mail, postage prepaid, to the

address specified below.

**TO CONTRACTOR:**

Seth Felder  
6002 Olson Drive  
Durham, NC, 27712  
booking@djsethfelder.com

**TO TOWN: Town of Apex**

Attn: Megan Shea  
Department: Parks, Recreation & Cultural  
Resources  
PO Box 250  
Apex, NC 27502  
megan.shea@apexnc.org  
Invoices: Apex.Invoices@apexnc.org

**15. DELAY BEYOND THE CONTROL OF THE PARTIES.**

Neither Contractor nor Town, having taken commercially reasonable precautions, shall be in default of the provisions of this Agreement for delays in performance due to forces beyond the control of the parties. “Forces beyond the control of the parties” shall mean, but is not limited to, delay caused by natural disaster, fire, flood, earthquakes, storms, lightning, epidemic, pandemic, war, riot, civil disobedience, or other event reasonably outside of the parties’ control. Due to the ever-changing circumstances surrounding the COVID-19 pandemic, situations may arise during the performance of this Agreement that affect availability of resources and staff of Contractor or the Town. There could be changes in anticipated performance times and service costs. Contractor will exercise reasonable efforts to overcome the challenges presented by current circumstances. In the event of changes in performance times or service costs caused by the COVID-19 pandemic the Town reserves the right to terminate this Agreement in accordance with its terms. The Parties agree that they shall not be liable to each other for any delays, expenses, losses, or damages of any kind arising out of the impact of the COVID-19 pandemic.

**16. NONWAIVER FOR BREACH.**

No breach or non-performance of any term of this Agreement shall be deemed to be waived by either party unless said breach or non-performance is waived in writing and signed by the parties. No waiver of any breach or non-performance under this Agreement shall be deemed to constitute a waiver of any subsequent breach or non-performance and for any such breach or non-performance each party shall be relegated to such remedies as provided by law.

**17. CONSTRUCTION.**

Should any portion of this Agreement require judicial interpretation, it is agreed that the Court or Tribunal construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against any one party by reason of the rule of construction that a document is to be more strictly construed against the party who prepared the documents.

**18. NO REPRESENTATIONS.**

The parties hereby warrant that no representations about the nature or extent of any claims, demands, damages, or rights that they have, or may have, against one another have been made to them, or to anyone acting on their behalf, to induce them to execute this Agreement, and they rely on no such representations; that they have fully read and understood this Agreement before signing their names; and that they act voluntarily and with full advice of counsel.

**19. SEVERABILITY.**

In the event for any reason that any provision or portion of this Agreement shall be found to be void or invalid, then such provision or portion shall be deemed to be severable from the remaining provisions or portions of this Agreement, and it shall not affect the validity of the remaining portions, which portions shall be given full effect as if the void or invalid provision or portion had not been included herein.

**20. COUNTERPARTS.**

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one instrument.

**21. MODIFICATION.**

This Agreement contains the full understanding of the parties. Any modifications or addendums to this Agreement must be in writing and executed with the same formality as this Agreement.

**22. BINDING EFFECT.**

The terms of this Agreement shall be binding upon the parties' heirs, successors, and assigns.

**23. ASSIGNMENT.**

Contractor shall not assign, sublet, or transfer any rights under or interest in (including, but without limitation, monies that may become due or monies that are due) this Agreement without the written consent of the Town. Nothing contained in this paragraph shall prevent Contractor from employing such independent consultants, associates, and sub-contractors as it may deem appropriate to assist Contractor in the performance of services rendered.

**24. INDEPENDENT CONTRACTOR.**

Contractor is an independent contractor and shall undertake performance of the services pursuant to the terms of this Agreement as an independent contractor. Contractor shall be wholly responsible for the methods, means and techniques of performance.

**25. NON-APPROPRIATION.**

Notwithstanding any other provisions of this Agreement, the parties agree that payments due hereunder from

the Town are from appropriations and monies from the Town Council and any other governmental entities. In the event sufficient appropriations or monies are not made available to the Town to pay the terms of this Agreement for any fiscal year, this Agreement shall terminate immediately without further obligation of the Town.

**26. IRAN DIVESTMENT ACT CERTIFICATION.**

N.C.G.S. 147-86.60 prohibits the State of North Carolina, a North Carolina local government, or any other political subdivision of the State of North Carolina from contracting with any entity that is listed on the Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. N.C.G.S. 147-86.59 further requires that contractors with the State, a North Carolina local government, or any other political subdivision of the State of North Carolina must not utilize any subcontractor found on the State Treasurer’s Final Divestment List. As of the date of execution of this Agreement the Contractor hereby certifies that the Contractor is not listed on the Final Divestment List created by the North Carolina State Treasurer and that the Contractor will not utilize any subcontractors found on the Final Divestment List.

**27. NONDISCRIMINATION.**

Pursuant to Section 3-2 of the Town of Apex Code of Ordinances, Contractor hereby warrants and agrees that Contractor will not discriminate against a protected class in employment, subcontracting practices, or the solicitation or hiring of vendors, suppliers, or commercial customers in connection with this Agreement. For the purposes of this Agreement “protected class” includes age, race, religious belief or non-belief, ethnicity, color, national origin, creed, sex, sexual orientation, gender identity, marital status, natural hair style, genetic information, pregnancy, familial status, disability, veteran or military status, or disabled veteran status.

**28. ELECTRONIC SIGNATURE.**

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this Agreement and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The Parties hereby consent to use electronic or digitized signatures in accordance with the Town’s Electronic Signature Policy and intend to be bound by the Agreement and any related documents. If electronic signatures are used the Agreement shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

In witness thereof, the contracting parties, by their authorized agents, affix their signatures and seals this .

**Seth A Felder LLC**

X \_\_\_\_\_

[empty member name]  
Email: booking@djsethfelder.com  
Timestamp: [empty signing timestamp]

**Town of Apex**

X \_\_\_\_\_

Randal E. Vosburg, Town Manager  
Email: [empty member email]  
Timestamp: [empty signing timestamp]

***This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.***

X \_\_\_\_\_

[empty member name] , Finance Director  
Email: jon.griffin@apexnc.org  
Timestamp: [empty signing timestamp]

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Matthew Reker, Utilities Engineering Intern

Department(s): Water Resources

### Requested Motion

Motion to ratify an oral amendment to the existing Design Services Agreement between the Town of Apex and Black and Veatch International Company, for design of the Western Transmission Main Phase II Project, commonly known as "Part of the Kelly Road Waterline Project".

### Approval Recommended?

Yes

### Item Details

The Western Transmission Main Phase II project is the second part of the "Kelly Road Waterline Project" that is completing the loop of water transmission line from Kelly Road and Olive Chapel down to and along Old US 1/South Salem Street. This Phase of the project will specifically focus on building water mains that will help feed the new Pleasant Park Water Elevated Water Tank and the existing Tingen Tank. To date, the project design and permitting are completed with only final easement acquisition remaining. Additional design coordination and surveying services that were not included in the original scope, as well as Amendments #1 and #2, were necessary to carry on critical easement negotiations and finalize design alignment in order to keep the project on schedule with the Elevated Tank.

These additional tasks have already been completed by the engineer and are described in the attached Amendment 3 (Exhibit A) including the itemized cost breakdown for each task.

### Attachments

- CN4-A1: Exhibit A: Amendment No. 3 to the Task Order - Agreement Ratification between TOA and Black and Veatch - Western Transmission Main Phase II Project
- CN4-A2: Exhibit B: Task Order No. 1 - Agreement Ratification between TOA and Black and Veatch - Western Transmission Main Phase II Project

- CN4-A3: Exhibit C: Amendment No. 1 and Amendment No. 2 to the Task Order - Agreement Ratification between TOA and Black and Veatch - Western Transmission Main Phase II Project



**AMENDMENT NO. 3  
TO THE  
TASK ORDER NO. 1 of MASTER AGREEMENT FOR  
ON-CALL PROFESSIONAL SERVICES  
WESTERN TRANSMISSION MAIN – PHASE 2  
BETWEEN  
Town of Apex, NC  
AND  
BLACK & VEATCH INTERNATIONAL COMPANY  
DATED  
October 2, 2021  
(PO 2022-111)**

The following Amendment shall become a part of the Contract Agreement.

1. ATTACHMENT 2 - DETAILED SCOPE OF WORK:

A. Survey areas, add the following areas to the scope of design services.:

- Provide survey staking for easements
- Coordinate with Apex Peakway project for stormwater related to development
- Coordinate with Real Estate on easement acquisition
- Coordinate design of water line crossing Cardinal Gas line (negotiated with Cardinal for water line to be installed over gas line)

2. ATTACHMENT 1 – SCOPE OF WORK

A. Add the following to this section:

Survey Staking	Lump Sum	\$12,100.00
Additional Engineering	Lump Sum	\$22,400.00
New Basic Services Total	Lump Sum	\$342,150.00

3. SIGNATURES

**IN WITNESS WHEREOF**, the parties hereto have executed, or caused to be executed by duly authorized officials, this Agreement in duplicate on the respective dates indicated below.

Master Agreement No.: 2019-00000041

**TASK ORDER No. 1  
UNDER  
MASTER AGREEMENT FOR ON-CALL PROFESSIONAL SERVICES**

This Task Order (“Task Order”), made as of the 1st day of June, 2022, by and between the Town of Apex (hereafter, “Town”) and Black & Veatch International Company (“Professional”).

WITNESSETH

WHEREAS, Town and Professional entered into a Master Agreement for On-Call Professional Services dated October 2, 2021 (“Master Agreement”); and

WHEREAS, Town has determined it is in need of Services for On-Call Professional Services, (“Project”), and Professional desires to provide such Services; and

NOW THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt of which is acknowledged, the parties agree as follows.

1. Recitals, Purpose and Effective Date. The Recitals and the Master Agreement are incorporated into this Task Order. Each party represents and warrants that it has in its possession and is familiar with the Master Agreement, and agrees that such does not need to be attached to this Task Order. The purpose of this Task Order is to set forth specific terms and conditions pursuant to which Professional shall provide Services for the Project. The Project is Western Transmission Main – Phase 2 and is further identified on **Attachment 1** Scope of Work attached hereto and incorporated herein by reference. The Effective Date of this Task Order is the date on which it is executed by the last to execute this Task Order.
2. Commencement and Termination.
  - A. Professional’s services on Project shall commence upon a Notice to Proceed issued by Town or as otherwise provided in Attachment 1.
  - B. If the Master Agreement terminates before the Services provided hereunder are completed, then and in that event the Master Agreement shall continue as to Project until such time as Project is satisfactorily completed.
3. Schedule, Milestone Dates. Project schedule, including date by which Services shall be completed, and all deliverables to be delivered is provided in Attachment 1.
4. Fee for Services.
  - A. The total compensation for Basic Services is provided in

Attachment 1.

B. The fee for Additional Services, if any, shall be determined as provided in Attachment 1, or, if not so provided, as provided in Agreement.

5. Key Personnel and Use of Subcontractors.

A. Professional's key personnel are provided in Attachment 1.

B. If Professional is to use subcontractors for a portion of its Services, then the following applies to such subcontractor(s):

No changes in Professional's key personnel or subcontractors designated in this Task Order as those who will provide Services shall be permitted except with the prior written consent of Town, which consent shall not be unreasonably withheld.

6. Insurance. Professional represents and warrants that all insurance requirements set forth in Agreement continue to be met.

7. Amendment. This Task Order may be amended only by written amendment of the parties.

In witness thereof, the contracting parties, by their authorized agents, affix their signatures and seals this 15 day of June, 2022.

**Black & Veatch International Company**

Name: Jeffrey D. Coggins  
Name of Professional (type or print)

By: Jeffrey D. Coggins  
(Signature)

Title: Associate Vice-President

Attest: Andrea C. Bernica  
Andrea C. Bernica, Secretary  
(Secretary, if a corporation)

**Town of Apex**

Catherine Crosby  
Catherine Crosby, Town Manager

Attest: [Signature]  
Town Clerk



This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

[Signature]  
Finance Director

**ATTACHMENT 1**  
**SCOPE OF WORK**

The Project is Western Transmission Main – Phase 2

The Basic Services are: Engineering survey, design, permitting assistance, bidding services, construction administration and limited construction observation in support of the project as described in the task order.

A detailed breakdown of the Scope of Work is provided as **Attachment 2.**

Project Schedule and Deliverables:

<u>Deliverable</u>	<u>Date</u>
NTP	5/2/2022
Level 1.5	8/19/2022
Level 3.0	10/28/2022
Permits Obtained	12/30/2022
Bidding & Award	2/24/2023

Total Compensation (Lump Sum) for Basic Services (Excluding CA/CO): **\$170,900.00**

Total Compensation (Not-to-Exceed) for scope item II.C for SUE: **\$12,500**

Total Compensation (Not-to-Exceed) for scope item II. B For (3) easement plats: **\$3,300.00**

Total Compensation (Not-to-Exceed) for scope item II. C. Geotechnical: **\$13,750.00**

Total Compensation for Construction Admin (Lump Sum): **\$28,000.00**

Total Compensation for Construction Observation (hourly not to exceed): **\$35,000.00**

**Total Task Order Amount: \$263,450.00**

Method of Determining Fee for Additional Services: *Negotiated as needed.*

Key Personnel:       Principal in Charge – Jeff Coggins, P.E.  
                              Project Manager – Lee Campbell, P.E.  
                              Engineering Manager – Patrick Stout, P.E.

## ATTACHMENT 2 DETAILED SCOPE OF SERVICES

Owner: Town of Apex  
Engineer: Black & Veatch International Company  
Project: Western Transmission Main - Phase 2

This Scope of Services outlines the scoping details for the Western Transmission Main – Phase 2 Project (hereinafter referred to as “Project”).

The Town of Apex (hereafter referred to as “Owner”) desires to construct 4,600 linear feet of 20-inch water lines need to be installed on Old US Hwy 1/Salem Street to fill in gaps on a 20-inch water main through this area. The new water main is broken into 4 non-contiguous segments along the route.

Black & Veatch International Company (hereafter referred to as “Engineer”) will be responsible for the execution of the Project subject to this agreed to scope of services. The Project Owner will be the Town of Apex.

This scope of this contract will include the following services:

1. Project Management
2. Surveying
3. Subsurface Utility Locations
4. Geotechnical Investigation
5. Detailed Design
6. Permitting
7. Bidding
8. Construction Phase Services

NOTE: Engineer shall not be responsible for: (1) construction means, methods, techniques, sequences, procedures, or safety precautions and programs in connection with any construction project; or (2) the failure of any contractor, subcontractor, vendor, or other project participant, not under contract to Engineer, to fulfill contractual responsibilities to the Client or to comply with federal, state, or local laws, regulations, and codes.

A general description of the scope of services to be provided as part of each phase of the Project follows.

### I. Project Management

- A. General Project Management. Black & Veatch will provide project management services for the Project executing and/or coordinating all work necessary for completion of the Project. General tasks to be completed will include:

1. Project contract development and negotiation with Project Owner
2. Contract development and negotiation with engineering sub-consultants and other technical sub-consultants.
3. Administration and management of all sub-consulting contracts.

4. Conceptual development and coordination of design projects.
  5. Management of all Project team members through conceptual design.
- B. Contracts. Identification of Project contracting responsibilities is provided below.
1. Town of Apex. Project Owner will be responsible for contract development, negotiation and administration of the following contracts in support of the Project:
    - a. *Engineering Services Contract*: Contract with Black & Veatch International Company for the services delineated in this scope of services as responsibility of the Engineer.
    - b. *Construction Contracts*: Individual construction services contracts with successful bidders of the construction project established as part of the Project.
  2. Black & Veatch International Company. Engineer will be responsible for contract development, negotiation and administration of the following contracts in support of the Project:
    - a. *Technical Sub-Consultants*: Contracts with technical service firms for services as identified in this scope of services. The following engineering consulting firms will be utilized for Project execution efforts.
      - Surveying, SUE, Easement Mapping: Stewart
      - Geotechnical Investigation: S&ME
    - b. *Additional Sub-consultants*. Engineer will employ additional sub-consultants as necessary for completion of the overall Project when deemed mutually beneficial to the Owner and Engineer.
- C. Schedule Management. Engineer will develop a master Project schedule for all activities established as part of the Project. The Master Project Schedule will be updated and distributed monthly and will include:
1. Project Engineering Phase
    - a. Major engineering services tasks
    - b. Technical services tasks
    - c. Coordination activities for Project Owner
    - d. Permitting tasks
    - e. Bidding tasks
  2. Project Construction Phase
    - a. Consolidation of construction project milestones into a consolidated Project schedule
    - b. Coordination activities between construction projects (if applicable)

- c. Coordination activities between construction projects and Project Owner operations team (if applicable)

The Project schedule of activities will be reviewed and finalized with Project Owner during the conceptual design and evaluation phase of the Project.

- D. Invoicing. Invoices will be submitted monthly based on percentage of work completed to date.

- E. Communication and Data/Document Management. A communication and data/document management system using the Engineer's standard software will be developed to facilitate communication between Project team members and data and document storage. Primary communication with Project Owner will be by Engineer with direct communication from major sub-consultants as authorized by Project Owner and Engineer.

1. Project Website. A Project Website (Sharepoint) may be established for storage of Project documents electronically. This will be a secure web accessible platform. Passwords can be established for all Project team members with security settings and accessibility established and maintained by Engineer. The Project Website can be used for the following:
  - a. Project Management and Reporting (Cost, Schedule, etc)
  - b. Engineering
    - Construction Documents
    - GIS Mapping
    - Results from Investigations & Evaluations
    - Change Management
    - Project(s) Communication

## II. Preliminary Design

Under the Preliminary Design Phase, initial field services will be completed, including Survey/SUE and Geotechnical work.

### A. Surveying

1. Topographic survey for the project corridor along Salem Street/Old US 1.
2. Conduct deed research to confirm existing easements and rights- of- way, in accordance with the standard of care for utility designs.
3. Location of identified subsurface utilities (SUE Scope described separately).
4. Establish traverse and survey control monument pairs tied to horizontal

datum NAD 83/North Carolina State Plane Grid Coordinates and vertical datum NAVD 88.

5. As-built survey and record drawings to be included in Construction Contract for Contractor's surveyor to provide.

B. Easement Plats

1. Develop up to 3 easement exhibit maps for Owner's (or Owner's representative's) use to procure easements.

C. Subsurface Utility Locations

1. Level B subsurface utility location services along the entire alignment where new water line is proposed.

D. Geotechnical Investigation

1. Bores will be taken at various locations along the alignment. Up to 5 total bores are planned to a depth of 15' or auger refusal, whichever occurs first.

III. Detailed Design

As part of Detailed Design, Engineer shall produce interim documents for the purpose of review by Owner's staff and Engineer's quality control. The interim documents shall serve as milestones wherein certain features shall be fixed after a period of Owner review. The purpose of the interim documents and fixing certain features shall be to communicate the design progress and avoid later revisions that would impact design efficiency, cost and schedule. Changes made after fixing features will be considered Additional Services. Engineer's Detailed Design services include:

A. General

1. Hold monthly progress meetings throughout the project. It is assumed that 6 project meetings will be held.
2. Conduct internal quality control reviews and constructability reviews at Project milestones.
3. Prepare detailed drawings and specifications and other Contract Documents for the proposed construction work and for the materials and equipment required. Conduct design review meetings with Owner at each Project milestone: Level 1.5 (50% complete), Level 3 (90% complete), and Final (100%).

4. The documents shall be prepared for bidding for selection of private construction contractors on a competitive bid basis, in accordance with North Carolina State bidding laws.
5. The Owner's standard front-end documents and technical specifications shall be used to the extent applicable. Specifications authored by Engineer shall serve to supplement standard specifications as applicable.
6. Prepare an opinion of probable construction cost at conclusion of Level 3 design.

B. Level 1.5 Design

1. Deliverables.
  - a. Level 1.5 Drawings
2. Decisions. Finalize alignment and verify proposed easements.
3. Discussion. Level 1.5 drawings will include the following:
  - a. Pipeline plan and profile drawings
  - b. Standard civil sewer details including valves, trenching, etc.. Owner standard published details used as applicable.
  - c. Cover sheet, location map, and general civil sheets for notes, legends, etc.

Upon completion of Level 1.5, the Engineer's quality control team will review the deliverables. Revisions shall be finalized before proceeding with Design Level 3. Level 1.5 represents approximately 50 percent of the design effort.

C. Level 3 Design

1. Deliverables.
  - a. Front-end documents (printed, 4 copies)
  - b. Technical specifications (printed, 4 copies)
  - c. Level 3 drawings (printed, 4 copies)
  - d. Opinion of Probable Construction Cost
  - e. Easement maps for property acquisition

2. Decisions. Make final coordination checks and remaining decisions on plans and specifications.

3. Discussion. Level 3 drawings shall include the following:

- a. Final pipeline plan and profile drawings
- b. Final details
- c. Final general civil sheets

Level 3 Design shall include providing sealed drawings and technical specifications after owner review, for submittal to regulatory review agencies. Documents shall be annotated to be a review set only and not for construction.

#### **IV. Permitting & Final Design**

##### **A. Permitting Assistance**

1. Provide assistance to Owner in obtaining permits and approvals from federal, state, and local agencies and from utility companies. The following permits and approvals are anticipated:

- a. Town of Apex – Water permit and TRC approval
- b. Erosion & Sedimentation Control Permit (NCDEQ)
- c. Encroachment Agreement with NC Department of Transportation

2. Meet with NCDOT and/or other local officials or permitting agencies in order to understand and comply with their requirements.

3. Update and finalize plans and specification with any required regulatory revisions for use as bid documents.

4. Fees for permit reviews, mitigations, etc. will be the responsibility of the Owner and are not included in fees associated with this Task Order.

#### **V. Bidding & Award**

Following receipt of authorization from Owner, Engineer shall perform the following services related to Bidding and Award of Contract.

- A. Assist Owner in advertising project(s) for bidding.
- B. Attend and conduct pre-bid conference(s), and develop minutes of the pre-bid conference(s).
- C. Reproduce and distribute Contract Documents to prospective bidders.
- D. Maintain a record of prospective bidders and others to whom Contract Documents have been issued.
- E. Prepare, as appropriate, interpretation, clarification, or further definition of the Contract Documents and provide to the Owner. Develop and issue addenda as needed.
- F. Consult with and advise Owner to determine the acceptability of substitute materials and equipment proposed by the Contractor(s) when substitution prior to award of contracts is allowed by the Contract Documents.
- G. Prepare the certified bid tabulation.
- H. Evaluate bids and make a recommendation to Owner regarding award.
- I. Assemble and provide contract documents and facilitate execution of contracts by Contractor. Review contracts after execution by contractor prior to sending to Owner for execution.

## **VI. Construction Administration**

After award of bids, assist Owner in administration of construction including interpretation of contract documents.

- A. Schedule and attend a pre-construction conference. Prepare agenda and provide minutes of meeting to attendees.
- B. Provide review of shop drawings and submittals for materials to be used in construction.
- C. Attend monthly construction progress meetings. Prepare agenda and minutes for each meeting. It is assumed 5 meetings including the pre-construction conference will be needed.
- D. Assist Owner in interpreting the intent of drawings and specifications throughout the project.

## **VII. Supplemental Services**

Engineer agrees to perform supplemental services as requested by Owner. When the need for such services is identified, the Engineer will prepare a written Task Order which will include a scope, fee, and schedule; and submit Task Order to Owner for approval. If approved, Miscellaneous Supplemental Services will be performed upon receipt of written authorization from Engineer. The following are examples of what would be considered supplemental services to this scope of work (where quantities exceed those previously described in this Attachment):

- A. Public Meetings/Public Relations
- B. Meetings with Property Owners
- C. Funding Identification, Applications, or Administration.
- D. Full topographic surveys of the pipeline.
- E. Boundary Surveys
- F. Easement Mapping
- G. Subsurface Utility Engineering
- H. Odor Control Studies
- I. Meetings with local, state, or federal agencies to discuss the Project unless specifically included in the scope of services herein.
- J. Special consultants or independent professional associates requested or authorized by Owner not included in the scope of services herein.
- K. Any supplemental services identified in Attachments that are not specifically identified in this Scope of Services.



**AMENDMENT NO. 2  
TO THE  
TASK ORDER NO. 1 of MASTER AGREEMENT FOR  
ON-CALL PROFESSIONAL SERVICES  
WESTERN TRANSMISSION MAIN – PHASE 2  
BETWEEN  
Town of Apex, NC  
AND  
BLACK & VEATCH INTERNATIONAL COMPANY  
DATED  
October 2, 2021  
(PO 2022-111)**

The following Amendment shall become a part of the Contract Agreement.

1. ATTACHMENT 2 - DETAILED SCOPE OF WORK:

A. Survey areas, add the following areas to the scope of design services.:

- Revise alignment of water line between Apex Barbecue Road and Grappenhall Drive
- Apply for encroachment with Cardinal Gas for crossing of gas pipeline
- Coordinate with Apex Peakway project for connection with water lines

2. ATTACHMENT 1 – SCOPE OF WORK

A. Add the following to this section:

Additional Design	Lump Sum	\$15,000.00
New Basic Services Total	Lump Sum	\$307,650.00

3. SIGNATURES

**IN WITNESS WHEREOF**, the parties hereto have executed, or caused to be executed by duly authorized officials, this Agreement in duplicate on the respective dates indicated below.

**BLACK & VEATCH  
INTERNATIONAL COMPANY**

**TOWN OF APEX**

  
\_\_\_\_\_  
Jeffrey D. Coggins, PE                      11/07/2023  
Vice President                                      Date

\_\_\_\_\_  
Shawn Purvis                                      Date  
Interim Town Manager

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Matthew Reker, Utilities Engineering Intern

Department(s): Water Resources

### Requested Motion

Motion to ratify an oral amendment to the existing Design Services Agreement between the Town of Apex and Highfill Infrastructure Engineering, P.C. for design of the Beaver Creek Commons Sewer and Water Improvements Project.

### Approval Recommended?

Yes

### Item Details

The Beaver Creek Commons Sewer and Water Improvements project will take the Beaver Creek Crossings Lift Station offline and connect gravity sewer as well as water across pre-existing encasement pipes underneath NC540. To date, the project design is complete and under final review for signatures with only minimal permitting requirements left to complete. Due to the unforeseen complexities in the easement acquisition and adjacent development on this project, additional design alternatives and permitting services were necessary to maintain the project final design schedule by authorizing Highfill to continue coordination with Jordan Lutheran Church, Town of Apex, and permitting entities, while the optimal alignment was determined. These additional tasks have already been completed by the engineer and are described in the attached Amendment 1 document (Exhibit B) that also includes the itemized cost breakdown for each task as well as additional project information.

### Attachments

- CN5-A1: Exhibit A - Task Order 1 for Design Services (signed) - Agreement Ratification - Highfill Infrastructure Engineering, P.C. - Beaver Creek Commons Sewer and Water Improvements Project
- CN5-A2: Exhibit B - Cost Breakdown and Justification for Amendment 1 - Agreement Ratification - Highfill Infrastructure Engineering, P.C. - Beaver Creek Commons Sewer and Water Improvements Project



PO # 2023-533

Master Agreement No.: 2022-053

**TASK ORDER No.1**

**UNDER  
MASTER AGREEMENT FOR ON-CALL PROFESSIONAL SERVICES**

This Task Order ("Task Order"), made as of the 21st day of November, 2022, by and between the Town of Apex (hereafter, "Town") and Highfill Infrastructure engineering, P.C. ("Professional").

WITNESSETH

WHEREAS, Town and Professional entered into a Master Agreement for On-Call Professional Services dated July 27, 2021 ("Master Agreement"); and

WHEREAS, Town has determined it is in need of Services for Beaver Creek Crossings Sewer and Water Improvements ("Project"), and Professional desires to provide such Services; and

NOW THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt of which is acknowledged, the parties agree as follows.

1. Recitals, Purpose and Effective Date. The Recitals and the Master Agreement are incorporated into this Task Order. Each party represents and warrants that it has in its possession and is familiar with the Master Agreement, and agrees that such does not need to be attached to this Task Order. The purpose of this Task Order is to set forth specific terms and conditions pursuant to which Professional shall provide Services for the Project. The Project is Beaver Creek Crossings Sewer and Water Improvements and is further identified on Attachment 1 Scope of Work attached hereto and incorporated herein by reference. The Effective Date of this Task Order is the date on which it is executed by the last to execute this Task Order.
2. Commencement and Termination.
  - A. Professional's services on Project shall commence upon a Notice to Proceed issued by Town or as otherwise provided in Attachment 1.
  - B. If the Master Agreement terminates before the Services provided hereunder are completed, then and in that event the Master Agreement shall continue as to Project until such time as Project is satisfactorily completed.
3. Schedule, Milestone Dates. Project schedule, including date by which Services shall be completed, and all deliverables to be delivered is provided in Attachment 1.
4. Fee for Services.
  - A. The total compensation for Basic Services is provided in Attachment 1.
  - B. The fee for Additional Services, if any, shall be determined as provided in Attachment 1, or, if not so provided in Agreement.

5. Key Personnel and Use of Subcontractors.

A. Professional's key personnel are provided in Attachment 1.

B. If Professional is to use subcontractors for a portion of its Services, then the following applies to such subcontractor(s):

No changes in Professional's key personnel or subcontractors designated in this Task Order as those who will provide Services shall be permitted except with the prior written consent of Town, which consent shall not be unreasonably withheld.

6. Insurance. Professional represents and warrants that all insurance requirements set forth in Agreement continue to be met.

7. Amendment. This Task Order may be amended only by written amendment of the parties.

In witness thereof, the contracting parties, by their authorized agents, affix their signatures and seals this 21<sup>st</sup> day of November, 2022.

**Professional**

Name: Tyler W. Highfill  
Name of Professional (type or print)

By: [Signature]  
(Signature)

Title: President

Attest: [Signature]  
(Secretary, if a corporation)

**Town of Apex**

[Signature]  
Catherine Crosby, Town Manager

Attest: [Signature]  
Town Clerk



This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

[Signature]  
Finance Director

# ATTACHMENT 1

## SCOPE OF WORK

### **The Project is Beaver Creek Crossings Sewer and Water Improvements**

The Town desires to abandon the existing Beaver Creek Crossings pump station (PS) and extend 12-inch gravity sewer approximately 2,200 linear feet to connect to existing 12-inch gravity sewer on the west side of I-540. In addition, two existing 12-inch water lines dead-end on either side of I-540 in close proximity to the aforementioned gravity sewer. The Town desires to extend the 12-inch water line approximately 1,500 linear feet across I-540 to eliminate the dead-ends. Existing 24-inch and 36-inch casings that were installed under I-540 as part of the I-540 project will be utilized for this project.

### **The Basic Services are:**

Engineer shall perform or furnish the following Services:

#### Task 20 – Preliminary Technical Services

1. Facilitate project kick-off meeting to discuss project team, project expectations, and schedule.
2. Receive and review the record information for the following:
  - a. Beaver Creek Crossings PS
  - b. Upstream gravity sewer of Beaver Creek Crossings PS
  - c. Downstream gravity sewer (west of I-540).
  - d. Water line on east and west side of I-540.
3. Prepare and send notification letters to property owners that may be affected by field data collection activities.
4. Based on Town of Apex GIS and field investigation, prepare conceptual gravity sewer and water line route.
5. Facilitate one virtual design review meeting with Town staff to review conceptual pipeline routing.

#### Task 30 – Preliminary Design Phase

1. Delineate and flag wetland jurisdictional boundaries that are under the jurisdiction of the Clean Water Act (CWA) within the proposed site boundaries.
2. Characterize and identify stream channels under jurisdiction of the CWA and Buffer rules using U.S. Corps of Engineers (USACE) and NCDEQ criteria. Representative stream channel points will be flagged in the field.
3. Prepare base maps using the survey data. The base maps will be used for development of the final design.
4. Conduct one field visit to review survey data.

#### Task 40 – Final Design Phase

1. Prepare Plan and Profile construction drawings (1-inch = 40-feet horizontal scale, 4-feet vertical scale) with related details for the following:
  - a. 2,200 LF of 12-inch gravity sewer.
  - b. 1,500 LF of 12-inch water line.
2. Prepare construction drawings and related details for the demolition of the existing Beaver Creek Crossings PS. The Town intends to retain pumps, guide rails, control panels, switches, generator/ATS, valves inside valve vault, floats, level transducer, and equipment rack and hood.
3. Prepare Project Manual including construction contract documents, bid form, and technical specifications. The Town's front-end documents and technical specifications will be used.
4. Submit construction documents to the Town of Apex for review at the 60% and 90% design stages. Meet with the Town of Apex to discuss review comments at these two design stages.
5. Prepare probable construction cost estimate at 60%, 90%, and final design stages.
6. Address comments received and prepare final Construction Documents for permitting.

#### Task 45 – Easement Services

1. Create a summary for needed easements to track specific issues and easement status.
2. Coordinate the preparation of temporary construction or permanent easement plat maps for recordation.
3. Fee budget is based on 5 maps (permanent or temporary).
4. Fee budget includes 4 hours to assist the Town of Apex with property owner discussions.

#### Task 50 – Permitting Phase

1. Prepare and submit the following permit applications on behalf of the Town:
  - a. Town of Apex Construction Plan Review.
  - b. Land Quality Section application for Sediment and Erosion Control.
  - c. NCDOT encroachment agreements for secondary roads and controlled access.
  - d. Preconstruction Notice (PCN) to Army Corps of Engineers for Section 404 permit authorization and Department of Environmental Quality for the Section 401 water quality.
2. Permit fees will be paid by HIGHFILL. Permit fees are estimated to not exceed \$640.

#### Task 60 – Bidding Phase

1. Assist the Town who will publish the Project Advertisement.
2. Distribute bidding documents to prospective bidders and electronically to up to three design plan rooms.
3. Attend and facilitate one pre-bid meeting.
4. Field questions from prospective bidders and issue addendum, if required.
5. Attend one bid opening, tabulate bids, issue certified bid tab, and prepare contract award recommendation letter.

6. Coordinate issuance of Notice of Award to selected contractor.
7. Route construction contracts for signature.

#### Task 70 – Construction Administration

1. Attend Pre-Construction meeting and up to two monthly construction progress meetings.
2. Perform shop drawing submittal reviews.
3. Address Requests for Information (RFI's) from Contractor, issue Field Orders (FO's), and prepare Change Orders (CO's) for Owner approval.
4. Review monthly payment requests from Contractor and make recommendations to Town for contractor payment.
5. Perform up to 6 site visits during construction field activities.
6. Conduct final walk-thru with Town Staff. Town Staff to generate punch list.
7. Prepare Engineer's Certification for water line and gravity sewer installation upon final completion.
8. Prepare record drawings reflecting modifications made during construction. Record drawings will be based on red-line markups provided by the Contractor and Town.
9. Provide GIS shapefile to Town. GIS shapefile will be generated from contractors as-built survey.

#### Task 80 – Construction Observation

1. Provide limited on-site construction observation on an as needed bases as request by the Town. Up to 20 hours per week on average for an expected duration of 12 weeks has been included in the budget. Construction observer tasks will also include the following:
  - a. Attend Pre-Construction meeting and up to two monthly construction progress meetings.
  - b. Coordinate field review of pay applications, review of Contractor red-line record drawings, and facilitate communications between Contractor, design engineer, and Town.
  - c. Attend final walk-thru with Town Staff.

#### Task 90 – Miscellaneous Technical Phase Services

1. Prepare corridor survey for each pipeline route.
2. Provide Level C & B SUE locating services for the purpose of finding the horizontal and vertical location of the existing 24-inch and 36-inch casings under I-540.

#### Assumptions and Clarifications

1. Additional services are those services not specifically included under the Basic Services described above.
2. No modeling is included. Water lines and gravity sewer are sized as shown above as directed by the Town of Apex.
3. Fees associated with potential environmental mitigation is not included.
4. Geotechnical exploration is not included.
5. No archaeological or cultural resources surveys for the State Historic Preservation Office (SHPO) or the North Carolina Office of State Archaeology (OSA) are included.
6. No field surveys for federally listed threatened or endangered species are included.

7. Existing buried utility locations will be marked by NC One Call.
8. The Town will negotiate, purchase, and record easements.
9. The Town will perform the following during the Construction Phase:
  - a. Facilitate Pre-Construction meeting and prepare meeting summary.
  - b. Facilitate monthly construction progress meetings and prepare meeting summaries.
  - c. Provided on-site observations during construction activities.
  - d. Prepare a punch list upon notification from the Contractor that work is Substantially Complete.
  - e. Collect and review Contractor's close-out documents.
10. Warranty period coordination with Contactor will be performed by Owner.

**Project Schedule and Deliverables:**

Work schedule will progress sequentially as follows:

- Preliminary technical services: 2 months
- Preliminary design phase: 2 months
- Design phase: 4 months
- Regulatory permitting phase: 3 months
- Bidding and award phase: 3 months
- Construction phase: 6 months

ENGINEER shall endeavor to complete work tasks in accordance with the above schedule. CLIENT acknowledges that certain aspects of the project, including regulatory review time and construction delays, are outside the ENGINEER'S direct control and may impact schedule significantly.

**Total Compensation for Basic Services:**

ENGINEER will perform Basic Services described in Tasks 20, 30, 40, 50, and 60 above for a Lump Sum amount of \$103,800. Services will be invoiced periodically on a percentage of work completed and work in progress.

Phase	Subcontractors and Expenses	Total Fee
Task 20 - Preliminary Technical Service	\$1,400	\$10,700
Task 30 - Preliminary Design Phase	\$3,500	\$9,000
Task 40 - Final Design Phase	\$1,500	\$48,300
Task 50 - Permitting Phase	\$8,000	\$25,900
Task 60 – Bidding and Award Phase	\$300	\$9,900
	<b>Total</b>	<b>\$103,800</b>

ENGINEER will perform services described in Tasks 45, 70, 80, and 90 on a Time and Materials basis not to exceed \$146,200 without prior written notice. Expenses for Task 90 is an estimate provided by our survey and SUE sub-consultants and is based on unknowns associated with heavy vegetation observed at the site and difficulty of access to the site. ENGINEER will notify Town once 75% of the budget has been used. Labor and expenses on this task will be invoiced according to the ENGINEER's then-current Schedule of Rates. A copy of the current Schedule of Rates is attached. Subcontractor and project expenses will be invoiced at cost plus ten percent.

<b>Phase</b>	<b>Subcontractors and Expenses</b>	<b>Total Fee</b>
Task 45 - Easement Services	\$9,500	\$14,100
Task 70 - Construction Administration	\$1,300	\$44,500
Task 80 – Construction Observation	\$1,000	\$31,000
Task 90 – Miscellaneous Technical Phase Services	\$55,000	\$56,600
	<b>Total</b>	<b>\$146,200</b>

Therefore, the total compensation for the Scope of Services described above will not exceed \$250,000 without written prior notice.

**Method of Determining Fee for Additional Services:**

Additional Services, if needed, will be completed on a time and materials or lump sum basis as agreed by both parties prior to commencement of Additional Services.

**Key Personnel:**

- Jeremy Allen, PE – Project Manager
- Jeffrey Ray, PE – Lead Engineer
- Various engineering, design, technical, and administrative personnel support.

## **BACKGROUND:**

During the design process an alternative water line alignment was developed to reduce the overall easement impact to adjacent property owners. In lieu of the water and sewer lines sharing an easement across the Jordan Lutheran Church property, an alternative water line route was developed to split the water line easement between the Chapel Ridge Apartments and Jordan Lutheran properties. A plan and profile was developed and coordinated with the property owners and the Town. Ultimately, this alternative alignment was not pursued.

Moving forward, the Town desires revise the design to extend the water line along the Beaver Creek Commons Drive asphalt sidewalk, approximately 1,000 linear feet southwest to connect to the 24-inch water line in the casing installed under I-540.

## **SCOPE OF SERVICES:**

ENGINEER will perform the following **Basic Services** upon Authorization:

### Task 41 – Additional Final Design Services

1. Prepare Plan and Profile construction drawings (1 inch = 40 feet horizontal scale, 1 inch = 4 feet vertical scale) for approx. 1,000 LF of 12-inch water line along Beaver Creek Commons Drive.
2. Update the following items to incorporate the new water line alignment and changes to the sewer alignment:
  - a. Plan and Profile construction drawings related to sewer alignment.
  - b. Project Manual bid form and contracting documents.
  - c. Opinion of Probable Construction Cost for 90% and final design stages.
3. Additional survey along updated water line alignment. Survey between previously obtained survey and centerline of Beaver Creek Commons Drive. Survey will extend between existing waterline dead-end and I-540 right-of-way line.

### Task 51 – Additional Permitting Services

1. Prepare and resubmit revised plans and specifications to the Town of Apex Construction Plan Review.
2. Coordinate new alignment and changes to environmental permitting subconsultant.

### Task 60 – Bidding (Fee Adjustment)

1. Update construction services fee based on bidding in 2025.
2. Attend and facilitate an additional pre-bid meeting (a total of two meetings).
3. Field additional questions from prospective bidders and issue addendums for second bid (two total bids).
4. Attend additional bid opening (a total of two).

### Task 70 & 80 – Revised Construction Phase Services (Fee Adjustment)

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*Engineering is our profession. Service is our passion.*

5. Update construction services fee based on current construction timeline. Assume construction will be complete in 2026.

Task 90 – Miscellaneous Technical Services

1. This task will serve as an allowance to cover work associated with unforeseen circumstances which are not part of the services described above. ENGINEER will obtain approval from the Town prior to using allowance.

Assumptions and Clarifications:

1. Additional services are those services not specifically included under the Basic Services described above.
2. No modeling is included. Water lines and gravity sewer are sized by the Town of Apex.
3. Fees associated with potential environmental mitigation are not included.
4. Geotechnical exploration is not included.
5. No archaeological or cultural resources surveys for the State Historic Preservation Office (SHPO) or the North Carolina Office of State Archaeology (OSA) are included.
6. No field surveys for federally listed threatened or endangered species are included.
7. Existing buried utility locations will be marked by NC One Call.
8. The Town will perform the following during the Construction Phase:
  - a. Facilitate Pre-Construction meeting and prepare meeting summary.
  - b. Facilitate monthly construction progress meetings and prepare meeting summaries.
  - c. Provided on-site observations during construction activities.
  - d. Prepare a punch list upon notification from the Contractor that work is Substantially Complete.
  - e. Collect and review Contractor's close-out documents.
9. Warranty period coordination with Contactor will be performed by Owner.

**SCHEDULE:**

Work schedule will progress sequentially as follows:

- Task 41 – Additional Final Design Services: 2 months
- Task 51 – Additional Permitting Services: 3 months

Remaining tasks will be completed as laid out in original agreement.

ENGINEER shall endeavor to complete work tasks in accordance with the above schedule. CLIENT acknowledges that certain aspects of the project, including regulatory review time and construction delays, are outside the ENGINEER'S direct control and may impact schedule significantly.

**COMPENSATION:**

ENGINEER will perform Basic Services described in the scope above for Additional Design and Permitting Services for a Lump Sum amount of \$70,900. Services will be invoiced periodically on a percentage of work completed and work in progress.

<b>Phase</b>	<b>Subcontractors and Expenses</b>	<b>Total Fee</b>
Task 41 – Additional Final Design Services	\$8,250	\$36,600
Task 51 – Additional Permitting Services	\$11,700	\$29,700
Task 60 – Bidding (Fee Adjustment)	\$440	\$4,600
	<b>Total</b>	<b>\$70,900</b>

ENGINEER will perform services described in the scope above for construction and miscellaneous technical services on a Time and Materials basis not to exceed for an additional \$42,000 without prior written notice. ENGINEER will notify Town once 75% of the construction phase budget has been used. Labor and expenses on this task will be invoiced according to the ENGINEER’s then-current Schedule of Rates. A copy of the current Schedule of Rates is attached. Subcontractor and project expenses will be invoiced at cost plus ten percent.

<b>Phase</b>	<b>Subcontractors and Expenses</b>	<b>Total Fee</b>
Task 70 - Construction Administration (Fee adjustment)	-	\$20,100
Task 80 – Construction Observation (Fee adjustment)	-	\$11,900
Task 90 - Miscellaneous Technical Services	-	\$10,000
	<b>Total</b>	<b>\$42,000</b>

Therefore, the total additional compensation to the project for the Scope of Services described above will not exceed \$112,900 without written prior notice.

<b>Summary of Project Compensation:</b>	<b>Fee Ceiling</b>
Original Agreement	\$250,000
Amendment No. 1	\$112,900
<b>Total as amended</b>	<b>\$362,900</b>

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA  
Meeting Date: March 10, 2026

## Item Details

Presenter(s): Kathy Moyer, Director

Department(s): Electric Utilities

### Requested Motion

Motion to ratify an oral agreement between Norfield Development Partners, LLC and Town of Apex, to provide the locator logix software for utility locating, effective through September 30, 2026, and to authorize the Town Manager, or their designee to execute on behalf of the Town.

### Approval Recommended?

Yes

### Item Details

Through its Electric Department the Town is seeking to continue the contract with Norfield Development Partners a company that provides the software for Town of Apex locating of electric and water lines. North Carolina law requires utilities to locate utility infrastructure before a construction project begins. Council approval is needed to ratify the oral agreement to continue services and to approve the written contract for continuing services throughout the year.

### Attachments

- CN6-A1: Agreement Ratification - Norfield Development Partners, LLC - Continuation of Locator Logix Software for Electric and Water Lines





# QUOTE

Norfield  
 PO BOX 630  
 Clarence, NY 14031

DATE 09/13/2025  
 CUSTOMER ID Town of Apex  
 EXPIRATION DATE QUOTE #  
 02/04/2026

Town of Apex  
[Emily.woody@apexnc.org](mailto:Emily.woody@apexnc.org)  
 105-C Upchurch Street  
 Apex, NC 27502

SALESPERSON	PRODUCT	PAYMENT TERMS OPTIONS	DUE DATE
Jennifer Rodriguez	Norfield LOCATOR LOGiX	Annual Fee	2/4/2026
DESCRIPTION		UNIT PRICE	LINE TOTAL
	LOCATOR LOGiX		
Annual Fee:	Annual Fee (SaaS): Locator LOGiX Annual Subscription	\$ 7,393.68	\$7,393.68
<b>Total Quote Value:</b>			<b>\$7,393.68</b>

**TERMS AND CONDITIONS:**

- Prices quoted are in USD and exclude applicable tax.
- Any change requests or customization requested may require a new quote and/or additional fees.
- This quotation is for the services named above and are subject to the **Norfield Development Partners Software As a Service Terms & Conditions**. To view see Schedule A.
- Annual ticket transmissions totals will be assessed annually to determine if pricing tier is still accurate.
- Unless explicitly agreed upon in writing payment is due net 30 days upon completion of setup and configuration.
- You agree that estimated annual ticket count is accurate to the best of your knowledge.
- By signing this quote you agree to the **Norfield Development Partners Software As a Service Terms & Conditions**.

To accept this quotation, sign and return:  
 THANK YOU FOR YOUR BUSINESS!

## SCHEDULE A

### NORFIELD DEVELOPMENT PARTNERS SOFTWARE AS A SERVICE TERMS & CONDITIONS

March, 2025

YOU AGREE TO FOLLOW AND BE BOUND BY THE TERMS AND CONDITIONS OF THIS AGREEMENT. IF YOU ARE ENTERING INTO THIS AGREEMENT ON BEHALF OF A CORPORATION OR OTHER ORGANIZATION , YOU REPRESENT THAT YOU HAVE THE AUTHORITY TO BIND SUCH ORGANIZATION TO THE TERMS AND CONDITIONS OF THIS AGREEMENT.

#### **A. Agreement Definitions**

“You” and “your” refers to the individual or entity that has ordered software as a service from Norfield Development Partners (“LICENSOR”) by clicking “I agree” below. Software as a service consists of access to and use of LICENSOR’s proprietary LOGiX™ Platform (the “LICENSOR PLATFORM”).

The term “users” shall mean those individuals authorized by you or on your behalf to use the LICENSOR PLATFORM.

#### **B. Rights Granted**

Upon your acceptance of these terms by signing the attached quote, you have the nonexclusive, non-assignable, royalty free, limited right to access and use the LICENSOR PLATFORM solely for your internal business operations and subject to these terms and conditions. You may allow your users to use the LICENSOR PLATFORM only for this purpose and you are responsible for your users’ compliance with these terms and conditions.

You acknowledge that LICENSOR has no delivery obligation and will not ship copies of the LICENSOR PLATFORM to you. Upon the expiration of your access to the LICENSOR PLATFORM due to expiration of the license term, non-renewal of this license or failure to pay any fees due to LICENSOR for such access, all of your rights to access and use of the LICENSOR PLATFORM shall terminate and shall be of no further force or effect.

## **C. Ownership and Restrictions**

You retain all ownership and intellectual property rights in and to your data. LICENSOR retains all ownership and intellectual property rights in and to the LICENSOR PLATFORM.

You may not:

- remove or modify any program markings or any notice of LICENSOR's or its licensors' proprietary rights;
- provide your access credentials for the LICENSOR PLATFORM in any manner to any third party;
- modify, make derivative works of, disassemble, reverse compile, or reverse engineer any part of the LICENSOR PLATFORM (the foregoing prohibition includes but is not limited to review of data structures or similar materials produced by programs), or access or use the LICENSOR PLATFORM in order to build or support, and/or assist a third party in building or supporting, products or services competitive to LICENSOR;
- disclose results of any LICENSOR PLATFORM benchmark tests to any party without LICENSOR's prior written consent; or
- license, sell, rent, lease, transfer, assign, distribute, display, host, outsource, disclose, permit timesharing or service bureau, use, or otherwise commercially exploit or make the LICENSOR PLATFORM or materials available, to any third party other than, as expressly permitted under these terms and conditions.

The rights granted to you under thereunder are also conditioned on the following:

- except as expressly provided herein, no part of the LICENSOR PLATFORM may be copied, reproduced, distributed, republished, downloaded, displayed, posted or transmitted in any form or by any means, including but not limited to electronic, mechanical, photocopying, recording, or other means;
- LICENSOR will only support the most current version of the LICENSOR PLATFORM and you shall not use any version of the LICENSOR PLATFORM other than the most current version made available by LICENSOR; and

- you agree to make every reasonable effort to prevent unauthorized third parties from accessing the LICENSOR PLATFORM.

#### **D. Warranties, Disclaimers and Exclusive Remedies**

LICENSOR warrants that it will provide you with access to the LICENSOR PLATFORM [during normal business days and normal business hours]. If at any time you do not receive access to the LICENSOR PLATFORM, you must provide written notice to LICENSOR no later than five business days after such failure to receive access.

LICENSOR DOES NOT GUARANTEE THAT THE LICENSOR PLATFORM WILL BE ERROR-FREE OR UNINTERRUPTED, OR THAT LICENSOR WILL CORRECT ALL ERRORS. YOU ACKNOWLEDGE THAT LICENSOR DOES NOT CONTROL THE TRANSFER OF DATA OVER COMMUNICATIONS FACILITIES, INCLUDING THE INTERNET, AND THAT ACCESS TO THE LICENSOR PLATFORM MAY BE SUBJECT TO LIMITATIONS, DELAYS, AND OTHER PROBLEMS INHERENT IN THE USE OF SUCH COMMUNICATIONS FACILITIES. WITHOUT LIMITING ANY OTHER PROVISIONS OF THE AGREEMENTS, LICENSOR IS NOT RESPONSIBLE FOR ANY DELAYS, DELIVERY FAILURES, OR OTHER DAMAGE RESULTING FROM SUCH PROBLEMS. FOR ANY BREACH OF THE ABOVE WARRANTIES CAUSED SOLELY BY LICENSOR OR ITS SUPPLIERS OR SUBCONTRACTORS, LICENSOR WILL REMIT A SERVICES FEE CREDIT TO YOU CALCULATED AT THREE AND ONE-HALF PERCENT (3.5%) OF NET MONTHLY FEES FOR EACH DAY DURING THE MONTH IN WHICH THE BREACH OCCURRED. THE CREDIT WILL BE PROVIDED ONLY TOWARDS ANY OUTSTANDING BALANCE OWED TO LICENSOR, AND THE REMITTANCE OF SUCH CREDIT WILL REPRESENT YOUR EXCLUSIVE REMEDY, AND LICENSOR'S SOLE LIABILITY, FOR ALL BREACHES OF ANY WARRANTY SPECIFIED HEREIN. TO THE EXTENT NOT PROHIBITED BY LAW, THESE WARRANTIES ARE EXCLUSIVE AND THERE ARE NO OTHER EXPRESS OR IMPLIED WARRANTIES OR CONDITIONS INCLUDING FOR HARDWARE, SYSTEMS, NETWORKS OR ENVIRONMENTS OR FOR MERCHANTABILITY, SATISFACTORY QUALITY AND FITNESS FOR A PARTICULAR PURPOSE.

## **E. Indemnification**

If the Provider believes or it is determined that any of the Material may have violated a third party's intellectual property rights, the Provider may choose to either modify the Material to be non-infringing (while substantially preserving its utility or functionality) or obtain a license to allow for continued use, or if these alternatives are not commercially reasonable, the Provider may end the license for, and require return of, the applicable Material and refund any unused, prepaid fees the Recipient may have paid to the other party for such Material. If such return materially affects LICENSOR's ability to meet its obligations hereunder, then LICENSOR may, at its option and upon 30 days prior written notice, terminate these terms and conditions. The Provider will not indemnify the Recipient if the Recipient alters the Material or uses it outside the scope of use identified in the Provider's user documentation or services policies or if the Recipient uses a version of the Materials which has been superseded, if the infringement claim could have been avoided by using an unaltered current version of the Material which was provided to the Recipient. The Provider will not indemnify the Recipient to the extent that an infringement claim is based upon (i) any information, design, specification, instruction, software, data, or material not furnished by the Provider, or (ii) any Material from a third-party portal or other external source that is accessible to you within or from the service (e.g., a third-party Web page accessed via a hyperlink). LICENSOR will not indemnify you to the extent that an infringement claim is based upon the combination of any Material with any products or services not provided by LICENSOR. LICENSOR will not indemnify you for infringement caused by your actions against any third party if the services as delivered to you and used in accordance with the terms of this Agreement would not otherwise infringe any third-party intellectual property rights. LICENSOR will not indemnify you for any infringement claim that is based on: (1) a patent that you were made aware of prior to the effective date of this Agreement (pursuant to a claim, demand, or notice); or (2) your actions prior to the effective date of this Agreement. This Section provides the parties' exclusive remedy for any infringement claims for damages.

## **F. Support Services**

LICENSOR will provide you with telephone support services through its call center in accordance with LICENSOR's standard customer support practices.

## **G. End of Agreement**

The initial term of this Agreement may be renewed in a writing signed by the Parties for additional one (1) year periods.

The term of the Agreement and any renewal years are collectively defined as the “Service Term.” At the end of the Service Term, all rights to access or use the LICENSOR PLATFORM, shall end. If either of us materially breaches these terms and conditions and fails to correct the breach within 30 days of written notice explaining in sufficient detail the basis of the breach, then the breaching party shall be in default and the non-breaching party may terminate This Agreement upon written notice to the breaching party. If LICENSOR terminates this Agreement as specified in the preceding sentence, you must pay within 30 days all undisputed fees which have accrued prior to such termination, as well as all sums remaining unpaid for access to the LICENSOR PLATFORM plus related taxes, to the extent applicable, and all expenses. If LICENSOR terminates access to the LICENSOR PLATFORM under the Indemnification section, you must pay within 30 days all amounts remaining unpaid set forth herein or for access to the LICENSOR PLATFORM plus related taxes and expenses. The non-breaching party may agree in its sole discretion to extend such 30-day cure period for so long as the breaching party continues reasonable efforts to cure the breach. You agree that if you are in default under this Agreement, you may not access the LICENSOR PLATFORM. In addition, LICENSOR may immediately suspend your password, account, and access to or use of the LICENSOR PLATFORM (i) if you fail to pay LICENSOR as required under this hereunder and do not make payment within ten days of the date due, or (ii) if you violate any provision within Sections C, or D or L hereof. LICENSOR may terminate access to the LICENSOR PLATFORM hereunder if any of the foregoing is not cured within 30 days after LICENSOR’s initial notice thereof. Any suspension by LICENSOR of access to the LICENSOR PLATFORM under this paragraph shall not excuse you from your obligation to make payment(s) under these terms and conditions.

You agree and acknowledge that LICENSOR has no obligation to retain your data. Provisions that survive termination or expiration of the Agreement are those relating to limitation of liability, infringement indemnity, payment, and others which by their nature are intended to survive or are otherwise expressly stated to survive.

## **H. Fees and Taxes**

You shall pay for access to the LICENSOR PLATFORM as set forth herein. All fees due hereunder are non- cancelable and the sums paid nonrefundable. Any amounts not paid by you when due shall, to the extent permitted by applicable law, bear interest at the rate of one-and-one-half percent (1.5%) (or the highest legal rate if lower) per month. You agree to pay any sales, value-added or other taxes that may be imposed by applicable law , except for taxes based on LICENSOR's income.

## **I. Nondisclosure**

By virtue of this Agreement, the parties may have access to information, documentation, materials and data, which may be disclosed or made available from any source or in any form, including, without limitation, paper record, oral communication, audio recording, electronic media, electronic display or electronic transmission, relating to their respective business, financial information, employees, programs, documentation, techniques, trade secrets, systems and know-how that is confidential or proprietary to one another ("Confidential Information"). We each agree to access and disclose only information that is required for the performance of obligations under this Agreement. A party's confidential information shall not include information that: (a) is or becomes a part of the public domain through no act or omission of the other party; (b) was in the other party's lawful possession prior to the disclosure and had not been obtained by the other party either directly or indirectly from the disclosing party; (c) is lawfully disclosed to the other party by a third party without restriction on the disclosure; (d) is independently developed by the other party; or (e) is a public record as defined by Chapter 132 of the North Carolina General Statutes. This Section L shall remain in full force and effect after the expiration or termination of this Agreement.

## **J. Entire Agreement**

If any term of the terms and conditions set forth herein are found to be invalid or unenforceable, the remaining provisions will remain effective and such term shall be replaced with a term consistent with the purpose and intent of the Agreement. It is expressly agreed that the terms and conditions of the Agreement shall supersede the terms in any purchase order or other document provided by you and no terms included in any such purchase order or other document provided by you shall apply to the access provided to the LICENSOR PLATFORM.

The rights and restrictions set forth herein may not be waived except in a writing signed or accepted by authorized representatives of you and of LICENSOR.

#### **K. Limitation of Liability**

NEITHER PARTY SHALL BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL, PUNITIVE, OR CONSEQUENTIAL DAMAGES, OR ANY LOSS OF REVENUE OR PROFITS (EXCLUDING FEES TO BE PAID UNDER THIS AGREEMENT), DATA, OR DATA USE. LICENSOR'S MAXIMUM LIABILITY FOR ANY DAMAGES ARISING OUT OF OR RELATED TO THIS AGREEMENT, WHETHER IN CONTRACT OR TORT (EXCLUDING STRICT LIABILITY AND NEGLIGENCE), OR OTHERWISE, SHALL IN NO EVENT EXCEED, IN THE AGGREGATE, THE TOTAL AMOUNTS ACTUALLY PAID TO LICENSOR FOR THE SERVICES UNDER THE SALES ORDER THAT IS THE SUBJECT OF THE CLAIM AND THE AMOUNT PAID TO LICENSOR IN THE TWELVE (12) MONTH PERIOD IMMEDIATELY PRECEDING THE EVENT GIVING RISE TO SUCH CLAIM. ANY DAMAGE IN YOUR FAVOR AGAINST LICENSOR SHALL BE REDUCED BY ANY REFUND OR CREDIT RECEIVED BY YOU UNDER THIS AGREEMENT AND ANY SUCH REFUND AND CREDIT SHALL APPLY TOWARDS THE LIMITATION OF LIABILITY. IN NO EVENT SHALL LICENSOR OR AN 811 CALL CENTER HAVE ANY LIABILITY WHATSOEVER WITH RESPECT TO DAMAGES, LOSSES, EXPENSES OR COSTS OF ANY NATURE CAUSED BY ANY ACTS OR OMISSIONS OF ANY PARTY INCLUDING, BUT NOT LIMITED TO, THIRD PARTIES, WITH RESPECT TO A TICKET PROCESSED THROUGH THE LICENSOR PLATFORM AND AN 811 CALL CENTER.

#### **L. Other**

- This Agreement is governed by the substantive and procedural laws of the State in which the customer is based, and you and LICENSOR agree to submit to the exclusive jurisdiction of, and venue in, the appropriate state or federal court in Wake County, NC, in any dispute arising out of or relating to this Agreement.
- If you have a dispute with LICENSOR or if you wish to provide a notice under E. Indemnification, or if you become subject to insolvency or other similar legal proceedings, you will within 15 business days send written

notice to: Norfield Development Partners, P.O. Box 630 Clarence, NY 14031. LICENSOR may give notice applicable to LICENSOR's software as a service customer by means of a general notice on the LICENSOR portal for the Services, and notices specific to you by electronic mail to your e-mail address on record in LICENSOR's account information or by written communication sent by first class mail or pre-paid post.

- You may not assign, sublet, subcontract this Agreement or transfer, sublet or subcontract the Services or an interest in them to any third party by operation of law for otherwise without the prior written consent of LICENSOR,

### **M. Force Majeure**

Neither of us shall be responsible for failure or delay of performance if caused by: an act of war, hostility, or sabotage; act of God; electrical, internet, or telecommunication outage or other equipment failure that is not caused by the obligated party; government restrictions (including the denial or cancellation of any export or other license); or any other event, provided that each of the foregoing is outside the reasonable control of the obligated party. The party whose performance is affected by the force majeure event will use commercially reasonable efforts to mitigate the effect of a force majeure event. If such event continues for more than 30 days, either of us may cancel unperformed services upon written notice to the other. This section does not excuse either party's obligation to take reasonable steps to follow its normal disaster recovery procedures or your obligation to pay for the services.

### **N. Third Party Web Sites, Content, Products and Services**

The LICENSOR PLATFORM may enable you to add links to Web sites and access to content, products, and services of third parties, including users, advertisers, affiliates and sponsors of such third parties. LICENSOR is not responsible for any third-party Web sites or third-party content provided on or through the LICENSOR PLATFORM and you bear all risks associated with the access and use of such Web sites and third-party content, products and services.

**O. E-Verify.** LICENSOR shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify). LICENSOR shall require all of LICENSOR's subcontractors to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify).

**P. Anti-Human Trafficking.** LICENSOR warrants and agrees that no labor supplied by LICENSOR or LICENSOR's subcontractors in the performance of this Agreement shall be obtained by means of deception, coercion, intimidation or force, or otherwise in violation of North Carolina law, specifically Article 10A, Subchapter 3 of Chapter 14 of the North Carolina General Statutes, Human Trafficking.

**Q. Nondiscrimination.** Pursuant to Section 3-2 of the Town of Apex Code of Ordinances, LICENSOR hereby warrants and agrees that LICENSOR will not discriminate against a protected class in employment, subcontracting practices, or the solicitation or hiring of vendors, suppliers, or commercial customers in connection with this Agreement. For the purposes of this Agreement “protected class” includes age, race, religious belief or non-belief, ethnicity, color, national origin, creed, sex, sexual orientation, gender identity, marital status, natural hair style, genetic information, pregnancy, familial status, disability, veteran or military status, or disabled veteran status.

**R. Nonappropriation.** Notwithstanding any other provisions of this Agreement, the parties agree that payments due hereunder from You are from appropriations and monies from the Town of Apex Town Council and any other governmental entities. In the event sufficient appropriations or monies are not made available to You to pay the terms of this Agreement for any fiscal year, this Agreement shall terminate immediately without further obligation of You.

**Town of Apex**

X \_\_\_\_\_

Randal E. Vosburg, Town Manager  
Email: [empty member email]  
Timestamp: [empty signing timestamp]

*This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.* \_\_\_\_\_

X \_\_\_\_\_

[empty member name] , Finance Director  
Email: jon.griffin@apexnc.org  
Timestamp: [empty signing timestamp]

**Norfield Development Partners, LLC**

X \_\_\_\_\_

[empty member name] , Business Operation Manager  
Email: tiffany@ndpcci.com  
Timestamp: [empty signing timestamp]

\_\_\_\_\_  
DATE

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Timothy Herman, Fire Chief

Department(s): Fire

### Requested Motion

Motion to ratify an oral agreement between the Town of Apex and Warrior Physical Therapy and Performance, for six (6) physical therapy and injury prevention workshops provided to fire personnel as well as two (2) instructional videos created for the Department's exercise video library.

### Approval Recommended?

Yes

### Item Details

A purchase order for services provided by Warrior Physical Therapy and Performance was created in December 2025, however, it was not realized at that time that a contract also needed to be created and executed. When learned of the necessity of the contract on January 21, 2026, the services had already been provided.

In January of 2026, two exercise videos were created for fire personnel at a cost of \$175/each and 6 physical therapy and injury prevention workshops were provided for the various shifts at a rate of \$350/each for a total of \$2,450 owed to Warrior Physical Therapy and Performance LLC.

A contract with Warrior Physical Therapy has now been created and executed for services to be performed for the remainder of this fiscal year.

### Attachments

- CN7-A1: Standard Services Agreement - Warrior Physical Therapy and Performance - Injury Prevention Workshops
- CN7-A2: Invoice 1005- Warrior Physical Therapy and Performance - Injury Prevention Workshops
- CN7-A3: Purchase Order - Warrior Physical Therapy and Performance - Injury Prevention Workshops
- CN7-A4: Invoice 1004 - Warrior Physical Therapy and Performance - Injury Prevention Workshops



THIS STANDARD SERVICES AGREEMENT (hereinafter “Agreement”) is entered into this February 16th, 2026 between, Warrior Physical Therapy and Performance, a North Carolina limited liability company with its principal business offices located at 2161 E. Williams St., Suite 101, Apex, NC 27539 (the “Contractor”), and the Town of Apex, a municipal corporation of the State of North Carolina, (the “Town”). Town and Contractor may collectively be referred to as “Parties” hereinafter.

**WITNESSETH:**

The Town and the Contractor, for the consideration stated herein, agree as follows:

**1. SCOPE OF SERVICES.**

The Contractor agrees to perform for the Town the following services:

Conduct 12, 2-hour physical therapy and injury prevention workshops for Fire personnel at a predesignated Town of Apex facility. Each 2-hour workshop will be billed at \$350.00. Contractor will also film and provided to the Town, 4 instructional videos for the sum of \$700.00.

In the event of a conflict between the terms of the attached Scope of Services and this Agreement, this Agreement shall control.

**2. SPECIFICATIONS.**

Contractor shall provide services in accordance with all governing agency regulations and shall be held to the same standard and shall exercise the same degree of care, skill and judgment in the performance of services for Town as is ordinarily provided by a similar professional under the same or similar circumstances at the time in North Carolina. Upon request by the Town, Contractor will provide plans and specifications prior to engaging in any services under this Agreement. Contractor hereby acknowledges that it is fully licensed to perform the work contemplated by this Agreement. In the event of a conflict between any provided plans and specifications and this Agreement, this Agreement shall control.

**3. TIME OF COMMENCEMENT AND COMPLETION.**

Contractor shall commence the work required in this Agreement no more than **1** days after the date of execution of this Agreement, and the Contractor shall complete entire work no later than **June 30th, 2026** . If a Scope of Services is provided Contractor shall also comply with all timelines and deadlines documented in the Scope of Services. If Contractor has not satisfactorily commenced or completed the work within the times specified, the Town may declare such delay a material breach of contract and may pursue all available legal and equitable remedies. Any changes to the schedule(s) provided in the Agreement must be agreed to in writing by the Town and the Contractor.

**4. CONSIDERATION AND PAYMENT OF SERVICES.**

In consideration of the above services, the Town will pay the Contractor **the total sum of \$4,900.00** to be paid according to the following schedule: **30 days** from receipt of invoice. Town has the right to require the Contractor to produce for inspection all of Contractor's records and charges to verify the accuracy of all invoices. Town shall pay Contractor's invoices at times set forth above unless a bona fide dispute exists between Town and Contractor concerning the accuracy of said invoice or the services covered thereby.

**5. INDEMNIFICATION.**

To the extent permitted by law, the Contractor agrees to defend, pay on behalf of, indemnify, and hold-harmless the Town of Apex, its elected and appointed officials, employees, agents, and volunteers against any and all claims, demands, suits or losses, including all costs connected therewith, for any damages which may be asserted, claimed or recovered against or from the Town of Apex, its elected or appointed officials, employees, agents, and volunteers by reason of personal injury, including bodily injury or death and/or property damage, including loss of use thereof resulting from the negligence of the Contractor.

**6. APPLICABILITY OF LAWS AND REGULATIONS.**

The Contractor shall adhere to all laws, ordinances, and regulations of the United States, the State of North Carolina, the County of Wake, and the Town of Apex in the performance of the services outlined in this Agreement and any attached specifications.

This Agreement shall be governed by the laws of the State of North Carolina. Any and all suits or actions to enforce, interpret or seek damages with respect to any provision of, or the performance or nonperformance of, this Agreement shall be brought in the General Court of Justice of North Carolina sitting in Wake County, North Carolina, or the United States District Court sitting in Wake County, North Carolina, and it is agreed by the Parties that no other court shall have jurisdiction or venue with respect to such suits or actions.

**7. E-VERIFY COMPLIANCE.**

The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify). Contractor shall require all of the Contractor's subcontractors to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes (E-Verify).

**8. ANTI-HUMAN TRAFFICKING.**

The Contractor warrants and agrees that no labor supplied by the Contractor or the Contractor's subcontractors in the performance of this Agreement shall be obtained by means of deception, coercion, intimidation or force, or otherwise in violation of North Carolina law, specifically Article 10A, Subchapter 3 of Chapter 14 of the North Carolina General Statutes, Human Trafficking.

**9. QUALITY AND WORKMANSHIP.**

All work shall be performed to the satisfaction of the Town. The work shall not be considered complete nor

applicable payments rendered until the Town is satisfied with the services provided.

**10. INSURANCE.**

The Contractor shall maintain valid general liability insurance in the minimum amount of \$1,000,000, commercial automobile liability insurance in the minimum amount of \$0, and provide certificates of such insurance naming the Town of Apex as an additional insured by endorsement to the policies. If the policy has a blanket additional insured provision, the contractor's insurance shall be primary and non-contributory to other insurance. Additionally, the contractor shall maintain and show proof of workers' compensation insurance within the statutory limits, and employer's liability insurance in the minimum amount of \$1,000,000. The Contractor shall provide notice of cancellation, non-renewal or material change in coverage to the Town of Apex within 10 days of their receipt of notice from the insurance company. All required certificates of insurance, endorsements, and blanket additional insured policy provisions are attached and considered part of this document. Notwithstanding the foregoing, neither the requirement of Contractor to have sufficient insurance nor the requirement that Town is named as an additional insured, shall constitute waiver of the Town's governmental immunity in any respect, under North Carolina law.

**11. PRE-PROJECT SAFETY REVIEW MEETING.**

When specified by the Safety and Risk Manager, the Contractor shall attend a pre-project safety review meeting with the contacting Department Head and Supervisors and Safety and Risk Manager prior to the start of work.

**12. DEFAULT.**

In the event of substantial failure by Contractor to perform in accordance with the terms of this Agreement, Town shall have the right to terminate Contractor upon seven (7) days written notice in which event Contractor shall have neither the obligation nor the right to perform further services under this Agreement.

**13. TERMINATION FOR CONVENIENCE.**

Town shall have the right to terminate this Agreement for the Town's convenience upon thirty (30) days written notice to Contractor. Contractor shall terminate performance of services on a schedule acceptable to the Town. In the event of termination for convenience, the Town shall pay Contractor for all services satisfactorily performed.

**14. NOTICE.**

Any formal notice, demand, or request required by or made in connection with this Agreement shall be deemed properly made if delivered in writing or deposited in the United States mail, postage prepaid, to the address specified below.

TO CONTRACTOR:  
Jackson Davis  
2161 E. Williams St, Suite 101  
Apex, NC, 27539  
jackson@warriorptandperformance.com

TO TOWN: Town of Apex  
Attn: Jeff Wommack  
Department: Fire  
PO Box 250  
Apex, NC 27502  
jeff.wommack@apexnc.org  
Invoices: Apex.Invoices@apexnc.org

**15. DELAY BEYOND THE CONTROL OF THE PARTIES.**

Neither Contractor nor Town, having taken commercially reasonable precautions, shall be in default of the provisions of this Agreement for delays in performance due to forces beyond the control of the parties. "Forces beyond the control of the parties" shall mean, but is not limited to, delay caused by natural disaster, fire, flood, earthquakes, storms, lightning, epidemic, pandemic, war, riot, civil disobedience, or other event reasonably outside of the parties' control. Due to the ever-changing circumstances surrounding the COVID-19 pandemic, situations may arise during the performance of this Agreement that affect availability of resources and staff of Contractor or the Town. There could be changes in anticipated performance times and service costs. Contractor will exercise reasonable efforts to overcome the challenges presented by current circumstances. In the event of changes in performance times or service costs caused by the COVID-19 pandemic the Town reserves the right to terminate this Agreement in accordance with its terms. The Parties agree that they shall not be liable to each other for any delays, expenses, losses, or damages of any kind arising out of the impact of the COVID-19 pandemic.

**16. NONWAIVER FOR BREACH.**

No breach or non-performance of any term of this Agreement shall be deemed to be waived by either party unless said breach or non-performance is waived in writing and signed by the parties. No waiver of any breach or non-performance under this Agreement shall be deemed to constitute a waiver of any subsequent breach or non-performance and for any such breach or non-performance each party shall be relegated to such remedies as provided by law.

**17. CONSTRUCTION.**

Should any portion of this Agreement require judicial interpretation, it is agreed that the Court or Tribunal construing the same shall not apply a presumption that the terms hereof shall be more strictly construed against any one party by reason of the rule of construction that a document is to be more strictly construed against the party who prepared the documents.

**18. NO REPRESENTATIONS.**

The parties hereby warrant that no representations about the nature or extent of any claims, demands, damages, or rights that they have, or may have against one another have been made to them, or to anyone

acting on their behalf, to induce them to execute this Agreement, and they rely on no such representations; that they have fully read and understood this Agreement before signing their names; and that they act voluntarily and with full advice of counsel.

**19. SEVERABILITY.**

In the event for any reason that any provision or portion of this Agreement shall be found to be void or invalid, then such provision or portion shall be deemed to be severable from the remaining provisions or portions of this Agreement, and it shall not affect the validity of the remaining portions, which portions shall be given full effect as if the void or invalid provision or portion had not been included herein.

**20. COUNTERPARTS.**

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one instrument.

**21. MODIFICATION.**

This Agreement contains the full understanding of the parties. Any modifications or addendums to this Agreement must be in writing and executed with the same formality as this Agreement.

**22. BINDING EFFECT.**

The terms of this Agreement shall be binding upon the parties' heirs, successors, and assigns.

**23. ASSIGNMENT.**

Contractor shall not assign, sublet, or transfer any rights under or interest in (including, but without limitation, monies that may become due or monies that are due) this Agreement without the written consent of the Town. Nothing contained in this paragraph shall prevent Contractor from employing such independent consultants, associates, and sub-contractors as it may deem appropriate to assist Contractor in the performance of services rendered.

**24. INDEPENDENT CONTRACTOR.**

Contractor is an independent contractor and shall undertake performance of the services pursuant to the terms of this Agreement as an independent contractor. Contractor shall be wholly responsible for the methods, means and techniques of performance.

**25. NON-APPROPRIATION.**

Notwithstanding any other provisions of this Agreement, the parties agree that payments due hereunder from the Town are from appropriations and monies from the Town Council and any other governmental entities. In the event sufficient appropriations or monies are not made available to the Town to pay the terms of this Agreement for any fiscal year, this Agreement shall terminate immediately without further obligation of the Town.

**26. IRAN DIVESTMENT ACT CERTIFICATION.**

N.C.G.S. 147-86.60 prohibits the State of North Carolina, a North Carolina local government, or any other political subdivision of the State of North Carolina from contracting with any entity that is listed on the Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. N.C.G.S. 147-86.59 further requires that contractors with the State, a North Carolina local government, or any other political subdivision of the State of North Carolina must not utilize any subcontractor found on the State Treasurer’s Final Divestment List. As of the date of execution of this Agreement the Contractor hereby certifies that the Contractor is not listed on the Final Divestment List created by the North Carolina State Treasurer and that the Contractor will not utilize any subcontractors found on the Final Divestment List.

**27. NONDISCRIMINATION.**

Pursuant to Section 3-2 of the Town of Apex Code of Ordinances, Contractor hereby warrants and agrees that Contractor will not discriminate against a protected class in employment, subcontracting practices, or the solicitation or hiring of vendors, suppliers, or commercial customers in connection with this Agreement. For the purposes of this Agreement “protected class” includes age, race, religious belief or non-belief, ethnicity, color, national origin, creed, sex, sexual orientation, gender identity, marital status, natural hair style, genetic information, pregnancy, familial status, disability, veteran or military status, or disabled veteran status.

**28. ELECTRONIC SIGNATURE.**

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this Agreement and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The Parties hereby consent to use electronic or digitized signatures in accordance with the Town’s Electronic Signature Policy and intend to be bound by the Agreement and any related documents. If electronic signatures are used the Agreement shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

In witness thereof, the contracting parties, by their authorized agents, affix their signatures and seals this February 16th, 2026.

**Warrior Physical Therapy and Performance**

X 

Jackson Davis  
Email: jackson@warriorptandperformance.com  
Timestamp: Friday, February 13th, 2026 6:30 PM UTC

**Town of Apex**

X 

Demetria.john@apexnc.org , Assistant Town Manager  
Email: demetria.john@apexnc.org  
Timestamp: Monday, February 16th, 2026 7:28 PM UTC

***This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.***

X 

Jonathan Griffin , Finance Director  
Email: jon.griffin@apexnc.org  
Timestamp: Monday, February 16th, 2026 1:35 PM UTC

### Warrior PT 2026-0920: Injury Prevention Instruction

Document ID  
6970f816b064a547335660eb

Filename

*Demetria John*



*Jonathan Griffin*

What	When	Where
 Signed by Demetria.john@apexnc.org demetria.john@apexnc.org	16 Feb 2026 19:28 UTC	IP 96.10.1.162 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/145.0.0.0 Safari/537.36
 Viewed by Demetria.john@apexnc.org demetria.john@apexnc.org	16 Feb 2026 19:21 UTC	IP 96.10.1.162 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/145.0.0.0 Safari/537.36
 Sent for signing by Madeline Cavanagh madeline.cavanagh@apexnc.org	16 Feb 2026 13:35 UTC	IP 96.10.1.162 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/144.0.0.0 Safari/537.36 Edg/144.0.0.0

What	When	Where
 Signed by Jonathan Griffin jon.griffin@apexnc.org	16 Feb 2026 13:35 UTC	IP 96.10.1.162 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/144.0.0.0 Safari/537.36 Edg/144.0.0.0
 Sent for signing by Madeline Cavanagh madeline.cavanagh@apexnc.org	13 Feb 2026 18:30 UTC	IP 174.216.5.124 Mozilla/5.0 (iPhone; CPU iPhone OS 18_7 like Mac OS X) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/26.2 Mobile/15E148 Safari/604.1
 Signed by Jackson Davis jackson@warriorptandperformance.com	13 Feb 2026 18:30 UTC	IP 174.216.5.124 Mozilla/5.0 (iPhone; CPU iPhone OS 18_7 like Mac OS X) AppleWebKit/605.1.15 (KHTML, like Gecko) Version/26.2 Mobile/15E148 Safari/604.1
 Sent for signing by Nicole Garcia nicole.garcia@apexnc.org	13 Feb 2026 16:24 UTC	IP 96.10.1.162 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/145.0.0.0 Safari/537.36
 Commented by Nicole Garcia nicole.garcia@apexnc.org	13 Feb 2026 16:23 UTC	IP 96.10.1.162 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/145.0.0.0 Safari/537.36
 Commented by Nicole Garcia nicole.garcia@apexnc.org	13 Feb 2026 16:21 UTC	IP 96.10.1.162 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/145.0.0.0 Safari/537.36
 Commented by Amber Bobbitt amber.bobbitt@apexnc.org	9 Feb 2026 15:02 UTC	IP 96.10.1.162 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/144.0.0.0 Safari/537.36
 Commented by Nicole Garcia nicole.garcia@apexnc.org	9 Feb 2026 14:29 UTC	IP 96.10.1.162 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/144.0.0.0 Safari/537.36

What	When	Where
 Viewed by Jonathan Griffin jon.griffin@apexnc.org	4 Feb 2026 00:34 UTC	IP 71.158.92.40 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/144.0.0.0 Safari/537.36 Edg/144.0.0.0
 Commented by Nicole Garcia nicole.garcia@apexnc.org	29 Jan 2026 15:08 UTC	IP 96.10.1.162 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/144.0.0.0 Safari/537.36
 Commented by Nicole Garcia nicole.garcia@apexnc.org	22 Jan 2026 19:14 UTC	IP 96.10.1.162 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/144.0.0.0 Safari/537.36
 Commented by Madeline Cavanagh madeline.cavanagh@apexnc.org	21 Jan 2026 19:37 UTC	IP 74.218.164.146 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/144.0.0.0 Safari/537.36
 Commented by Nicole Garcia nicole.garcia@apexnc.org	21 Jan 2026 19:20 UTC	IP 96.10.1.162 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/144.0.0.0 Safari/537.36
 Created by Madeline Cavanagh madeline.cavanagh@apexnc.org	21 Jan 2026 16:00 UTC	IP 74.218.164.146 Mozilla/5.0 (Windows NT 10.0; Win64; x64) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/144.0.0.0 Safari/537.36

# Warrior Physical Therapy and Performance LLC

2161 E Williams St  
Ste 101  
Apex, NC 27539-7820 USA  
jackson@warriorptandperformance.com

## INVOICE

BILL TO  
Town of Apex Fire Department  
PO Box 250  
Apex, NC 27502 USA

INVOICE 1005  
DATE 01/28/2026  
TERMS Net 30  
DUE DATE 02/27/2026

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Town of Apex Fire Department Video Library Filming	Filming for Fire Department's exercise video library.	2	175.00	350.00

BALANCE DUE

**\$350.00**

Pay invoice



Purchasing Company  
1 - Apex Purchasing Company

# Purchase Order

<b>Number</b>	<b>Revision Number</b>
20260758	0
<b>Status</b>	<b>Currency</b>
Draft	USD
<b>Purchase Date</b>	
December 15, 2025	

<b>Ship To</b>	<b>Bill To</b>
FIRE ADMINISTRATION - FIRE ADMINISTRATION  315 W WILLIAMS ST APEX NC 27502	Town of Apex  PO Box 250 Apex NC 27502  Please send invoices to: apex.invoices@apexnc.org
<b>Contact</b>	
MAYNARD, STEVEN E. 1-9192493375-	

<b>Vendor</b>	<b>Shipping Method</b>
1954 - WARRIOR PHYSICAL THERAPY AND PERFORMANCE  2161 E WILLIAMS ST UNIT 101 APEX NC 27539	
<b>Contact</b>	<b>Ship Terms</b>
JACKSON DAVIS 9497057395	
<b>Account Number</b>	<b>Freight Terms</b>
	Pre Pay - Add

<b>Add On Charge</b>

<b>Comments</b>
-

<b>Process Level</b>	<b>Terms</b>	<b>Discount Days</b>	<b>Discount Percent</b>	<b>First Net Days</b>
1 - Town of Apex	N30			30

Lines							
Line	Item	Vendor Item	Deliver Date	Quantity	UOM	Unit Cost	Extended Amount
1	PHYSICAL THERAPY SERVICES - Physical Therapy Services to AFD, Warrior Physical Therapy	PHYSICAL THERAPY SERVICES	May 29, 2026	1.0000	EA	7,900.0000	7,900.000
<b>Tax</b>							0.00

<b>Add On Charge Summary</b>	
<b>Add On Charge Total</b>	<b>0.00</b>
<b>Tax Summary</b>	
Purchase Order Vendor Invoiced Tax Total	0.00
<b>Purchase Order Tax Total</b>	<b>0.00</b>

<b>Goods Total</b>	<b>7,900.00</b>
<b>Order Total</b>	<b>7,900.00</b>

Jonathan M. Muff  
Finance Director

Steve Maynard  
Purchasing Manager

Trailer Comments
-

THIS INSTRUMENT HAS BEEN PREAUDITED IN THE MANNER REQUIRED BY THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT.

*Entire agreement:* Provided that there is no written agreement between the town and the seller, signed by both parties and applying to this transaction, this order is intended by the parties as a final expression of their agreement and except as otherwise provided by law, as the exclusive statement of the terms of the parties' agreement related to this transaction. Notwithstanding the previous sentence, neither party has waived the right to pursue or avail themselves of any remedy provided in law or equity related to this transaction.

# Warrior Physical Therapy and Performance LLC

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jackson@warriorptandperformance.com

## INVOICE

BILL TO  
Town of Apex Fire Department  
PO Box 250  
Apex, NC 27502 USA

INVOICE 1004  
DATE 01/21/2026  
TERMS Net 30  
DUE DATE 02/20/2026

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Town of Apex Fire Department Injury Prevention Workshop	2 Hour Workshop	6	350.00	2,100.00

BALANCE DUE

**\$2,100.00**

Pay invoice

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

### Requested Motion

Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the Date of a Public Hearing for March 24, 2026, on the Question of Annexation - Apex Town Council's intent to annex 83.53 acres, located at 3204 Old US 1 Highway (PIN 0720-15-8891), 3216 Old US 1 Highway (PIN 0720-14-4298), and 3312 Old US 1 Highway (PIN 0720-04-6146), and Associated Right-of-Way (ROW), Annexation No. 805, into the Town Corporate limits.

### Approval Recommended?

Yes

### Item Details

The Town Clerk certifies to the investigation of said annexation.

Adoption of the Resolution authorizes the Town Clerk to advertise said public hearing by electronic means and on the Town of Apex's website.

This annexation petition is associated with a rezoning application (Case No. 25CZ10 - Welch Homestead PUD). The rezoning application seeks to rezone the three parcels from R-40W to Planned Unit Development - Conditional Zoning (PUD-CZ).

### Attachments

- CN8-A1: Resolution Directing the Town Clerk to Investigate Petition
  - Certificate of Sufficiency by the Town Clerk
  - Resolution Setting Date of Public Hearing
- CN8-A2: Legal Description - Annexation No. 805 - Old US Highway 1 - 83.53 acres
- CN8-A3: Aerial Map - Annexation No. 805 - Old US Highway 1 - 83.53 acres
- CN8-A4: Plat Map - Annexation No. 805 - Old US Highway 1 - 83.53 acres
- CN8-A5: Annexation Petition - Annexation No. 805 - Old US Highway 1 - 83.53 acres





RESOLUTION DIRECTING THE TOWN CLERK  
TO INVESTIGATE PETITION RECEIVED UNDER G.S. § 160A-31

Annexation Petition No. 805  
3204 Old US 1 Highway | 3216 Old US 1 Highway | 3312 Old US 1 Highway  
83.53 acres

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

WHEREAS, the Town Council of the Town of Apex deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, that the Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify to the Town Council the result of his investigation.

This the 10th day of March, 2026.

---

Jacques K. Gilbert  
Mayor

ATTEST:

---

Allen L. Coleman, CMC  
Town Clerk



CERTIFICATE OF SUFFICIENCY BY THE TOWN CLERK

Annexation Petition No. 805  
3204 Old US 1 Highway | 3216 Old US 1 Highway | 3312 Old US 1 Highway  
83.53 acres

**To: The Town Council of the Town of Apex, North Carolina**

I, Allen L. Coleman, Town Clerk, do hereby certify that I have investigated the annexation petition attached hereto, and have found, as a fact, that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. § 160A-31, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Apex, North Carolina this 10th day of March, 2026.

---

Allen L. Coleman, CMC  
Town Clerk

(Seal)



RESOLUTION SETTING DATE OF PUBLIC HEARING  
ON THE QUESTION OF ANNEXATION PURSUANT TO G.S. § 160A-31 AS AMENDED

Annexation Petition No. 805  
3204 Old US 1 Highway | 3216 Old US 1 Highway | 3312 Old US 1 Highway  
83.53 acres

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council of Apex, North Carolina has by Resolution directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, Certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Apex Town Hall at 6 o'clock p.m. on the 24th day of March, 2026.

Section 2. The area proposed for annexation is described as attached.

Section 3. Notice of said public hearing shall be published on the Town of Apex Website, [www.apexnc.org](http://www.apexnc.org), Public Notice, at least ten (10) days prior to the date of said public hearing.

This the 10th day of March, 2026.

---

Jacques K. Gilbert  
Mayor

ATTEST:

---

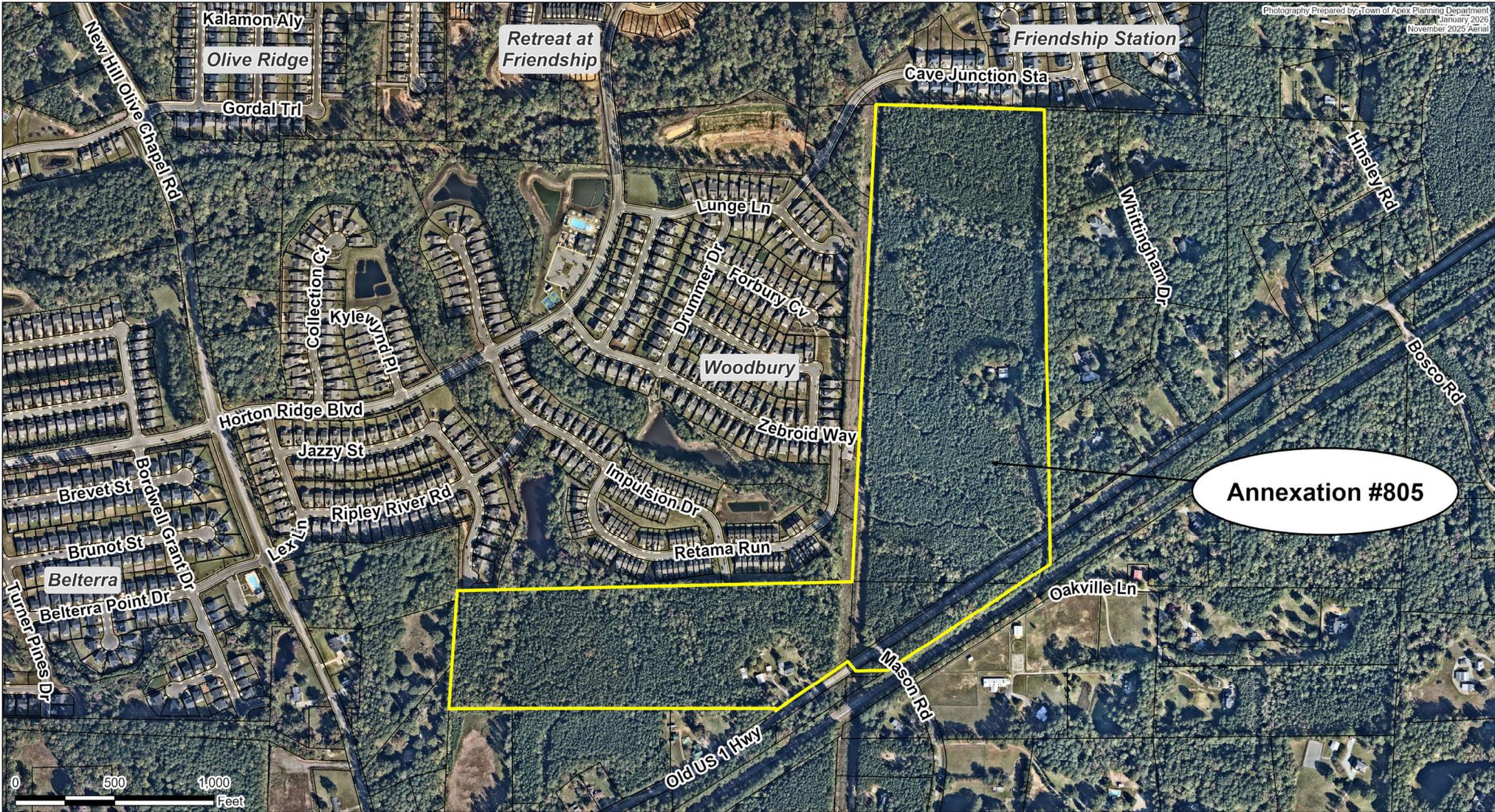
Allen L. Coleman, CMC  
Town Clerk

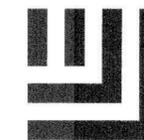
Attachment: Legal Description

BARBOUR ANNEXATION - LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE NORTHERN RIGHT OF WAY OF OLD US HIGHWAY 1, SAID POINT HAVING NC GRID NAD 83(2011) COORDINATES N:703,786.17, E:2,020,960.81, THE POINT OF BEGINNING; THENCE WITH THE LINE OF BOREK NORTH 06°37'47" EAST A DISTANCE OF 2.29 FEET TO AN IRON PIPE; THENCE WITH THE LINES OF BOREK AND RAYMER NORTH 89°20'27" WEST A DISTANCE OF 1318.92 FEET TO AN IRON PIPE THE COMMON CORNER OF THE 5.475 ACRE TRACT SHOWN ON BOOK OF MAPS 1988, PAGE 1364 OF THE WAKE COUNTY REGISTRY; THENCE WITH SAID COMMON LINE NORTH 89°45'43" WEST A DISTANCE OF 320.48 FEET TO AN IRON PIPE THE COMMON CORNER OF LOT 1 AS SHOWN ON BOOK OF MAPS 1984, PAGE 716; THENCE WITH SAID COMMON LINE NORTH 04°32'22" EAST A DISTANCE OF 551.25 FEET TO AN IRON PIPE THE SOUTHEAST CORNER OF LOT 3 AS SHOWN ON THE AFORE SAID BOOK OF MAPS; THENCE WITH SAID COMMON LINE NORTH 04°29'51" EAST A DISTANCE OF 44.78 FEET TO AN IRON PIPE THE SOUTHWEST CORNER OF OS 6, AS SHOWN ON BOOK OF MAPS 2018, PAGE 326; THENCE WITH SAID LOT AND THE SOUTHERN LINE OF WOODBURY SUBDIVISION AS SHOWN ON BOOK OF MAPS 2018, PAGE 2237 NORTH 88°43'19" EAST A DISTANCE OF 1990.29 FEET TO AN IRON PIPE; THENCE CONTINUING WITH THE COMMON LINE OF WOODBURY SUBDIVISION AS SHOWN ON BOOK OF MAPS 2019, PAGE 1464, BOOK OF MAPS 2020, PAGE 459, AND BOOK OF MAPS 2020, PAGE 1240 NORTH 02°51'36" EAST A DISTANCE OF 2406.89 FEET TO A REBAR ON THE SOUTHERN LINE OF THE FRIENDSHIP STATION SUBDIVISION AS SHOWN ON BOOK OF MAPS 2024, PAGE 1354; THENCE WITH SAID COMMON LINE SOUTH 88°13'14" EAST A DISTANCE OF 849.35 FEET TO AN IRON PIPE THE NORTHWEST CORNER OF THE GREENVALE SUBDIVISION AS SHOWN ON BOOK OF MAPS 1994, PAGE 1637; THENCE WITH THE WESTERN LINE OF SAID SUBDIVISION SOUTH 00°29'22" EAST A DISTANCE OF 1241.74 FEET TO AN IRON PIPE THE NORTHWEST CORNER OF LOT 7 AS SHOWN ON BOOK OF MAPS 2003, PAGE 874; THENCE WITH SAID COMMON LINE SOUTH 01°33'46" EAST A DISTANCE OF 334.52 FEET TO AN IRON PIPE THE NORTHWEST CORNER OF LOT 1-B AS SHOWN ON BOOK OF MAPS 1999, PAGE 965; THENCE WITH SAID COMMON LINE SOUTH 00°47'59" EAST A DISTANCE OF 711.34 FEET TO AN IRON PIPE ON THE NORTHERN RIGHT OF WAY OF CSX TRANSPORTATION RAILROAD AS SHOWN ON BOOK OF MAPS 2016, PAGE 1010; THENCE WITH SAID RIGHT OF WAY SOUTH 56°44'52" WEST A DISTANCE OF 977.97 FEET TO A POINT THE NORTHEAST CORNER OF THE SMALL PARCEL, WHICH IS PART OF LOT A, AS SHOWN ON BOOK OF MAPS 1986, PAGE 992; THENCE WITH THE NORTHERN LINE OF SAID PARCEL SOUTH 89°17'58" WEST A DISTANCE OF 163.20 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY OF OLD US HIGHWAY 1; THENCE CROSSING SAID RIGHT OF WAY NORTH 41°02'54"

WEST A DISTANCE OF 60.44 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY OF SAID HIGHWAY; THENCE WITH SAID RIGHT OF WAY SOUTH 55°51'45" WEST A DISTANCE OF 454.13 FEET TO THE POINT OF BEGINNING; CONTAINING 3,638,704 SQUARE FEET OR 83.53 ACRES.





**McADAMS**

The John R. McAdams Company, Inc.  
2905 Meridian Parkway  
Durham, NC 27713

phone 919. 361. 5000  
fax 919. 361. 2269  
license number: C-0293, C-187

www.mcadamsco.com

**OWNER**

LINDA BARBOUR  
P.O. BOX 252  
NEW HILL, NC 27562-0252

**BARBOUR PROPERTIES**  
ANNEXATION MAP FOR THE TOWN OF APEX  
3204, 3216, & 3312 OLD US HIGHWAY 1  
BUCKHORN TOWNSHIP, WAKE COUNTY NORTH CAROLINA



**REVISIONS**

NO. DATE

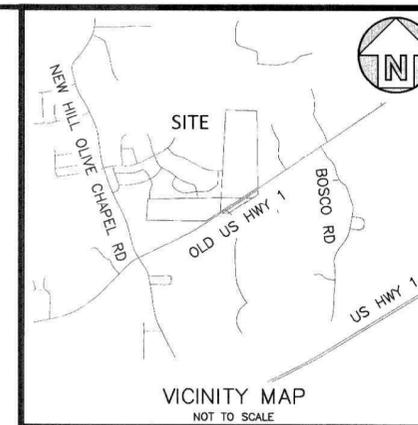
**PLAN INFORMATION**

PROJECT NO. LEN23012  
FILENAME LEN23012-A1  
CHECKED BY JBT  
DRAWN BY DJM  
SCALE 1"=500'  
DATE 04.25.2025

**SHEET**

**ANNEXATION MAP  
SHEET NUMBER**

**1-4**



**GENERAL NOTES**

1. THIS IS AN ANNEXATION MAP FOR THE TOWN OF APEX.
2. BEARINGS FOR THIS SURVEY ARE BASED ON NC GRID NAD 83(2011).
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, UNLESS OTHERWISE NOTED.
4. ZONING: WAKE COUNTY ZONE R-40W PER WAKE COUNTY GIS
5. AREA BY COORDINATE GEOMETRY.
6. FLOOD NOTE: THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE "X" AS DEFINED BY F.E.M.A F.I.R.M COMMUNITY PANELS 3720072000K AND 3720071000L, DATED 7/19/2022.
7. REFERENCES: AS SHOWN
8. NO DOCUMENTATION OF CEMETERIES PROVIDED TO THE SURVEYOR. NO DOCUMENTATION OR PHYSICAL EVIDENCE OF CEMETERIES FOUND DURING THE COURSE OF THE SURVEY.

ANNEXATION # \_\_\_\_\_

I, ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE TOWN COUNCIL.

I SET MY HAND AND SEAL OF THE TOWN OF APEX, \_\_\_\_\_ DAY/MONTH/YEAR

ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK -SEAL-

I, DAVID J. MILLS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION FROM DEED DESCRIPTION RECORDED IN BOOK AND PAGE AS SHOWN; THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AND DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE AS SHOWN; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:426,060±; AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I HEREBY CERTIFY THAT THIS PLAT IS OF THE FOLLOWING TYPE: G.S. 47-30 (F)(11)(C)(1). THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

I, DAVID J. MILLS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: A
  - (2) POSITIONAL ACCURACY: HORIZONTAL 0.021' VERTICAL 0.069'
  - (3) TYPE OF GPS FIELD PROCEDURE: NETWORK RTK
  - (4) DATES OF SURVEY: 04.14.2025
  - (5) DATUM/EPOCH: NAD83 (2011)
  - (6) PUBLISHED/FIXED-CONTROL USE: NCGS CHERYL(EZ5354)
  - (7) GEOID MODEL: 18
  - (8) COMBINED GRID FACTOR(S): 0.99988955
- UNITS: U.S. FEET

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL

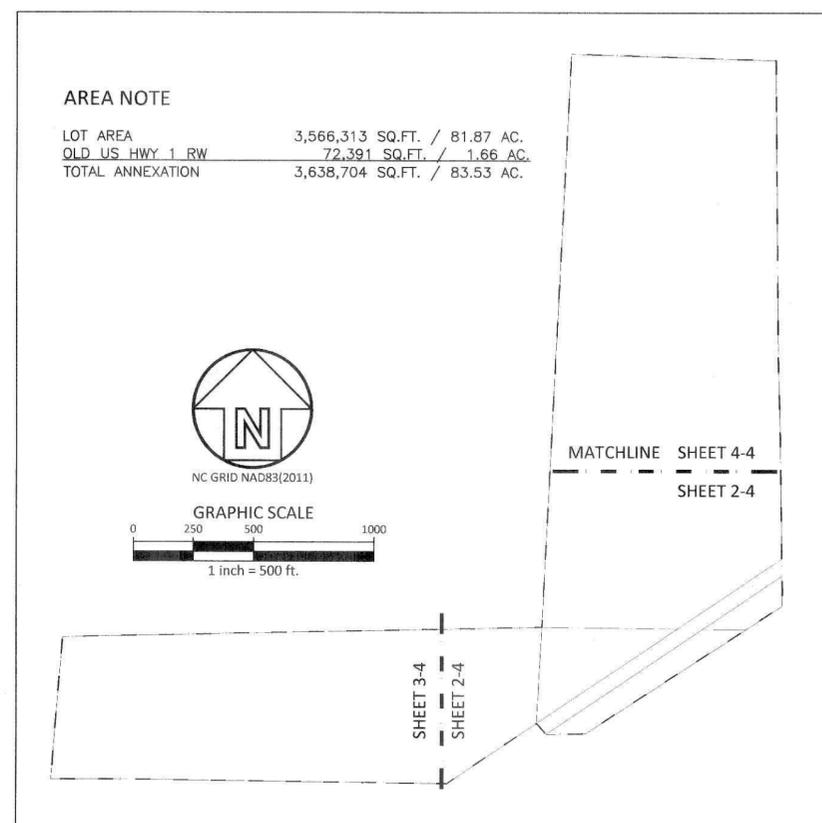
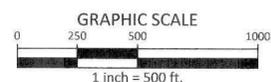
*David J. Mills* 8/14/2025  
DAVID J. MILLS, PLS L-5477 DATE

**AREA NOTE**

LOT AREA	3,566,313 SQ.FT. / 81.87 AC.
OLD US HWY 1 RW	72,391 SQ.FT. / 1.66 AC.
TOTAL ANNEXATION	3,638,704 SQ.FT. / 83.53 AC.



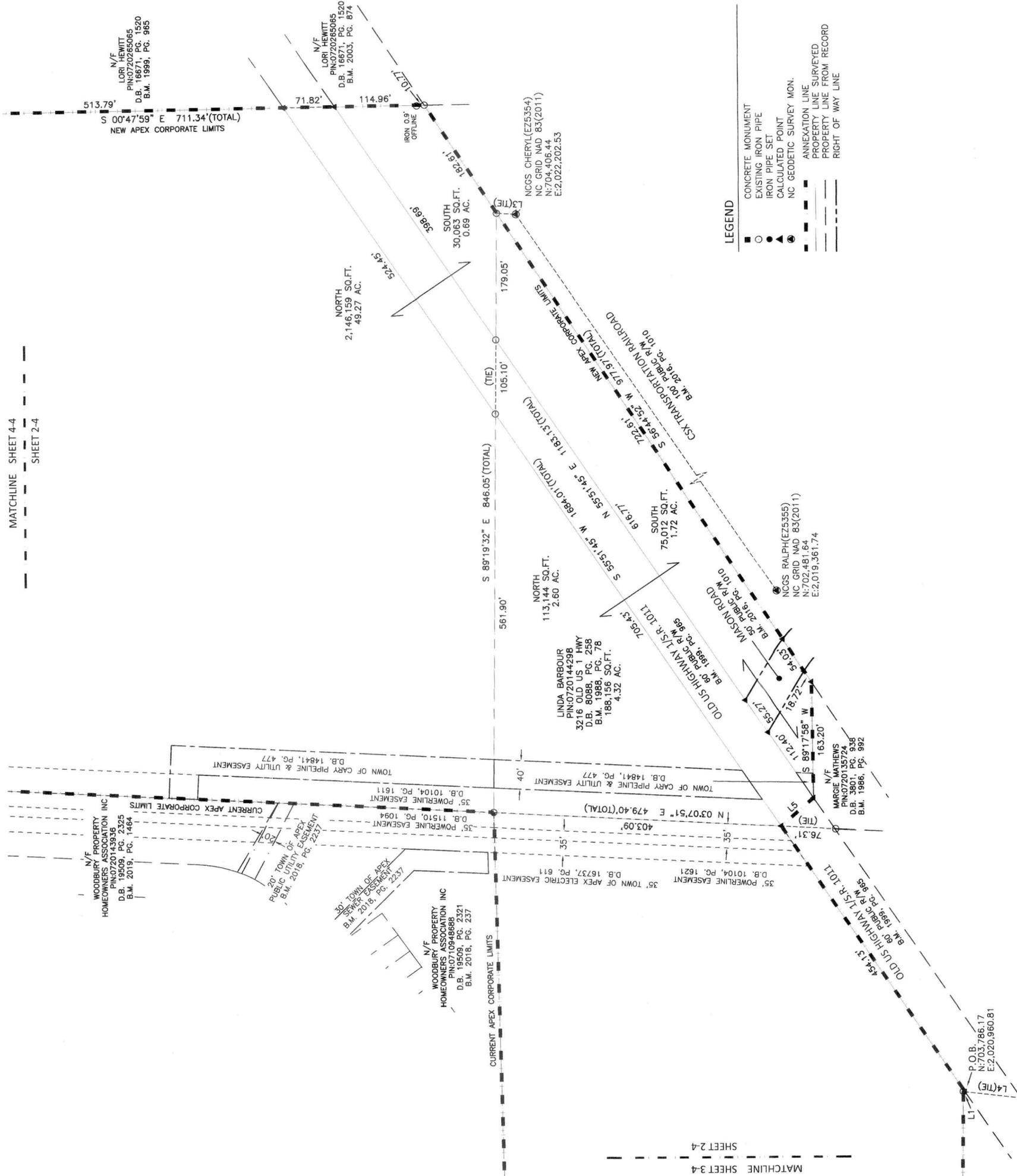
NC GRID NAD83(2011)





NC GRID NAD83(2011)

GRAPHIC SCALE



- LEGEND**
- CONCRETE MONUMENT
  - EXISTING IRON PIPE
  - IRON PIPE SET
  - CALCULATED POINT
  - NC GEODETIC SURVEY MON.
  - ANNEXATION LINE
  - PROPERTY LINE SURVEYED
  - PROPERTY LINE FROM RECORD
  - RIGHT OF WAY LINE

MATCHLINE SHEET 4-4  
SHEET 2-4

MATCHLINE SHEET 3-4  
SHEET 2-4



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**BARBOUR PROPERTIES**  
ANNEXATION MAP FOR THE TOWN OF APEX  
3204, 3216, & 3312 OLD US HIGHWAY 1  
BUCKHORN TOWNSHIP, WAKE COUNTY NORTH CAROLINA



**REVISIONS**

NO. DATE

**PLAN INFORMATION**

PROJECT NO. LEN23012  
FILENAME LEN23012-A1  
CHECKED BY JBT  
DRAWN BY DJM  
SCALE 1"=100'  
DATE 04.25.2025

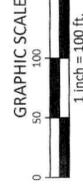
**SHEET**

**ANNEXATION MAP**  
**SHEET NUMBER**

**2-4**



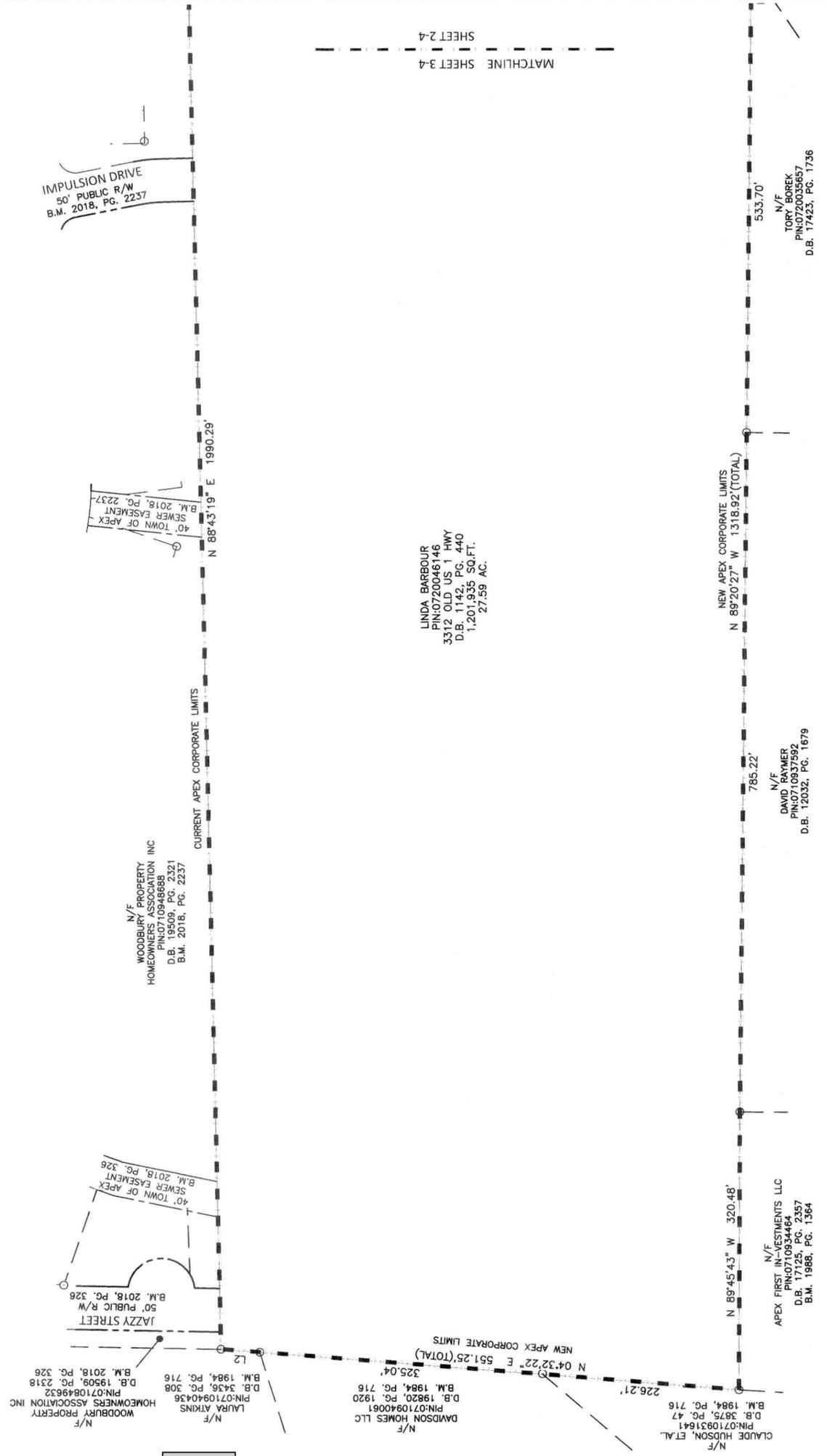
NC GRID NAD83(2011)



**LEGEND**

- CONCRETE MONUMENT
- EXISTING IRON PIPE
- IRON PIPE SET
- ▲ CALCULATED POINT
- NC GEODETIC SURVEY MON.
- ANNEXATION LINE
- PROPERTY LINE SURVEYED
- PROPERTY LINE FROM RECORD
- RIGHT OF WAY LINE

LINE	BEARING	DISTANCE
L1	N 06°37'47" E	2.29'
L2	N 04°29'51" E	44.78'
L3	N 04°17'15" E	27.14'
L4	N 06°37'47" E	79.22'
L5	N 41°02'54" W	60.44'



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 BUCKHORN TOWNSHIP, WAKE COUNTY NORTH CAROLINA



**REVISIONS**

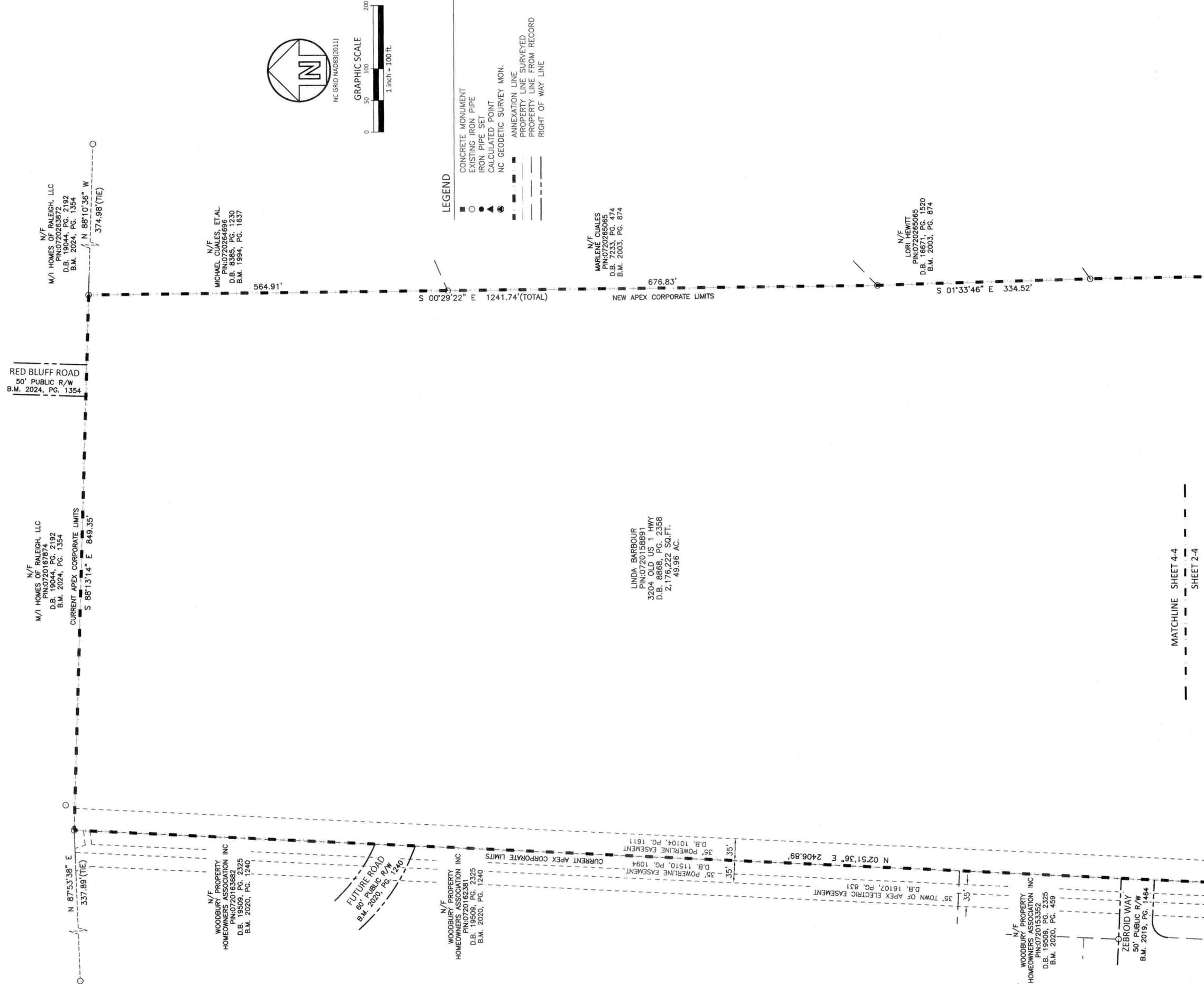
NO.	DATE

**PLAN INFORMATION**

PROJECT NO. LEN23012  
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 CHECKED BY JBT  
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 SCALE 1"=100'  
 DATE 04.25.2025

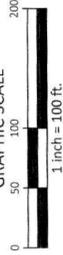
**SHEET**

**ANNEXATION MAP**  
**SHEET NUMBER**  
**3-4**



NC GRID NAD83(2011)

GRAPHIC SCALE



**LEGEND**

- CONCRETE MONUMENT
- EXISTING IRON PIPE
- IRON PIPE SET
- ▲ CALCULATED POINT
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- ANNEXATION LINE
- PROPERTY LINE SURVEYED
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3204, 3216, & 3312 OLD US HIGHWAY 1  
BUCKHORN TOWNSHIP, WAKE COUNTY NORTH CAROLINA

MATCHLINE SHEET 4-4  
SHEET 2-4



**REVISIONS**

NO. DATE

**PLAN INFORMATION**

PROJECT NO. LEN23012  
FILENAME LEN23012-A1  
CHECKED BY JBT  
DRAWN BY DJM  
SCALE 1"=100'  
DATE 04.25.2025

**SHEET**

**ANNEXATION MAP  
SHEET NUMBER**

**4-4**

PETITION FOR VOLUNTARY ANNEXATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #: 805 Submittal Date: 7-1-2025
Fee Paid \$ 300.00 Check # CC

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

- 1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, Wake County, Chatham County, North Carolina.
2. The area to be annexed is contiguous, non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

OWNER INFORMATION

Linda Barker Barbour 0720158891, 0720144298, 0720046146
Owner Name (Please Print) Property PIN or Deed Book & Page #
919-210-0479 Barkerlb@bellsouth.net
Phone E-mail Address

SURVEYOR INFORMATION

Surveyor: David Mills, McAdams
Phone: 919.361.2269 Fax: 919.361.2269
E-mail Address: mills@mcadamsco.com

ANNEXATION SUMMARY CHART

Table with 2 columns: Property Information and Reason(s) for annexation (select all that apply). Rows include Total Acreage to be annexed (83.53 acres), Population of acreage to be annexed (~2-5), Existing # of housing units (2), Proposed # of housing units (233), Zoning District\* (PUD-CZ), and various service options like water, sewer, and town services.

\*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 805

Submittal Date: 7-1-2025

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

Linda Barker Barbour

Please Print

Linda Barker Barbour  
Signature

Please Print

Signature

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, William Riley Whitehead, a Notary Public for the above State and County,  
this the 27<sup>th</sup> day of MAY, 2025.

William Riley Whitehead  
Notary Public

SEAL



My Commission Expires: 6-11-2029

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Corporate Name \_\_\_\_\_

SEAL

By: \_\_\_\_\_

Attest: \_\_\_\_\_ President (Signature)

Secretary (Signature) \_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County,  
this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

SEAL

My Commission Expires: \_\_\_\_\_

**TOWN OF APEX UTILITIES OFFER AND AGREEMENT**

Application #: 805

Submittal Date: 7-1-2025

**Town of Apex  
73 Hunter Street  
P.O. Box 250 Apex, NC 27502  
919-249-3400**

WAKE COUNTY, NORTH CAROLINA CUSTOMER SELECTION AGREEMENT

\_\_\_\_\_  
\_\_\_\_\_  
(the "Premises")

The Town of Apex offers to provide you with electric utilities on the terms described in this Offer & Agreement. If you accept the Town's offer, please fill in the blanks on this form and sign and we will have an Agreement once signed by the Town.

Lennar Carolinas, LLC, the undersigned customer ("Customer") hereby irrevocably chooses and selects the Town of Apex (the "Town") as the permanent electric supplier for the Premises. Permanent service to the Premises will be preceded by temporary service if needed.

The sale, delivery, and use of electric power by Customer at the Premises shall be subject to, and in accordance with, all the terms and conditions of the Town's service regulations, policies, procedures and the Code of Ordinances of the Town.

Customer understands that the Town, based upon this Agreement, will take action and expend funds to provide the requested service. By signing this Agreement the undersigned signifies that he or she has the authority to select the electric service provider, for both permanent and temporary power, for the Premises identified above.

Any additional terms and conditions to this Agreement are attached as Appendix 1. If no appendix is attached this Agreement constitutes the entire agreement of the parties.

Acceptance of this Agreement by the Town constitutes a binding contract to purchase and sell electric power.

Please note that under North Carolina General Statute §160A-332, you may be entitled to choose another electric supplier for the Premises.

Upon acceptance of this Agreement, the Town of Apex Electric Utilities Division will be pleased to provide electric service to the Premises and looks forward to working with you and the owner(s).

ACCEPTED:

CUSTOMER: Lennar Carolinas, LLC TOWN OF APEX

BY: Tyler Wilson, PE  
Authorized Agent

BY: \_\_\_\_\_  
Authorized Agent

DATE: 5/28/25

DATE: \_\_\_\_\_

**AFFIDAVIT OF OWNERSHIP**

Application #: 805

Submittal Date: 7-1-2025

The undersigned, Linda Barker Barbour (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

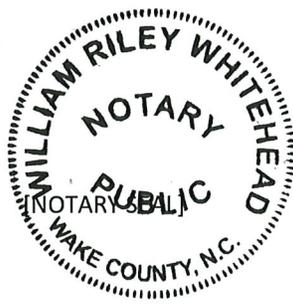
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 3204, 3216, 3312 Old US 1 Hwy and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated 1/9/01 and 3/31/98 and recorded in the Wake County Register of Deeds Office on 04/06/01 and 6/24/98, in Book \_\_\_\_\_ Page DB 8868-2358 and DB 8088-258
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on 1/9/01 and 3/31/98, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on 1/9/01 and 3/31/98, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 6th day of June, 2025.

*Linda Barker Barbour* (seal)  
Linda Barker Barbour  
 Type or print name

STATE OF NORTH CAROLINA  
 COUNTY OF WAKE

I, the undersigned, a Notary Public in and for the County of WAKE, hereby certify that LINDA BARKER BARBOUR Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NCDL, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



*William Riley Whitehead*  
 Notary Public  
 State of North Carolina  
 My Commission Expires: 6-11-2029  
WILLIAM RILEY WHITEHEAD

**AGENT AUTHORIZATION FORM**

Application #: 805

Submittal Date: 7-1-2025

Linda Barker Barbour is the owner\* of the property for which the attached application is being submitted:

- Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: 3204, 3216, 3312 Old US 1 Hwy

The agent for this project is: Lennar Carolinas, LLC

I am the owner of the property and will be acting as my own agent

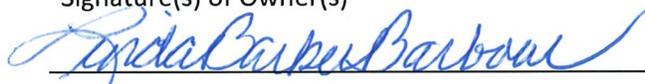
Agent Name: Tyler Wilson, PE

Address: 1100 Perimeter Park Dr, Suite 112, Morrisville NC 27560

Telephone Number: 984-202-9179

E-Mail Address: tyler.wilson@lennar.com

Signature(s) of Owner(s)\*



Linda Barker Barbour  
Type or print name

06/06/2025  
Date

\_\_\_\_\_  
Type or print name

\_\_\_\_\_  
Date

Attach additional sheets if there are additional owners.

\*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

**AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION**

Application #: 805

Submittal Date: 7-1-2025

Insert legal description below.

**BARBOUR TRACT LEGAL DESCRIPTION**

BEGINNING AT A POINT ON THE NORTHERN RIGHT OF WAY OF OLD US HIGHWAY 1, SAID POINT HAVING NC GRID NAD 83(2011) COORDINATES N:703,786.17, E:2,020,960.81, THE POINT OF BEGINNING; THENCE WITH THE LINE OF BOREK NORTH 06°37'47" EAST A DISTANCE OF 2.29 FEET TO AN IRON PIPE; THENCE WITH THE LINES OF BOREK AND RAYMER NORTH 89°20'27" WEST A DISTANCE OF 1318.92 FEET TO AN IRON PIPE THE COMMON CORNER OF THE 5.475 ACRE TRACT SHOWN ON BOOK OF MAPS 1988, PAGE 1364 OF THE WAKE COUNTY REGISTRY; THENCE WITH SAID COMMON LINE NORTH 89°45'43" WEST A DISTANCE OF 320.48 FEET TO AN IRON PIPE THE COMMON CORNER OF LOT 1 AS SHOWN ON BOOK OF MAPS 1984, PAGE 716; THENCE WITH SAID COMMON LINE NORTH 04°32'22" EAST A DISTANCE OF 551.25 FEET TO AN IRON PIPE THE SOUTHEAST CORNER OF LOT 3 AS SHOWN ON THE AFORE SAID BOOK OF MAPS; THENCE WITH SAID COMMON LINE NORTH 04°29'51" EAST A DISTANCE OF 44.78 FEET TO AN IRON PIPE THE SOUTHWEST CORNER OF OS 6, AS SHOWN ON BOOK OF MAPS 2018, PAGE 326; THENCE WITH SAID LOT AND THE SOUTHERN LINE OF WOODBURY SUBDIVISION AS SHOWN ON BOOK OF MAPS 2018, PAGE 2237 NORTH 88°43'19" EAST A DISTANCE OF 1990.29 FEET TO AN IRON PIPE; THENCE CONTINUING WITH THE COMMON LINE OF WOODBURY SUBDIVISION AS SHOWN ON BOOK OF MAPS 2019, PAGE 1464, BOOK OF MAPS 2020, PAGE 459, AND BOOK OF MAPS 2020, PAGE 1240 NORTH 02°51'36" EAST A DISTANCE OF 2406.89 FEET TO A REBAR ON THE SOUTHERN LINE OF THE FRIENDSHIP STATION SUBDIVISION AS SHOWN ON BOOK OF MAPS 2024, PAGE 1354; THENCE WITH SAID COMMON LINE SOUTH 88°13'14" EAST A DISTANCE OF 849.35 FEET TO AN IRON PIPE THE NORTHWEST CORNER OF THE GREENVALE SUBDIVISION AS SHOWN ON BOOK OF MAPS 1994, PAGE 1637; THENCE WITH THE WESTERN LINE OF SAID SUBDIVISION SOUTH 00°29'22" EAST A DISTANCE OF 1241.74 FEET TO AN IRON PIPE THE NORTHWEST CORNER OF LOT 7 AS SHOWN ON BOOK OF MAPS 2003, PAGE 874; THENCE WITH SAID COMMON LINE SOUTH 01°33'46" EAST A DISTANCE OF 334.52 FEET TO AN IRON PIPE THE NORTHWEST CORNER OF LOT 1-B AS SHOWN ON BOOK OF MAPS 1999, PAGE 965; THENCE WITH SAID COMMON LINE SOUTH 00°47'59" EAST A DISTANCE OF 711.34 FEET TO AN IRON PIPE ON THE NORTHERN RIGHT OF WAY OF CSX TRANSPORTATION RAILROAD AS SHOWN ON BOOK OF MAPS 2016, PAGE 1010; THENCE WITH SAID RIGHT OF WAY SOUTH 56°44'52" WEST A DISTANCE OF 977.97 FEET TO A POINT THE NORTHEAST CORNER OF THE SMALL PARCEL, WHICH IS PART OF LOT A, AS SHOWN ON BOOK OF MAPS 1986, PAGE 992; THENCE WITH THE NORTHERN LINE OF SAID PARCEL SOUTH 89°17'58" WEST A DISTANCE OF 163.20 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY OF OLD US HIGHWAY 1; THENCE CROSSING SAID RIGHT OF WAY NORTH 41°02'54" WEST A DISTANCE OF 60.44 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY OF SAID HIGHWAY; THENCE WITH SAID RIGHT OF WAY SOUTH 55°51'45" WEST A DISTANCE OF 454.13 FEET TO THE POINT OF BEGINNING; CONTAINING 3,638,704 SQUARE FEET OR 83.53 ACRES.

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

### Requested Motion

Motion to adopt a Resolution Directing the Town Clerk to Investigate Petition Received, to accept the Certificate of Sufficiency by the Town Clerk, and to adopt a Resolution Setting the Date of a Public Hearing for March 24, 2026, on the Question of Annexation - Apex Town Council's intent to annex 0.257 acres, located at 631 Wimberly Road, Annexation No. 825, into the Town Corporate limits.

### Approval Recommended?

Yes

### Item Details

The Town Clerk certifies to the investigation of said annexation.

Adoption of the Resolution authorizes the Town Clerk to advertise said public hearing by electronic means and on the Town of Apex's website.

This annexation petition is for public roadway construction that is associated with a previously approved rezoning application (24CZ22), Courtyards on Wimberly which was approved on May 27, 2025.

### Attachments

- CN9-A1: Resolution Directing the Town Clerk to Investigate Petition
  - Certificate of Sufficiency by the Town Clerk
  - Resolution Setting Date of Public Hearing
- CN9-A2: Legal Description - Satellite Annexation No. 825 - 631 Wimberly Road - 0.257 acres
- CN9-A3: Aerial Map - Satellite Annexation No. 825 - 631 Wimberly Road - 0.257 acres
- CN9-A4: Plat Map - Satellite Annexation No. 825 - 631 Wimberly Road - 0.257 acres
- CN9-A5: Annexation Petition - Satellite Annexation No. 825 - 631 Wimberly Road - 0.257 acres





RESOLUTION DIRECTING THE TOWN CLERK  
TO INVESTIGATE PETITION RECEIVED UNDER G.S. § 160A-58.1

Satellite Annexation Petition No. 825  
631 Wimberly Road – 0.257 acres

WHEREAS, G.S. § 160A- 58.2 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Apex deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, that the Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify to the Town Council the result of his investigation.

This the 10th day of March, 2026.

---

Jacques K. Gilbert  
Mayor

ATTEST:

---

Allen L. Coleman, CMC  
Town Clerk



CERTIFICATE OF SUFFICIENCY BY THE TOWN CLERK

Satellite Annexation Petition No. 825  
631 Wimberly Road – 0.257 acres

**To: The Town Council of the Town of Apex, North Carolina**

I, Allen L. Coleman, Town Clerk, do hereby certify that I have investigated the annexation petition attached hereto, and have found, as a fact, that said petition is signed by all owners of real property lying in the noncontiguous area described therein, in accordance with G.S. § 160A-58.1(b), as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Apex, North Carolina this 10th day of March, 2026.

---

Allen L. Coleman, CMC  
Town Clerk

(Seal)



RESOLUTION SETTING DATE OF PUBLIC HEARING  
ON THE QUESTION OF ANNEXATION PURSUANT TO G.S.§ 160A-58.2 AS AMENDED

Satellite Annexation Petition No. 825  
631 Wimberly Road – 0.257 acres

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the Town Council of Apex, North Carolina has by Resolution directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, Certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Apex Town Hall at 6 o'clock p.m. on the 24th day of March, 2026.

Section 2. The area proposed for annexation is described as attached.

Section 3. Notice of said public hearing shall be published on the Town of Apex Website, [www.apexnc.org](http://www.apexnc.org), Public Notice, at least ten (10) days prior to the date of said public hearing.

This the 10th day of March, 2026.

---

Jacques K. Gilbert,  
Mayor

ATTEST:

---

Allen L. Coleman,  
Town Clerk  
Attachment: Legal Description

Smith & Smith Surveyors, P.A.  
P.O. Box 457  
Apex, N.C. 27502  
(919) 362-7111  
Firm License No. C-0155

Lying and being in Town of Apex ETJ, White Oak Township, Wake County, North Carolina, and described more fully as follows to wit:

BEGINNING at a point on the southern property line of Lot 3 (B.M. 2018, Pg. 2112) located North 88° 41' 02" West, 692.54 feet from the southeast corner of Lot 3; thence with south line of Lot 3 North 88° 41' 02" West, 99.55 feet to a point on the south line of Lot 3; thence a curve to the right South 88° 41' 02" East, 99.55 feet (chord), 50.00 feet (radius), 166.57 feet (length) to the BEGINNING, containing 0.1010 total acres more or less.

This description was prepared for the sole purpose of annexation of a municipal boundary and for no other use.

Smith & Smith Surveyors, P.A.  
P.O. Box 457  
Apex, N.C. 27502  
(919) 362-7111  
Firm License No. C-0155

Lying and being in Town of Apex ETJ, White Oak Township, Wake County, North Carolina, and described more fully as follows to wit:

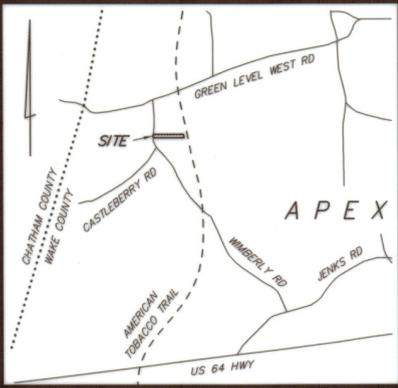
BEGINNING at a point on the southern property line of Lot 3 (B.M. 2018, Pg. 2112) located North 88° 41' 02" West, 1122.54 feet from the southeast corner of Lot 3; thence with south line of Lot 3 North 88° 41' 02" West, 45.11 feet to a point; thence a curve to the right North 01° 29' 28" East, 57.51 feet (chord), 420.00 feet (radius) to a point; thence North 05° 25' 02" East, 93.22 feet to a point; thence South 87° 49' 50" East, 29.60 feet to a point; thence South 88° 41' 01" East, 15.49 feet to a point; thence South 05° 25' 02" West, 96.00 feet to a point; thence a curve to the left South 01° 15' 56" West, 54.30 feet (chord), 375.00 feet (radius) to the BEGINNING, containing 0.1555 total acres more or less.

This description was prepared for the sole purpose of annexation of a municipal boundary and for no other use.



**SURVEYOR NOTES:**

1. THE PROPERTY SHOWN HEREON MAY BE SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RIGHTS OF WAY, AND EASEMENTS OF RECORD AFFECTING THE SAME.
2. NO TITLE SEARCH HAS BEEN PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY.
3. THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NON-EXISTENCE OF ANY UNDERGROUND UTILITIES, BURIAL GROUNDS, OR ANY SUBSURFACE FEATURES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.
4. ALL DISTANCES ARE HORIZONTAL U.S. SURVEY FOOT UNIT GROUND MEASUREMENTS.
5. AREA DETERMINED USING THE COORDINATE GEOMETRY METHOD.
6. CURRENT PROPERTY ZONING: RR (RURAL RESIDENTIAL)
7. SUBJECT PROPERTY ADDRESS: 631 WIMBERLY RD APEX, NC 27523



**VICINITY MAP (NOT TO SCALE)**

I, STALEY C. SMITH, CERTIFY THAT THIS PLAN WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION AS RECORDED IN:

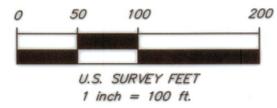
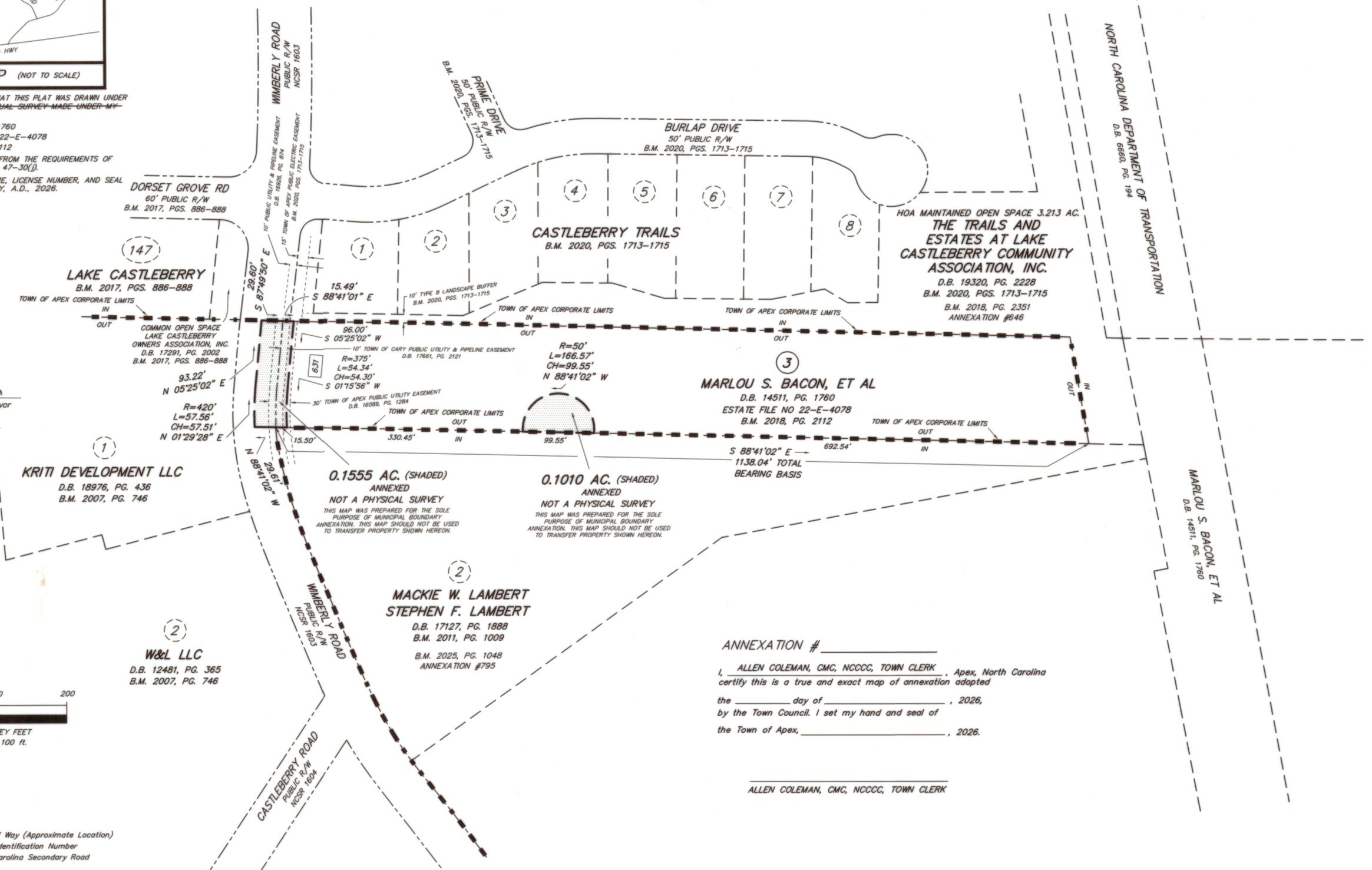
D.B. 14511, PG. 1760  
ESTATE FILE NO 22-E-4078  
B.M. 2018, PG. 2112

THIS MAP OR PLAN IS EXEMPT FROM THE REQUIREMENTS OF G.S. 47-30 PURSUANT TO G.S. 47-30(J).

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 27TH DAY OF FEBRUARY, A.D., 2026.



*Staley C. Smith*  
Professional Land Surveyor  
L-3766  
License Number



- Legend**
- R/W - Right Of Way (Approximate Location)
  - PIN - Parcel Identification Number
  - NCSR - North Carolina Secondary Road
  - R - Radius
  - L - Length
  - CH - Chord
  - HOA - Homeowners Association
  - 631 - Street Address (Typical)
  - — — — — Property Line (not surveyed)
  - - - - - Property Line (not surveyed)
  - - - - - Easement (not surveyed)
  - - - - - Approximate Right Of Way Line (not surveyed)
  - ■ ■ ■ ■ Existing Town of Apex Corporate Limits (not surveyed)

ANNEXATION # \_\_\_\_\_  
I, ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK, Apex, North Carolina  
certify this is a true and exact map of annexation adopted  
the \_\_\_\_\_ day of \_\_\_\_\_, 2026,  
by the Town Council. I set my hand and seal of  
the Town of Apex, \_\_\_\_\_, 2026.  
  
\_\_\_\_\_  
ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK

<p>SATELLITE ANNEXATION MAP for the TOWN OF APEX <b>MARLOU S. BACON, ET AL</b> TOWN OF APEX ETJ, WHITE OAK TOWNSHIP, WAKE COUNTY, NORTH CAROLINA</p>		
<p><b>LISTED OWNER</b> (NOT A TITLE VERIFICATION) MARLOU S. BACON, ET AL PO BOX 457 APEX, NC 27502</p>	<p><b>Smith &amp; Smith, Surveyors, P.A.</b></p> <p>P.O. BOX 457 APEX, N.C. 27502 (919) 362-7111</p>	<p><b>PLAN DATE</b> JANUARY 21, 2026</p> <p><b>SCALE</b> 1" = 100'</p> <p><b>DRAWN BY</b> WEB</p> <p><b>PROJ. NO.</b> 2026-06</p>
<p>PIN 0723-24-2701</p>	<p>FIRM LICENSE No. C-0155</p>	

# PETITION FOR VOLUNTARY ANNEXATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #: 825  
Fee Paid \$ 300.00

Submittal Date: 2-4-2026  
Check # CC

## TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex,  Wake County,  Chatham County, North Carolina.
2. The area to be annexed is  contiguous,  non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

## OWNER INFORMATION

MARLOU S. BACON  
STALEY C. SMITH, ET AL  
Owner Name (Please Print)

919 362 7111  
Phone

Owner Name (Please Print)

Phone

Owner Name (Please Print)

Phone

0723 2A 2701  
Property PIN or Deed Book & Page #

staley@smithandsmithsurveyors.net  
E-mail Address

Property PIN or Deed Book & Page #

E-mail Address

Property PIN or Deed Book & Page #

E-mail Address

## SURVEYOR INFORMATION

Surveyor: SMITH & SMITH SURVEYORS, P.A.

Phone: 919 362 7111 Fax: n/a

E-mail Address: staley@smithandsmithsurveyors.net

## ANNEXATION SUMMARY CHART

Property Information	Reason(s) for annexation (select all that apply)
Total Acreage to be annexed: <u>0.1010 and 0.1555</u>	Need water service due to well failure
Population of acreage to be annexed: <u>0</u>	Need sewer service due to septic system failure <input type="checkbox"/>
Existing # of housing units: <u>0</u>	Water service (new construction) <input type="checkbox"/>
Proposed # of housing units: <u>0</u>	Sewer service (new construction) <input type="checkbox"/>
Zoning District*: <u>RR</u>	Receive Town Services <input type="checkbox"/>
	<u>PUBLIC ROAD CONSTRUCTION</u> <input checked="" type="checkbox"/>

\*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 825

Submittal Date: 2-4-2026

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

ALEX BACON

Please Print

[Signature]

Signature

KYLE BACON

Please Print

[Signature]

Signature

LINDA MARLOU BACON

Please Print

[Signature]

Signature

HALEY S. HOFFLEY

Please Print

[Signature]

Signature

STALEY C. SMITH

Please Print

[Signature]

Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, BENJAMIN S. SMITH, a Notary Public for the above State and County,  
this the 29<sup>th</sup> day of JANUARY, 2020.

[Signature]

Notary Public



My Commission Expires: 10/6/30

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Corporate Name PROVISION FINANCIAL RESOURCES OF NC BAPTISTS, INC.

SEAL

By: \_\_\_\_\_  
President (Signature)

Attest:

\_\_\_\_\_  
Secretary (Signature)

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County,  
this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

SEAL

My Commission Expires: \_\_\_\_\_

PETITION FOR VOLUNTARY ANNEXATION

Application #: 825

Submittal Date: 2-4-2026

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

ALEX BACON

Please Print

Signature

KYLE BACON

Please Print

Signature

LINDA MARLOU BACON

Please Print

Linda Marlou Bacon

Signature

HALEY S. HOFFLEY

Please Print

Signature

STALEY C. SMITH

Please Print

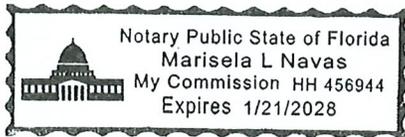
Signature

Florida  
STATE OF NORTH CAROLINA  
COUNTY OF WAKE Collier

Sworn and subscribed before me, Marisela Navas, a Notary Public for the above State and County, this the 20th day of January, 2026

Marisela Navas  
Notary Public

SEAL



My Commission Expires: 01/21/2028

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

Corporate Name PROVISION FINANCIAL RESOURCES OF NC BAPTISTS, INC.

SEAL

By: \_\_\_\_\_

President (Signature)

Attest: \_\_\_\_\_

Secretary (Signature)

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County, this the \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

Notary Public

SEAL

My Commission Expires: \_\_\_\_\_

PETITION FOR VOLUNTARY ANNEXATION

Application #: 825

Submittal Date: 2-4-2026

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

ALEX BACON

Please Print

Signature

KYLE BACON

Please Print

Signature

LINDA MARLOU BACON

Please Print

Signature

HALEY S. HOFFLER

Please Print

Signature

STALEY C. SMITH

Please Print

Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County,  
this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public

SEAL

My Commission Expires: \_\_\_\_\_

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its  
Secretary, by and through its Board of Directors, this the 28 day of January, 2028.

Corporate Name PROVISION FINANCIAL RESOURCES OF NC BAPTISTS, INC.

SEAL



By: [Signature]

President (Signature)

Attest: [Signature]

Secretary (Signature)

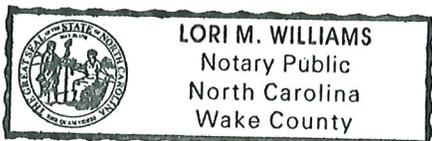
STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Lori M. Williams, a Notary Public for the above State and County,  
this the 28 day of January, 2026.

Lori M Williams

Notary Public

SEAL



My Commission Expires: April 5, 2030

**PETITION FOR VOLUNTARY ANNEXATION**

Application #: \_\_\_\_\_

Submittal Date: \_\_\_\_\_

**COMPLETE IF IN A LIMITED LIABILITY COMPANY**

In witness whereof, \_\_\_\_\_ a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Name of Limited Liability Company \_\_\_\_\_

By: \_\_\_\_\_

Signature of Member/Manager

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

SEAL

My Commission Expires: \_\_\_\_\_

**COMPLETE IF IN A PARTNERSHIP**

In witness whereof, \_\_\_\_\_, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Name of Partnership \_\_\_\_\_

By: \_\_\_\_\_

Signature of General Partner

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

SEAL

My Commission Expires: \_\_\_\_\_

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

### Requested Motion

Motion to approve, as submitted or amended, Meeting Minutes from the following meetings:

- February 10, 2026 - Regular Town Council Meeting Minutes
- February 17, 2026 - Regular Town Council Work Session Meeting Minutes - Cancellation

### Approval Recommended?

The Town Clerk recommends the Town Council approve the meeting minutes as presented or amended.

### Item Details

In accordance with 160A-72 of North Carolina General Statutes (NCGS), the Governing Board has the legal duty to approve all minutes that are entered into the official journal of the Board's proceedings.

### Attachments

- CN10-A1: **DRAFT** Minutes - February 10, 2026 - Regular Town Council Meeting Minutes
- CN10-A2: **DRAFT** Minutes - February 17, 2026 - Regular Town Council Work Session Meeting Minutes Cancellation



# DRAFT MEETING MINUTES

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**TOWN OF APEX  
REGULAR TOWN COUNCIL MEETING  
TUESDAY, FEBRUARY 10, 2026  
6:00 PM**

10 The Apex Town Council met for a Regular Town Council Meeting on Tuesday, February  
11 10th, 2026 at 6:00 PM in the Council Chambers at Apex Town Hall, located at 73 Hunter  
12 Street in Apex, North Carolina.

13 This meeting was open to the public. Members of the public were able to attend this meeting  
14 in-person or watch online via the livestream on the Town's YouTube Channel. The recording of  
15 this meeting can be viewed here:

16 <https://www.youtube.com/watch?v=b4j26a-yx3Q>

17  
18  
19  
20  
21  
22  
23

**[ATTENDANCE]**

24 Elected Body

25 Mayor Jacques K. Gilbert (presiding)

26 Mayor Pro Tempore Terry Mahaffey

27 Councilmember Ed Gray

28 Councilmember Arno Zegerman

29 Councilmember Sue Mu

30 Councilmember Shane Reese

31  
32

Town Staff

33 Town Manager Randy Vosburg

34 Town Attorney Laurie Hohe

35 Town Clerk Allen Coleman

36 Deputy Town Manager Shawn Purvis

37 Assistant Town Manager Marty Stone

38 Assistant Town Manager Demetria John

39 All other staff members will be identified appropriately below:

40  
41

**[COMMENCEMENT, INVOCATION, AND PLEDGE OF ALLEGIANCE]**

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**Mayor Gilbert** called the meeting to order at 6:00 p.m. and thanked those who were in person as well as live stream. He then read a Diversity statement, asking Councilmember Reese to lead in the Pledge of Allegiance. He introduced Reverend Dr. Henry D. Wells Jr., Pastor of Greater Christian Chapel Church and asked him to lead the invocation.

**[ANNOUNCEMENTS AND PETITIONS BY THE GOVERNING BODY]**

**Mayor Gilbert** asked for any announcements and petitions by the governing body.

- 1 - **Mayor Pro-Tempore Mahaffey** - none
- 2 - **Councilmember Gray** - none
- 3 - **Councilmember Zegerman** - Gave an update on the Multimodal Transportation
- 4 Advisory Board that he recently attended, and how he was looking for Board
- 5 Member's guidance on their ideas from the community.
- 6 - **Councilmember Mu** - Announced the Proclamation of the Lunar New Year for the first
- 7 time in Apex, and said there were gifts of good luck and fortune available for
- 8 everyone, a tradition of Lunar New Year
- 9 - **Councilmember Reese** - Announced that Apex High girls' varsity basketball team
- 10 plays tonight at 6:30 p.m. at Apex High School and Apex Friendship plays at 6:30 p.m.
- 11 at Green Level. He proudly noted that Apex High girls' varsity basketball is 7-4 in the
- 12 conference and has one of the highest GPAs on campus.

13

14 **[ADOPTION OF THE MEETING AGENDA]**

15

16 **Mayor Gilbert** noted a change in the Regular Meeting Agenda by Mayor Pro-Tempore

17 Mahaffey.

18 **Mayor Pro-Tempore Mahaffey** proposed moving Presentations ahead of the Public

19 Forum for this meeting given the volume of presentations.

20

21 A **motion** was made by **Mayor Pro-Tempore Mahaffey** seconded by

22 **Councilmember Zegerman** to move Presentations ahead of the Public Forum for this

23 meeting.

24

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

26

27 **[CONSENT AGENDA]**

28 **Mayor Gilbert** asked if there were any recommended changes to the Consent

29 Agenda and with there being none he asked if there was a motion.

30

31 A **motion** was made by **Councilmember Gray**, seconded by **Mayor Pro-Tempore**

32 **Mahaffey**, to approve the Consent Agenda as presented.

33

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

35

36

37 **CN1 Agreement - North Carolina Department of Transportation (NCDOT) - Review and**

38 **Oversight Agreement for Apex Peakway North Widening Project - Center Street to Old**

39 **Raleigh Road (REF: CONT-2026-006)**

40 Council voted to approve a Review and Oversight Agreement with the North Carolina

41 Department of Transportation (NCDOT) for the Apex Peakway widening from Center Street to

1 Old Raleigh Road, and to authorize the Town Manager, or their designee, to execute the  
2 agreement on behalf of the Town.

3 **CN2 Agreement - Full Spectrum, LLC - Standard Services Agreement - 250 LED Drone**  
4 **Public Performance on July 3, 2026 (REF: CONT-2026-007)**

5 Council voted to approve an Standard Services Agreement (SSA) between Full Spectrum, LLC  
6 and the Town of Apex to operate a drone aerial light show, consisting of 250 LED drones, in  
7 the Town of Apex for a public performance on July 3rd, 2026, and authorize the Town  
8 Manager, or their designee, to execute the agreement on behalf of the Town.

9 **CN3 Agreement - Utility Relocation Agreement between Town of Apex and Duke**  
10 **Energy - Relocation of Electric Facilities along Jessie Drive related to Jessie Drive Phase**  
11 **1 Improvements (REF: CONT-2026-008)**

12 Council voted to approve a Utility Relocation Agreement with Duke Energy Progress, LLC for  
13 relocation of electric facilities along Jessie Drive related to Jessie Drive Phase 1  
14 Improvements, and to authorize the Town Manager, or their designee, to execute the  
15 agreement on behalf of the Town.

16 **CN4 Agreement Ratification - Master Services Agreement between Town of Apex and**  
17 **Ferguson Enterprises, LLC dba Ferguson Waterworks - Completion of Water Meter**  
18 **System Upgrade Project and Capital Project Ordinance Amendment 2026-1 (REF:**  
19 **CONT-2026-009 and ORD-2026-023)**

20 Council voted to ratify an oral amendment to a Master Services Contract between the Town of  
21 Apex and Ferguson Enterprises, LLC dba Ferguson Waterworks for completion of Meter  
22 System Upgrade Project and adopt the associated Capital Project Ordinance (CPO) No. 2026-  
23 11.

24 **CN5 Construction Contract Award - Blythe Construction - 2026 Road Rehabilitation**  
25 **Project (REF: CONT-2026-010)**

26 Council voted to award a construction contract with Blythe Construction, Inc., for the 2026  
27 Road Rehabilitation Project, including the base bid, bid alternate 1, and bid alternate 2 in the  
28 amount of \$6,584,210.60 and authorize the Town Manager, or their designee, to execute the  
29 contract on behalf of the Town.

30 AND

31 Council voted to authorize a ten percent (10%) contingency be added to the project budget  
32 related to the 2026 Road Rehabilitation.

33 **CN6 Council Meeting Minutes - Various**

34 Council voted to approve Meeting Minutes from the following meetings:

35 January 13, 2026 - Regular Town Council Meeting Minutes

36 January 22, 2026 - Joint Town Council and Planning Board Work Session Meeting Minutes

37 January 27, 2026 - Electronic Town Council Meeting Minutes

38 **CN7 Position(s) Increase Authorization - Two (2) General Fund and Two (2) Stormwater**  
39 **Fund - Planning, Parks, Recreation, and Cultural Resources, and Water Resources**  
40 **Departments**

41 Council voted to authorize the creation of two (2) additional full-time-benefited (FTE)  
42 positions in the General Fund for the Planning and Parks, Recreation, and Cultural Resources

1 Department, and two (2) additional full-time benefited (FTE) positions in the Stormwater Fund  
2 for the Water Resources Department, effective February 10, 2026

3 **CN8 Resolution to Abandon Portion of Existing Waterline Easement - 1405 Vision**  
4 **Drive (RES-2026-012)**

5 Council voted to approve a resolution titled "Resolution to Abandon Portion of Existing  
6 Waterline Easement" which will abandon portions of a public waterline easement interest  
7 located at 1405 Vision Drive, Apex, NC, shown more specifically in areas on the attached  
8 exhibit A and containing 4,711 square feet or approximately 0.108 acres.

9 **CN9 Resolution Correction - Road Closure Portion of Walden Road - Previously**  
10 **Approved on December 09, 2025 (ORDER-2025-001) (REF: ORDER-2026-001)**

11 Council voted to adopt a correction order entitled "A Correction to Order Closing a Portion of  
12 Walden Road" which modifies the area to be closed from the previous action taken on  
13 December 09, 2025 (ORDER-2025-001).

14 **CN10 Tax Report - December 2025 (REF: OTHER-2026-021)**

15 Council voted to approve the Apex Tax Report dated January 15, 2026.  
16

17 **[TOWN MANAGER'S REPORT]**  
18

19 **Town Manager Vosburg** provided the following updates:  
20

- 21 • **Black History Month Events:** All events with more detail listed on the Town's website  
22 ○ Black History Month Trivia Night, (Feb. 12<sup>th</sup>, 6-8 p.m., Apex Senior Center), Free  
23 Admission but registration is required.  
24 ○ Spades Tournament (Feb. 21<sup>st</sup>, 11 a.m.-2 p.m., Apex Senior Center) in  
25 partnership with the National Spades Players Association.  
26 ○ United Strings of Color performance (Feb. 28, 7-8:30 p.m., The Halle Cultural  
27 Arts Center) partnering with Black Music.
- 28 • **Apex Restaurant Week:** Feb. 23<sup>rd</sup>-March 1<sup>st</sup> with record number of participating  
29 restaurants.
- 30 • **Downtown Streetscape Project:** Construction underway; northbound Salem Street  
31 closed from Saunders Street to Chatham Street; project timeline January-October with  
32 hopes to stay on schedule and noted that there had been weather impacts noted.
- 33 • **Olive Chapel Road Improvements:** Road scheduled to reopen Thursday afternoon  
34 (February 12<sup>th</sup>, 2026) following roadway and drainage improvements by NCDOT.
- 35 • **Electric Meter Replacement Program:** Nearly 9,000 meters replaced; project  
36 continues through Fall, with weather-related delays earlier in the year.
- 37 • **Peakway Southwest Connector:** Paving completed from James Street to Yateley  
38 Lane; retaining walls on the south side of the future bridge are complete and retaining  
39 walls on the Shangri-la Loop Roadside are in progress, waterlines complete from the  
40 bridge to Sugarland Drive, bridge girders installed and bridge decking in progress.  
41 Contract completion October 2027, trending toward possible 2026 completion and  
42 currently in budget.

- 1 • **Think Apex Awards:** Nominations open through March 13<sup>th</sup> nominations can be  
2 made on the Town website.
- 3 • **Ask Apex (311) & Utility Update:** 94% of calls are resolved with an average wait time  
4 of 1 minute, 9 seconds and utility billing backlog reduced to 39 accounts (97%  
5 resolved), approaching normal operations.

6  
7 **[TOWN CLERK'S REPORT]**

8  
9 **Allen Coleman**, Town Clerk, gave the following report:

- 10 • **Advisory Board Vacancies:** Open positions on the Planning Board, Environmental  
11 Advisory Board, and Board of Adjustment, residents encouraged to apply.
- 12 • **Council Retreat:** Upcoming retreat scheduled. Ahead of the Primary Voting/Primary  
13 elections it is anticipated that the General Assembly will be back in session, legislative  
14 updates anticipated following primary elections. Tracking General Assembly session  
15 activity, including budget matters and newly formed House and Senate property tax  
16 reform committees; lobbyist to provide updates during the third day of the retreat.

17  
18  
19 **[PROCLAMATIONS/SPECIAL PRESENTATIONS]**

20  
21 **PR1 Apex Based Schools - Teacher of the Year Recognitions (REF: RES-2026-013)**

22  
23 **Mayor Pro-Tempore** presented the Apex Based Schools - Teacher of the Year  
24 Recognitions. He thanked the teachers for all their amazing work and service and in unity with  
25 Council.

26  
27 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by  
28 **Councilmember Gray** to adopt a Resolution to Honoring Apex-Based Teachers of the Year.

29  
30 **VOTE: UNANIMOUS (5-0)**

31  
32 **Mayor Pro-Tempore Mahaffey** invited Wake County School Board members, Lynn  
33 Edmonds and Jennifer Job to come for a group photo.

34 **Deputy Town Clerk Gentry** called the following teachers up to receive their award  
35 and for a group photo.

- 36  
37 • **Amy Crump** - Apex High School
- 38 • **Hillary Kitchen** - Apex Friendship High School
- 39 • **Chad Miller** - Felton Grove High School
- 40 • **Teresa Dwiggin** - Middle Creek High School
- 41 • **Paige Hudo** - Apex Middle School
- 42 • **Matine Mani** - Apex Friendship Middle School

- 1 • **Jennifer Lamino** - Lufkin Road Middle School
- 2 • **Sarah Roberts** - Salem Middle School
- 3 • **Melissa Barnhart** - West Lake Middle School
- 4 • **Kelly Grainer** - Apex Elementary School
- 5 • **Erin Dunbar** - Apex Friendship Elementary School
- 6 • **Marissa McKinney** - Baucom Elementary School
- 7 • **Natalie Sayag** - Laurel Park Elementary School
- 8 • **Lisa Woodard** - Middle Creek Elementary School
- 9 • **Jennifer Taylor** - Oak View Elementary School
- 10 • **Tuyetnga Levesque** - Olive Chapel Elementary School
- 11 • **Kenny Bloomer** - Pleasant Plains Elementary School
- 12 • **Michelle Gregory** - Salem Elementary School
- 13 • **Stephanie Chase** - Scotts Ridge Elementary School
- 14 • **Tamara Dunston** - West Lake Elementary School
- 15 • **Terry Lynch** - White Oak Elementary School

16

17 **Mayor Pro-Tempore Mahaffey** invited Dr. Jennifer Job for some remarks.

18

19 **Dr. Jennifer Job**, Member of the Wake County Board of Education, recognized Ms.  
20 Edmonds, Wake County Board of Education and Mr. Tyler Swanson, representative of Apex  
21 High School. She acknowledged how much the teachers care about students and praised the  
22 teachers for doing more with less resources. She thanked all the teachers and congratulated  
23 them on being Apex’s Teacher of the Year for their schools.

24

25 **PR2 Apex Public School Foundation - Quarterly Peak S.T.A.R. Award**

26

27 **Terry Mahaffey**, Mayor Pro-Tempore, gave an overview of the S.T.A.R. Award’s  
28 meaning. He invited up Aspen Ambrose with the Apex Public School Foundation to announce  
29 the winner of the Quarterly Peak S.T.A.R. Award.

30

31 **Ms. Ambrose** gave an overview of what the Apex Public School Foundation  
32 represents and supports. She introduced Kendra Goggins, Assistant Principal at West Lake  
33 Elementary School as the Quarter’s Pak Star Award recipient.

34 **Ms. Goggins** thanked everyone for this honor. She said that she is a teacher first and  
35 that identity continues to guide her work as an Administrator.

36

37 **PR3 Proclamation - Black History Month - February 2026 (REF: PRO-2026-009)**

38

39 **Mayor Jacques K. Gilbert** read information about the Kente stole that he was wearing  
40 around his neck. He then, along with the rest of Town Council, read the Proclamation for Black  
41 History Month 2026. He invited T.J. Evans, Founder of the Apex Juneteenth Festival to have  
42 the honor of calling the names of those being honored.

1           **Mr. Evans** called the following to come up to receive a Proclamation and pictures:

- 2           • Larry Harris
- 3           • Pat Smith
- 4           • Betty Gilbert
- 5           • Dot Thomas
- 6           • Dr. Stanley McClamb
- 7           • Cindy Colvin
- 8           • Sheila Morrison
- 9           • Karen Lee
- 10          • Cherrelle Levette
- 11          • Colin West
- 12          • Ms. Samuel
- 13          • Jeanette Hill
- 14          • Matt Scialdone
- 15          • Ayesha Kazi
- 16          • Ed and Florida Dudley
- 17          • Jarvis and Selena Woodburn
- 18          • Pastor Sequola Dawson (St. Mary AME)
- 19          • Deborah Harris Judd

20

21           **Mr. Evans** said that each person being recognized is a part of Apex’s Black History. He  
22 said that Black History is American History and it gives us an opportunity to reflect, swap  
23 shoes, gain understanding and celebrate. He presented artwork of a collection of over 35  
24 landmarks that represented Black communities in Apex and presented it to Mayor Gilbert.  
25 He said there is a series on Instagram on Apex Juneteenth to learn more about Apex’s  
26 Black History Month.

27  
28  
29

30 **PR4 Proclamation - Lunar New Year 2026 - Year of the Fire Horse - February 17, 2026**  
31 **(REF: PRO-2026-010)**

32

33           **Mayor Gilbert** asked for Council Member Sue Mu, to begin reading the Lunar New  
34 Year 2026 - Year of the Fire Horse and she along with the rest of the Council Members read  
35 the proclamation.

36           **Councilmember Mu** called up Lilly Chen, Miao Li and Kanwal Nayar, Sheila Eli, Principal  
37 from the Chinese School and Quang from the Margin of Victory Empowerment to receive the  
38 proclamation and take pictures.

39

40           **Lilly Chen**, Founder of United Chinese American Waves spoke on a report from the  
41 Department of Health and Human Services and the statistic that 1 in 5 Asian high school  
42 students in North Carolina attempt suicide. She said that there was a youth mental conference

1 in September called Roots and Resilience and gave an overview of how this is working on  
2 mental health and how this day of recognition helps students feel proud of their culture. She  
3 thanked the Mayor, Council and Town Clerk Coleman for remembering and making them feel  
4 they belong.

5 **Miao Li, Former Principal of Triangle Chinese Language School** from 2023 to 2024  
6 invited anyone that wanted to learn Chinese to come visit. She thanked Councilmember Mu  
7 for making this milestone happen.

8 **Kanwal Nayar, AANHPI Unity Collective Chair** thanked the Mayor, Council and  
9 specifically Councilmember Mu for the invitation to celebrate the Lunar Year Celebration. She  
10 gave an overview of the AANHPI Unity Collective and its participation in encouraging voting  
11 in the Asian community and raising awareness on issues that affect their communities.

12 Another individual thanked the Town of Apex for recognizing and embracing cultural  
13 diversity. She gave an overview of celebrating the Year of the Fire Horse's meaning. She said  
14 is accepting this special honor on behalf of Move NC Foundation and representing tens of  
15 thousands of Asian descents living in North Carolina that celebrate Lunar New Year. She said  
16 there would be a Lunar New Year gala on Thursday, February 12, 2026.

17

18 **PR5 Special Recognition - Former Chair and Transit Advisory Committee Member**  
19 **Stuart Turner Wagner - Peacefully Passed Away Friday, November 21, 2025 (REF: RES-**  
20 **2026-014)**

21

22 **Mayor Gilbert** recognized Stuart Turner Wagner as the Former Chair and Transit  
23 Advisory Committee who passed away and invited the Council Members to read the  
24 recognition. He invited Linda Wagner, the wife of Mr. Wagner, Shannon Cox, Planning and  
25 Linda Barrett, Current Advisory Board Chair, for the acceptance of the resolution and pictures.

26

27 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by  
28 **Councilmember Zegerman** to approve the Resolution of Remembrance Honoring the Life  
29 and Service of Stuart Wagner.

30

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

32

33 **PR6 Apex Farmers Market - Location and Operations Presentation**

34

35 **Ali Page**, President, Apex President Farmers Market and Local Food Alliance

1 [SLIDE 1]



2  
3 [SLIDE 2]



4  
5 [SLIDE 3]



6

1 **[SLIDE 4]**

### Our Efforts

- We created new methods for gaining community interest:
  - Community tent for fundraising
  - Business tents for small businesses to advertise
  - Allowing volunteers for school or organization hours
  - Participate in town activities like PeakFest, July 4<sup>th</sup>, and Tree Lighting
  - Sponsorship benefits to bring sponsors to the market
  - Hosting charitable events likes Food drives and Dog adoptions

2  
3 **[SLIDE 5]**

### Market Growth

Community Spend Type	2024	2025	Total Spend
WWCM Market Funds	\$295.31	\$200.00	\$495.31
WWCM P2P Funds	\$383.24	\$1,119.32	\$1,502.56
MoW Market Funds	\$1,375.45	\$2,320.10	\$3,695.55
MoW P2P Funds	\$723.02	\$1,961.75	\$2,684.77
Kids Market Funds	\$375.70	\$480.00	\$855.70
Kids P2P Funds	\$236.00	\$454.72	\$690.72
<b>Total Spend</b>	<b>\$3,388.72</b>	<b>\$6,535.89</b>	<b>\$9,924.61</b>

WWCM: Western Wake Crisis Ministry  
MoW: Meals on Wheels Cafe at White Oak  
Kids: Funding of kid's activities

Market Funds: funds from the market bank account  
P2P Funds: "Produce to Pantry" reimbursed funds from Wake Co.

— 5

4  
5 **[SLIDE 6]**

### Market Growth continued

Statistics	2023	2024	2025
Number of unique fundraisers	0	16	20
Number of volunteers	0	13	26
Number of unique business tent renters	0	2	12
Number of sponsors	0	3	11
Total sponsorship funding	\$0	\$500	\$3,300
Avg attendees per market (Traditional Season)	430	595	650
Avg attendees per market (Winter Season)	290	400	470
Number of markets with SNAP customers	0	0	34
Wake Co. DoubleBucks matched	\$0	\$0	\$2,530
SNAP Customer Spend	\$0	\$0	\$2,855
Avg number of vendors per market	9	15	20

— 6

6

1 **[SLIDE 7]**

**Special Call Outs**

Over the past two years we have done some fantastic things! Below are a few to call out:

**2024**

- Gifts for a 100<sup>th</sup> birthday celebration at Meal on Wheels
- Sponsored the Apex High School Future Farmers of America
- Managed and Matched a donation drive for ARC in Asheville

**2025**

- Hosted two Dog Adoption events
- Hosted Rotary Club Food and Coat Drives
- Held a Halloween market event at the Sweetwater community
- Provided pre-made Thanksgiving meals to Meals on Wheels



7

2  
3 **[SLIDE 8]**

**What's Next**

Over the next two years we're hoping to continue our growth and provide even more to the community.

- Provide more donations to NeighborUp (formerly WWCM) and Meals on Wheels
- Provide more matching to drives that we host at the market
- Host more kid's events
- Create a "chill tent" for summer markets
- Host multiple market events at Sweetwater per year
- Provide annual updates to Town Council

*We're working with Colleen and will be in touch soon!*

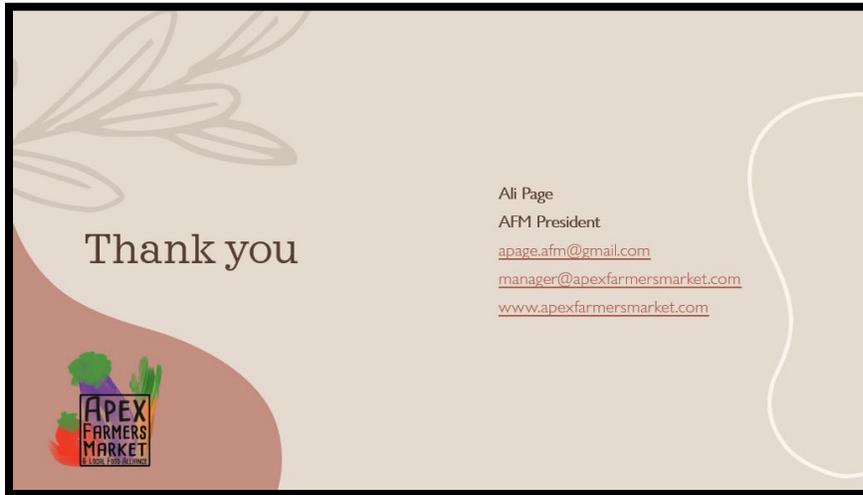
4  
5 **[SLIDE 9]**

**Questions and Answers!**

9

6

1 **[SLIDE 10]**



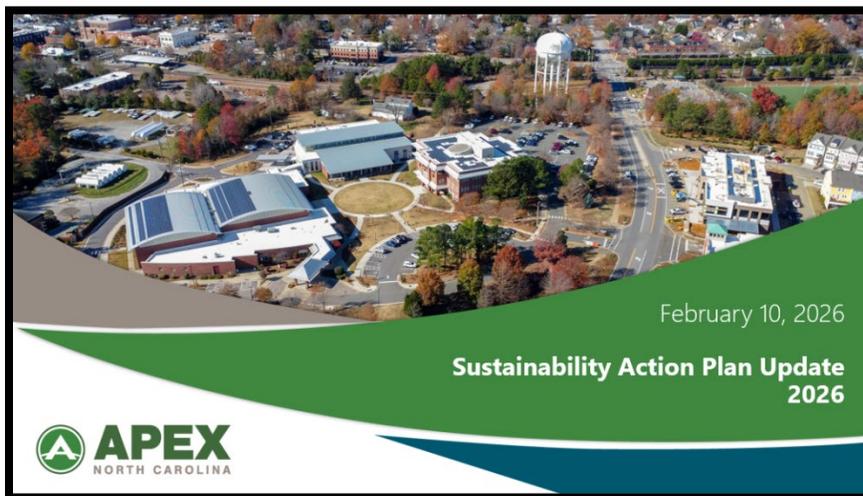
2  
3 **Mayor Gilbert** thanked Ms. Page for all her work. He said he was glad they were back  
4 in Downtown.

5 **Councilmember Reese** thanked her for being a part of the community.

6  
7 **PR7 Sustainability Action Plan (SAP) Annual Update - Fiscal Year 2026**

8  
9 **Don Reeves**, Sustainability Coordinator, Budget and Performance Management  
10 Dept. gave the following presentation:

11 **[SLIDE 1]**



12

1 **[SLIDE 2]**

**Key Highlights**

- Facilities and Energy Management
- Fleet Electrification and Clean Mobility
- Waste Management and Environmental Impact
- Other Initiatives

2  
3 **[SLIDE 3]**

**Completed Initiatives**

- Solar Energy Assessment
- LED Street and Outdoor Lighting
- Telematic Fleet Technology
- Vehicle Evaluation Criteria and Replacement Analysis
- EV Charging Infrastructure Location Study
- Electric and Alternative Fuel Equipment
- Public Transit Options
- Recycling Standards & Signage

4  
5 **[SLIDE 4]**

**Initiatives in Process**

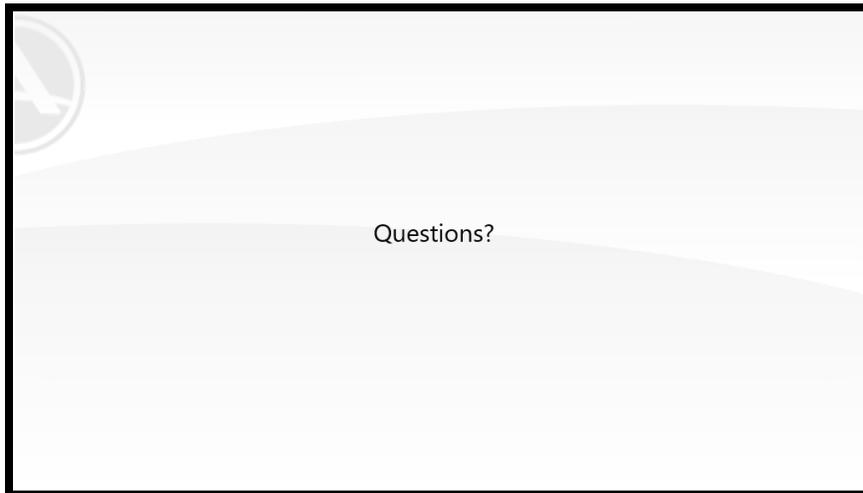
- Water Conservation Landscape Design
- Greenhouse Gas Inventory
- Strategic Energy Plan
- High Efficiency Inventory Replacement
- Vehicle Idling Reduction Guidelines
- EV & Hybrid Vehicle Procurement Guidelines
- Paper Waste Reduction
- Yardwaste Collection Assessment

6

1 **[SLIDE 5]**



2  
3 **[SLIDE 6]**



4  
5 **Mr. Reeves** asked if there were any questions.  
6 **Councilmember Zegerman** asked what the baseline year was for the greenhouse gas  
7 inventory.  
8 **Mr. Reeves** said there is data back to 2018 but for most cases greenhouse gas  
9 inventory is better done within 5-year increments so it will be 2020 or 2021, and the is  
10 sufficient data from the billing system to implement this.  
11 **Councilmember Zegerman** asked for pictures of before and after showing the impact  
12 and results of previous years' investments by previous Councils.  
13 **Mayor Pro-Tempore Mahaffey** thanked Mr. Reeves for all his work and said that this  
14 was an element that had been missing for tracking the progress. He said that February 5,  
15 2019 Apex passed the resolution to endorse the goals of achieving 100% clean energy by  
16 2050 and 80% by 2035, and asked is Apex in terms of meeting these goals that were set in  
17 2019.

1           **Mr. Reeves** said that the goal is for the dashboards to eventually answer this question  
2 but current data shows that Apex is on track with this goal. He said that data shows that the  
3 town remains mostly dependent on electricity from utilities and a small portion of energy is  
4 coming from on-site solar generation. He said the first greenhouse gas inventory focuses on  
5 town facilities and doesn't account for the broader community-wide solar impact and  
6 coordination with staff, facilities and electric utilities is needed to address gaps in solar  
7 generation data to improve accuracy in reporting the data.

8           **Mayor Pro-Tempore Mahaffey** clarified that the resolution was just the Town of Apex,  
9 the buildings and facilities, and not the full community.

10           **Councilmember Reese** asked if each project was available to the public to see the  
11 components or installation to be purchased.

12           **Mr. Reeves** said the current sustainability dashboard is on the Environmental and  
13 Leadership website and it is updated bi-weekly or monthly and there were also Council  
14 presentations. He said within the dashboard there are 160 tracked initiatives across the  
15 projects.

16           **Councilmember Reese** asked if there was an assessment specifically around urban  
17 heated islands and how the town addresses these.

18           **Mr. Reeves** said it wasn't outlined in the iteration of the 2024 sustainability action  
19 plan, heat islands and urban heat is something that he and other staff have formed a heat  
20 cohort. He said the goal of the heat cohort is to produce a Heat Action Readiness Plan to  
21 make sure that there is a course of action in place in events of extreme heat.

22           **Mayor Gilbert** thanked Mr. Reeves and moved to Public Forum.

23  
24 **[PUBLIC FORUM]**  
25

26           **Mayor Gilbert** opened the Public Forum and called the first speaker.  
27  
28

29           First to speak was **Dr. Michelle Hoffner O'Connor** of 2664 Jordan Boulevard:  
30

31           " I have been a researcher reading primary literature and collecting and interpreting  
32 data for over 20 years across multiple disciplines. My work, including primary author  
33 publication and doctoral dissertation, has passed the litmus test referred to as peer review.  
34 Throughout this process, I have found myself troubled by the misrepresentation of facts, both  
35 from Natelli and his team and now by our town. I don't necessarily believe misrepresentations  
36 of information from our town are malicious, but it does beg the question, who are the real  
37 subject matter experts being consulted? Who is performing review to verify what is said?  
38 The lies that come from Natelli are constructed to make a lion sound like a lamb. The data  
39 center will only use water during the summer. Incorrect. A hybrid cooling system is  
40 dependent on temperature, humidity, and types of chips used. They work great in the Nordics  
41 and even in dry, warm climates like Arizona, but fail to deliver in warm, humid climates like  
42 ours. Each building will require at least 12 three-megawatt generators. Misleading, at 300

1 megawatts, a minimum of 25 are needed for each building to total over 100. These  
2 generators will only be used during testing and power outages. How can a developer even  
3 guarantee such a thing when they will be long gone and when the data center goes live, and  
4 the fact that Duke Energy can barely support the existing grid during cold weather?  
5 Meanwhile, the supporting documents for the Working Session were intended to be well-  
6 rounded and educational but are missing much information and context to the point where  
7 incorrect statements are inevitable. The potential for anything geothermal is close to zero.  
8 The ground is famous for its impermeability, which means there is virtually no ability for water  
9 to flow, making this option arbitrary. It is unreasonable to compare a strict, federally regulated  
10 cooling tower like Shearon Harris's to that of a data center. At over 500 feet tall, the Shearon  
11 Harris cooling tower pushes all its water vapor into the upper atmosphere, which is why there  
12 is little to no impact on the local climate and why you do not hear about Legionella outbreaks.  
13 However, release of water vapor at a cooling tower height of only 70 feet affects the lower  
14 atmosphere we breathe. Water vapor can alter the local climate, and Legionella will distribute  
15 locally in higher concentrations. Finally, the lack of inclusion of fine particulate matter, a tier  
16 one carcinogen, during any generator discussion seems capricious. I gave a nine-minute  
17 speech on this in October, and it is easily the greatest threat of all the pollutants to our health.  
18 So, where do we go from here? How do we ensure that objective truth will win out? Will the  
19 town commit to hiring independent subject matter experts to review and help round out the  
20 existing research presented on January 22<sup>nd</sup>? It is not my intention to offend anyone's work. I  
21 acknowledge there are many aspects that must be researched to assist in the decision-  
22 making process. However, the last thing I want to see is this town to make decisions based on  
23 incomplete or inaccurate information. I expect the Natellis to twist the truth for their own  
24 personal gain, but I expect this town to uphold the peak of good living by ensuring that they  
25 are exceeding the peak of good research. People's quality of life is literally dependent on it.  
26 Thank you."

27

28 **Mayor Gilbert** thanked the speaker and invited the next speaker.

29

30 Next speaker was **Sarav Arunacaacam** of 2924 Jordan Point Boulevard:

31 "I'm a chemical engineer and professor of environmental sciences and engineering at  
32 UNC Chapel Hill. I'm also a director of the Center for Environmental Modeling for Policy  
33 Development at the UNC Institute for the Environment. You should be getting a set of  
34 handouts that I put together to help with this presentation today. I have studied emissions  
35 and air pollution for the past three decades and worked with multiple State agencies,  
36 industry, and the US EPA on various air quality issues. I've given expert testimony to the North  
37 Carolina Department of Justice, US Department of Justice, and most recently to the US  
38 Senate on US methane-related air pollution health. I'm here to talk about the proposed 300-  
39 megawatt data center at New Hill, which among other impacts will have on-site generators  
40 with excess emissions of multiple pollutants that will lead to dirty air, contaminated water,  
41 and unhealthy citizens. Generating power for a 300-megawatt data center on site is akin to

1 having a polluting power plant in the town with its motto “Peak of Good Living.” The State of  
2 North Carolina has been in attainment of the health-based standards for all criteria air  
3 pollutants for over a decade except in 2023 when there were exceptional events due to the  
4 smoke from the Canadian wildfires. When a region achieves all air pollutant standards, the  
5 citizens are healthy, millions of dollars are saved due to avoided health costs, the economy  
6 grows, and the skies are blue. However, when a region is designated nonattainment and if  
7 the region or state does not have a plan for emissions reductions to clean the air, various  
8 enforcement measures kick in. Besides increased health costs to the general public, the  
9 nonattainment region suffers on various fronts. Despite some considerations of the EPA  
10 reported by the New York Times last month not to look at savings in health costs of pollution  
11 controls by a recent proposal, the fact remains that when you avoid pollution, you save on  
12 health costs. With the proposed 300-megawatt data center in New Hill, we are at risk of  
13 having excess emissions that will likely reverse over a decade of clean air that the citizens of  
14 North Carolina have enjoyed. It is then likely for Wake County and its neighbors to show up in  
15 the dirty county list that the American Lung Association compiles each year. These excess  
16 emissions are projected from both the proposed data center due to on-site generation of  
17 backup power as well as from Duke Energy when Duke has to ramp up production to meet  
18 year-round energy demand on the grid, including possibly extending the life of fossil fuel-  
19 based power plants. Just last week, when we had an invasion of Arctic air into the region, we  
20 saw that Duke made an appeal to the citizens of North Carolina to reduce energy usage to  
21 help with increased energy demand. So many hyperscale data centers in other states were  
22 required to operate backup emergency diesel generators. I will switch to a narrative on a tale  
23 of two data centers. In the first data center, the one proposed for New Hill, the on-site backup  
24 generators are expected to run for multiple hours over a period of a year for testing and then  
25 for backup power for the data center should there be a power outage or emergency from  
26 Duke. Using a regulatory dispersion model developed by the US EPA, I have taken the liberty  
27 to model the air quality impacts of excess emissions of oxides of nitrogen, or NOx, assuming  
28 that they will use diesel fuel. While the generators can be fueled by any of diesel, natural gas,  
29 or renewables, we have heard from the developer about the potential use of tier 4  
30 generators. While a tier four generator is better than tier three, the potential still exists for  
31 these generators to use fossil fuel, and I will use that scenario here. There are two alternatives  
32 to having this backup power generation: a single large facility on site with a tall stack or 100  
33 small sources with likely identical capacity. I have provided a series of maps to help you walk  
34 through this modeling. Figure one on the first page shows the prevailing direction of winds  
35 as reported at the Raleigh-Durham International Airport, which is representative for this  
36 region. That’s a set of wind rose plots, as you will see for three of the four seasons of the year,  
37 the winds are blowing from the southwesterly direction, however during the fall season, they  
38 are from the northeast. I will show air quality impacts of NOx emissions, one of the many  
39 pollutants emitted during diesel combustion, as footprints using contour plots. Figure two in  
40 your handout shows incremental rings that are uniformly placed one by one kilometer  
41 spacing from the proposed facility on Shearon Harris Road. These rings intersect New Hill  
42 and Olive Chapel at 2 kilometers, 540 at 8 kilometers, and NC 55 at 11 kilometers from the

1 facility, note that I am discussing units in SI units, which is the norm mandated by the  
2 American Meteorological Society for atmospheric science calculations to promote  
3 consistency and standardization for comparison in the global context. I have also shown the  
4 locations of vulnerable and sensitive populations, our children, the future leaders of this  
5 country, by identifying locations of multiple schools and playgrounds in Apex. Figure two in  
6 the right panel also shows the alternate location of these 100 generators laid out in a 10 by  
7 10 array on the proposed property for this modeling study. Figure three shows the annual  
8 average on the left and the single hourly maximum NO<sub>x</sub> concentration on the right at each  
9 receptor at these radial distances. The annual average values are almost 1 microgram per  
10 cubic meter, that's a unit in which you measure these pollutants at this location where we are  
11 right now, the Apex Town Hall, while the maximum single-hour concentration exceeds 200  
12 micrograms per cubic meter just outside the 1-kilometer ring from the facility. We also see  
13 values of over 50 micrograms per cubic meter near the Apex Town Hall over 11 kilometers  
14 away from the facility. Now let's look at an alternate scenario where the proposed facility will  
15 have 100 smaller capacity 3-megawatt generators as proposed by the developer. Since these  
16 are much smaller in size, it's reasonable to assume that their emission release height is lower  
17 than a single tall facility and hence the atmospheric dispersion will be relatively localized, that  
18 is with higher impacts in the near field. In figure four, the annual average impacts are more  
19 than 100 micrograms per cubic meter just over a kilometer from the facility, and a larger  
20 plume of 10 to 50 micrograms per cubic meter is seen in roughly a 10-kilometer radius  
21 around the facility, correspondingly, the maximum single-hour concentration values are in  
22 the several hundred micrograms per cubic meter range spread more like a pancake all  
23 around the facility over a 15 to 20 kilometer radius, with the maximum impact being over  
24 2,500 micrograms per cubic meter within the first couple of kilometers from the facility.  
25 Comparing these predictions with the national ambient air quality standards in the US EPA  
26 for nitrogen dioxide, or NO<sub>2</sub>, a primary component of NO<sub>x</sub>, at 188 micrograms per cubic  
27 meter over an hour or 100 micrograms per cubic meter for an annual average indicates air  
28 quality levels from this facility would be exceeded by more than double a kilometer away  
29 while the maximum impact is 250 times the current NO<sub>2</sub> standard designed to protect public  
30 health of the citizens. While the model impacts the present from oxides of nitrogen, these  
31 gases go on to form fine particulate matter, which you heard the previous speaker mention,  
32 particles of size less than 2.5 micrometers, through various physical and chemical processes.  
33 A micrometer is one millionth of a meter. The 2.5-micron size is roughly about a twentieth of  
34 the width of a human hair. Exposure to air pollution from fine particles is the single largest  
35 global environmental health risk, with about 8 million people dying prematurely each year. In  
36 the US alone, that number is about 100,000 per year, while previous speakers have talked  
37 about the various adverse health impacts of exposure to fine particles, I'll skip that for now.  
38 I just want to summarize to say that short-term exposure triggers acute symptoms while long-  
39 term exposure increases chronic disease risk and premature mortality. Recent studies in the  
40 epidemiological literature have also shown impacts on pregnant women, which includes  
41 premature birth, autism, and cognitive decline leading to increased risk for  
42 neurodegenerative diseases like Alzheimer's. In the town at the peak of good living, you may

1 have vulnerable populations, children and older adults, being affected the most, with healthy  
2 adults also showing new adverse symptoms due to exposure to this pollution from the first  
3 data center we are talking about. Due to cognitive decline, it's possible that the test scores of  
4 students of southwestern Wake County and likely Chatham County are negatively affected.  
5 To conclude, while there are several concerns related to the proposed data center, excess  
6 emissions that affect the quality of air we breathe, excess demand on water that will strain  
7 local resources, excess noise that will affect sleep, and excess cost to consumers due to high  
8 electricity bills, the question I implore you to ask yourselves is: are there really any benefits in  
9 any form to the Town of Apex and the residents that exceed the cumulative costs due to the  
10 proposed data center? Thank you for the opportunity to provide this testimonial and for your  
11 time today. I look forward to being back on a future date to talk about the second data center  
12 to provide a contrast to the first one presented today. Thank you."

13 **Mayor Gilbert** thanked the speaker and invited the next speaker.

14

15 Next speaker was **Elizabeth Stitt** of 3113 Friendship Road:

16

17 "Mayor, Town Council, good evening. Welcome to the new Council members. It's the  
18 first time I've been in front of you. As you know, I've been gone for a few weeks, but I am back  
19 and ready to start again, starting a new year. This is beginning my fifth year of regularly  
20 coming and standing in front of you. When I took a couple weeks out to take care of other  
21 things, I was trying to follow the town, it was incredibly hard to follow the town and it occurred  
22 to me that the town's website has not been updated in at least four years. It has the same  
23 pages and the same features, but it has not grown in any transparency whatsoever. When I  
24 was trying to find information, I went to the search box. You cannot put in "data center work  
25 session" and get any of the material unless you know exactly what to go look for. You have to  
26 go into the Work Session, find the Work Session, and go through it. You have to go through  
27 all of these steps. So, we as a town have not become any more transparent in the last four  
28 years, and transparency is one of the town's goals. I ask that you consider making it one of  
29 your resolutions this year to figure out how to bring more to our website so that it is easier.  
30 The Town of Cary, as you recently know, has spun up a page on their website showing all of  
31 their public records requests. It shows who put the request in, what the request is, and what it  
32 was fulfilled with. I know there has been conversation about there being a lot of public  
33 records requests in Apex. Maybe following what Cary did is a way to reduce some of those. If  
34 I want to go look at the P-cards, if that P-card data has already been pulled, I would have the  
35 ability to do that, but as it is today, that does not exist. If you look also at the City of Raleigh,  
36 they post all of their neighborhood meetings for every single development, so it does not  
37 matter if you are 300 feet away. You have the ability to go look at the areas of town that matter  
38 to you. You may have interest in different parts of the town even if you don't live 300 feet  
39 away. They also post their transportation studies so that people can become more educated  
40 about what the development is going to do to their neighboring intersections. This is a  
41 passion of mine because you know that I came in front of you to fix Friendship Road. I was

1 originally told that we would never get a stoplight at Friendship Road and so, I stood at the  
2 end of my driveway, got 400 signatures, took it to a bunch of different groups, Apex, NC DOT,  
3 and others, and they did a traffic study and guess what, where you only had to meet one out  
4 of eight warrants, we met three out of eight warrants because the people who are making  
5 decisions about us do not live there. So, if you start putting these things out on your website  
6 and bringing more transparency, I think you will have a lot less work on your staff and a better  
7 educated community. Thank you.”

8  
9 **Mayor Gilbert** thanked the speaker and called the next speaker:

10  
11 Next speaker was **Rick Beech** of 1610 Royal Red Trail:

12  
13 “I love living at the peak of good living. I was fortunate to move here when families  
14 with modest incomes, including many public servants, could afford to live here. I passionately  
15 speak tonight with the hope that Apex could again be a place where public servants, which  
16 we celebrated tonight, can live and serve here. I plead for the town's help so that the dream  
17 of serving and living in Apex does not stop with me and my generation. I am a lifelong public  
18 servant. I helped to start Habitat for Humanity of Wake County 40 years ago as a seminary  
19 intern. Wake County enthusiastically supported the dream of quality affordable housing for  
20 everyone, with Habitat Wake quickly becoming a top national producer in the Habitat  
21 network as it remains today. I was fortunate also to personally enter the housing market when  
22 there was a lot more assistance for first-time home buyers of modest means. With the help of  
23 the North Carolina Housing Finance Agency, I was able to get significant assistance in  
24 purchasing a quality, affordable home. Once Habitat Wake was flourishing, I was asked by  
25 Habitat for Humanity International to help start other Habitat organizations across the country  
26 and to help them engage the faith community in their work. When our children came along,  
27 my wife and my family moved back to Wake County where my wife grew up. We settled into  
28 Apex. I served two churches here and eventually returned to Habitat Wake. My wife helped to  
29 open Olive Chapel Elementary School where she served until she retired. This is where the  
30 dream of serving and living in Apex ends. My daughter, following her mother's footsteps,  
31 became an elementary school teacher. She attained a teaching position in Apex but could not  
32 afford a one-bedroom apartment on her first-year teacher salary. She lived at home until we  
33 could put a plan together. Even though I spent most of my career with Habitat seeking to  
34 create a world where everyone could have a quality affordable home, my own daughter was  
35 shut out. How could that be? For beginners, the federal and state funding which enabled my  
36 wife and I to become homeowners 40 years ago now barely exists. Amidst our area's rapid  
37 growth, the cost of housing then became out of reach for my daughter and others like her.  
38 Our family did some soul searching and decided to intervene because we were able to get  
39 into Apex early enough, our house had significant equity. We took out a second mortgage  
40 and made a very significant down payment on a one-bedroom condo for her. She now has  
41 quality affordable housing and is thriving and building wealth like those with quality  
42 affordable housing often do. While my wife and I were able to intervene, that is not the case

1 for others. My father was a white veteran and came home to a VA loan to help him buy a  
2 home where I was born. Black veterans did not come home to such programs, helping to  
3 create the racial wealth gap that still haunts this country where the median net wealth of a  
4 white family is 171,000 and the median net wealth of a Black family is 17,000. So, what are we  
5 to do to make Apex again the Peak of Good Living for public servants as well as everyone  
6 else? Succinctly, we have to be bold. It is not hyperbole. We are in a crisis. Perhaps the  
7 housing crisis is not affecting your family yet. However, it will likely do so without serious  
8 intervention. Who is going to teach our children, put out the fires, and serve as medical  
9 assistants if we do not intervene? Let me briefly share what Habitat Wake is doing, then I will  
10 close with some suggestions for the town. Habitat Wake has evolved to meet the crisis, we  
11 have become developers who are building neighborhoods with many housing types,  
12 including town homes and condos. We are using land leases like at Friendship Station on  
13 Tingen Road in Apex. We are selling the structure to families while holding on to the land to  
14 allow long-term affordability for the home buyers. We are repurposing underutilized faith  
15 property to build affordable housing. We just announced our first yes in God's Backyard  
16 project, creating 28 affordable units. We are raising millions of dollars from major donors to  
17 create a revolving loan fund to purchase underutilized faith and other properties. We are  
18 committing to paying back those funds to create a perpetual fund for site acquisition and  
19 development. These innovations have the potential to increase our production as much as  
20 60%. We have already built 1,000 homes. We are desperately trying to do our part. We plead  
21 for the town to do its part. Here are three suggestions. One, just as I accessed 40 years ago in  
22 Wake County, let's recreate and expand subsidies to help households with modest incomes  
23 to be able to live here. Our County has a shortage of 28,000 affordable housing units for  
24 households earning \$50,000 or less. These 28,000 families, many in Apex, desperately need  
25 our help. The town of Apex already has a housing investment fund. The town's consultant has  
26 suggested increasing it from \$2 million to \$14 million to subsidize affordable housing. There  
27 is no time like the present. Two, do everything you can to preserve existing affordable  
28 housing. Habitat Wake mobilized the faith community here to speak to you earlier about  
29 preserving Apex's manufactured home communities. While we know this is complicated, we  
30 must find a solution to keep these residents, most of whom are in the service sector, in our  
31 community. Three, Habitat Wake has increased its home preservation program from serving  
32 40 families in 2024 to nearly 100 families in 2025. We urge the town to equally grow its  
33 investment into its home preservation program. My beautiful daughters attended Olive  
34 Chapel Elementary, Apex Middle, and Apex High schools. These great schools and our  
35 wonderful faith community helped to produce a very loving pastor and a very loving teacher.  
36 As Habitat Wake has done, I ask the town to do everything it can to enable these and other  
37 public servants to be able to call Apex home. Let's not let the dream of serving and living in  
38 the Peak of Good Living die with my generation. Thank you."

39

40 **Mayor Gilbert** thanked Mr. Beach and called the next speaker.

41

42 Next speaker was **Dawn Cozzolino** of 3632 Bosco Road:

1  
2 "Good evening all once again. Here we go again, placing major financial and property  
3 decisions on the consent agenda. This is tonight's consent agenda. Regarding consent  
4 agenda number one, North Carolina DOT, Apex Peakway North widening of Center Road and  
5 Raleigh Road, look at the fine print, it says it is routine to have things in the Consent Agenda.  
6 The town continues to function as a proxy government where a handful of insiders make  
7 multi-million-dollar decisions while the public is sidelined. CAMPO, Capital Area Metropolitan  
8 Planning Organization, did not prioritize this project for right-of-way reimbursement. Regional  
9 Planners judged it less urgent than competing projects, yet Apex is moving forward anyway,  
10 assuming 100% of engineering and right-of-way costs up front and if federal construction  
11 reimbursement does not materialize, which is entirely possible, taxpayers would end up  
12 funding the entire project, not just upfront costs, potentially all of it, but there is more. The  
13 agreement lists \$10,000 as the reimbursement threshold. \$10,000 for a multi-lane widening  
14 with sidewalks, bike lanes, and property acquisition, that's not a serious threshold. It reads as  
15 a placeholder that masks the true exposure while residents remain on the hook for potentially  
16 millions. To widen this corridor, additional right-of-way is required, meaning private property  
17 acquisitions, potentially through eminent domain. Eminent domain is one of the most serious  
18 powers government holds. It requires a clear public necessity, not a preference, not a design  
19 upgrade, and not speculative growth projections and yet this moves forward under consent  
20 with no standalone discussion, no parcel impact maps, no full financial transparency, and no  
21 public debate. Taxpayer money is at risk, private property is at stake and this deserves  
22 scrutiny. I am going to be submitting a public record request. This should be routine and  
23 straightforward, and I should receive it within a few days. I will report back publicly on the  
24 timeline and on the delays if I do not receive transparency, because this is about  
25 accountability and this is a very serious situation. I will continue to come up here to let the  
26 public know what is going on. Thank you."

27  
28 **Mayor Gilbert** said thank you and called the next speaker.

29  
30 Next speaker was **Glenn Rinne** of 3537 Jordan Shires Drive:

31  
32 "Mayor Gilbert, council members, my name is Glenn Renie, 3537 Jordan Shiress Drive,  
33 and I have a slightly different opinion. I know you have been under a lot of critique this  
34 evening. I watched with interest the Town Council Joint Planning Board meeting on the 22nd  
35 and the second part of that. I was very impressed with the scope and scale of the town's  
36 response to the risks of the data center. You heard my concerns and reacted appropriately. I  
37 would especially like to call out Bruce Venable for his excellent presentation. I must say I am  
38 proud to live in Apex, the peak of good government. Similar risks are posed by the recent  
39 North Carolina Utilities Commission's approval of the Longleaf solar power plant in New Hill  
40 opposite the Harris plant on New Hill Holleman Road. I do not know if you have heard about  
41 it, but one part of this project is the construction of a battery electric storage system to store  
42 the electrical energy from the solar panels. The first phase, New Hill One, will be a 140-

1 megawatt battery system. New Hill Two will expand this to a total of 980 megawatt hours. This  
2 is three times the size of the battery storage system proposed for the data center. I know the  
3 meaning of terms like megawatts and megawatt hours may be a bit vague and esoteric to  
4 many. In fact, Duke misused them on their own website. Let me try to put these numbers into  
5 context. A megawatt hour is a measure of the amount of energy stored or consumed, but  
6 what does 980 megawatt hours mean to us? To help put that in perspective, this is the same  
7 energy as is contained in 30,000 gallons of gasoline or the same energy as 843 tons of TNT.  
8 No wonder firefighters do not like battery systems. When large amounts of energy are stored  
9 in a relatively small area, there is always concern about the sudden uncontrolled release of  
10 that energy, but of course large-scale battery facilities do not explode as fast as TNT, but they  
11 can explode in a series of smaller explosions and fires. In January last year, a 300-megawatt  
12 building at the Moss Landing site in California caught fire. 1,200 residents were evacuated,  
13 and they are still extracting damaged batteries from that site because damaged batteries can  
14 initiate new fires and explosions. The year before that in San Diego, the Gateway Energy  
15 Facility burned for five days, both required evacuations. The closer such facilities are to  
16 residential and commercial areas, the more extensive the required protection must be, this  
17 should encourage citing high-impact facilities in low-risk locations. Strong ordinances are  
18 essential. Thank you.”

19

20 **Mayor Gilbert** thanked **Mr. Rinne** and invited the next speaker.

21

22 Next speaker was **Carl Helton** of 505 East Chatham Street:

23

24 “On September 30, 2023, Carl Helton, 505 East Chatham Street, I spoke with Jimmy  
25 King of Peakway Development about purchasing a 5.27-acre portion of the 13-acre tract on  
26 South Hughes Street. He said he felt that cutting off a portion may hurt the sale of the  
27 remaining 13 acres. Mr. King and I met with Steve Adams, Dianne Khin, and another staff  
28 member to discuss what our options might be on that property. It was left that they were  
29 going to discuss this with the staff and the board, and the next thing we heard was the town  
30 had purchased the entire tract and that the Legion was not considered. I understand that  
31 houses are now planned for that site. I was later told that for the town to be involved, our  
32 venture would have to be for the good of the whole community. There are over 2,500  
33 veterans living within a 10-mile radius of that location. We would like to have a seat at the  
34 table to see what we can do together about putting a Veterans Memorial Center on that  
35 location. We can raise a good portion of the money to build the building, with the town  
36 furnishing the land and the infrastructure. This could be used for Veterans and the entire  
37 community for various events. Event space is much needed in our town. We see it available in  
38 surrounding communities, but many times our residents have to go outside of Apex to obtain  
39 a venue for the events. This would also be an outlet to sustain the building itself and would be  
40 a win for both the Veterans and the citizens. Let’s keep the involvement and the revenue in  
41 Apex. At this time, I would like to invite Steve Gillespie.”

42

1 Next speaker was **Steve Gillespie** of 507 Homegate Circle:  
2

3 "Good evening. Steve Gillespie, 507 Homegate Circle, pleasure to speak with you  
4 tonight. I am here in addition with Apex American Legion Post 124 on behalf of Veterans,  
5 Wounded Warriors, and military families who have given often quietly so that communities  
6 like ours can thrive. This is the longest I have ever lived in one place in my 60 years, now at 10  
7 years in 2025. Every Veteran understands the guiding principle: service before self. It is  
8 learned early, reinforced daily, and carried for a lifetime. Veterans do not ask what something  
9 costs initially, they ask whether it is worth doing, whether it advances the vision and mission,  
10 and whether it takes care of people. Mayor Gilbert, your leadership, shaped by service in law  
11 enforcement and as Mayor, reflects unity, stewardship, and long-term vision for Apex. Those  
12 are the same values veterans relied upon when entrusted with missions far larger than  
13 themselves, we appreciate your service. Mayor Pro-Tem Mahaffey, your focus on responsible  
14 growth, clear communication, and thoughtful planning mirrors how veterans are trained to  
15 prepare not just for today's task but for what comes next. Council Member Gray, veterans  
16 know firsthand that public safety and preparedness are daily responsibilities, not abstract  
17 concepts, your Air Force service and continued community leadership embody that  
18 commitment. Councilmember Zegerman, veterans understand accountability and fiscal  
19 discipline. We lived by it when lives, equipment, and trust were on the line. You can trust that  
20 this vision will be executed with that same discipline. Councilmember Reese, many veterans  
21 continue serving by mentoring youth, coaching teams, and modeling character built on  
22 discipline and teamwork, me give back. Councilmember Mu, Happy Lunar New Year. Veterans  
23 come from every background, and they believe deeply in communities where dignity,  
24 inclusion, and opportunity are extended for all. For this Veterans and Wounded Warrior  
25 Center, it is not simply about the land. It is about creating a place for healing, transition,  
26 mentorship, and continued service. A place where wounded warriors are supported and  
27 veterans remain engaged, volunteering, leading, and giving back to Apex. This is not charity.  
28 It is an investment in people who have already proven their commitment through service. I  
29 served for 30 years in the United States submarine service and continue serving Apex  
30 through the American Legion, youth mentorship at all the high schools, nonprofit leadership  
31 through 100 Men, and civic leadership through Apex Rotary, alongside the rest of the  
32 veterans sitting here today who are cornerstones of this community, and our former Apex  
33 ambassador JC Knowles. Across every branch of the military, we are taught that no one  
34 succeeds alone, tonight, we ask Apex to stand with those who stood with this nation. Your  
35 decision will echo far beyond this project. It will say to every veteran and military family, Apex  
36 remembers, Apex values, Apex leads. Thank you for your time. I will turn the remarks over to  
37 our past National Vice Commander, Patricia Harris."

38  
39 Next speaker was **Patricia Harris** at 6840 Lakersville Lane, Raleigh:  
40

41 "To the mayor and members of the council, I am Past National Vice Commander  
42 Patricia Harris, 6840 Lakersville Lane, Raleigh, North Carolina. I came to Apex in 2008 with a

1 very specific purpose: to help revitalize the American Legion Post 124. At that time, I believed  
2 deeply in the value of a community-based post, one not just rooted in tradition but in service,  
3 connection, and care for veterans. I am proud to say that those instincts were right. Apex is  
4 home to a significant number of veterans and military families, those who live here, work here,  
5 spend money here, and raise families here, and quietly carry the weight of service long after  
6 the uniform comes off. Veterans from Apex and the surrounding communities need a  
7 dedicated, visible place where they can gather, find support, and know that they are not  
8 alone.”

9

10 **Carl Helton** continued:

11

12 “Before what we have been proposing to a lot of businesses and a lot of people that’s  
13 got power by calling this a Veterans Memorial Center rather than a post building for  
14 American Legion Post 124. We can get State money and we can get Federal money. The first  
15 question I get asked when we talk to people is where’s it going to go, and until we get some  
16 commitment, either you tell us we have a chance to put it on Hughes Street, which is the best  
17 location, it’s got six entrances in different directions that you can go, we’ve talked to staff  
18 about two or three other locations, Jaycee Park across from the intersection of 64 and Salem  
19 Street and this seems to come back to this. We have talked to staff about the design of the  
20 building, we’ve got some input from them and we’ve introduced this into the proposal. I’d like  
21 to ask all the veterans who are here tonight to stand, this is Post 124, these are the people  
22 who have already made the commitment. They signed a blank check when they joined the  
23 military, up to and including your life and I think it is time the Town of Apex, we will help. We  
24 need your help. We need a place to put a building for the veterans. It needs to be a building  
25 that can sustain itself, where we can have Oktoberfest, we can have banquets, we have to go  
26 to Chatham County to have the Chamber of Commerce banquet. We should have a place like  
27 that here in Apex. We need your help. I know I used to sit on that board and I know that this is  
28 not the proper time, but I would like someone to make a motion that we put a committee  
29 together, and we would like to have someone on that board and Ed Gray, I think you ought to  
30 be the one to head it up. So, all in favor say aye and let’s get this going. Thank you very much.  
31 I appreciate it.”

32

33 **Mayor Gilbert** thanked the speakers and invited the next speaker.

34

35 Next speaker was **Tim Wong** of 704 Straywhite Avenue:

36

37 “I have lived in Apex for the past 10 years, and by trade I am a software engineer for  
38 over 25 years, so I probably speak to Mr. Mahaffey, but hopefully if I do a good job, this will  
39 make sense to everybody. Based on my experience, I speak with you tonight to give you a  
40 different perspective on why I don’t believe the New Hill data center makes sense. I will not  
41 reiterate the negative impacts my neighbors have already stated, I am not smart enough to  
42 do that. Instead, I am here to argue against something I am very familiar with in software

1 development, and that is bad process. In my industry, we use a methodology called agile and  
2 before we start any work, before we write any single line of code, we have a rule called  
3 definition of ready. It means we do not pull work into what we call a sprint until the  
4 requirements are clear, the risks are mapped, and the dependencies are known. If a project or  
5 work has too many question marks, we leave it in what we call a backlog. It is a place where  
6 we revisit it, refine it, and make sure we understand it. Essentially, the analogy is that it rests  
7 on your shoulders to decide whether or not to commit this town to this massive project. Ever  
8 since I heard of the data center proposal, I have seen nothing but blockers and unknowns  
9 and we are being asked to rezone based on estimates, not guarantees. We have incomplete  
10 data on long-term noise impact. We have to-be-determined answers on water usage during a  
11 drought. We have vague promises about power consumption in a grid that is already  
12 strained. In software, when we rush a project that isn't ready, we call that technical debt. It is a  
13 shortcut you take today, and you pay interest on it, usually forever. If you ship bad code, you  
14 can hit control Z or undo and release a fix the next week, you can't do that with a data center.  
15 Once you pour the concrete and once we rezone that land, you cannot hit undo, if the noise is  
16 worse than the brochure said, that is our technical debt. If the power grid is not up to snuff,  
17 that is our technical debt and if the AI bubble bursts, we pay that interest for decades. In my  
18 world, when a project has this many red flags, we do not say yes and hope for the best, I have  
19 seen that happen. We stop. Usually when we do not stop, that is when a project goes really  
20 bad. We don't gamble our future on estimates, and we do not rezone based on a plan that is  
21 not ready and New Hill is not a simulation. Once that concrete is poured, we could have some  
22 major problems potentially. Thank you."

23

24 **Mayor Gilbert** thanked the speakers and invited the next speaker.

25

26 Next speaker was **Dave Pfeiffer** of 8909 Weaver Crossing Road:

27

28 "I'm Dave Pfeiffer, I'm at 8909 Weaver Crossing Road in Apex, it is an extraterritorial  
29 jurisdiction, so I pay Duke directly. I do not go through Apex Utilities. My subject was the  
30 ability of Duke Energy and their customer limitations due to the cold. It has been touched on  
31 a few times today, so I am going to go down to my last paragraph for time. My concern is that  
32 if Duke Energy, if they can't support the current grid and the current customer base due to  
33 weather, how are they going to support it with a 300-megawatt data center? It is as simple as  
34 that in my mind. There needs to be a highly detailed plan completed to assure that Duke  
35 Energy and Apex utility customers are not affected by the requirements of the data center  
36 and I did send a note out to the board earlier. I hope you all read it. Councilman Reese did  
37 reply. Nobody else did, so I am assuming that you read the note. There were three different  
38 communications from Duke Energy to customers asking us to do all kinds of things to lower  
39 our electric use, that is just going to get worse with a 300-megawatt data center. I will leave it  
40 there. Thank you."

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42 **Mayor Gilbert** thanked the speakers and invited the next speaker.

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Next speaker was **Lib Hutchby** of Chapel Hill:

“This is a gift, and I greatly appreciate this time. My name is Lib Hutchby, and I am so old that I remember when you did not need bottled water. I am so old that I remember when we could drink water from the mountain stream. I came tonight from Chapel Hill to say to you that my biggest concern for all of us now is water. A data center will require millions of gallons of fresh water, which we do not have anymore. Then when it is used for cooling, the water is not good anymore, we couldn’t drink it, we cannot treat it to drink it. So, right now, we already know that Shearon Harris requires 2,000 to 3,000 gallons of water a minute to cool it, so we have lights. I beg you to pay attention to where your water is coming from and try to protect it at all costs. Thank you.”

**Mayor Gilbert** thanked the speakers and invited the next speaker.

Next speaker is **Barbara Collins** of 901 Norwood Lane:

“I only need a minute and 26. I want to speak to Tom Natelli directly through this. I worked at Duke for 20 years. I put major strategic plans together, I was the interim associate dean at the Nicholas School of the Environment while they were searching for a new Dean. I helped start the Nicholas Institute for Environmental Policy Solutions, which is now on its 20th year because at Duke University we value the environment. We value our faith. We value our morals and now you have Tom Natelli. Hello, Tom. You already know me. You are the former Chair of the Board of the School of Engineering at Duke University. Someone who was Chair of the Board of the Engineering School at Duke University should not be doing this. Not him, not his children and here is what I hope will happen next. If this goes through, nobody will ever take a donation from Tom Natelli again because that is dirty money in my opinion. I think we all know it is dirty money, so ahead and try to give it to Duke, and I will be standing right behind you the entire way. What are you going to give to progress? This is not progress. This data center is not progress, it is ethically, morally, environmentally wrong. I am not going to be a part of that, and I hope neither are you. We will follow this from the vote to the next vote, to the next vote, to every single person’s personal commitment to the environment, not some title that someone has, not your roles on the Town Council, because you have a responsibility to us. Period. Not to Tom Natelli, not to the money, not to the taxes, to environmentally safe and clean environments. Do you know why there is no data on health effects for children? Because no one studies it. They don’t live there 24 hours a day, seven days a week. Our children do, but their employees do not. They come, they work, and off they go, our children are in the environment that you choose. Don’t let our children, don’t let us, be trapped by money. That is what this is. This is a trap for money. We are going to say no because it is the right thing to do.”

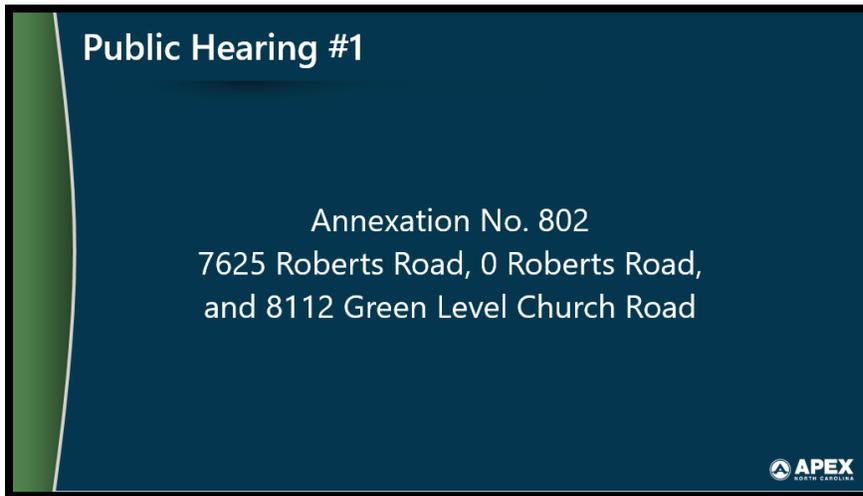
1           **Mayor Gilbert** thanked everyone for speaking and taking the time. He then called a  
2 10-minute recess to return at **8:50 p.m.**

3  
4 **[PUBLIC HEARING]**

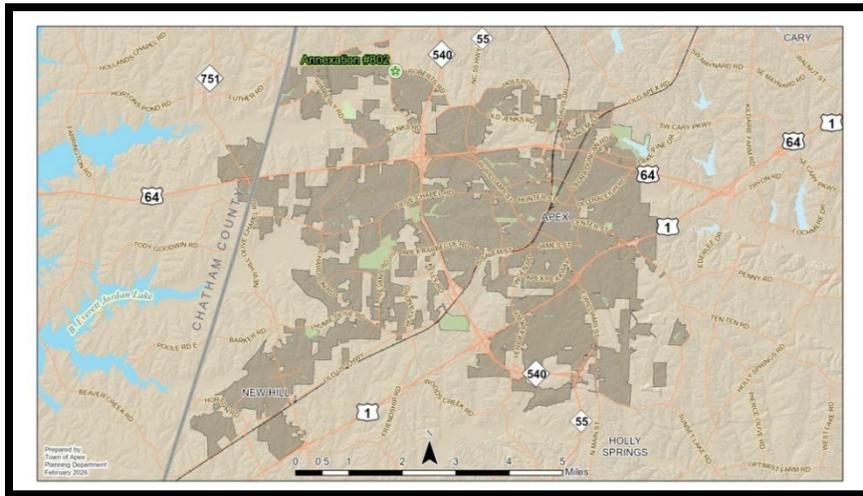
5  
6 **PH1   Annexation No. 802 - 7625 Roberts Road, 0 Roberts Road, and 8112 Green Level**  
7 **Church Road - 5.23 acres (REF: ORD-2026-017)**

8  
9           Dianne Khin, Director, Planning Department gave the following presentation:

10 **[SLIDE 1]**



11  
12 **[SLIDE 2]**

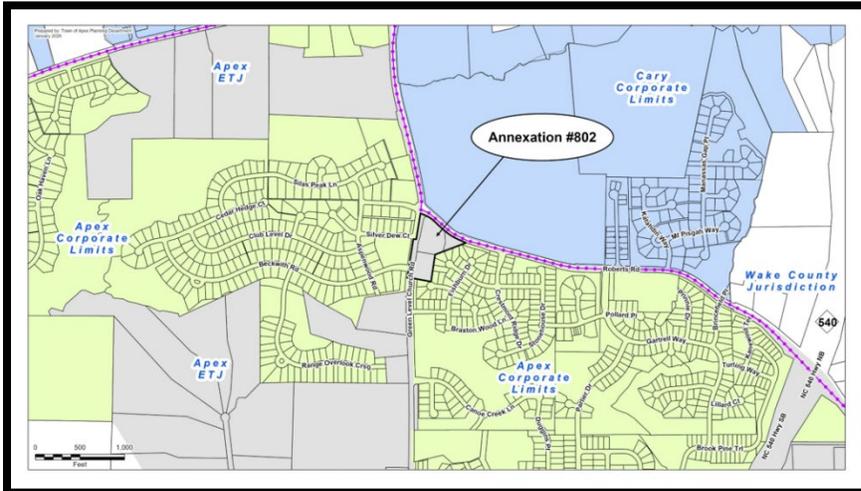


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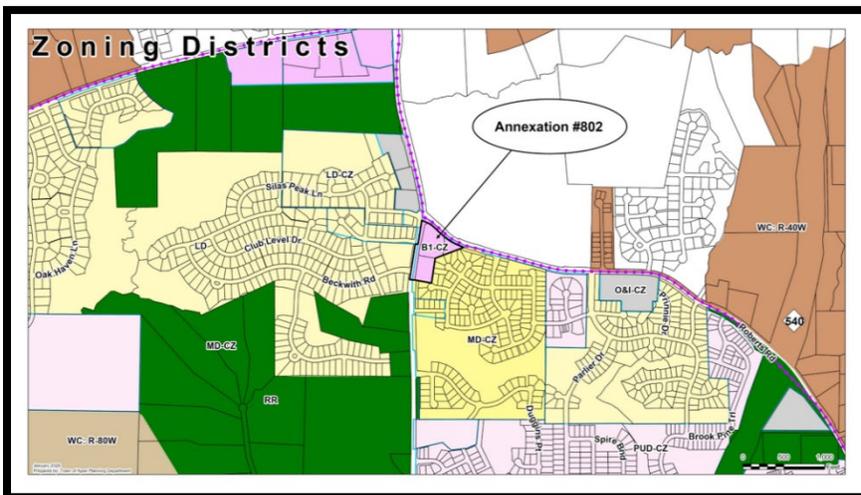
1 [SLIDE 3]



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3 [SLIDE 4]



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5 [SLIDE 5]



6

1 **Mayor Pro-Tempore Mahaffey** asked if this was still planned to be a gas station.  
2 **Director Khin** said it was never planned to be that. She said it would be a retail  
3 building

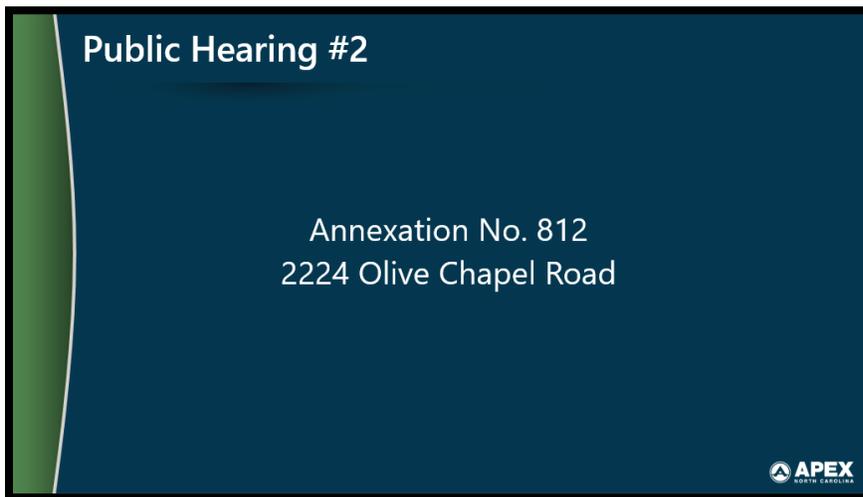
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5  
6 **Mayor Gilbert** opened Public Hearing and with no one signed up to speak closed  
7 Public Hearing and brought this item back to Council for discussion and possible motion.

8  
9 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by  
10 **Councilmember Zegerman** to adopt an Ordinance on the Question of Annexation - Apex  
11 Town Council's intent to annex 5.23 acres, located at 7625 Roberts Road (PIN 0723-95-2564),  
12 0 Roberts Road (PIN 0723-95-5524), and 8112 Green Level Church Road (PIN 0723-95-2216),  
13 Annexation No. 802, into the Town Corporate limits.

14  
15 **VOTE: UNANIMOUS (5-0)**

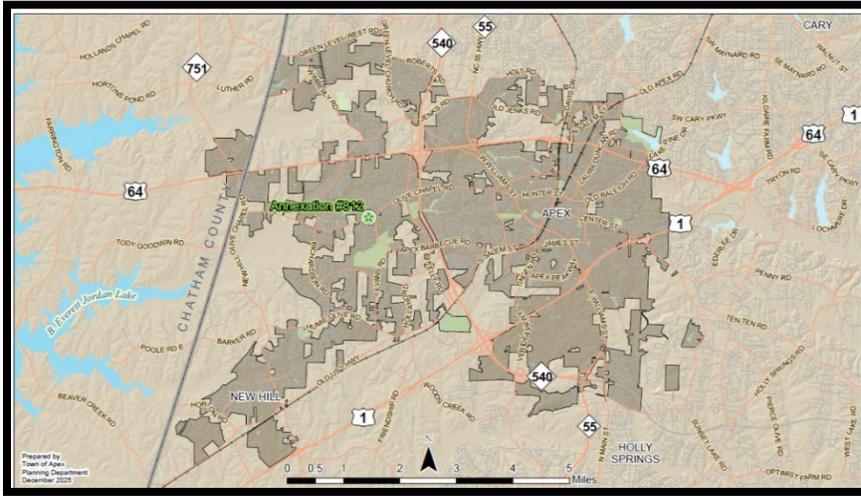
16  
17 **PH2 Annexation No. 812 - 2224 Olive Chapel Road - 2.13 acres (REF: ORD-2026-**  
18 **018)**

19 Dianne Khin, Director, Planning Department, gave the following presentation:  
20 **[SLIDE 1]**



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1 [SLIDE 2]



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3 [SLIDE 3]

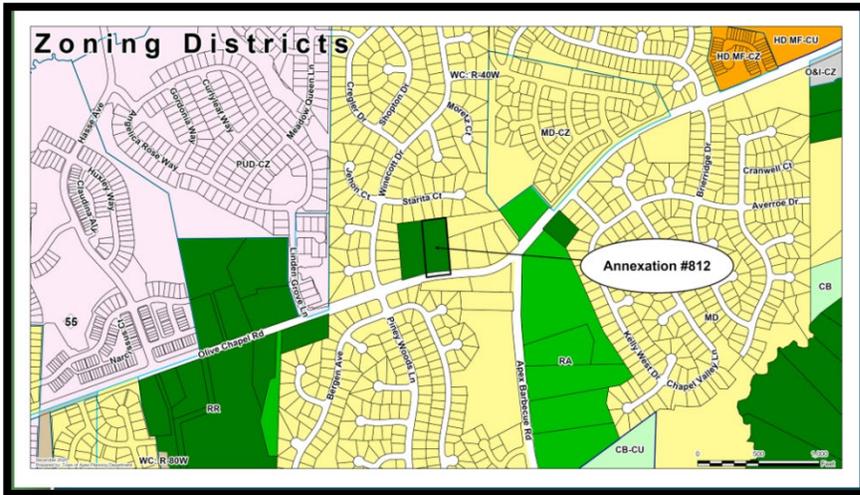


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5 [SLIDE 4]



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1 **[SLIDE 5]**



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**Mayor Gilbert** opened Public Hearing and with no speaker closed Public Hearing and brought the item back to Council for discussion and possible motion.

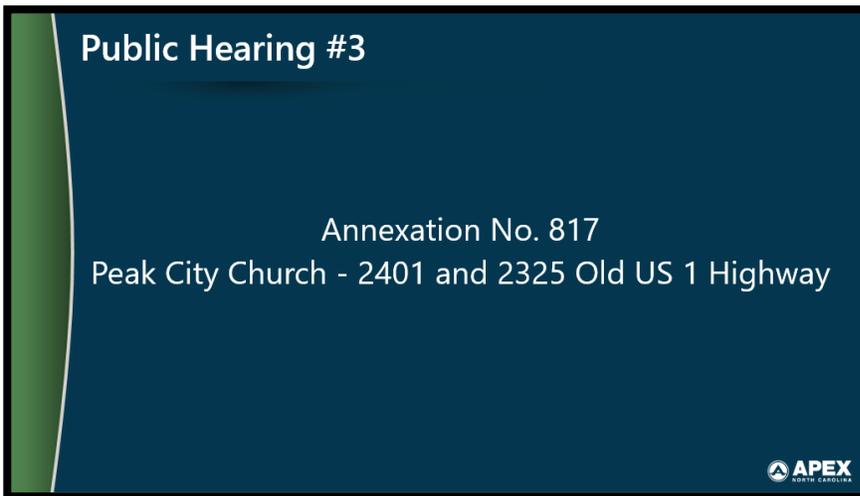
A **motion** was made by **Councilmember Gray** and seconded by **Councilmember Reese** to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 2.13 acres, located at 2224 Olive Chapel Road (PIN 0722-70-2657), Annexation No. 812, into the Town Corporate limits.

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

**PH3 Annexation No. 817 - Peak City Church - 2401 and 2325 Old US 1 Highway - 23.87 acres (REF: ORD-2026-019)**

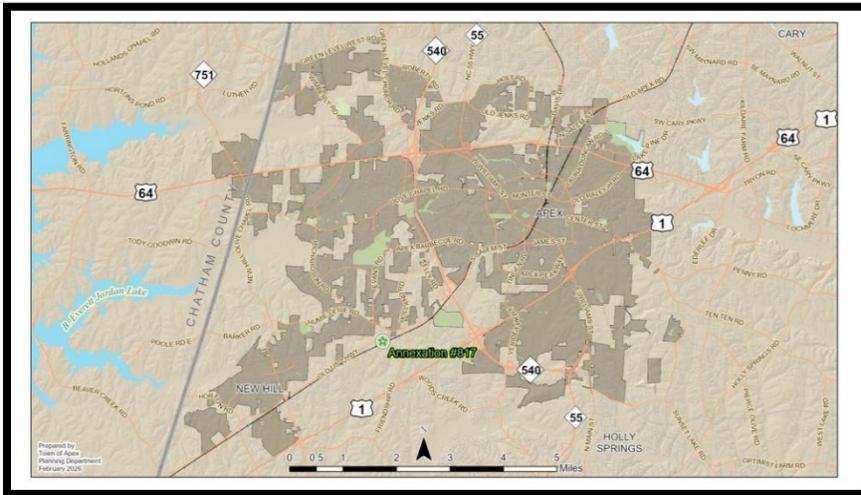
Dianne Khin, Director, Planning Department gave the following presentation:

**[SLIDE 1]**



18

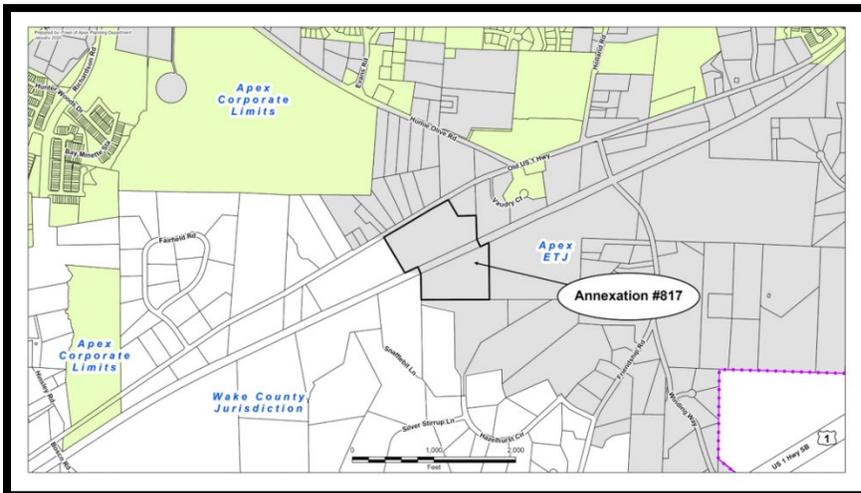
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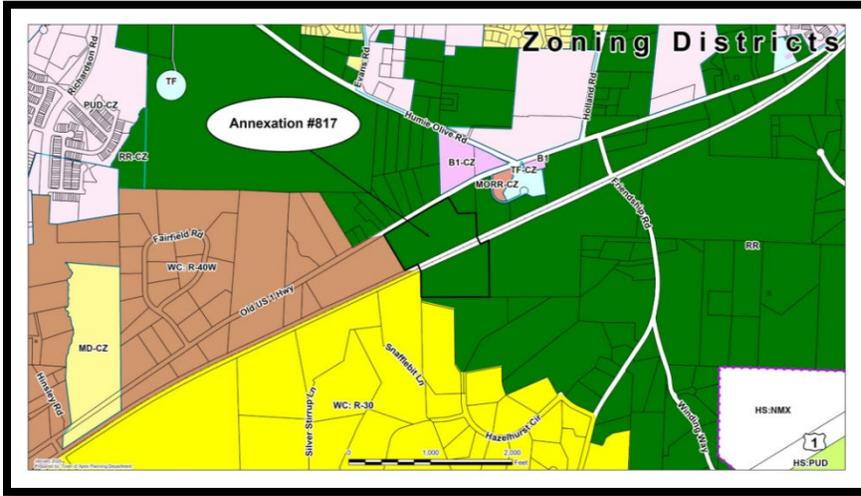


4  
5 [SLIDE 4]



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1 **[SLIDE 5]**



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

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

6  
7 " Mayor and Town Council, I know that my comments tonight won't change your vote,  
8 but I do want it to be on public record. So, this particular church approval went through the  
9 special use permit process, and that process was not transparent and what happened was  
10 when we had the neighborhood meeting, the question was asked what type of septic system  
11 is going to be there because they said they were not going to attach to town services. In the  
12 email from the attorney it says it's going to be the size of a normal household. Well, fast  
13 forward, you start getting the notices that the special use hearing is going to happen. We  
14 asked for information and we were told, "Hey, it's going to come out in the staff report, which  
15 is typically the Tuesday or Wednesday before the special use hearing happens." Lo and  
16 behold, in that packet, we find out it is not a traditional septic system. Now, the town cannot  
17 stop the church from using it, but I want you to know that they're having to seek a permit with  
18 DEQ. It is going to be a 6-acre spray system and the problem is not that it's illegal and not  
19 that you're not going to vote it in, it's just our environmental laws have not caught up to  
20 what's happening with PFAS. So, if this 22-acre property had been put into 22 homes with  
21 about four people in each house, you would have had 88 people. But instead, you're going to  
22 have a church built here with 850 people and this whole back portion is going to have five-  
23 foot-tall spray systems spraying treated effluent. It does not treat any of the PFAS, any of the  
24 heavy leads or any of the heavy metals and we all know what brownfields are and eventually  
25 DEQ will catch up. When I talked to him, the director apologized to me. He said, "Yes, you're  
26 going to have to monitor your wells. This septic system is going to have to be tested multiple  
27 times during the year. I just want you to know that we don't have the laws in place for some of  
28 the things that are happening," and I would highly encourage you to have conversations to  
29 encourage the church to connect it to the Apex sewer. The library is going to come right  
30 across from them. You have Vicious Fishes right up the hill and what we've heard is it's the

1 cost. It's the cost. It's the cost. So, my well, my neighbor's well, and I have cows, and this is a  
2 voluntary agricultural property that we're trying to save as a part of Wake County, and we  
3 have this toxic stuff that's going to contaminate our soil. So, I ask you to highly encourage  
4 them to connect to the sewer system instead of the septic field. Thank you.”  
5

6 **Mayor Gilbert** thanked the speaker. He closed Public Hearing and brought the I item  
7 back to Council for discussion and possible motion.  
8

9 **Councilmember Reese** said that there was concern about the proposed spray field  
10 system that is associated with this project and asked if staff could address what this would  
11 look like. He said Eastern North Carolina is contaminated because of things like this.

12 **Town Manager Vosburg** said this would be through DEQ and other permits and that  
13 staff could get someone that could come and speak to this. He said if there were specific  
14 questions they could be forwarded to DEQ.

15 **Councilmember Reese** said this is something that negatively impacts public health  
16 on a regular basis and would like confirmation that this may not be a large concern.

17 **Councilmember Gray** asked staff if the approval of this item would give the option for  
18 water and sewer at this property.

19 **Director Khin** said that this annexation would give them access to all town services  
20 which would include water and sewer options, but it is understood that they are not seeking  
21 sewer.

22 **Councilmember Reese** said that this will affect 100s of people weekly using this  
23 facility, and that is a significant addition of contamination for the local air quality.

24 **Councilmember Zegerman** said that this is an annexation request and not a rezoning  
25 request so this is not when new conditions can be imposed. He said that the church can be  
26 worked with to connect with town services and express their concerns, but this vote is not to  
27 set special conditions.

28 **Councilmember Reese** said he has concerns because this seems to be pointing in the  
29 direction of use of spray fields in perpetuity.

30 **Mayor Pro-Tempore Mahaffey** said that they may not need annexation to use the  
31 spray fields because it is unrelated.

32 **Councilmember Reese** asked if the church was able to move forward with building  
33 the church without annexation.

34 **Councilmember Zegerman** said that under the Special Use Permit they would be  
35 able to move forward even if they were not annexed.

36 **Will Norton** with Jones & Clossen Engineering, the site engineer for the project, said  
37 that connecting to the future library is not feasible due to the elevation differences making  
38 gravity sewer connection impractical at this time and this is why they are proposing to use a  
39 septic system. He said the annexation is necessary to access the town’s water service, as the  
40 water line is located directly in front of the site. He said that the goal is to connect to gravity  
41 sewer when it becomes available in the appropriate drainage basin.

42 **Councilmember Reese** said that he was hearing goals, plans, and potentials.

1           **Mayor Pro-Tempore Mahaffey** said that septic systems are not regulated by the town  
2 but understands the concern. He said that there was concern about leveraging the town’s  
3 annexation authority to provide water services to affect the decision of an application based  
4 on a service that the town explicitly don’t regulate.

5           **Councilmember Reese** asked Mayor Gilbert if this question could be posed to the  
6 Town Attorney.

7  
8           A **motion** was made by **Councilmember Reese** and seconded by **Councilmember**  
9 **Gray** to enter into Closed Session to consult with the Town Attorney at 9:06 p.m.

10  
11 **VOTE: UNANIMOUS (5-0)**

12  
13           Council returned to open session at **9:15 p.m.**

14  
15           A **motion** was made by **Councilmember Zegerman** and seconded by **Mayor**  
16 **Pro-Tempore Mahaffey** to adopt an Ordinance on the Question of Annexation - Apex Town  
17 Council's intent to annex 23.87 acres, Peak City Church located at 2401 Old US 1 Highway  
18 (PIN 0720-88-6397) and 2325 Old US 1 Highway (PIN 0720-87-9899), Annexation No. 817,  
19 into the Town Corporate limits.

20  
21 **VOTE: UNANIMOUS (4-1), with Councilmember Reese dissenting**

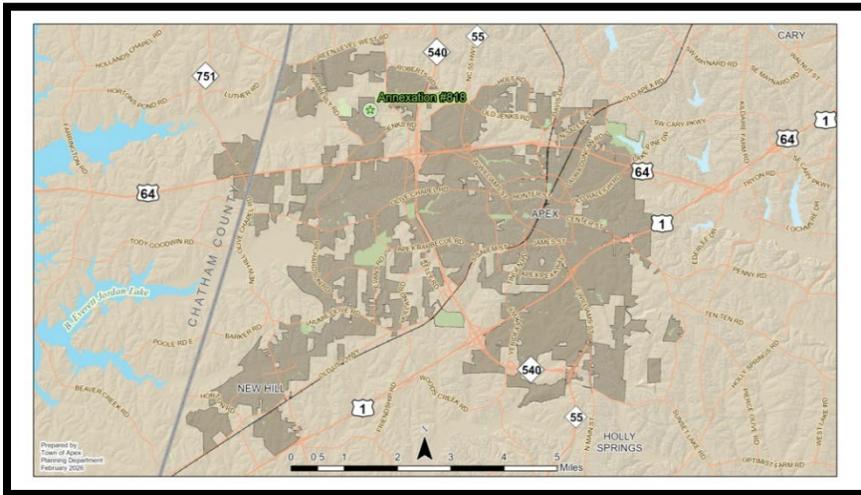
22  
23 **PH4 Annexation No. 818 - Jainix LLC - 7809 Secluded Acres - 3.502 acres (REF: ORD-**  
24 **2026-020)**

25  
26           **Dianne Khin**, Director, Planning Department gave the following presentation:  
27 **[SLIDE 1]**



28

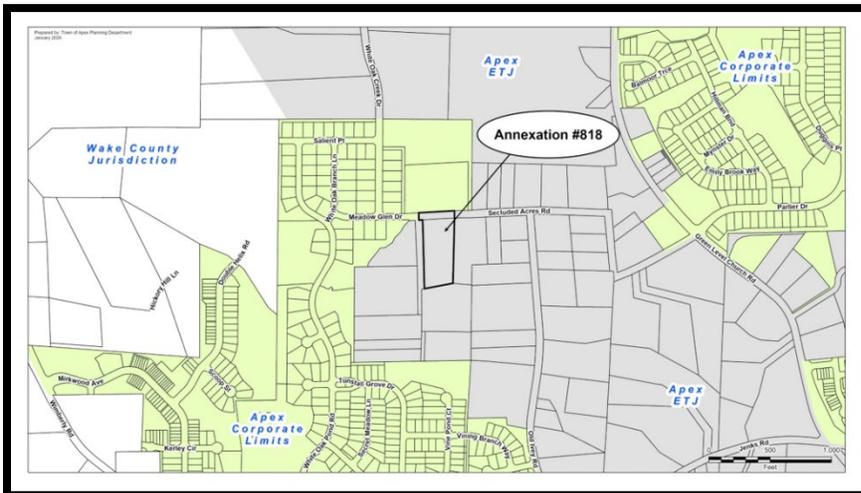
1 [SLIDE 2]



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3 [SLIDE 3]



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5 [SLIDE 4]



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1 **[SLIDE 5]**



2

3 **Mayor Gilbert** opened up Public Hearing and with no one signed up to speak, closed  
4 Public Hearing and brought it back to Council for discussion and a possible motion.

5

6 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by  
7 **Councilmember Gray** to adopt an Ordinance on the Question of Annexation - Apex Town  
8 Council's intent to annex 3.502 acres, located at 7809 Secluded Acres (PIN 0723-71-6349),  
9 Annexation No. 818, into the Town Corporate limits.

10

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

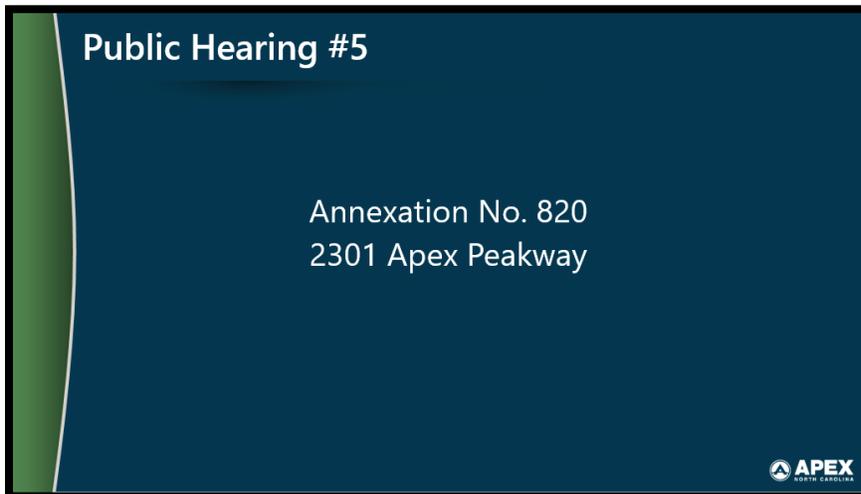
12

13 **PH5 Annexation No. 820 - 2301 Apex Peakway - 3.803 acres (REF: ORD-2026-021)**

14

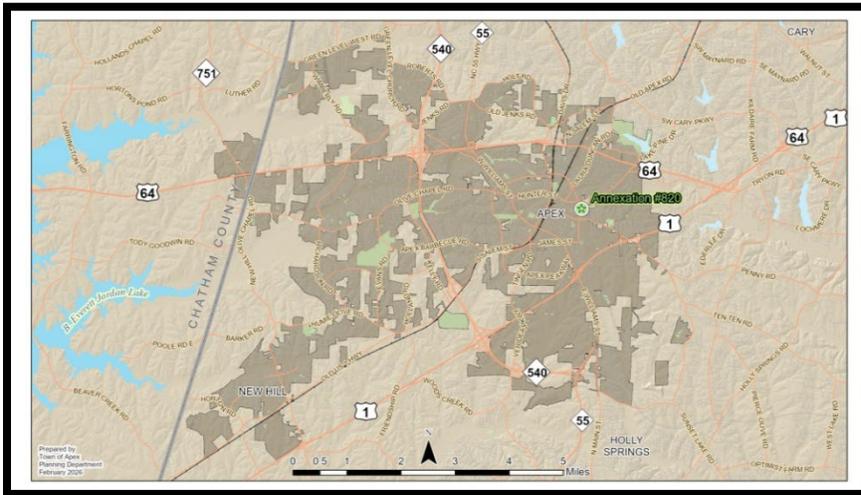
15 Dianne Khin, Director, Planning Department gave the following presentation:

16 **[SLIDE 1]**



17

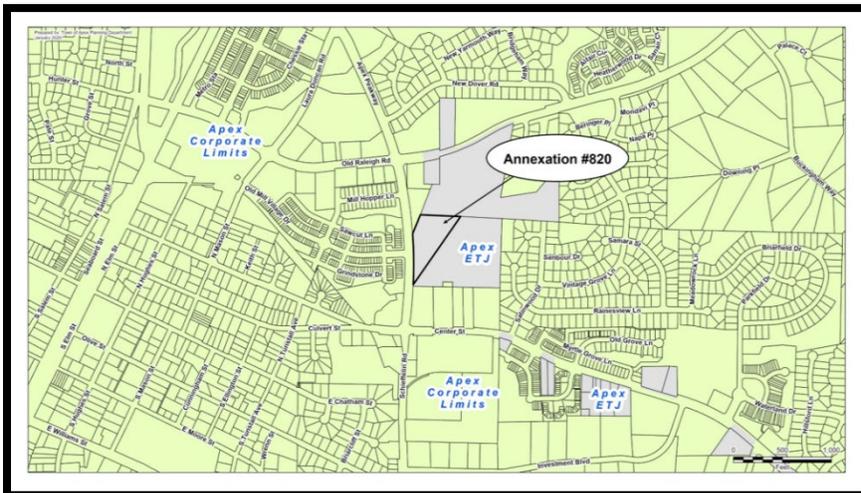
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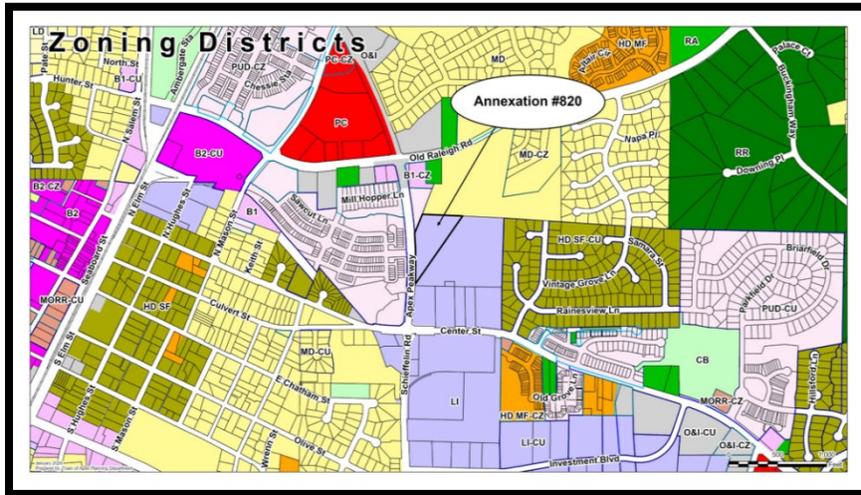


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5 [SLIDE 4]



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1 **[SLIDE 5]**



2  
3 **Mayor Gilbert** opened up Public Hearing and with no one signed up to speak, closed  
4 Public Hearing and brought it back to Council for discussion and a possible motion.

5  
6 A **motion** was made by **Councilmember Zegerman** and seconded by **Mayor Pro-**  
7 **Tempore Mahaffey** to adopt an Ordinance on the Question of Annexation - Apex Town  
8 Council's intent to annex 3.803 acres, located at 2301 Apex Parkway (PIN 0742-71-8313),  
9 Annexation No. 820, into the Town Corporate limits.

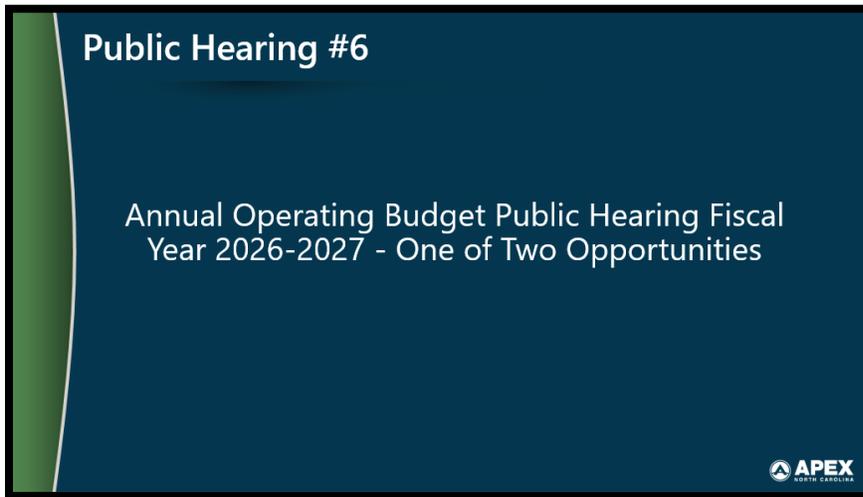
10  
11 **VOTE: UNANIMOUS (5-0)**

12  
13 **PH6 Annual Operating Budget Public Hearing Fiscal Year 2026-2027 - One of Two**  
14 **Opportunities**

15  
16 **Shawn Purvis**, Deputy Town Manager, said that the Budget Priority Survey was out  
17 and Council has received results and comments as a piece of the engagement for the budget  
18 process and he noted that there was a budget email that is open year-round for receiving  
19 comments from residents about budget. He said there were multiple Council Work Session,  
20 workshops and another public hearing as the end of the budget approaches. He gave the  
21 following dates for budget process:

- 22 • **Late April** - Council committee meetings
- 23 • **May 7** - First council budget workshop
- 24 • **May 28** - Public hearing on the proposed budget
- 25 • **June 2** - Next council workshop
- 26 • **June 9** - Budget adoption (if approved)

1 [SLIDE 1]



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**Mayor Gilbert** opened up public hearing and called the first speaker.

First speaker was **Karen Delventhal** of 507 Homestead Park Drive:

“Good evening, Mr. Mayor and Town Council. Tonight, I would like to discuss the town budget. Since I was 18, I have worked two, three, and sometimes four jobs along with mandatory overtime to pay my bills. Now I am retired. This is my budget for 2026 and the draft for the 2027 budget. My budget is written in both ink and pencil. Items in ink are finite. There is no changing these items because the items in ink are my income. Congress has set my income for this year. It may not change until 2027. This year, even with the increases authorized by Congress and signed by the President, I lost money again. My taxes changed. My home insurance is rising along with car insurance, car inspections, property taxes, utilities, groceries, and so on. For my budget, the pencil has an eraser, and it will be deployed, and cuts will have to be made in spending. Like many of the retirees in my neighborhood, we have already cut to the bone. We have already stopped doing things that we like and want to do. No trips, no new fun adventures, no shopping trips, and at times sitting in the dark to save on electricity. Beans and rice are normal. The shoes will have to last longer. The clothes will have to be mended. Haircuts will have to be stretched. Now you have decided on tearing up downtown to make it look pretty. I understand that before any part of the street or the sidewalk was even started, you were already \$2 million over budget, and you approved your work to cover this new expense without giving the public the right to speak. Convenient. And you have not even gotten to all the cost overruns that will come, and they will come. Mr. Mayor and Town Council, what are you going to cut from the town budget? Because I do not have any more money. Period. And if you are going to float a bond on this, I will work hard to get as many no votes as I can muster. So, get out the axe, sharpen it so you can split a hair, and start cutting. I have suggestions, but you are all adults. Figure it out. Thank you.”

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

1 Next speaker was **Elizabeth Stitt** of 3113 Friendship Road:

2  
3 "Mayor and Town Council. I'm going to continue on my transparency ask for tonight.  
4 Please fund a new website. Please make documents available to us. Please make a search box  
5 that can actually produce results. Please. I very, very, very much like Allen and JP. They take  
6 care of me, but they shouldn't have to. I don't need them to take care of me. I'm an adult. I  
7 should be able to access basic documents that are available on other websites. Thank you."

8  
9 **Mayor Gilbert** thanked the speaker and invited the next speaker.

10  
11 Next speaker was **Hisham Osman** of 3181 Mantel Ridge:

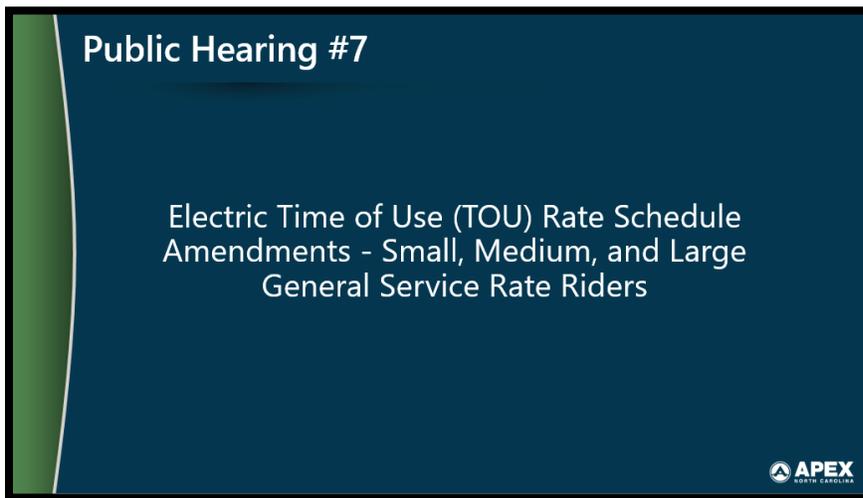
12  
13 "Good evening, Mr. Mayor, Mayor Pro Tem, Council Members, and town staff. Mr.  
14 Mayor and Town Council, each of you have chosen to lead our community, and with  
15 leadership comes great responsibility. Not only to the 80,000 residents that we have currently  
16 in Apex, but the projected 120,000 more that will come and future generations. As we start  
17 the annual budget process, we need to be mindful of the financial needs of our community.  
18 The stated goal of many of you on council is affordable housing. We had an eloquent speaker  
19 earlier talk about affordable housing. A big portion of housing costs is our property taxes.  
20 Somewhere between 15 and 20% of housing costs relate directly to our property taxes. The  
21 actual tax bill for the average homeowner in Apex over the last five years has increased by  
22 over 50% from 2021 to 2026. A large portion of that is the increase of the property values and  
23 the reevaluations of those properties by Wake County. However, we've also seen increases in  
24 the tax rate itself. This is pricing many residents of our community out of the town, those on  
25 fixed incomes, those who are just starting out their careers, and everyone in between. These  
26 high rates also impact our rental rates for our community as owners pass on property tax  
27 increases to renters as well. This is making it harder and harder for all members of our  
28 community, whether you're on a fixed income, early in your career, or late in your career, as  
29 the cost of living consistently goes up, and property taxes is a big part of that. If we plan to  
30 keep our community affordable for all, we need to rein in spending. Some of that spending  
31 has already been agreed to with prior bond issues, and the tax rates will go up because of  
32 that. However, there's a significant amount of discretionary spending in the Apex town  
33 budget every year, and I implore each of you to make the necessary and difficult decisions to  
34 come up with a taxed neutral rate. Not a "we're lower than Cary" or "we're lower than Holly  
35 Springs," but in reality, keep this town affordable for its residents. Keep this town affordable  
36 for the young graduates of our great high schools and colleges who want to live here but  
37 cannot afford it. We talk about affordable housing. We talk about other things about what  
38 makes this community great, but we need your leadership to make the difficult decisions and  
39 weigh competing priorities. One of them needs to be keeping housing affordable by  
40 reducing spending, by keeping our property tax rates, actual property taxes paid flat. Not just  
41 the revenue neutral rate, but rein in spending. Thank you."

1           **Mayor Gilbert** closed the Public Hearing and noted that there will be another  
2 opportunity to speak again regarding the budget on May 20<sup>th</sup>.

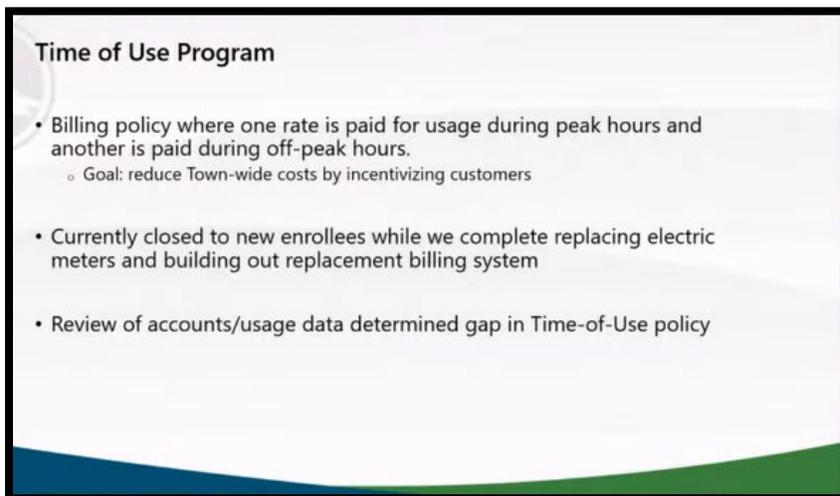
3  
4   **PH7 Electric Time of Use (TOU) Rate Schedule Amendments - Small, Medium, and**  
5 **Large General Service Rate Riders (REF: OTHER-2026-018, OTHER-2026-019, and**  
6 **OTHER-2026-020)**

7  
8           **Jon Griffin**, Director, Finance Department gave an overview of the Time of Use  
9 Program, which is a billing policy where one rate is paid for usage during peak hours and  
10 another rate during off-peak hours. He gave the following presentation:

11  
12 **[SLIDE 1]**



13  
14 **[SLIDE 2]**



1 **[SLIDE 3]**

**Illustrative Example**

- 100 commercial/business customers impacted (approximate) – all with continuous usage
- Impacted Customer:
  - 6 Month Period: Average Daily Usage – 172 – 183 KWH.
  - 6 Month Period Total – btwn 5,300 KWH and 5,400 KWH per month
- Comparison: Commercial Business on TOU
  - 6 Month Period: Average Daily Usage – 50 – 115 KWH
  - 6 Month Period Total – btwn 1,500 and 3,450 KWH per month

2  
3 **[SLIDE 4]**

**Time of Use Program**

- Time of Use Riders:
  - Residential TOU Rider (no changes proposed)
  - Small General Service TOU Rider (changes proposed)
  - Medium General Service TOU Rider (changes proposed)
  - Large General Service TOU Rider (changes proposed)

**AVAILABILITY**  
This schedule is available on a voluntary basis to any non-residential customer whose monthly demand is less than 20 kW, and whose load can be shifted. Customers that do not have the ability to shift their energy consumption to a single continuous block such as telecommunications towers, are not eligible for this rider. Should demand usage equal or exceed 20 kW during any three consecutive months, the Town may require service under the Medium General Service rate schedule or General Medium TOU rate schedule.

**AVAILABILITY**  
This schedule is available on a voluntary basis to any non-residential customer whose demand usage equals or is greater than 20 kW but less than 300 kW for at least three consecutive billing periods within the last twelve months, and whose load can be shifted. Customers that do not have the ability to shift their energy consumption to a single continuous block such as telecommunications towers, are not eligible for this rider.

**AVAILABILITY**  
This schedule is available on a voluntary basis to any non-residential customer whose demand usage has exceeded 300 kW for at least three consecutive billing periods within the last twelve months, and whose load can be shifted. Customers that do not have the ability to shift their energy consumption to a single continuous block such as telecommunications towers, are not eligible for this rider.

4  
5 **[SLIDE 5]**

**Recommended motion**

- Policy currently provides a lower rate for customers who cannot adjust their power usage
- Inconsistent with spirit of Time-of-Use as policy
- Motion to approve modified service riders

6

1           **Director Griffin** said staff recommendation was to approve modified service riders.

2           **Councilmember Zegerman** said knowing these customers energy use, why were they  
3 allowed to sign up for time of use rates.

4           **Director Griffin** said that is an interesting historical question that he didn't know but  
5 could check into this and get the information back. He said it seems though it was open  
6 freely and could be signed up freely without any analysis or consideration.

7           **Mayor Pro-Tempore Mahaffey** said that it was thought that it was set up as an  
8 incentive and the policy would be implicit, so if that wasn't working as intended then maybe  
9 the rates needed to be looked at again.

10           **Director Griffin** said that currently these businesses are using the same amount of  
11 power per day, so if the peak hours are 9-12 they are paying the regular full freight rate that is  
12 basically passing through Duke Energy and then they are getting a cheaper rate during the  
13 day but still using the same power. He said the way that it is working out is that they are  
14 getting an implicit subsidy during non-peak hours.

15           **Councilmember Zegerman** asked what the peak hours are because this implies that  
16 there are fewer peak hours than non-peak hours.

17           **Director Griffin** said that for certain months of the year it is 9a-12p and other months  
18 it is 3p-6p, and added and it rotates seasonally. He said that there is a calendar for the  
19 schedule.

20           **Councilmember Mu** said that the schedule was provided in the packet and she went  
21 through them and asked what staff's suggestion was for on peak hours and off-peak hours.

22           **Director Griffin** said that businesses would pay the same rate day in and day out  
23 since their use is continuous.

24           **Councilmember Mu** asked staff if there was any additional information on what was  
25 the difference and how much was the difference.

26           **Town Manager Vosburg** invited Electric Utilities Director Kathy Moyer and Assistant  
27 Town Manager Marty Stone to talk about the Time of Use concept for this to be more  
28 understandable.

29           **Director Moyer** said the Time of Use rate was to incentivize residents to vary their  
30 loads and not use large appliances during those peak times, but there are customers on this  
31 program that can't vary their loads and conserve energy during these times so they need to  
32 put them into the regular rates. She said these accounts have been identified.

33           **Mayor Pro-Tempore Mahaffey** asked if there were any other power providers that  
34 staff is aware of with similar language and what the threshold counts as varying usage.

35           **Director Moyer** said an AMI will help with this to know what is constant and this is an  
36 industry practice.

37           **Assistant Town Manager Stone** said that these businesses are gaining the benefit of  
38 reduced rates in the off-peak times, when their usage does not ever vary. He said it is  
39 essentially gaming the system as it is set up.

40           **Town Manager Vosburg** said that this is the hundred business/accounts that  
41 voluntarily signed up for this program and agreed to vary their load for the rate break, and

1 the data is not showing that they are varying the loads, so now this is being correcting  
2 because they are not holding up their end of the bargain for the cheaper rate.

3 **Mayor Pro-Tempore Mahaffey** asked how much money this would be.

4 **Assistant Town Manager Stone** said it is about \$200 per account. He said that the gap  
5 was noticed and this is closing the gap and setting the program up for what it should be. He  
6 said as they get into AMI and get the meter system upgrade complete then the true peak  
7 times and true peak rates, then the rates and times will be reset.

8 **Councilmember Mu** asked for new home buyers if there are devices to control the  
9 peak hours.

10 **Assistant Town Manager Stone** said that there is a load management program where  
11 a box is on the side of the home when constructed and homeowners can opt into that  
12 program to control their HVAC units alternately by turning it off for 15 minutes an hour during  
13 peak times and they receive a credit on their utility bill, and this is voluntary at this time.

14 **Councilmember Gray** said that looking back in past conversation to see if Council  
15 had concluded that we were building this in the form of a business incentive and it appears  
16 that this wasn't anticipated and it's to correct it.

17 **Assistant Town Manager Stone** said that as the town moves through the meter  
18 system upgrade there have been things that need to be improved upon and this is one of  
19 those things.

20 **Councilmember Zegerman** asked if it was expected to find more of these accounts  
21 as the meter deployment gets complete.

22 **Assistant Town Manager Stone** said it wasn't anticipated to find others; there are 90  
23 to 100 accounts identified over the last six months and they don't think there will be any  
24 others. He said they want to change it now so more don't sign up to take the unintended  
25 advantage.

26 **Mayor Pro-Tempore Mahaffey** asked if these identified accounts would be able to  
27 stay on the program or would have to switch.

28 **Assistant Town Manager** said that they would be switched and they are all  
29 commercial accounts. He said it get back about 200 dollars per year from the 100 accounts  
30 that would be switched.

31  
32 **Mayor Gilbert** thanked staff for the clarity. He opened up Public Hearing and with no  
33 one signed up to speak closed Public Hearing. He brought the item back to Council for  
34 further discussion and a possible motion.

35  
36 A **motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by  
37 **Councilmember Gray** to approve the Electric Time of Use (TOU) Rate Schedule  
38 Amendments - Small, Medium, and Large General Service Rate Riders.

39  
40 **VOTE: UNANIMOUS (5-0)**

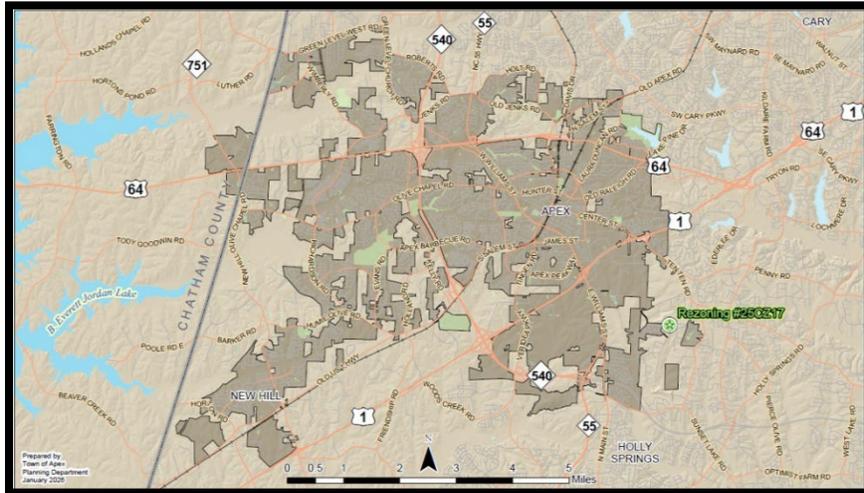
41  
42 **PH8 Rezoning Case No. 25CZ17 - 0 Smith Road**

1  
2 **Joshua Killian**, Planner II, Planning Department presented the rezoning case and  
3 gave the following presentation:

4  
5 **[SLIDE 1]**



6  
7 **[SLIDE 2]**



8

1 [SLIDE 3]



2  
3 [SLIDE 4]

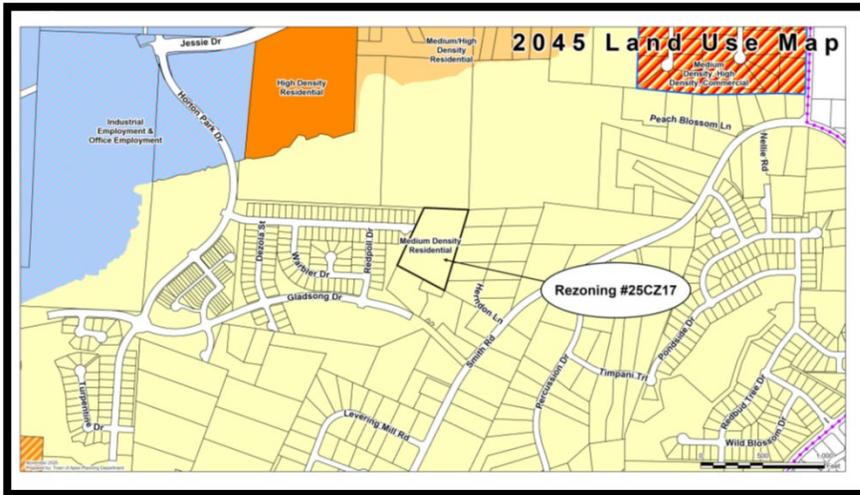


4  
5 [SLIDE 5]



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1 [SLIDE 6]



2

3 [SLIDE 7]

### Landfill Considered Zoning Conditions

- The perimeter landscape buffer along the northern property line shall be a 50' Type A buffer. All other perimeter buffers shall adhere to the widths and types that are established in UDO Sec. 8.2.6.
- All homes shall be designed and constructed with a permanently installed methane monitoring device. HOA covenants shall include a requirement that homeowners will maintain the methane monitoring device to ensure effective operation.
- All homes shall be designed and constructed with a methane-resistant vapor barrier installed beneath the concrete slab or crawlspace. For homes constructed on slab foundations, a sub-slab ventilation system (passive or active) shall also be installed. Installation of the vapor barrier shall be documented by the builder and made available for inspection upon request by Town staff.
- A note shall be included in the Master Subdivision Final Plat that summarizes the methane mitigation practices required for all residential lots within the development.

**APEX**  
NORTH CAROLINA

4

5 [SLIDE 8]



6

1           **Mayor Gilbert** thanked Mr. Killian for the presentation and asked if there were any  
2 questions.

3           **Councilmember Gray** asked if the development to the west had to work with the  
4 DEQ inquiries.

5           **Mr. Killian** said they did not because during that rezoning process staff were unaware  
6 and by the time that staff did become aware that the buffers had been codified into the  
7 Planned Unit Development, so they used the UDO provision to reduce the required buffer  
8 from 50' to 25'. He said that the applicant in this case has provided a condition to specifically  
9 state a 50-foot buffer.

10           **Councilmember Mu** asked how many houses there would be on this property.

11           **Mr. Killian** said there would be 17 units.

12

13           **Patrick Kieran** with Jones & Cnossen Engineering of 221 North Salem Street  
14 representing the applicant VIM LLC for the rezoning. He said that his clients were first time  
15 developers and have done a nice job, been open and amenable to most everything the town  
16 has suggested, and this has been set up to be a responsibly designed and well-rounded  
17 neighborhood.

18

19           **Mayor Gilbert** asked if there were any questions for the applicant, he then opened  
20 Public Hearing and invited the first speaker.

21

22           First speaker was **Dwight Wright** of 8140 Smith Road:

23           "Good afternoon, Mayor, Town Council members, newly elected. My name is Dwight  
24 Wright, 8140 Smith Road, Apex, and I'm currently still the owner of the piece of property, the  
25 contractor piece of property for rezoning. As I move from the Planning Board to the Town  
26 Council, I just want to voice my approval and opinion of the density that the applicant is  
27 requesting, and also the affordable housing units that are put into place. I'm not sure what  
28 Horton Park had at that time, but it does make it much more favorable for my community. I've  
29 also been able to work with the applicant in terms of the ingress and egress around a family  
30 cemetery that can provide a lot of havoc if not handled properly. But I must also indicate that  
31 the feasibility is probably really based on the applicant's ability to complete the contract in a  
32 timely manner. I'm not sure there are any questions for me. If not, thank you for your time."

33           **Mayor Gilbert** thanked the speaker and closed Public Comment. He brought the item  
34 back to Council for discussion and a possible motion.

35           **Councilmember Gray** said that when there is an applicant that is going in the  
36 direction that Council prefers those things should be recognized, affordable housing,  
37 satisfying the EAB when there wasn't a requirement and stepping forward to satisfy those  
38 conditions, even the cemetery was addressed. He said this is one of the areas where there is a  
39 responsible developer and helps move a number of things forward, and he can certainly  
40 support.

1 **Councilmember Zegerman** said that he supported Councilmember Gray's comments  
2 but the 120% of AMI is still around \$150,000 income, and it's not reaching a lot of the  
3 essential workers or healthcare workers and town staff trying to be reached with affordable  
4 housing policy, but making the commitment is appreciated. He said all in all he is in support  
5 of the development.

6 **Councilmember Reese** said that he is glad to see that the school capacity will be able  
7 to handle this development.

8 **Mayor Pro-Tempore Mahaffey** added his appreciation to the applicant for working  
9 with the town and agreeing to the conditions. He said that the vapor barrier is unfortunate,  
10 but it is appreciated that they are working with the DEQ.

11 **Councilmember Mu** said that the affordable housing initiative with 17 single family  
12 houses is good along with the developer providing community and protecting the  
13 environment.

14  
15 A **motion** was made by **Councilmember Zegerman** and seconded by  
16 **Councilmember Gray** to approve Rezoning No. 25CZ17 0 Smith Mr. Dalton - rezone  
17 approximately 5.33 acres from Rural Residential (RR) to Medium Density-Conditional Zoning  
18 (MD-CZ) at 0 Smith Mr. Dalton, with the conditions as offered by the applicant.

19  
20 **VOTE: UNANIMOUS (5-0)**

21  
22 **PH9 Unified Development Ordinance (UDO) Amendments - January 2026**

23  
24 **Bruce Venable**, Planner III, Planning Department requested a continuation of this item  
25 to February 24<sup>th</sup>, 2026.

26 **[SLIDE 1]**



27  
28

1           **A motion** was made by **Mayor Pro-Tempore Mahaffey** and seconded by  
2 **Councilmember Gray** to continue PH9 Unified Development Ordinance (UDO) Amendments  
3 - January 2026 to February 24<sup>th</sup>, 2026.

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

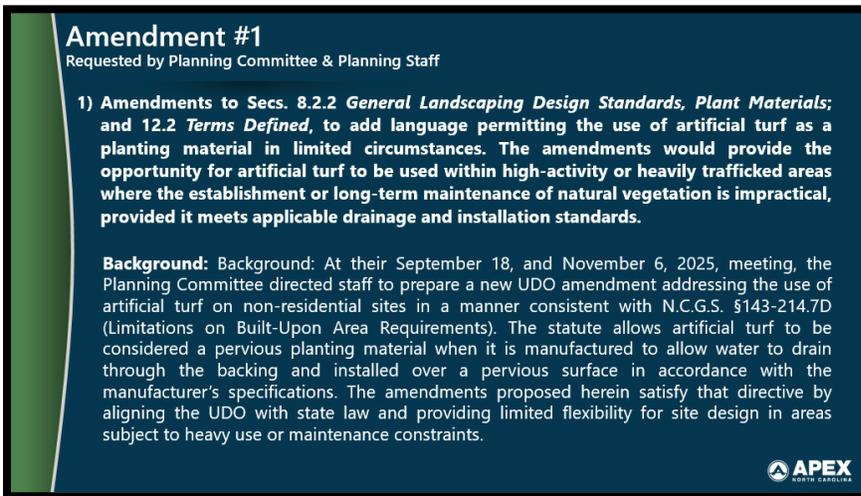
6  
7 **PH10 Unified Development Ordinance (UDO) Amendments - February 2026 (REF:**  
8 **ORD-2026-022)**

9  
10           **Bruce Venable**, Planner III, Planning Department said this item was continued from  
11 the January 27<sup>th</sup> meeting due to inclement weather. He gave the following presentation:

12 **[SLIDE 1]**



13  
14 **[SLIDE 2]**



15

1 **[SLIDE 3]**

**Amendment #1**  
Requested by Transportation & Infrastructure Development Staff

8.2.2 General Landscaping Design Standards

...  
B) *Plant Materials*  
...  
3) *Plant Sizes and Standards*  
...  
h) **Artificial Turf**

(i) As an alternative to grass, artificial turf meeting the requirements of N.C.G.S. §143-214.7D may be permitted as pervious where its use enhances site durability, minimizes erosion, or addresses maintenance constraints, provided it is installed to ensure adequate drainage and long-term performance. Artificial turf shall be a natural grass color and shall be limited to areas where the Planning Director or designee determines that natural vegetation is impractical to establish or sustain, including but not limited to:

(a) Athletic fields;

(b) Narrow pedestrian corridors between buildings or courtyards;



2  
3 **[SLIDE 4]**

**Amendment #1**  
Requested by Transportation & Infrastructure Development Staff

(c) Roof terraces;

(d) Shaded gathering areas;

(e) Small or confined areas subject to high foot traffic; or

(f) Common areas intended for a high volume of foot traffic.

(ii) Artificial turf that does not meet the requirements of N.C.G.S. §143-214.7D may be permitted as impervious provided that the total built-upon area does not exceed the limitations in Sec. 5.1 Table of Intensity and Dimensional Standards.



4  
5 **[SLIDE 5]**

**Amendment #1**  
Requested by Transportation & Infrastructure Development Staff

(iii) Artificial turf shall be prohibited within required landscape buffers, Resource Conservation Area (RCA), privately-owned play lawns, riparian buffers, floodplains, and any areas prohibited by state law, and shall not be credited toward required landscape materials or minimum planting area calculations.

i) **Existing Installations of Artificial Turf**  
Artificial turf installed prior to January 27, 2026, may remain in place, provided it is maintained in good condition and does not create drainage, erosion, or stormwater compliance issues. Existing artificial turf installations shall be subject to the following provisions:

(i) **Maintenance.** Existing artificial turf shall be maintained in good condition, free of tears, fading, deterioration, or drainage deficiencies.

(ii) **Expansion.** Expansion of artificial turf areas beyond their originally installed footprint shall not be permitted except in conformance with current Ordinance requirements.



6

1 **[SLIDE 6]**



2  
3 **Councilmember Zegerman** said the authority here lies with the Planning Director or  
4 designee, he asked if there were any kind of specific criteria that will lead to a decision  
5 whether something is impractical or not. He said impractical seems subjective and if  
6 something more concrete could be included in the amendment rather than leaving it open-  
7 ended.

8 **Mr. Venable** said there are areas in the UDO where the Planning Director is allowed to  
9 alter or approve alternatives but typically, they come with criteria as Councilmember  
10 Zegerman had mentioned. He said that staff could explore at the wish of the Council by  
11 adding a criteria that the landscape architect has to provide something along with the plan  
12 providing more additional information, possibly staff could use information from part of the  
13 requirements of the other landscape section as well.

14 **Councilmember Zegerman** said that he didn't want to hold up the amendment, that  
15 he was in favor of it and don't want to delay the amendment, but there could be a  
16 subsequent amendment to this provision if staff could do some research about what criteria  
17 may be used to determine what would be impractical or not.

18 **Mr. Venable** said that staff would do more research for a provision.

19 **Councilmember Reese** said that 8.2.2 B.3.H.I, referring to "Included but not Limited  
20 to" and how that seemed subjective as well, but there are several suggestions and wanted to  
21 make sure that this was being aimed for.

22 **Director Khin** said that it was recommended by legal.

23 **Councilmember Reese** said that was what he was asking and it's ok to move on.

24 **Mayor Pro-Tempore Mahaffey** said the idea is that it's hard to enumerate all possible  
25 locations ahead of time and gives discretion to the Planning Director.

26  
27  
28

1 [SLIDE 7]

**Amendment #2**  
Requested by Transportation & Infrastructure Development Staff

2) **Amendments to Sec. 8.3.6 Off-Street Parking and Loading, Parking Lot Design Standards, to allow gravel overflow parking for "Church or places of worship", and "Assembly hall, nonprofit" uses located in the Residential Agricultural (RA) and Rural Residential (RR) zoning districts, subject to specific design and performance standards.**

**Background:** Staff propose amendments to the UDO to provide flexibility for overflow parking at "Church or places of worship", and "Assembly hall, nonprofit" uses located in the Residential Agricultural (RA) and Rural Residential (RR) districts. These uses often experience peak parking demand during limited times (e.g., services or special events), leading to underutilized paved areas and higher construction costs. The proposed amendments would allow gravel overflow parking, provided it complies with N.C.G.S. 143-214.7D, resulting in a more flexible, rural-compatible solution while maintaining safety and environmental standards.



2  
3 [SLIDE 8]

**Amendment #2**  
Requested by Planning Staff

8.3.6 Parking Lot Design Standards  
...  
D) *Surfacing and Maintenance*  
All off-street parking areas shall be paved and kept in a dust-free condition at all times. Permeable pavement, if used, shall comply with the North Carolina Department of Environmental Quality's Minimum Design Criteria in the NCDEQ Stormwater Design Manual.

1) *Exceptions*  
...  
f) **Overflow parking areas serving a "Church or place of worship" or an "Assembly Hall, nonprofit" use that is located within the Residential Agricultural (RA) or Rural Residential (RR) zoning district, provided the overflow area does not exceed 25% of the total number of required or provided parking spaces onsite, whichever is greater, and complies with the gravel construction standards listed below.**



4  
5 [SLIDE 9]

**Amendment #2**  
Requested by Planning Staff

8.3.6 Parking Lot Design Standards  
...  
D) *Surfacing and Maintenance*  
...  
2) **In order to be considered pervious, gravel parking areas shall be constructed and maintained in compliance with N.C.G.S. 143-214.7D, including all applicable stormwater, sedimentation, and erosion control requirements, and shall remain in a stable, dust-free condition. Otherwise, Gravel parking shall at a minimum meet the following specifications:**

- a) Compacted Subgrade;
- b) 6 Inches Aggregate Base Course;
- c) 1.5 Inches #78M Stone; and
- d) Drive aisles must be repaired or replaced with #78M Stone every six (6) months.



6

1 [SLIDE 10]

**Amendment #3**  
Requested by Planning Staff

3) **Amendments to Sec. 8.3.9.C Off-Street Alternatives, Shared Parking, Table 8.3-8: Shared Parking Demand by Land Use and Time of Day, to amend the required number of weekend daytime parking spaces for the "Medical/Dental Office" and "Bank" land use categories to better reflect observed demand patterns and ensure consistency with current parking utilization standards**

**Background:** Staff propose to amend this section of the UDO to update the shared parking requirements of Table 8.3-8: Shared Parking Demand by Land Use and Time of Day, which currently requires 100% of the required parking spaces for the "Medical/dental office" and "Bank" uses. The new standards of 10% for "Medical/dental offices" and 5% for "Banks" more accurately reflect realistic weekend demand.



2  
3 [SLIDE 11]

**Amendment #3**  
Requested by Planning Staff

8.3.9 Off-Street Parking Alternative

...

C) *Shared Parking*

Table 8.3-8: Shared Parking Demand by Land Use and Time of Day

Land Use	Weekday		Weekend		Nighttime (12am-6am)
	Daytime (6am-9pm)	Evening (5pm-12am)	Daytime (6am-9pm)	Evening (5pm-12am)	
Residential	60%	100%	80%	100%	100%
Office/warehouse/ industrial	100%	10%	10%	5%	5%
Retail	60%	90%	100%	70%	5%
Restaurant	70%	100%	100%	70%	10%
Hotel/motel	75%	100%	75%	100%	100%
Entertainment	40%	100%	80%	100%	10%
Church or place of worship	10%	10%	100% during regularly scheduled worship/ service times, including 1 hour before and after such times, otherwise 10%		5%
Bank	100%	5%	<del>100%</del> 5%	5%	5%
Health/fitness centers and spas	70%	100%	80%	60%	5%
Medical/dental office	100%	50%	<del>100%</del> 10%	5%	5%



4  
5 [SLIDE 12]

**Amendment #4**  
Requested by Planning Staff

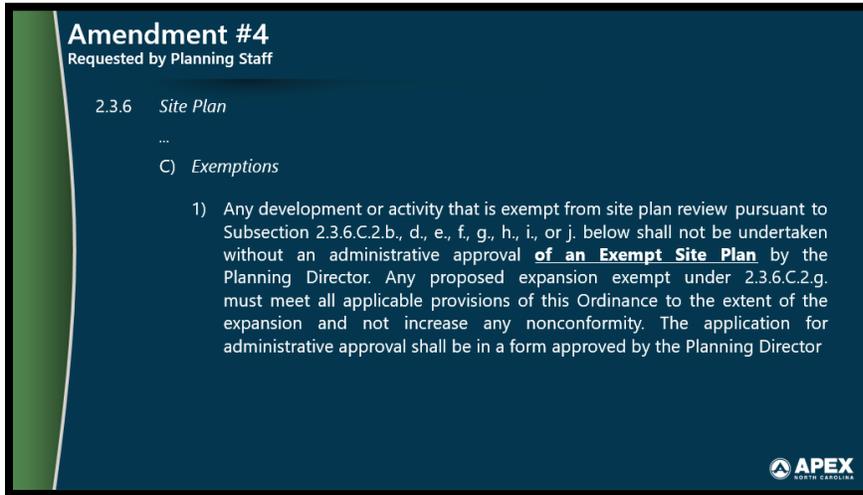
4) **Amendments to Sec. 2.3.6.C.1 Site Plan, Exemptions, to clarify that all developments qualifying as "exempt" under this section shall obtain administrative approval of an Exempt Site Plan from the Planning Director prior to the commencement of any construction activity, unless otherwise expressly exempted by the provisions of this UDO**

**Background:** Staff propose to amend Sec. 2.3.6.C.1 of the Unified Development Ordinance (UDO) to ensure consistent application of site plan requirements. Under current language, exempt developments are not required to submit a standard site plan; however, ambiguity exists regarding whether administrative approval is necessary before construction begins. This amendment explicitly requires that exempt developments secure administrative approval of an Exempt Site Plan from the Planning Director prior to construction, unless otherwise expressly exempted by the provisions of the UDO. The change eliminates uncertainty surrounding the term "administrative approval," promotes uniform interpretation, and strengthens compliance with the Town's development review process.



6

1 **[SLIDE 13]**



2  
3 **Mayor Gilbert** opened Public Hearing and with no one signed up closed Public  
4 Hearing and brought the item back to Council for discussion and a possible motion.

5  
6 A **motion** was made by **Councilmember Zegerman** seconded by **Mayor Pro-**  
7 **Tempore Mahaffey** to approve the Unified Development Ordinance (UDO) Amendments of  
8 February 2026.

9  
10 **VOTE: UNANIMOUS (5-0)**

11  
12 **[INFORMATIONAL ITEMS]**

13  
14 **IN1 Town Council Meeting Follow-up Action List**

15  
16 **Allen Coleman**, Town Clerk, noted that the Annual Council Retreat began tomorrow at  
17 8:00 a.m. at Town Hall and that the retreat would continue for three-full days and be  
18 livestreamed.

19 **Councilmember Mu** asked if there could be an explanation for the decision on PH3  
20 for transparency.

21 **Mayor Gilbert** said that is a good point.

22 **Mayor Pro-Tempore Mahaffey** said it is Council's job to explain to constituents why  
23 decisions are made.

24 **Town Attorney Hohe** said that matters discussed in closed sessions are confidential.

25 **Councilmember Mu** said it may be good for more explanation to come, not anything  
26 that was confidential.

27  
28 **[ADJOURNMENT]**

29



**DRAFT MINUTES**

**TOWN OF APEX  
TOWN COUNCIL WORK SESSION  
THURSDAY, FEBRUARY 17, 2026  
3:30PM**

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The Apex Town Council Work Session scheduled for Thursday, February 17, 2026, at 3:30 p.m. at Apex Town Hall located at 73 Hunter Street in Apex North Carolina was cancelled. The meeting was not held and notice of the cancellation was posted on the Town’s website.

Jacques K. Gilbert  
Apex Mayor

Allen Coleman  
Apex Town Clerk

Submitted for consideration and approval by Apex Town Clerk Allen Coleman.

Minutes approved on \_\_\_\_\_ day of \_\_\_\_\_ 2026.

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Russell Dalton, Traffic Engineering Manager

Department(s): Transportation and Infrastructure Development

### Requested Motion

Motion to approve amendments to Chapter 20 - Traffic, Article V. - Traffic Control Devices of the Town of Apex Code of Ordinances to update Traffic Schedule I and Traffic Schedule II in accordance with the provisions of Sections 20-60.1, 20-68, and 20-70.

### Approval Recommended?

Yes

### Item Details

The lists of stop control intersections (identified as Traffic Schedule I) and yield control intersections (identified as Traffic Schedule II) are proposed for an update to include:

- Remove stop at the intersection of BLAZING TRAIL DR / HUMIE OLIVE RD (replaced by traffic signal).
- Remove stop at the intersection of SCOTTS RIDGE TR / WOODALL CREST DR / APEX BARBEQUE (replaced by a traffic signal).
- Addition/modification of stop signs to match existing conditions at various locations as included in previously approved subdivision plans (inventory update).
- Addition/modification of yield signs to match existing conditions at various locations as included in previously approved subdivision plans (inventory update).
- Updating any errors of misnamed or misspelled streets.
- Additional field to designate how traffic control is applied.

Stop and yield sign locations are based on GPS data collected by the Public Works department. Data is routinely collected and updates to the Traffic Schedules are proposed every 6 to 12 months.

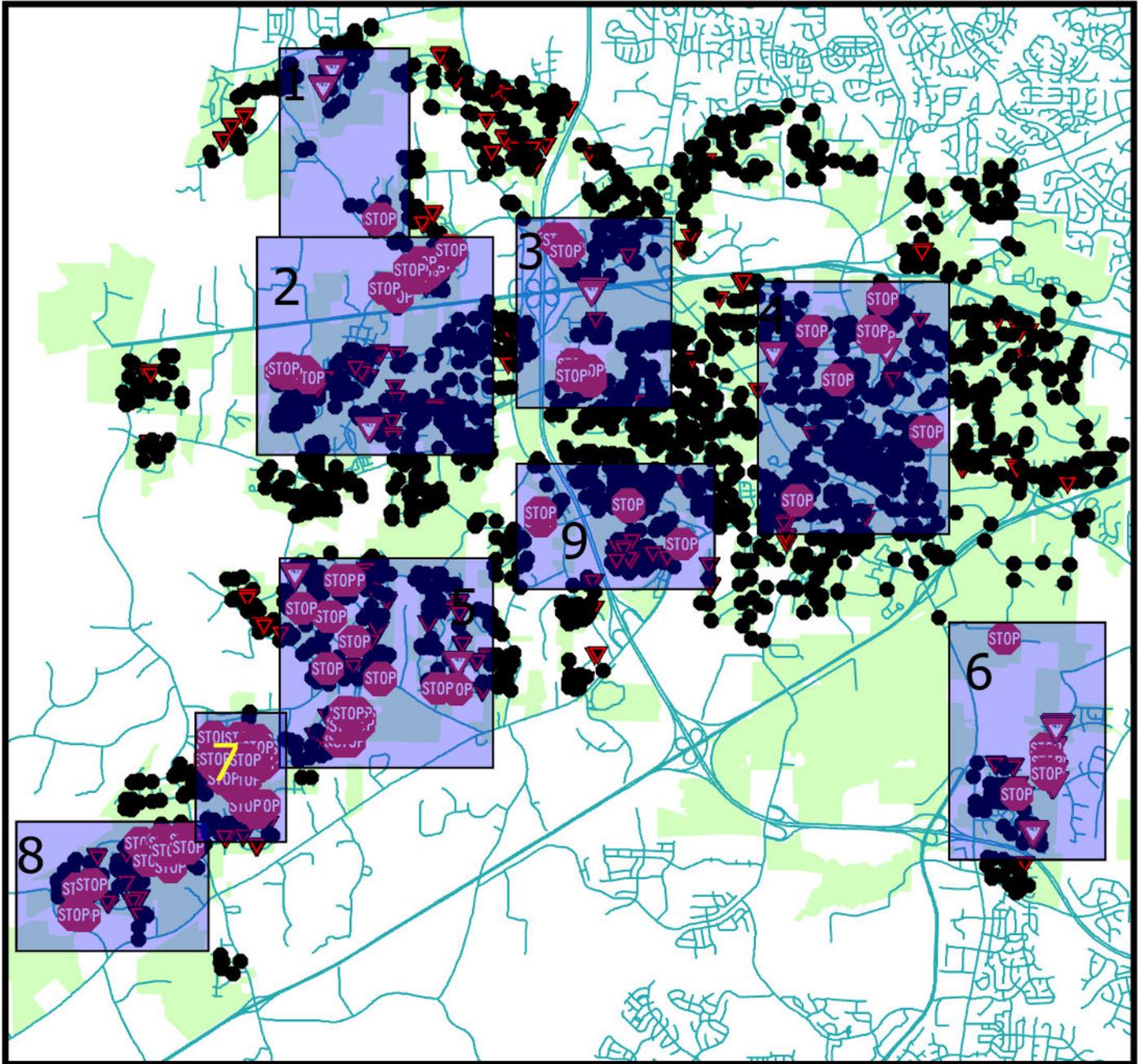
### Attachments

- CN11-A1: Overall Map plus Exhibits 1 - 9 (9 pages) - Ordinance Amendments - Traffic Schedule I and Traffic Schedule II - Stop and Yield Signage Updates

- CN11-A2: Ordinance Amendment - Traffic Schedule I & II - Ordinance Amendments - Traffic Schedule I and Traffic Schedule II - Stop and Yield Signage Updates
- CN11-A3: Traffic Schedule I (Stop) List of Amended Locations - Ordinance Amendments - Traffic Schedule I and Traffic Schedule II - Stop and Yield Signage Updates
- CN11-A4: Traffic Schedule II (Yield) List of Amended Locations - Ordinance Amendments - Traffic Schedule I and Traffic Schedule II - Stop and Yield Signage Updates



# Traffic Schedule I & II Stop & Yield Intersections Cover Page



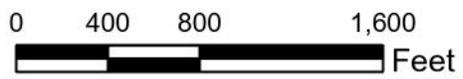
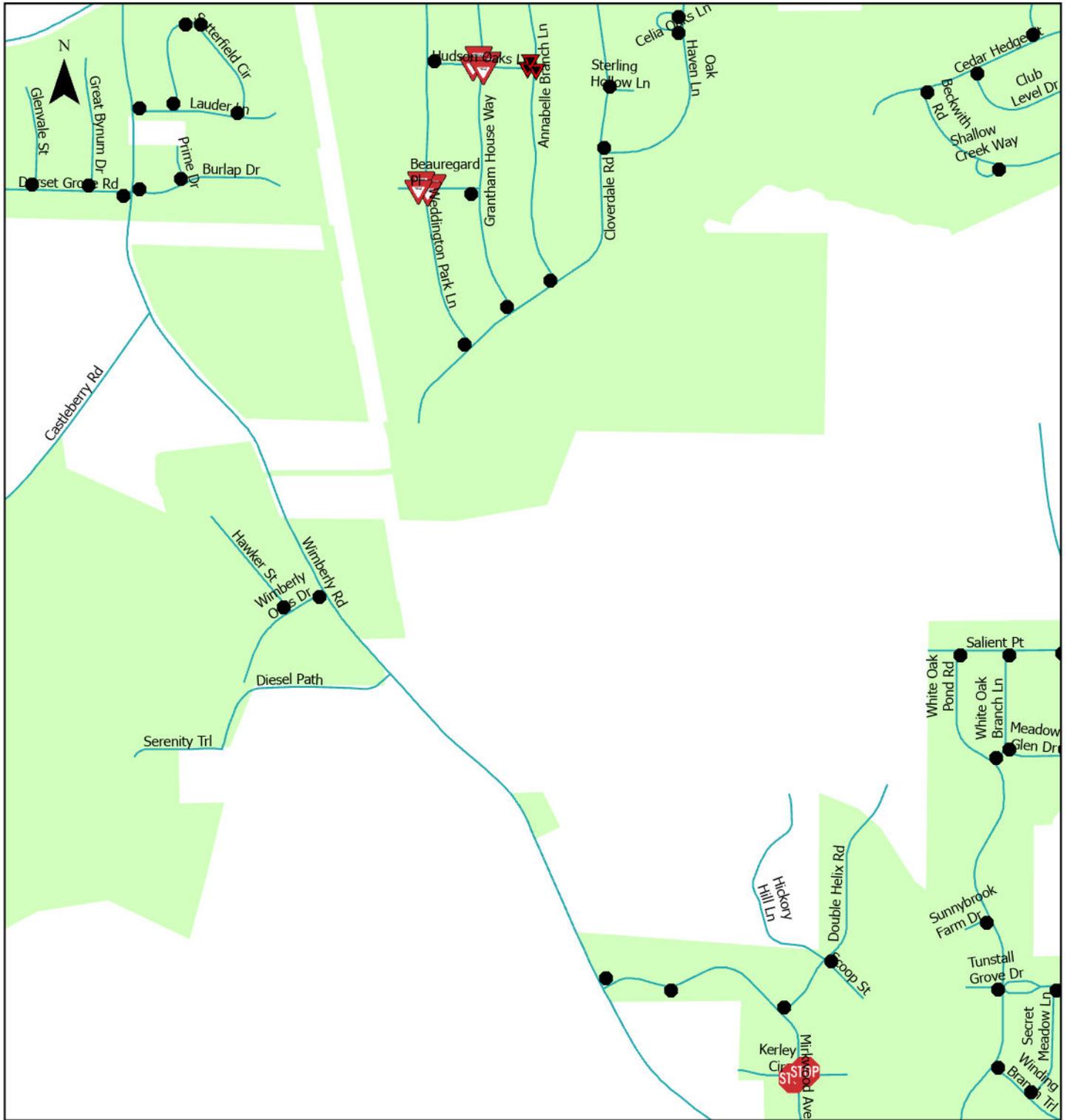
Added Signs  
SIGTYPE

-  STOP SIGN
-  YIELD SIGN

Existing Signs  
SIGTYPE

-  STOP SIGN
-  YIELD SIGN

# Traffic Schedule I & II Stop & Yield Intersections Map 1



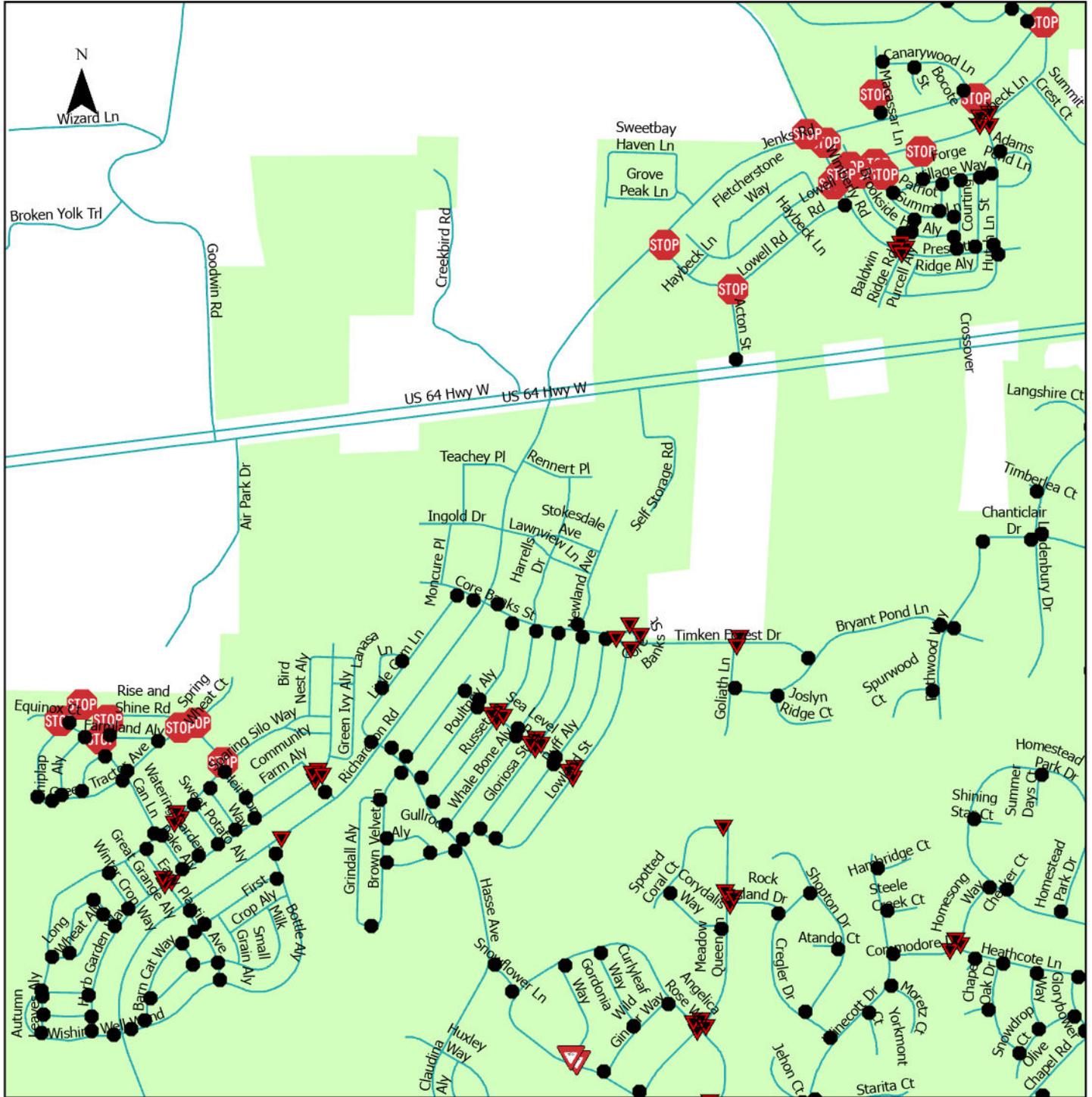
### Added Signs

- SIGNTYPE
-  STOP SIGN
  -  YIELD SIGN

### Existing Signs

- SIGNTYPE
-  STOP SIGN
  -  YIELD SIGN

# Traffic Schedule I & II Stop & Yield Intersections Map 2



### Added Signs

SIGNTYPE



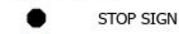
STOP SIGN



YIELD SIGN

### Existing Signs

SIGNTYPE



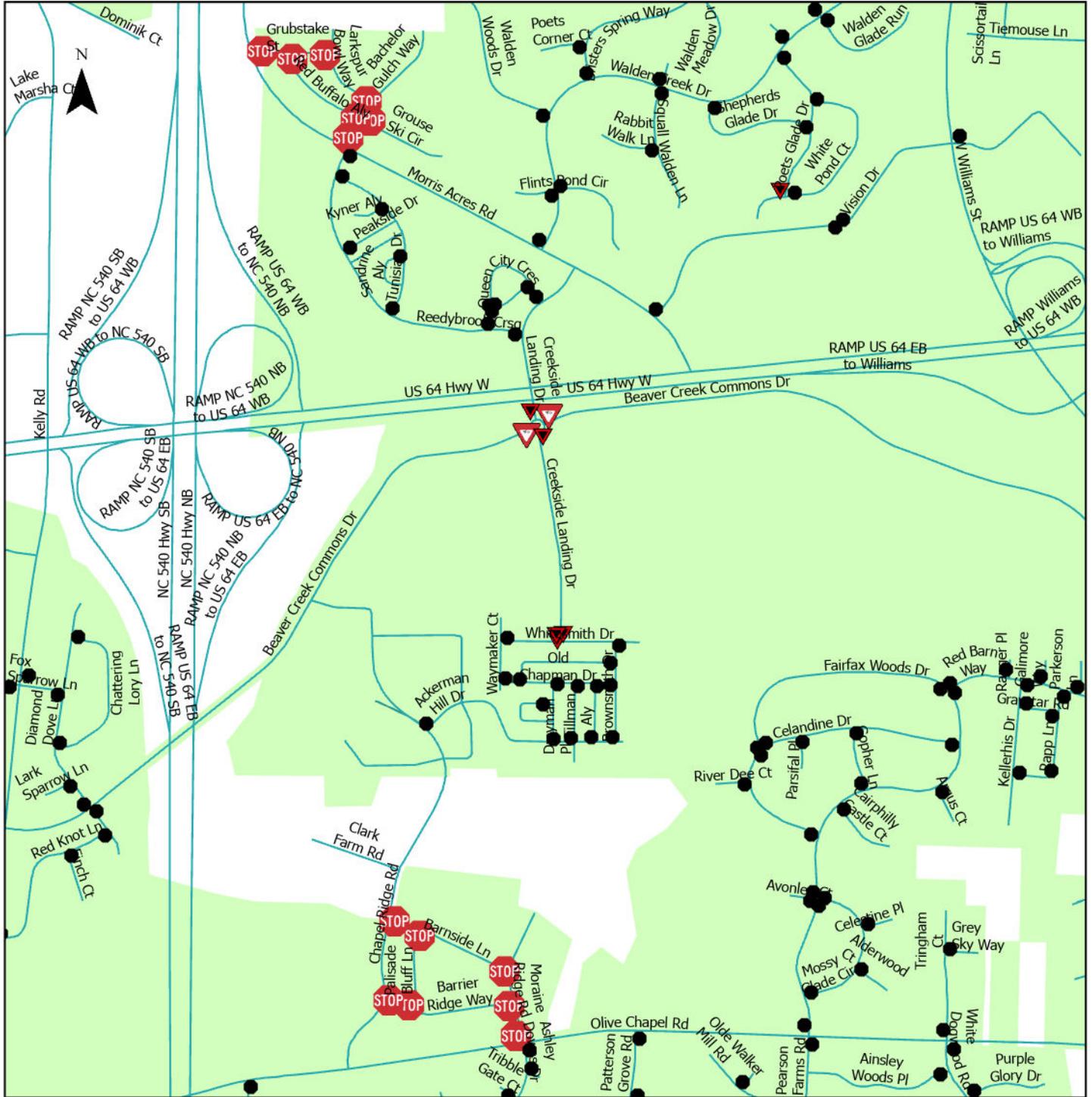
STOP SIGN



YIELD SIGN



# Traffic Schedule I & II Stop & Yield Intersections Map 3



### Added Signs

#### SIGNTYPE

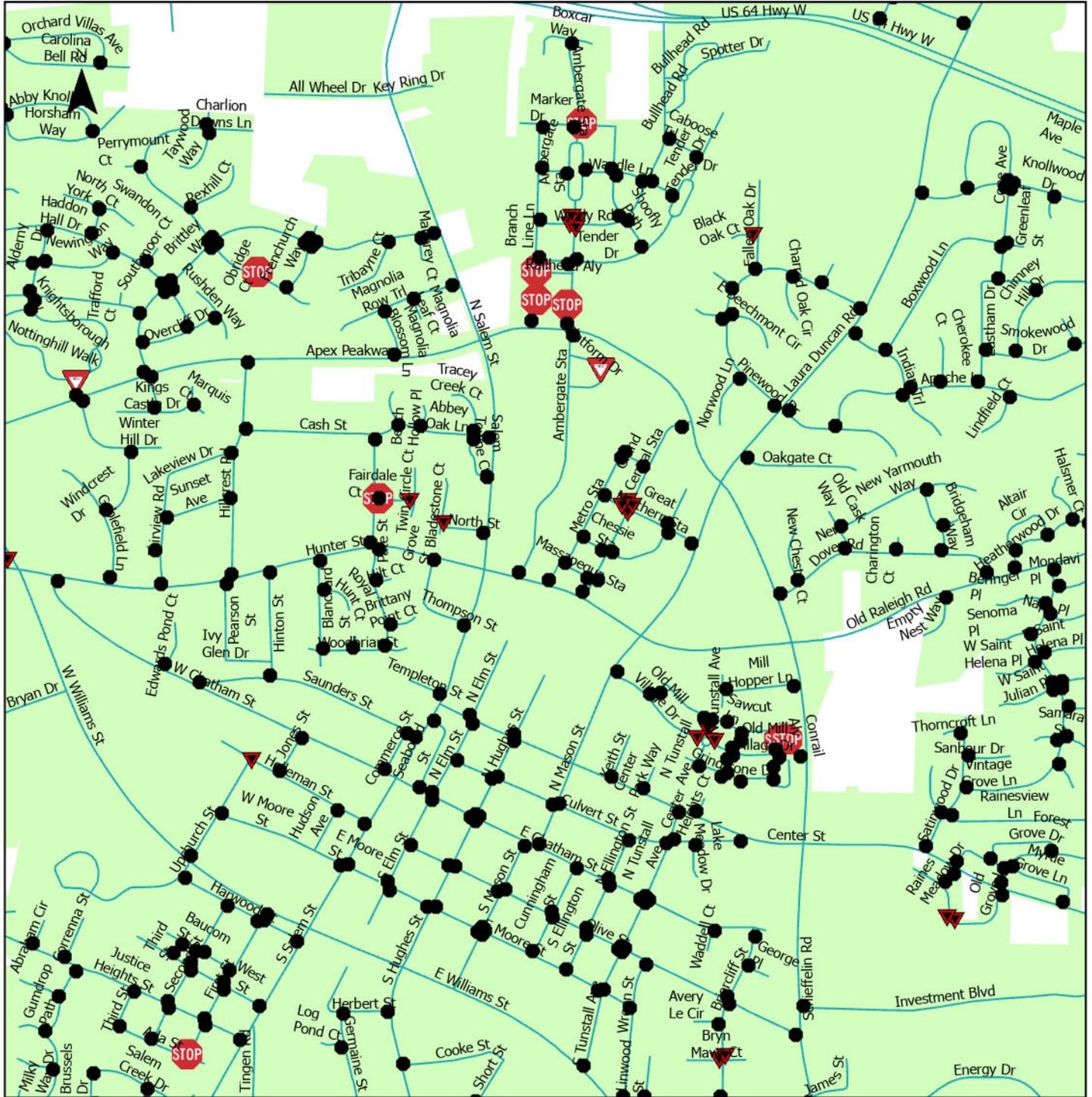
-  STOP SIGN
-  YIELD SIGN

### Existing Signs

#### SIGNTYPE

-  STOP SIGN
-  YIELD SIGN

# Traffic Schedule I & II Stop & Yield Intersections Map 4



### Added Signs

#### SIGNTYPE

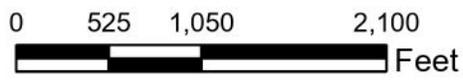
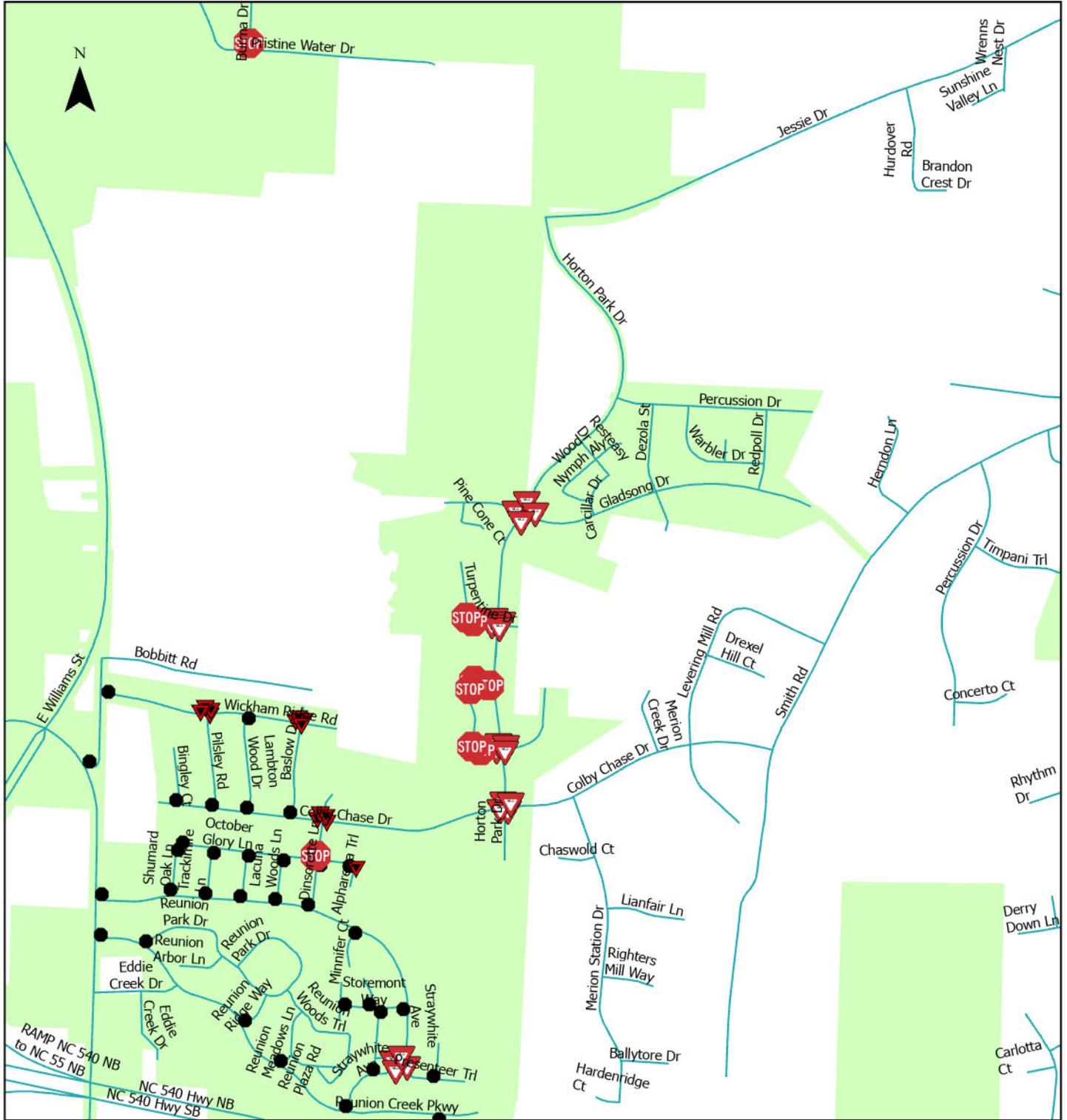
-  STOP SIGN
-  YIELD SIGN

### Existing Signs

#### SIGNTYPE

-  STOP SIGN
-  YIELD SIGN

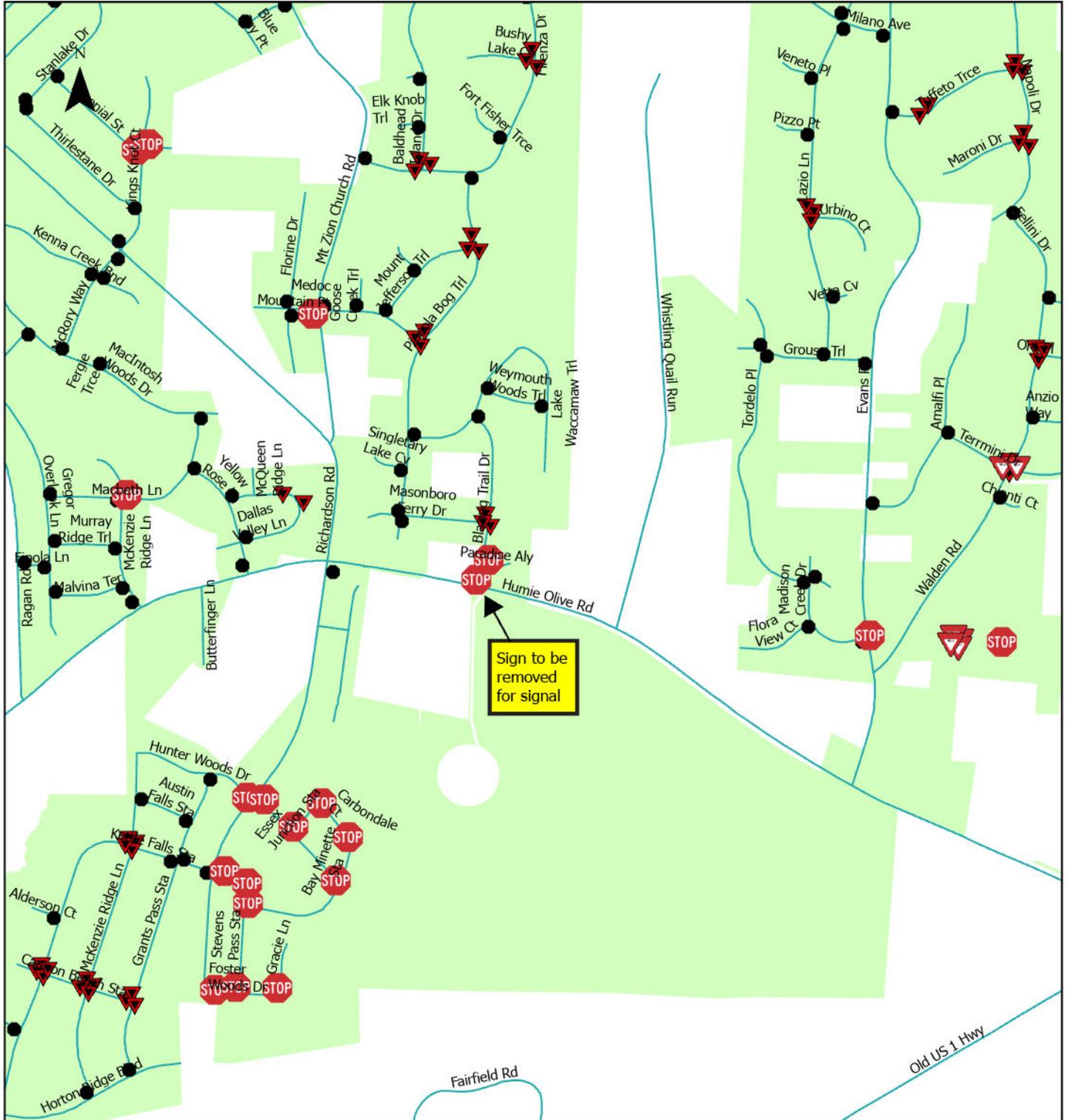
# Traffic Schedule I & II Stop & Yield Intersections Map 5



- Added Signs**
- SIGNTYPE
-  STOP SIGN
  -  YIELD SIGN

- Existing Signs**
- SIGNTYPE
-  STOP SIGN
  -  YIELD SIGN

# Traffic Schedule I & II Stop & Yield Intersections Map 6



### Added Signs

#### SIGNTYPE

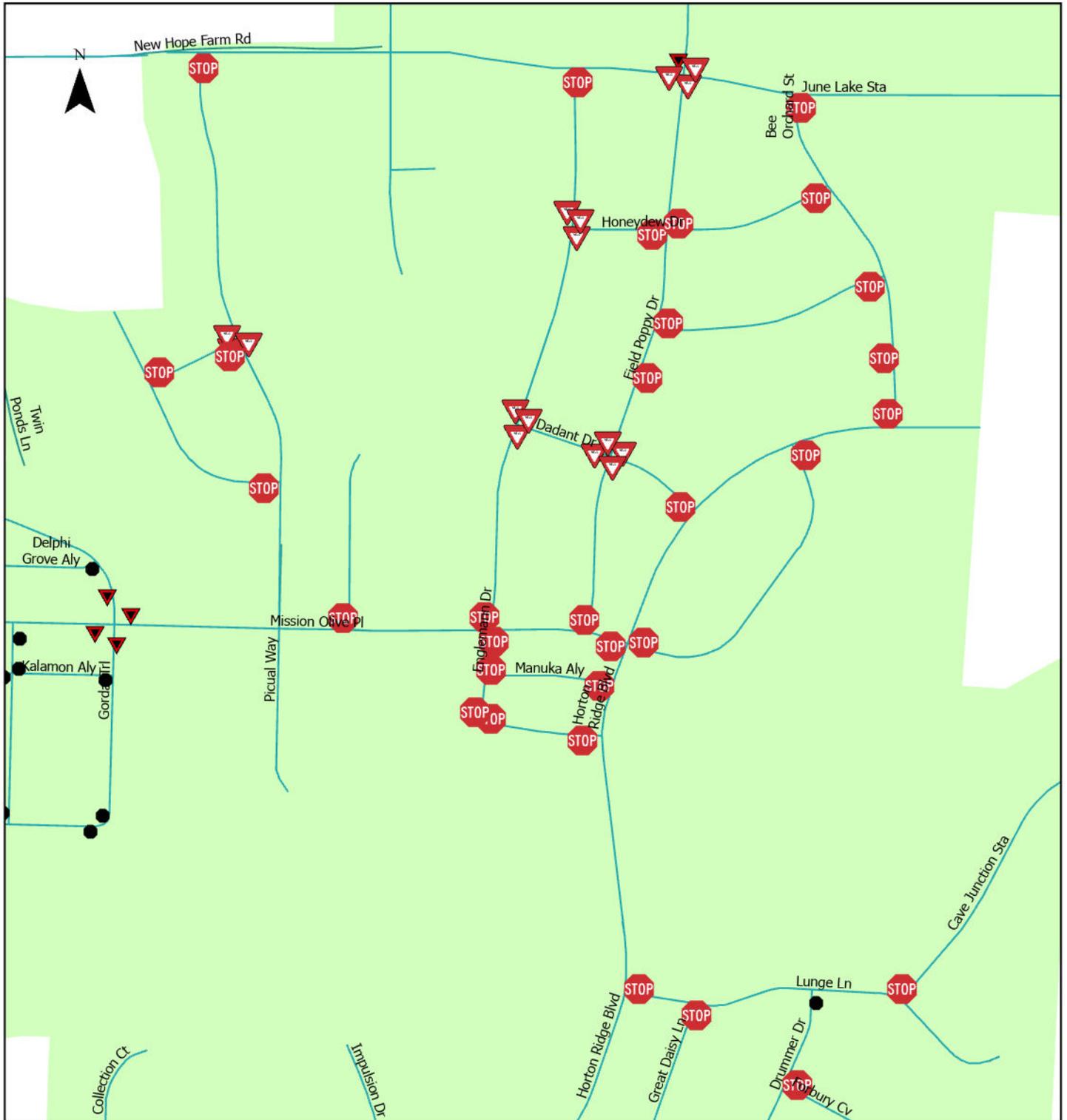
-  STOP SIGN
-  YIELD SIGN

### Existing Signs

#### SIGNTYPE

-  STOP SIGN
-  YIELD SIGN

# Traffic Schedule I & II Stop & Yield Intersections Map 7



### Added Signs

#### SIGNTYPE



STOP SIGN



YIELD SIGN

### Existing Signs

#### SIGNTYPE



STOP SIGN



YIELD SIGN



**TOWN OF APEX, NORTH CAROLINA**  
**ORDINANCE NO. 2026-0310-**

**AN ORDINANCE AMENDING TRAFFIC SCHEDULES I & II OF THE APEX TOWN CODE OF ORDINANCES**

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Apex as follows:

- Section 1.** In accordance with the provisions of Sections 20-60.1 and 20-68 of the Town of Apex Code of Ordinances, the streets named in the attached Amendment to Traffic Schedule I: Stop Intersections shall be stop streets at their intersection with the streets named and when properly marked with a regulation stop sign, or removed as stop streets if so indicated, and the Traffic Schedule I: Stop Intersections retained on file in the Town Clerk’s office shall be amended as described in the attached Amendment to Traffic Schedule I: Stop Intersections.
- Section 2.** In accordance with the provisions of Sections 20-60.1 and 20-70 of the Town of Apex Code of Ordinances, the streets named in the attached Amendment Traffic Schedule II: Yield Intersections shall be yield streets at their intersection with the streets named and when properly marked with a regulation yield sign, and the Traffic Schedule II: Yield Intersections retained on file in the Town Clerk’s office, shall be amended as described on the attached Amendment to Traffic Schedule II: Yield Intersections.
- Section 3.** The Town Clerk and/or Town Manager are hereby authorized to renumber, revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish, and/or accomplish the provisions of this Ordinance or future amendments as long as doing so does not alter the terms of this Ordinance.
- Section 4.** It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances and the sections of this ordinance may be renumbered to accomplish such intention.
- Section 5.** **Severability, Conflict of Laws.** If this ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.
- Section 6.** **Effective Date.** This ordinance shall be effective upon adoption.

Introduced by Council Member: \_\_\_\_\_

Seconded by Council Member: \_\_\_\_\_

This the \_\_\_\_ day of \_\_\_\_\_, 2026.

TOWN OF APEX, NORTH CAROLINA

---

Jacques K. Gilbert  
Mayor

ATTEST:

---

Allen L. Coleman, CMC, NCCCC  
Town Clerk

APPROVED AS TO FORM:

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Laurie L. Hohe  
Town Attorney

Amendment to Traffic Schedule I: Stop Intersections.

In accordance with the provisions of Sections 20-60.1 and 20-68, the following streets, shall no longer be stop streets at their intersection with the streets named and the existing stop signs will be removed:

BLAZING TRAIL	APPROACHING	HUMIE OLIVE RD	SIGNALIZED
HUNTER WOODS DR	APPROACHING	RICHARDSSON RD	NAME CORRECTION
KERLEY CIR	APPROACHING	HICKORY HILL DR	NAME CORRECTION
KERLEY CIR	APPROACHING	HICKORY HILL DR	NAME CORRECTION
LANDON OAKS CT	APPROACHING	HORTON HILLS DR	NAME CORRECTION
SCOTTS RIDGE TRL	APPROACHING	APEX BARBECUE RD	SIGNALIZED
WOODALL CREST DR	APPROACHING	APEX BARBECUE RD	SIGNALIZED

In accordance with the provisions of Sections 20-60.1 and 20-68, the following streets, shall be stop streets at their intersection with the streets named and when properly marked with a regulation stop sign:

ACTON ST	APPROACHING	LOWELL RD	TERMINUS
ALKALI CT	APPROACHING	MISSION OLIVE PL	TERMINUS
ANDRENA WAY	APPROACHING	PICUAL WAY	TERMINUS
BACHELOR GULCH WAY	APPROACHING	MORRIS ACRES RD	CROSS STREET
BARNSIDE LN	APPROACHING	CHAPEL RIDGE RD	TERMINUS
BARNSIDE LN	APPROACHING	MORAINA RIDGE	TERMINUS
BARONIAL ST	APPROACHING	KINGS KNOT CT	CROSS STREET
BARONIAL ST	APPROACHING	KINGS KNOT CT	CROSS STREET
BARRIER RIDGE WAY	APPROACHING	MORAINA RIDGE	TERMINUS
BARRIER RIDGE WAY	APPROACHING	CHAPEL RIDGE RD	TERMINUS
BAY MINETTE STA	APPROACHING	STEVENS PASS STA	TERMINUS
BEAVER BRANCH BND	APPROACHING	JORDAN SHIRES DR	TERMINUS
BEAVER RIDGE DR	APPROACHING	ESTATES EDGE	TERMINUS
BEE ORCHARD ST	APPROACHING	JUNE LAKE STA	TERMINUS
BEE ORCHARD ST	APPROACHING	HORTON RIDGE BLVD	TERMINUS
BEEKMAN DR	APPROACHING	PICUAL WAY	TERMINUS
BEEKMAN DR	APPROACHING	ANDRENA WAY	TERMINUS
BREVET ST	APPROACHING	BORDWELL GRANT DR	CROSS STREET
BREVET ST	APPROACHING	BORDWELL GRANT DR	CROSS STREET
BREVET ST	APPROACHING	TURNER PINES DR	TERMINUS
BROOKSIDE HILL ALY	APPROACHING	HAYBECK LN	CROSS STREET
BROOKSIDE HILL ALY	APPROACHING	HAYBECK LN	CROSS STREET
BRUNOT ST	APPROACHING	BORDWELL GRANT DR	CROSS STREET
BRUNOT ST	APPROACHING	BORDWELL GRANT DR	CROSS STREET
BRUNOT ST	APPROACHING	TURNER PINES DR	TERMINUS
BURMA DR	APPROACHING	PRISTINE WATER DR	TERMINUS

CARBONDALE CT	APPROACHING	BAY MINETTE STA	TERMINUS
CARBONDALE CT	APPROACHING	ESSEX JUNCTION STA	TERMINUS
CATHEDRAL COMB DR	APPROACHING	BEE ORCHARD ST	TERMINUS
CATHEDRAL COMB DR	APPROACHING	FIELD POPPY DR	TERMINUS
CAVE JUNCTION STA	APPROACHING	LUNGE LN	TERMINUS
CONRAIL ALY	APPROACHING	SAWCUT LN	CROSS STREET
CONRAIL ALY	APPROACHING	CONRAIL ALY	RIGHT TURN
DADANT DR	APPROACHING	HORTON RIDGE BLVD	TERMINUS
ELLERVIEW DR	APPROACHING	APEX BARBECUE RD	TERMINUS
ELLERVIEW DR	APPROACHING	TOAD HOLLOW TRL	TERMINUS
ENGLEMANN DR	APPROACHING	HORTON RIDGE BLVD	TERMINUS
ENGLEMANN DR	APPROACHING	MISSION OLIVE PL	CROSS STREET
ENGLEMANN DR	APPROACHING	MISSION OLIVE PL	CROSS STREET
ENGLEMANN DR	APPROACHING	ENGLEMANN DR	RIGHT TURN
ENGLEMANN DR	APPROACHING	ENGLEMANN DR	LEFT TURN
ENGLEMANN DR	APPROACHING	JUNE LAKE STA	TERMINUS
ESSEX JUNCTION STA	APPROACHING	HUNTER WOODS DR	TERMINUS
FIELD POPPY DR	APPROACHING	MISSION OLIVE PL	TERMINUS
FIRST ST	APPROACHING	ADA ST	TERMINUS
FOSTER WOODS DR	APPROACHING	RICHARDSON RD	TERMINUS
GOLDFIELD ALY	APPROACHING	BEE ORCHARD ST	TERMINUS
GOLDFIELD ALY	APPROACHING	FIELD POPPY DR	TERMINUS
GRACIE LN	APPROACHING	FOSTER WOODS	TERMINUS
GREAT DAISY LN	APPROACHING	LUNGE LN	TERMINUS
GROUSE SKI CIR	APPROACHING	BACHELOR GULCH WAY	CROSS STREET
GRUBSTAKE ST	APPROACHING	LARKSPUR BOWL WAY	TERMINUS
GRUBSTAKE ST	APPROACHING	MORRIS ACRES RD	TERMINUS
HAYBECK LN	APPROACHING	WIMBERLY RD	CROSS STREET
HAYBECK LN	APPROACHING	WIMBERLY RD	CROSS STREET
HAYBECK LN	APPROACHING	WIMBERLY RD	CROSS STREET
HAYBECK LN	APPROACHING	WIMBERLY RD	CROSS STREET
HONEYDEW DR	APPROACHING	BEE ORCHARD ST	TERMINUS
HONEYDEW DR	APPROACHING	FIELD POPPY DR	CROSS STREET
HONEYDEW DR	APPROACHING	FIELD POPPY DR	CROSS STREET
HUNTER WOODS DR	APPROACHING	BAY MINETTE STA	TERMINUS
HUNTER WOODS DR	APPROACHING	RICHARDSON RD	CROSS STREET
HUNTER WOODS DR	APPROACHING	RICHARDSON RD	CROSS STREET
KERLEY CIR	APPROACHING	MIRKWOOD AVE	CROSS STREET
KERLEY CIR	APPROACHING	MIRKWOOD AVE	CROSS STREET
KETTLE FALLS STA	APPROACHING	RICHARDSON RD	CROSS STREET
LANDON PINES CT	APPROACHING	HORTON HILLS DR	TERMINUS
LARKSPUR BOWL WAY	APPROACHING	BACHELOR GULCH WAY	TERMINUS
LUNGE LN	APPROACHING	HORTON RIDGE BLVD	TERMINUS

MANORS EDGE DR	APPROACHING	REGENT PINES DR	TERMINUS
MANUKA ALY	APPROACHING	HORTON RIDGE BLVD	TERMINUS
MANUKA ALY	APPROACHING	ENGLEMANN DR	TERMINUS
MASON JAR LANE	APPROACHING	VETRINA WAY	TERMINUS
MEDOC MOUNTAIN TRL	APPROACHING	MT ZION CHURCH RD	CROSS STREET
MISSION OLIVE PL	APPROACHING	HORTON RIDGE BLVD	CROSS STREET
MISSION OLIVE PL	APPROACHING	HORTON RIDGE BLVD	CROSS STREET
MISSION OLIVE PL	APPROACHING	HORTON RIDGE BLVD	TERMINUS
MONUMENT HILL ALY	APPROACHING	PATRIOT SUMMIT LN	TERMINUS
MORAINES RIDGE RD	APPROACHING	OLIVE CHAPEL RD	CROSS STREET
PALISADE BLUFF LN	APPROACHING	BARN SIDE LN	TERMINUS
PALISADE BLUFF LN	APPROACHING	BARN SIDE LN	TERMINUS
PARADISE ALY	APPROACHING	BLAZING TRAIL DR	TERMINUS
PATRIOT SUMMIT LN	APPROACHING	HAYBECK LN	TERMINUS
PICUAL WAY	APPROACHING	JUNE LAKE STA	TERMINUS
RED BUFFALO ALY	APPROACHING	GRUBSTAKE ST	TERMINUS
RED BUFFALO ALY	APPROACHING	BACHELOR GULCH WAY	CROSS STREET
RIVERNECK ALY	APPROACHING	HAYBECK LN	TERMINUS
SPRING WHEAT CT	APPROACHING	RISE AND SHINE RD	TERMINUS
STEVENS PASS STA	APPROACHING	FOSTER WOODS DR	TERMINUS
STEVENS PASS STA	APPROACHING	KETTLE FALLS STA	TERMINUS
TURPENTINE DR	APPROACHING	TURPENTINE DR	RIGHT TURN
TURPENTINE DR	APPROACHING	TURPENTINE DR	LEFT TURN
UNION DEPOT DR	APPROACHING	WOODALL CREST DR	RIGHT TURN
VETRINA WAY	APPROACHING	EVANS RD	CROSS STREET
WATERING CAN LN	APPROACHING	RISE AND SHINE RD	TERMINUS
WIMBERLY RD	APPROACHING	JENKS RD	CROSS STREET
WRITT CT	APPROACHING	TURNER PINES DR	TERMINUS

Amendment to Traffic Schedule II: Yield Intersections.

In accordance with the provisions of Sections 20-60.1 and 20-70, the following streets, shall no longer be yield streets at their intersection with the streets named and the existing yield signs will be removed:

BEAVER CREEK COMMONS DR	APPROACHING	BEAVER CREEK COMMONS DR	NAMING CORRECTION
BEAVER CREEK COMMONS DR	APPROACHING	BEAVER CREEK COMMONS DR	NAMING CORRECTION
TERMINI DR	APPROACHING	FELLINI DR	NAMING CORRECTION
TERMINI DR	APPROACHING	WALDEN RD	NAMING CORRECTION
WALDEN RD	APPROACHING	TERMINI DR	NAMING CORRECTION

In accordance with the provisions of Sections 20-60.1, and 20-70, the following streets, shall be yield streets at their intersection with the streets named and when properly marked with a regulation yield sign:

ANGELICA ROSE WAY	APPROACHING	GORDONIA WAY	MINI-CIRCLE
ANGELICA ROSE WAY	APPROACHING	GORDONIA WAY	MINI-CIRCLE
BEAUREGARD PL	APPROACHING	WEDDINGTON PARK LN	MINI-CIRCLE
BEAUREGARD PL	APPROACHING	WEDDINGTON PARK LN	MINI-CIRCLE
BEAVER CREEK COMMONS DR	APPROACHING	CREEKSIDE LANDING DR	ROUNDAABOUT
BEAVER CREEK COMMONS DR	APPROACHING	CREEKSIDE LANDING DR	ROUNDAABOUT
BEEKMAN DR	APPROACHING	PICUAL WAY	MINI-CIRCLE
BUMBLEBEE DR	APPROACHING	HORTON PARK DR	MINI-CIRCLE
CARCILLAR DR	APPROACHING	HORTON PARK DR	MINI-CIRCLE
COLBY CHASE DR	APPROACHING	HORTON PARK DR	MINI-CIRCLE
COLBY CHASE DR	APPROACHING	HORTON PARK DR	MINI-CIRCLE
DADANT DR	APPROACHING	ENGLEMANN DR	MINI-CIRCLE
DADANT DR	APPROACHING	FIELD POPPY DR	MINI-CIRCLE
DADANT DR	APPROACHING	FIELD POPPY DR	MINI-CIRCLE
DADANT DR	APPROACHING	ENGLEMANN DR	MINI-CIRCLE
ENGLEMANN DR	APPROACHING	DADANT DR	MINI-CIRCLE
ENGLEMANN DR	APPROACHING	DADANT DR	MINI-CIRCLE
ENGLEMANN DR	APPROACHING	DADANT DR	MINI-CIRCLE
ENGLEMANN DR	APPROACHING	DADANT DR	MINI-CIRCLE
ENGLEMANN DR	APPROACHING	HONEYDEW DR	MINI-CIRCLE
ENGLEMANN DR	APPROACHING	HONEYDEW DR	MINI-CIRCLE
FIELD POPPY DR	APPROACHING	JUNE LAKE STA	MINI-CIRCLE
FIELD POPPY DR	APPROACHING	DADANT DR	MINI-CIRCLE
FIELD POPPY DR	APPROACHING	DADANT DR	MINI-CIRCLE
GLADSONG DR	APPROACHING	HORTON PARK DR	ROUNDAABOUT
GLADSONG DR	APPROACHING	HORTON PARK DR	ROUNDAABOUT
GORDONIA WAY	APPROACHING	ANGELICA ROSE WAY	MINI-CIRCLE
GRANTHAM HOUSE WAY	APPROACHING	HUDSON OAKS LN	MINI-CIRCLE

GRANTHAM HOUSE WAY	APPROACHING	HUDSON OAKS LN	MINI-CIRCLE
HONEYDEW DR	APPROACHING	ENGLEMANN DR	MINI-CIRCLE
HORTON PARK DR	APPROACHING	GLADSONG DR	ROUNDAABOUT
HORTON PARK DR	APPROACHING	GLADSONG DR	ROUNDAABOUT
HORTON PARK DR	APPROACHING	COLBY CHASE DR	MINI-CIRCLE
HORTON PARK DR	APPROACHING	COLBY CHASE DR	MINI-CIRCLE
HORTON PARK DR	APPROACHING	TURPENTINE DR	MINI-CIRCLE
HORTON PARK DR	APPROACHING	TURPENTINE DR	MINI-CIRCLE
HUDSON OAKS LN	APPROACHING	GRANTHAM HOUSE WAY	MINI-CIRCLE
HUDSON OAKS LN	APPROACHING	GRANTHAM HOUSE WAY	MINI-CIRCLE
HORTON PARK DR	APPROACHING	CARCILLAR DR	MINI-CIRCLE
HORTON PARK DR	APPROACHING	BUMBLEBEE LOOP	MINI-CIRCLE
JUNE LAKE STA	APPROACHING	FIELD POPPY DR	MINI-CIRCLE
JUNE LAKE STA	APPROACHING	FIELD POPPY DR	MINI-CIRCLE
MAVISBANK CIR	APPROACHING	MAVISBANK CIR	MIDBLOCK-CIRCLE
MAVISBANK CIR	APPROACHING	MAVISBANK CIR	MIDBLOCK-CIRCLE
PICUAL WAY	APPROACHING	BEEKMAN DR	MINI-CIRCLE
PICUAL WAY	APPROACHING	PICUAL WAY	MINI-CIRCLE
PLATFORM DR	APPROACHING	PLATFORM DR	MIDBLOCK-CIRCLE
PLATFORM DR	APPROACHING	PLATFORM DR	MIDBLOCK-CIRCLE
PORTWIND LN	APPROACHING	STRAYWHITE AVE	TRAFFIC CIRCLE
PRESENTEER TRA	APPROACHING	STRAYWHITE AVE	TRAFFIC CIRCLE
STRAYWHITE AVE	APPROACHING	PORTWIND LN	TRAFFIC CIRCLE
STRAYWHITE AVE	APPROACHING	PRESENTEER TRA	TRAFFIC CIRCLE
TERRMINI DR	APPROACHING	FELLINI DR	MINI-CIRCLE
TERRMINI DR	APPROACHING	WALDEN RD	MINI-CIRCLE
TURPENTINE DR	APPROACHING	HORTON PARK DR	MINI-CIRCLE
TURPENTINE DR	APPROACHING	HORTON PARK DR	MINI-CIRCLE
VETRINA WAY	APPROACHING	WALDEN RD	MINI-CIRCLE
VETRINA WAY	APPROACHING	WALDEN RD	MINI-CIRCLE
WALDEN RD	APPROACHING	TERRMINI DR	MINI-CIRCLE
WALDEN RD	APPROACHING	VETRINA WAY	MINI-CIRCLE
WALDEN RD	APPROACHING	VETRINA WAY	MINI-CIRCLE
WEDDINGTON PARK LN	APPROACHING	BEAUREGARD PL	MINI-CIRCLE
WEDDINGTON PARK LN	APPROACHING	BEAUREGARD PL	MINI-CIRCLE

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Chris Johnson, Director

Department(s): Transportation and Infrastructure Development

### Requested Motion

Motion to approve revisions to the Town Standard Details related to Section 300 which addresses: Neighborhood Traffic Mini-Circle, Temporary Turnaround, and Single-lane Roundabout.

### Approval Recommended?

Yes

### Item Details

Proposed revisions to the Town Standard Details have been drafted to include the following in Section 300 Streets.

- Neighborhood Traffic Mini-Circle
- Temporary Turnaround
- Single-lane Roundabout

Following approval of these revisions, the files will be updated on the Town website.

### Attachments

- CN12-A1: Summary of Revisions - Revisions to Standard Details
- CN12-A2: Standard Details - Revisions to Standard Details



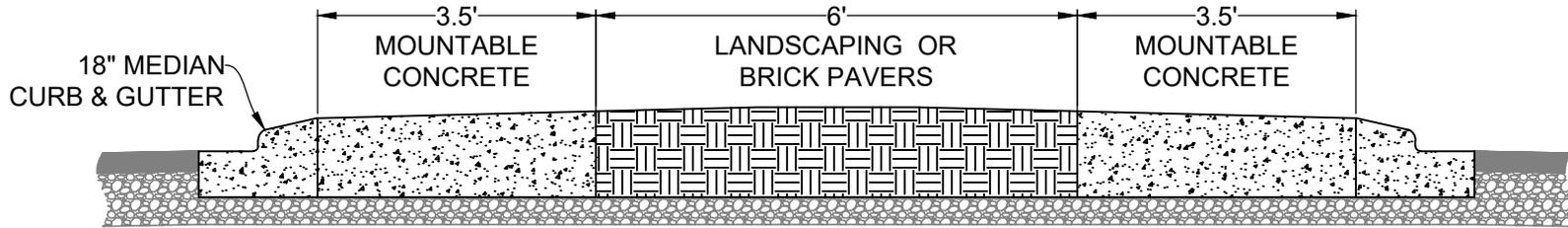
**Town of Apex  
Standard Details  
Summary of Revisions  
March 10, 2026**

❖ Standard Details

➤ Section 300|Streets

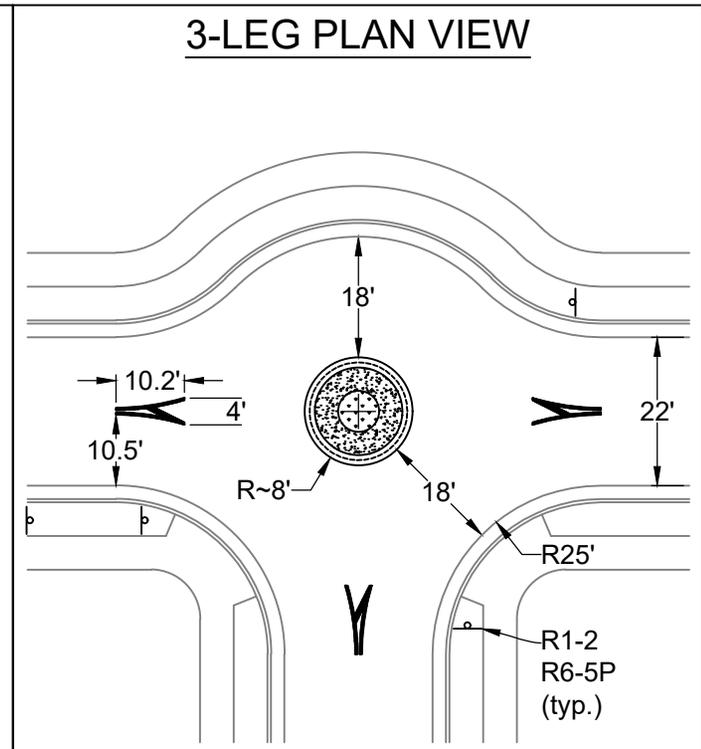
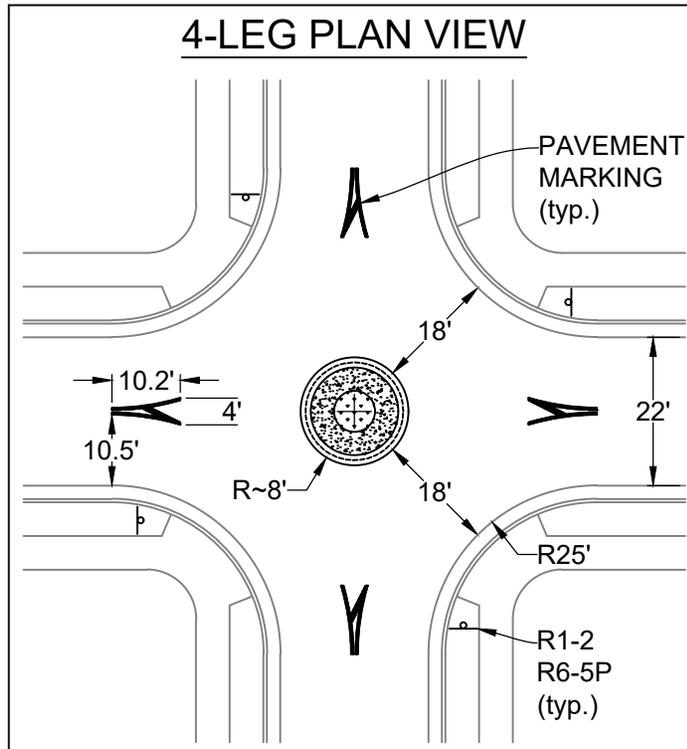
1. 300.23 Neighborhood Traffic Mini-Circle: Combined 'Yield' sign and 'Circular Intersection' sign on same post per MUTCD standard.
2. 300.25 Temporary Turnaround: Removed throw-away curb and sidewalk from current detail; added hammerhead and alternative geometry option (sheet 2 of 2).
3. 300.29 Single-Lane Roundabout: Adjusted location of mini-skips and updated signage in center island per MUTCD standard.

## CROSS SECTION



**NOTES:**

1. ROADWAY: MINIMUM STREET WIDTH IS 27' BACK-TO-BACK OR 22' EDGE-TO-EDGE; MAXIMUM CIRCULATING LANE WIDTH IS 18'; LANE WIDTH WILL VARY FOR SKEWED INTERSECTIONS AND INTERSECTIONS INVOLVING WIDER STREETS.
2. CENTER ISLAND TO BE HOA MAINTAINED; LARGE SHRUBS AND TREES ARE NOT PERMITTED. LANDSCAPING SUBJECT TO STAFF REVIEW AND APPROVAL.
3. SIGNS: YIELD SIGN (R1-2) AND CIRCULAR INTERSECTION SIGN (R6-5P) ON EACH APPROACH AT CIRCLE.
4. PAVEMENT MARKING: PAINTED SPLITTER ISLANDS ARE 4" DOUBLE YELLOW WITH 8" ANGLE MARKING AT 2:1.



**TOWN OF APEX  
STANDARDS**

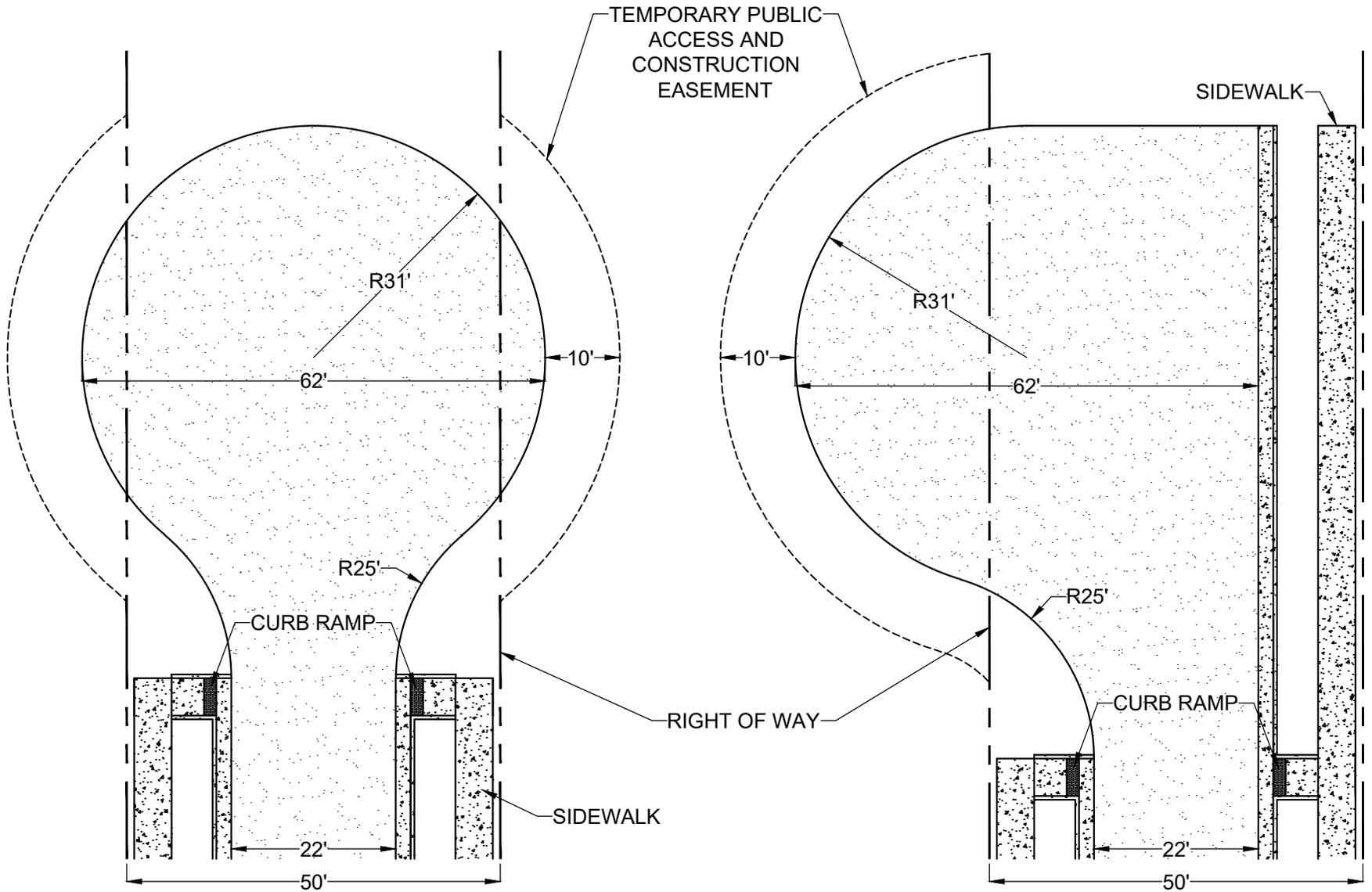
EFFECTIVE: MARCH 10, 2026

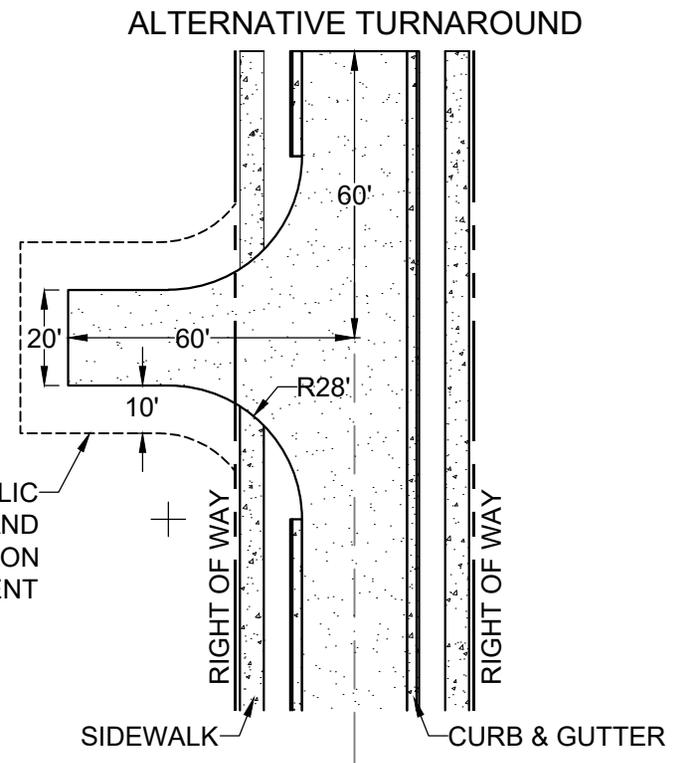
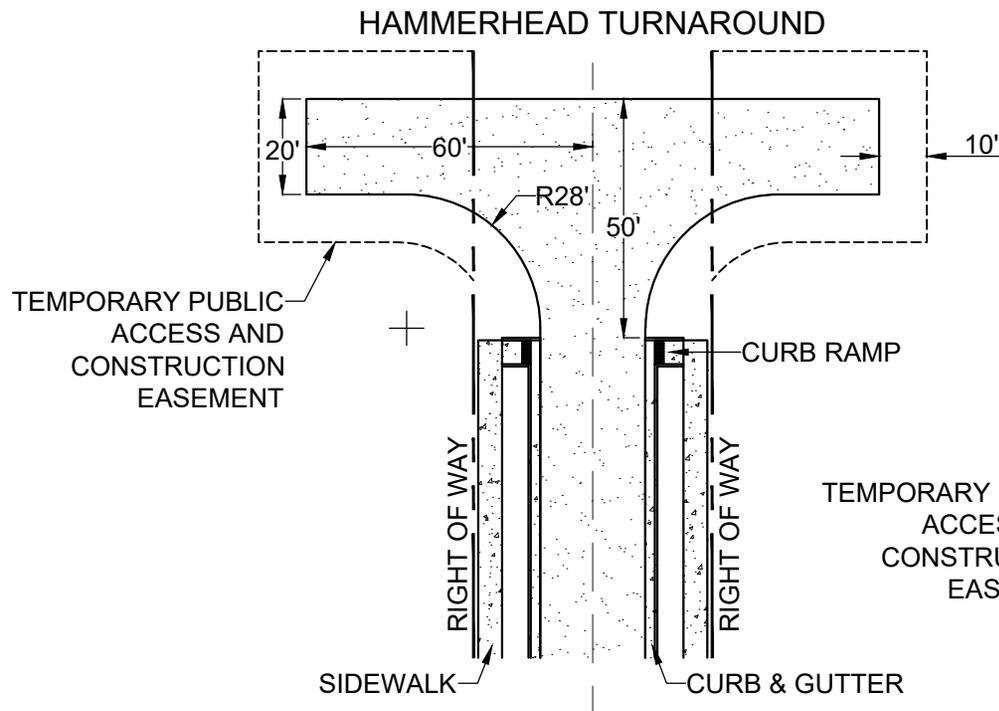
# NEIGHBORHOOD TRAFFIC MINI-CIRCLE

STD. NO.

**300.23**

SHEET 1 OF 1





**NOTES:**

1. DEVELOPER CONNECTING TO THE EXISTING STREET NETWORK SHALL BE RESPONSIBLE FOR REMOVING TEMPORARY TURNAROUND AND RECONSTRUCTING THE STREET TO MEET TOWN OF APEX STANDARDS, INCLUDING REMOVAL OF CURB RAMPS AND EXTENSION OF SIDEWALKS.
2. STREET WIDTHS AND RIGHT-OF-WAY WIDTHS MAY VARY ACCORDING TO LOCATIONS AND TYPES OF STREETS REQUIRED.
3. THE DIMENSIONS OF THE HAMMERHEAD TURNAROUND SHALL MEET THE DIMENSIONS SHOWN REGARDLESS OF STREET AND RIGHT OF WAY WIDTHS.
4. DRIVEWAY CONNECTIONS FROM TURNAROUND ARE PROHIBITED.
5. PARKING IS PROHIBITED WITHIN THE TURNAROUND. THE END OF THE STUB STREET SHALL BE SIGNED IN ACCORDANCE WITH 'BARRICADE FOR DEAD END ROADS' STANDARD DETAIL.
6. PROPER DRAINAGE MUST BE PROVIDED TO ENSURE THERE IS POSITIVE DRAINAGE AT TURNAROUND.
7. A TEMPORARY PUBLIC TURNAROUND EASEMENT IS REQUIRED AS DEPICTED IN DRAWING DETAIL.
8. THE TEMPORARY PUBLIC TURNAROUND EASEMENT SHALL BE TERMINATED WHEN A FUTURE ROAD CONNECTION IS MADE AND THE TURNAROUND IS REMOVED.
9. TEMPORARY TURNAROUNDS SHALL NOT ENCROACH PERIMETER LANDSCAPE BUFFERS.

**TOWN OF APEX  
STANDARDS**

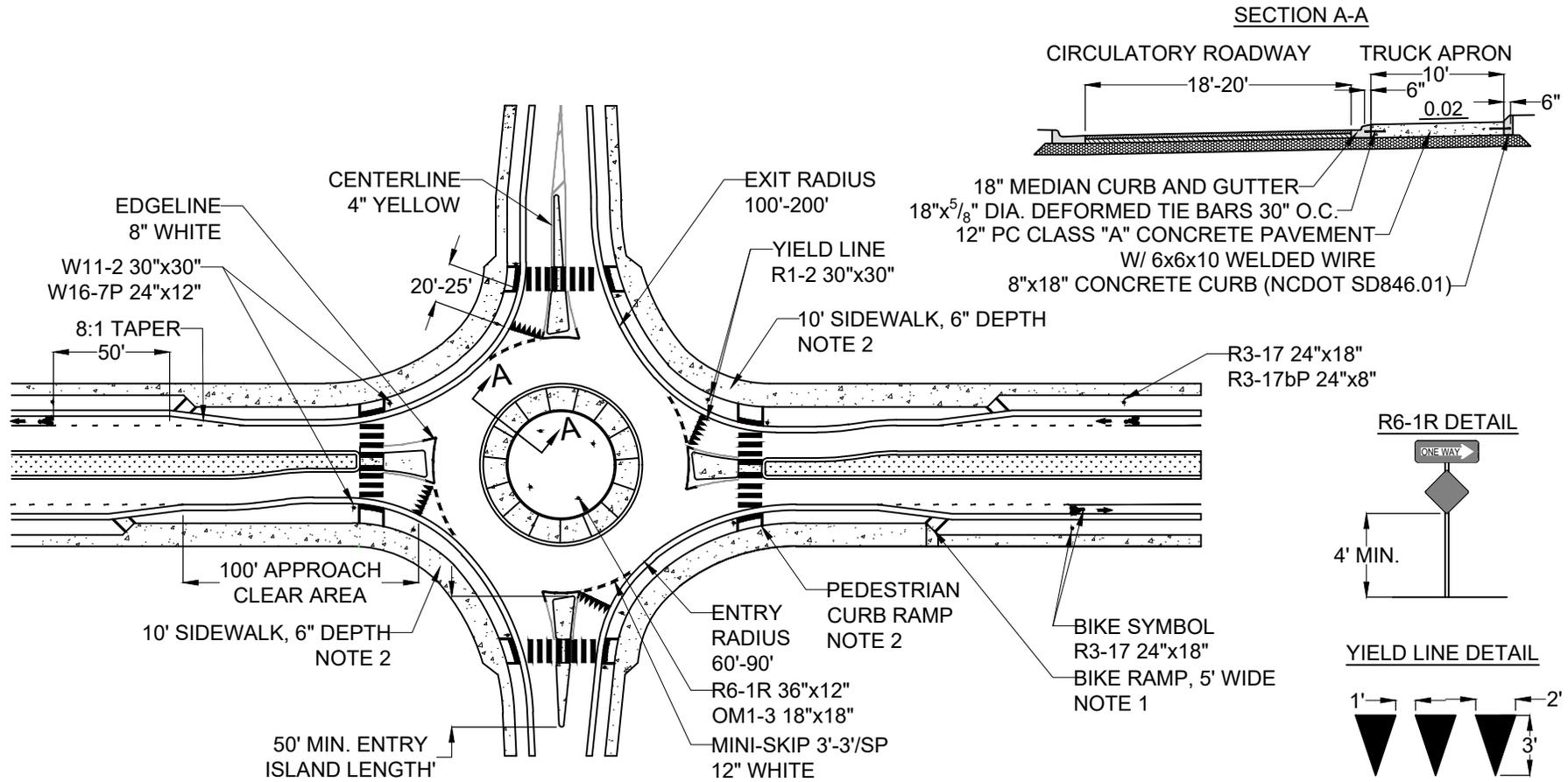
EFFECTIVE: MARCH 10, 2026

**TEMPORARY TURNAROUND**

STD. NO.

**300.25**

SHEET 2 OF 2



**NOTES:**

1. WHEN BICYCLE LANES ARE PRESENT TRANSITION BICYCLES FROM THE TRAVEL WAY WITH BICYCLE CURB RAMPS ANGLED AT 45 DEGREES. BICYCLE CURB RAMPS SHALL HAVE A GRADE BETWEEN 15%-20% .
2. WHEN BICYCLE LANES ARE PRESENT TRANSITION TO A 10' WIDE SIDEWALK AT BIKE CURB RAMP LOCATION, AND PROVIDE 10' WIDE PEDESTRIAN CURB RAMPS AT ROUNDABOUT CROSSINGS.
3. KEEP A 100' AREA APPROACHING THE ROUNDABOUT CLEAR OF TREES AND PARALLEL PARKING SPACES BETWEEN THE BACK OF CURB AND THE PEDESTRIAN PATH.
4. INSTALL W2-6 WARNING SIGNS APPROACHING ROUNDABOUT IF POSTED SPEED LIMIT IS 40 MPH OR HIGHER.
5. TRUCK APRON CONTRACTION JOINTS SHALL BE EQUALLY SPACED, WITH MAX OUTSIDE CHORD SPACING OF 15 FEET. REFER TO NCDOT STANDARD DRAWINGS 700.01 FOR TRANSVERSE CONTRACTION JOINT DETAIL.
6. PLACE WELDED WIRE FABRIC IN THE CENTER OF TRUCK APRON SLAB. LAP TRANSVERSE EDGES OF SHEETS OF WELDED WIRE FABRIC 12 INCHES EXCEPT AT TRANSVERSE EXPANSION JOINTS.

**TOWN OF APEX  
STANDARDS**  
EFFECTIVE: MARCH 10, 2026

**SINGLE LANE ROUNDABOUT**

STD. NO.  
**300.29**  
SHEET 1 OF 1

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Amanda Bunce, Assistant Director

Department(s): Planning

### Requested Motion

Motion to approve the Statement of the Town Council for Rezoning Application No. 25CZ12, Apex Baptist Church, applicant, for the property located at 111 Jones Street (PIN 0742302925).

### Approval Recommended?

The Planning Department recommends approval.

### Item Details

Rezoning Application No. 25CZ12 was denied at the February 24, 2026 Town Council meeting.

### Attachments

- CN13-A1: Statement of the Town Council - Rezoning Case No. 25CZ12 Apex Baptist Church - Statement of Denial



**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605  
ADDRESSING ACTION ON ZONING PETITION #25CZ12**

Apex Baptist Church, Inc. owner/applicant (the "Applicant") submitted a completed application for a conditional zoning on the 1<sup>st</sup> day of August 2025 (the "Application"). The proposed conditional zoning is designated #25CZ12.

The Planning Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting) of a public hearing on #25CZ12 before the Apex Planning Board on the 9<sup>th</sup> day of February 2026.

The Apex Planning Board held a public hearing on the 9<sup>th</sup> day of February 2026, gathered facts, received public comments and formulated a recommendation regarding the application for conditional zoning #25CZ12. A motion was made by the Apex Planning Board to recommend denial; the motion passed by a vote of 6-2 for the application for #25CZ12.

Pursuant to G.S. §160D-601 and Sec. 2.2.11.E of the Unified Development Ordinance, the Planning Director caused proper notice to be given (by publication and posting), of a public hearing on #25CZ12 before the Town Council on the 24<sup>th</sup> day of February 2026.

The Apex Town Council held a public hearing on the 24<sup>th</sup> day of February 2026. Amanda Bunce, Assistant Planning Director, presented the Planning Board's recommendation at the public hearing.

All persons who desired to present information relevant to the application for #25CZ12 were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Apex Town Council by a vote of 5 to 0 rejected Application #25CZ12 rezoning the subject tract located at 111 Jones Street from Mixed Office-Residential-Retail-Conditional Use (MORR-CU #05CU11) to Office & Institutional-Conditional Zoning (O&I-CZ).

Although the rezoning is consistent with the 2045 Land Use Map which designates this area as Medium Density Residential/Office Employment & Commercial Services, and permits the zoning district Office & Institutional-Conditional Zoning (O&I-CZ) within the Office Employment land use designation, the Apex Town Council finds that the proposed rezoning is not consistent with the Apex Peak Plan 2045 in that it does not meet the UDO standards for preservation of historic structures and would introduce a land use that is not compatible with the adjacent residential uses. The denial of the proposed rezoning is reasonable and in the public interest for the following reasons:

1. The rezoning would allow for the demolition of the historic concrete house without the 48-month waiting period to submit a development application and the relocation of the historic Bailey House, which is not otherwise permitted by the UDO.
2. The rezoning would remove the requirement for a preservation easement and rehabilitation agreement for the relocated Bailey House as is required for all other historic structure relocations in the Town and ETJ.
3. The rezoning would allow for the construction of a table-top parking structure or parking lot for the adjacent church. A table-top parking structure is atypical for this area and expansion of the parking to the west encroaches into the residential character of the neighborhood. An expanded parking area, whether as a table top parking structure or surface parking lot, with access to Jones Street would bring more vehicular activity any time the parking is open to the public and not just during church services.

STATEMENT OF THE APEX TOWN COUNCIL ZONING PETITION #25CZ12

ATTEST:

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Allen Coleman, CMC, NCCCC  
Town Clerk

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Jacques K. Gilbert  
Mayor

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Date

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

### Requested Motion

Motion to approve the Apex Tax Report dated February 12, 2026.

### Approval Recommended?

Yes

### Item Details

The Wake County Board of Commissioners, in regular session on March 02, 2026, approved and accepted the enclosed tax report for the Town of Apex, dated February 12, 2026 for the period of January 1, 2026 through January 31, 2026.

### Attachments

- CN14-A1: Tax Report - January 2026





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

TEL 919 856 6180  
FAX 919 856 5699

DON MIAL, CHAIR  
SAFIYAH JACKSON, VICE-CHAIR  
VICKIE ADAMSON  
SUSAN P. EVANS  
CHERYL STALLINGS  
SHINICA THOMAS  
TARA WATERS

March 3, 2026

Mr. Allen Coleman  
Town Clerk  
Town of Apex  
Post Office Box 250  
Apex, North Carolina 27502

Dear Mr. Coleman:

The Wake County Board of Commissioners, in regular session on March 2, 2026, approved and accepted the enclosed tax report for the Town of Apex.

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

Sincerely,

A handwritten signature in black ink that reads "Yvonne Gilyard". The signature is fluid and cursive, with the first name being the most prominent.

Yvonne Gilyard  
Clerk to the Board

Wake County Board of Commissioners

Enclosure(s)

**Wake County Board of Commissioners Report**

**Date: 03/02/2026**

**Approved by:**

DocuSigned by:  
*Kim Lohradler*  
10C07072303641D9...

**Consideration of Requests for Taxes, Interest and Penalties OVER \$500 FOR APEX**

No. Payee	Account Number	Tax & Penalty Rebated	Total Rebated	Total Refunded
1 TIPPER TIE INC PO BOX 460069 DEPT 134 HOUSTON, TX 77056	0005222067-2025-2025-000000	City 2,800.08 County 4,067.19	6,867.27	6,867.27
2 TIPPER TIE, INC PO BOX 460069 DEPT 134 HOUSTON, TX 77056	0006991271-2025-2025-000000	City 681.18 County 989.43	1,670.61	1,670.61
		City 3,481.26 County 5,056.62	8,537.88	8,537.88

\*Total refunded may differ from total rebated due to to payee's remittance of interest or application of payment to other balances owed by the taxpayer.

**Marcus D. Kinrade**  
Wake County Tax Administrator

Signed by:  
*Marcus Kinrade*  
03C5063B04D7488...

WAKE COUNTY TAX ADMINISTRATION

01/01/2026 - 01/31/2026

Rebate Detail Report

APEX

DATE 02/12/2026  
TIME 3:35:44 PM

REBATE NUM	PROPERTY	CITY	LATE TAG LIST	BILLED INTEREST	TOTAL REBATED	PROCESS DATE	ACCOUNT NUMBER	TAX YEAR	YEAR FOR	BILLING TYPE	OWNER
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INDIVIDUAL PROPERTY ACCOUNTS											
948410		16.26	30.00	1.63	0.00	47.89	1/9/2026	0006630724	2025	2025	IJUS LLC
949938		231.25	30.00	23.13	0.00	284.38	1/15/2026	0007038599	2024	2024	LONE STAR TRANSPORT HOU LLC
949425		5.83	0.00	0.58	0.00	6.41	1/21/2026	0006954653	2025	2025	MENENDEZ, VALDES
949939		211.87	30.00	21.19	0.00	263.06	1/15/2026	0007038599	2025	2025	ALVAREZ PEDRO
948409		17.26	30.00	1.73	0.00	48.99	1/9/2026	0006630724	2024	2024	LONE STAR TRANSPORT HOU LLC
948406		27.16	30.00	2.72	0.00	59.88	1/9/2026	0006630724	2021	2021	IJUS LLC
948407		25.69	30.00	2.57	0.00	58.26	1/9/2026	0006630724	2022	2022	IJUS LLC
948408		24.82	30.00	2.48	0.00	57.30	1/9/2026	0006630724	2023	2023	IJUS LLC
SUBTOTALS FOR INDIVIDUAL PROPERTY ACCOUNTS		560.14	210.00	56.03	0.00	826.17			8	Properties Rebated	

WILDLIFE BOAT ACCOUNTS											
948899		46.23	0.00	4.62	0.00	50.85	1/13/2026	0004224574	2025	2025	LAM, AARON K
SUBTOTALS FOR WILDLIFE BOAT ACCOUNTS		46.23	0.00	4.62	0.00	50.85			1	Properties Rebated	

TOTAL REBATED FORAPEX		606.37	210.00	60.65	0.00	877.02			9	Properties Rebated for City	
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# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Laurie Hohe, Town Attorney  
Allen Coleman, Town Clerk  
Department(s): Legal Services Department  
Town Clerk's Office

### Requested Motion

Motion to adopt an amendment to the Apex Town Council's Rules of Procedures to clarify the interpretation and applicable of Rules 28 and 29 as they relate to the adoption of ordinance introduction and adoption.

### Approval Recommended?

Yes

### Item Details

In the Apex Town Council's Rules of Procedures:

- Rule 28 defines the "date of introduction" as the date the proposed subject matter is first voted on.
- Rule 29 requires a two-thirds (2/3) vote for adoption of ordinances on first reading.

The concern is that, when read together, these rules may now require a 2/3 vote for adoption of Unified Development Ordinance (UDO) amendments and zoning ordinances at the first vote, rather than only applying that threshold to Town Code ordinances, as may have been the prior practice.

North Carolina General Statutes (NCGS) 160D, requires a two-thirds (2/3) vote for adoption of zoning ordinances at first reading. However, NCGS does not explicitly define "date of introduction" as the first vote on the proposed subject matter. Under the current language of Rule 28, any 3-2 vote on a UDO amendment or zoning ordinance would not constitute adoption and would instead require consideration at a subsequent meeting.

### Attachments

- CN15-A1: Proposed Amendment: Apex Town Council Rules of Procedures - Clarify Introduction and Adoption of Ordinances



# Rules of Procedure for Apex Town Council

## Part I. Applicability

### Rule 1. Applicability of Rules

These rules apply to all meetings of the Apex Town Council. For purposes of these rules, a meeting of the council occurs whenever a majority of the council's members gather, whether in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the council's real or apparent jurisdiction. The term "majority" as used here and elsewhere in these rules means, unless otherwise specified, a simple majority, that is, more than half.

## Part II. Quorum

### Rule 2. Quorum

The presence of a quorum is necessary for the council to conduct business. A majority of the council's actual membership excluding the mayor, excluding vacant seats, constitutes a quorum. A member who withdraws from a meeting without being excused by majority vote of the remaining members in attendance is deemed present for quorum purposes.

## Part III. Open Meetings

### Rule 3. Remote Participation in Council Meetings

Except as permitted by North Carolina General Statute 166A-19.24, no member who is not physically present for a council meeting may participate in the meeting by electronic means except in accordance with a policy adopted by the council. [Although a member who attends a meeting electronically pursuant to such a policy may take part in debate, the member may neither be counted toward a quorum nor vote on any matter before the council.]

### Rule 4. Meetings to Be Open to the Public

Except as permitted by Rule 5, all meetings of the council shall be open to the public, and any person may attend its meetings.

### Rule 5. Closed Sessions

**(a) Motion to Enter Closed Session.** The town council may enter a closed session from which the public is excluded only upon a motion duly made and adopted in open session. The motion to enter closed session must cite one or more of the permissible bases for closed session listed in North Carolina General Statute 143-318.11.

**(b) Closed Session Participants.** Unless the council directs otherwise, the town manager, town attorney, town clerk, or other town staff as required may attend closed sessions of the council. No other person may attend a closed session unless invited by majority vote of the council.

**(c) Motion to Return to Open Session.** Upon completing its closed session business, the council shall end the closed session by adopting a duly made motion to return to open session.

## **Rule 6. Meeting Minutes**

**(a) Minutes Required for All Meetings.** The council must keep full and accurate minutes of all of its meetings, including closed sessions. To be “full and accurate,” minutes must record all actions taken by the council. They should set out the precise wording of each motion and make it possible to determine the number of votes cast for and against each motion. The minutes need not record discussions of the council, though the council in its discretion may decide to incorporate such details into the minutes.

**(b) Record of “Ayes” and “Noes.”** At the request of any member of the council, the minutes shall list each member by name and record how each member voted on a particular matter.

**(c) General Accounts of Closed Sessions.** In addition to minutes, the council must keep a general account of each closed session. The general account must be sufficiently detailed to provide a person not in attendance with a reasonable understanding of what transpired. The council may combine the minutes and general account of a closed session into one document, so long as the document contains both a complete record of actions taken and the level of detail required for a general account.

**(d) Sealing Closed Session Records.** Minutes and general accounts of closed sessions shall be sealed until unsealed by order of the council or, if the council delegates the authority to unseal to one or more staff members, in accordance with guidelines adopted by the council. The sealed minutes and general account of any closed session may be withheld from public inspection so long as public inspection would frustrate the purpose(s) of the closed session.

## **Rule 7. Broadcasting and Recording Meetings**

**(a) Right to Broadcast and Record.** Any person may photograph, film, tape-record, or otherwise reproduce any part of a council meeting that must take place in open session. Except as provided in paragraph (c) of this rule, any radio or television station may broadcast any such part of a council meeting.

**(b) Advance Notice.** Any radio or television station that plans to broadcast any portion of a council meeting shall so notify the town clerk no later than twenty-four hours before the meeting. The failure to provide notice is not, by itself, grounds for preventing the broadcast of a council meeting.

**(c) Equipment Placement.** The Town Clerk may regulate the placement and use of camera or recording equipment in order to prevent undue interference with a council meeting, so long as he or she allows the equipment to be placed where it can carry out its intended function. If the Town Clerk determines in good faith that the equipment and personnel necessary to broadcast, photograph, or record the meeting cannot be accommodated without undue interference to the meeting, and an adequate alternative meeting room is not readily available, the Town Clerk may require the pooling of the equipment and the personnel operating it.

**(d) Alternative Meeting Site.** If the news media request an alternative meeting site to accommodate news coverage, and the council grants the request, the news media making the request shall pay the costs incurred by the town in securing an alternative meeting site.

## Part IV. Organization of the Council

### Rule 8. Organizational Meeting; Selection of Mayor Pro Tempore

**(a) Scheduling Organizational Meeting.** The council must hold an organizational meeting following each general election in which council members are elected. The organizational meeting must be held either (1) on the date and at the time of the council's first regular meeting in December following the election or (2) at an earlier date, if any, set by the incumbent council. The organizational meeting may not be held before municipal election results are officially determined, certified, and published as required by law.

**(b) Oath of Office.** As the first order of business at the organizational meeting, all newly elected members of the council must take and subscribe the oath of office set out in Article VI, Section 7, of the North Carolina Constitution. Each member's oath must be filed with the town clerk. Although a member who is not present for the organizational meeting may take the oath of office at another time, every member must take, subscribe, and file the oath before he or she begins performing any of the duties of the member's office.

**(c) Selection of Mayor Pro Tempore.** At the organizational meeting, or if a vacancy occurs, the council shall elect from among its members a mayor pro tempore. The mayor pro tempore shall serve at the council's pleasure.

## Part V. Types of Meetings

### Rule 9. Regular Meetings

**(a) Regular Meeting Schedule.** The council shall hold a regular meeting on the second and fourth Tuesday of each month. The meeting shall be held at Town Council Chambers at 73 Hunter Street Apex and begin at 6:00 pm. The council shall adopt a meeting schedule each year consistent with this rule. A copy of the council's current meeting schedule shall be filed with the town clerk and posted on the town's website. Regular meetings of the council shall adjourn no later than 11:00 pm.

**(b) Change to Meeting Schedule.** Notwithstanding paragraph (a) of this rule, the council may amend its regular meeting schedule to add or delete meetings or to change the date, time, or location of one or more meetings on the schedule. The amended schedule shall be filed with the town clerk at least seven (7) calendar days before the day of the first meeting held pursuant to the revised schedule and posted on the town's website.

### Rule 10. Special Meetings

**(a) Calling Special Meetings.** A special meeting of the council may be called by the mayor, the mayor pro tempore, or any two council members. A special meeting may also be called by vote of the council in open session during a regular meeting or another duly called special meeting.

**(b) Notice to the Public.** At least forty-eight hours before a special meeting of the council, notice of the date, time, place, and purpose of the meeting shall be (1) posted on the council's principal bulletin board or, if the council has no such board, at the door of the council's usual meeting room and (2) delivered, e-mailed, or mailed to each newspaper, wire service, radio station, television station, and person who has filed a written request for notice with the town clerk. Furthermore, if

the council has a website maintained by at least one town employee, notice of the special meeting's date, time, place, and purpose shall be posted on the website in advance of the meeting.

**(c) Notice to Members.**

- (1) *Meeting called by the mayor, the mayor pro tempore, or any two council members.* At least forty-eight hours before a special meeting called by the mayor, the mayor pro tempore, or any two council members, written notice of the meeting stating its date, time, and place, as well as the subjects to be considered, shall be delivered to the mayor and each council member or left at his or her usual dwelling place.
- (2) *Meeting called by vote of the council in open session.* When a special meeting is called by vote of the council in open session during a regular meeting or another duly called special meeting, the motion or resolution calling the special meeting shall state the meeting's date, time, place, and purpose. [Written notice of the special meeting's date, time, place, and purpose shall be mailed or delivered at least forty-eight hours before the meeting to each council member not present for the meeting at which the special meeting was called, and to the mayor if he or she was not present at that meeting.]

**(d) Transacting Other Business.** Unless all members are present or any absent member has signed a written waiver of notice, only those items of business specified in the notice to council members may be taken up at a special meeting. [Even when all members are present or any absent member has signed a waiver, the council may take up an item of business not covered by the notice only if the council first determines in good faith that the item must be discussed or acted upon immediately.]

## **Rule 11. Emergency Meetings**

**(a) Grounds for Emergency Meeting.** Emergency meetings of the town council may be called only to address generally unexpected circumstances demanding the council's immediate attention.

**(b) Calling Emergency Meetings.** There are two methods by which an emergency meeting of the council may be called.

- (1) The mayor, the mayor pro tempore, or any two members of the council may at any time call an emergency council meeting by signing a written notice stating the date, time, and place of the meeting and the subjects to be considered. The notice shall be delivered to the mayor and each council member or left at his or her usual dwelling place at least six hours before the meeting.
- (2) An emergency meeting may be held when the mayor and all members of the council are present and consent thereto, or when any absent member has signed a written waiver of notice.

**(c) Notice to Media of Emergency Meetings.** Notice of an emergency meeting shall be given to each local newspaper, local wire service, local radio station, and local television station that has filed a written request with the town clerk for notice of emergency meetings. To be valid, the request must include the newspaper's, wire service's, or station's telephone number. Notice may be given by telephone, e-mail, or the same method used to notify council members. Notice must be provided immediately after council members have been notified and at the expense of the party notified.

**(d) Transaction of Other Business Prohibited.** Only business connected with the emergency may be considered at an emergency meeting.

### **Rule 12. Recessed Meetings**

**(a) Calling Recessed Meetings.** When conducting a properly called regular, special, or emergency meeting, the council may recess the meeting to another date, time, or place by a procedural motion made and adopted, as provided in Rule 27, Motion 3, in open session. The motion must state the time (including the date, if the meeting will resume on a different day) and place at which the meeting will reconvene.

**(b) Notice of Recessed Meetings.** If the council has a website maintained by one or more town employees, notice of the recessed meeting's date, time, and place must appear on the webpage prior to the meeting. No further notice of a properly called recessed meeting is required.

## **Part VI. Agenda**

### **Rule 13. Agenda**

#### **(a) Draft Agenda.**

- (1) *Preparation.* The Town Clerk shall prepare a draft agenda in advance of each meeting of the Town Council.
- (2) *Requesting placement of items on draft agenda.* For a regular meeting, a request to have an item of business placed on the draft agenda must be received by the Town Clerk at least [two] working days before the date of the meeting. The Town Clerk must place an item on the draft agenda in response to a council member's timely request provided that the item is eligible for adoption considering by limited to any applications of Rule 26, Rule 27, Motions 8, 10 or 11.
- (3) *Supplemental information/materials.* If the council is expected to consider a proposed ordinance or ordinance amendment, a copy of the proposed ordinance or amendment shall be attached to the draft agenda. An agenda package shall be prepared that includes, for each item of business listed on the draft agenda, as much background information on the topic as is available and feasible to provide.
- (4) *Delivery to council members.* Each council member shall receive a hard or electronic copy of the draft agenda and the agenda package. Except in the case of an emergency meeting, the agenda and agenda package shall be furnished to each member at least twenty-four hours before the meeting.
- (5) *Public inspection.* The draft agenda and agenda package shall be available to the public when the documents are ready to be, or have been, circulated.

#### **(b) Adoption of the Agenda.**

- (1) *Adoption.* As its first order of business at each meeting, the council shall review the draft agenda, make whatever revisions it deems appropriate, and adopt a formal agenda for the meeting.
- (2) *Amending the agenda.* Both before and after it adopts the agenda, the council may add or subtract agenda items by majority vote of the members present and voting, except that

the council may not add to the items stated in the notice of a special meeting unless the requirements in Rule 10(d) are satisfied and only business connected with the emergency may be considered at an emergency meeting.

- (3) *Designation of items “For Discussion and Possible Referral to Committee.”* The council may designate an agenda item “for discussion and possible referral to committee.” The designation signifies that the council intends to discuss the item and may, if it so chooses, refer the item to committee for further consideration. No additional action may occur at the initial hearing of the matter.

**(c) Consent Agenda.** The council may designate part of an agenda for a regular meeting as the *consent agenda*. Items may be placed on the consent agenda by the person(s) charged with preparing the agenda item if the items are judged to be noncontroversial and routine and subject to review and approval by the Town Manager, or their designee, and the Town Clerk. Prior to the council’s adoption of the meeting agenda under subparagraph (b)(1) of this rule, the request of any member to have an item moved from the consent agenda to new business must be honored by the council. All items on the consent agenda must be voted on and adopted by a single motion, with the minutes reflecting the motion and vote for each item.

**(d) Informal Discussion of Agenda Items.** The council may informally discuss an agenda item even when no motion regarding that item is pending.

## Rule 14. Order of Business

Items shall be placed on a regular meeting agenda according to the order of business. The usual order of business for each regular meeting shall be as follows:

- Commencement, Invocation, and Pledge of Allegiance
- Adoption of the Agenda
- Announcements and Petitions by the Governing Body
- Public Art Moment (quarterly)
- Consent Agenda
- Town Manager Report
- Town Clerk Report
- Proclamations/Special presentations
- Council Committee Reports
- Public Forum/General Comments
- Public Hearings
- Regular Agenda
- Information Items
- Closed Session
- Adjournment

Without objection, the mayor may call agenda items in any order most convenient for the dispatch of business.

## Part VII. Role of the Presiding Officer

### Rule 15. The Mayor

(a) **Presiding Officer.** When present, the mayor shall preside at meetings of the council.

(b) **Right to Vote.** The mayor may vote only when an equal number of affirmative and negative votes have been cast, though in no event may the mayor break a tie on a motion on which he or she has already voted.

(c) **Recognition of Members.** A member must be recognized by the mayor (or other presiding officer) in order to address the council, but recognition is not necessary for an appeal pursuant to Rule 27, Motion 1.

(d) **Powers as Presiding Officer.** As presiding officer, the mayor is to enforce these rules and maintain order and decorum during council meetings. To that end, the mayor may

- (1) rule on points of parliamentary procedure, to include ruling out of order any motion clearly offered for obstructive or dilatory purposes;
- (2) determine whether a member or other speaker has gone beyond reasonable standards of courtesy in his or her remarks and entertain and rule on objections from other members on this ground;
- (3) entertain and answer questions of parliamentary procedure; and,
- (4) adjourn in an emergency.

(e) **Appeals of Procedural Rulings.** A member may appeal a decision made or answer given by the mayor under subparagraph (d)(1), (2), or (3) in accordance with Rule 27, Motion 1.

### Rule 16. The Mayor Pro Tempore

(a) **Presiding in Mayor's Absence.** When present, the mayor pro tempore shall preside over council meetings in the mayor's absence with all the powers specified in Rule 17(d).

(b) **Delegation of Mayor's Powers/Duties.** In the mayor's absence, the council confers on the mayor pro tempore the mayor's powers and duties. Likewise, if the mayor becomes physically or mentally unable to perform the duties of his or her office, the council may by unanimous vote declare the mayor incapacitated and confer any of the mayor's powers and duties on the mayor pro tempore. When the mayor announces that he or she is no longer incapacitated, and a majority of the council concurs, the mayor shall resume the exercise of his or her powers and duties.

(c) **Duty to Vote.** Even when presiding over a council meeting, the mayor pro tempore has the same duty as other members to vote on all questions unless he or she has been excused from voting on a matter in accordance with Rule 28.

(d) **Term Limit.** The appointment of Mayor Pro-Tempore shall be for a maximum of a two-year term. No member of the Council shall serve as Mayor Pro-Tempore more than one-term unless all members of the current Council have served as Mayor Pro-Tempore.

### Rule 17. Other Presiding Officer

If both the mayor and mayor pro tempore are absent, the council may elect from among its members a temporary presiding officer to chair the meeting. While serving as temporary presiding officer, a member has the powers listed in Rule 15(d). Service as a temporary presiding officer does

not relieve a member of the duty to vote on all questions unless excused from voting pursuant to Rule 24.

## **Part VIII. Motions and Voting**

### **Rule 18. Action by the Council**

Except as otherwise provided in these rules, the council shall act by motion. Any member may make a motion, not including the mayor.

### **Rule 19. One Motion at a Time**

A member may make only one motion at a time.

### **Rule 20. Withdrawal of Motion**

The member who introduces a motion may withdraw the motion unless the motion has been amended or the presiding officer has put the motion to a vote.

### **Rule 21. Debate**

The presiding officer shall state the motion and then open the floor to debate, presiding over the debate according to the principles listed below.

- The maker of the motion is entitled to speak first.
- A member who has not spoken on the issue shall be recognized before a member who has already spoken.
- Members may speak an unlimited number of times subject to motion to end debate.

### **Rule 22. Adoption by Majority Vote**

A motion is adopted if supported by a simple majority of the votes cast, a quorum being present, except when a larger majority is required by these rules or state law.

### **Rule 23. Changing a Vote**

A member may change his or her vote on a motion at any time before the presiding officer announces whether the motion has passed or failed. Once the presiding officer announces the result, a member may not change his or her vote without the unanimous consent of the remaining members present. A member's request for unanimous consent to change a vote is not in order unless made immediately following the presiding officer's announcement of the result.

### **Rule 24. Duty to Vote**

**(a) Duty to Vote.** Every council member must vote except when excused from voting as provided by this rule.

**(b) Grounds for Excusal.** A member may be excused from voting on a matter involving the member's own financial interest or official conduct, though not if the proposal in question is one to alter the compensation or allowances paid to council members. Members may also be excused from voting when prohibited from voting under G.S. 14-234 (contract providing direct benefit to

member), G.S. 160D-109(a) (legislative zoning decision likely to have a direct, substantial, and readily identifiable financial impact on member), or G.S. 160D-109(d) (member's participation in quasi-judicial decision would violate affected person's right to an impartial decision maker). Questions about whether a basis for excusal exists should be directed to the town attorney.

**(c) Procedure for Excusal.**

- (1) *At member's request.* Upon being recognized at a duly called meeting of the council, a member who wishes to be excused from voting shall so inform the presiding officer, who must then submit the matter to a vote of the remaining members present. If a majority of the remaining members present vote to excuse the member, the member is excused from voting on the matter.
- (2) *On council's initiative.* Even when a member has not asked to be excused from voting on a matter, a majority of the remaining council members present may by motion and vote excuse the member from voting if grounds for doing so exist under paragraph (b).

**(d) Consequence of Non-Excused Failure to Vote.** Except as specified in paragraph (e), if a member who has not been excused from voting fails to vote on a matter, the member's failure to vote shall be recorded as an affirmative vote, provided

- (1) the member is physically present in the council chamber or
- (2) the member has physically withdrawn from the meeting without being excused by majority vote of the remaining members present.

**(e) Failure to Vote on Certain Zoning Matters.** A member's unexcused failure to vote shall not be recorded as an affirmative vote if the motion concerns a proposal to amend, supplement, or repeal a zoning ordinance. Instead, the member's unexcused failure to vote shall be recorded as an abstention.

**(f) Mayor's Duty to Vote.** The provisions of this rule apply to the mayor when the mayor is permitted to vote to break the tie.

**Rule 25. Voting by Written Ballot**

**(a) Secret Ballots Prohibited.** The council may not vote by secret ballot.

**(b) Rules for Written Ballots.** The council may decide by majority vote or unanimous consent to vote on a motion by written ballot. Each member must sign his or her ballot, and the minutes must record how each member voted by name. The ballots must be made available for public inspection in the town clerk's office immediately following the meeting at which the vote took place and remain there until the minutes of that meeting are approved, at which time the ballots may be destroyed.

**Rule 26. Substantive Motions**

A "substantive motion," also known as "main motion," refers to the main topic of discussion that directly impacts a decision or policy, as opposed to procedural motions that manage the meeting process. A substantive motion is not in order if made while another motion is pending. Once the council disposes of a substantive motion, it may not take up a motion that presents essentially the same issue at the same meeting, unless it first adopts a motion to reconsider pursuant to Rule 27, Motion 14.

## Rule 27. Procedural Motions

**(a) Certain Motions Allowed.** The council may consider only those procedural motions listed in this rule. Unless otherwise noted, each procedural motion may be debated and amended and requires a majority of votes cast, a quorum being present, for adoption.

**(b) Priority of Motions.** The procedural motions set out in this paragraph are listed in order of priority. A procedural motion is not in order so long as another procedural motion of higher priority is pending, except that

- any procedural motion other than an appeal under Motion 1 is subject to amendment as provided in Motion 12, and
- a motion to call the question (end debate) may be made with regard to any procedural motion in accordance with Motion 9.

When several procedural motions are pending, voting must begin with the procedural motion highest in priority, provided that a motion to amend or end debate on the highest priority motion must be voted on first.

**Motion 1. To Appeal a Ruling of the Presiding Officer.** Any member may appeal the presiding officer's ruling on whether a motion is in order or on whether a speaker has violated reasonable standards of courtesy. The presiding officer's response to a question of parliamentary procedure may also be appealed by any member. An appeal is in order immediately after the disputed ruling or parliamentary response and at no other time. The member who moves to appeal need not be recognized by the presiding officer, and if timely made, the motion may not be ruled out of order.

**Motion 2. To Adjourn.** This motion may be used to close a meeting. It is not in order if the council is in closed session.

**Motion 3. To Recess to a Time and Place Certain.** This motion may be used to call a recessed meeting as permitted under Rule 12. The motion must state the time (including the date, if the meeting will reconvene on a different day) and place at which the meeting will resume. The motion is not in order if the council is in closed session.

**Motion 4. To Take a Brief Recess.**

**Motion 5. To Follow the Agenda.** This motion must be made at the time an item of business that deviates from the agenda is proposed; otherwise, the motion is out of order as to that item.

**Motion 6. To Suspend the Rules.** To be adopted, a motion to suspend the rules must receive affirmative votes equal to at least two-thirds of the council's actual membership, excluding vacant seats and not counting the mayor if the mayor votes only in case of a tie. The council may not suspend provisions in these rules that are required under state law. *(By way of example and not limitation, the council may not suspend the rules to add a proposed zoning amendment unless it has complied with the statutory public notice and hearing requirements. A Council may not suspend the notice requirements for a special meeting because they are required by state law.)*

**Motion 7. To Divide a Complex Motion.** Pursuant to Apex Town Code, Section 2-35, this action shall be granted upon request and proper second, except a motion to strike and insert shall be indivisible.

**Motion 8. To Defer Consideration.** The council may defer its consideration of a substantive motion, and any proposed amendments thereto, to an unspecified time. A motion that has been deferred expires unless the council votes to revive it pursuant to Motion 13 within [365] days of deferral. A new motion having the same effect as a deferred motion may not be introduced until the latter has expired.

**Motion 9. To End Debate (Call the Previous Question).** To be adopted, this motion must receive votes equal to at least two-thirds of the council's actual membership, excluding vacant seats and not counting the mayor. If adopted, this motion terminates debate on a pending motion, thereby bringing it to an immediate vote. This motion is not in order until every member has had an opportunity to speak once on the pending motion.

**Motion 10. To Postpone to a Certain Time.** This motion may be employed to delay the council's consideration of a substantive motion, and any proposed amendments thereto, until a designated day, meeting, or hour. During the period of postponement, the council may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6.

**Motion 11. To Refer an Item to a Committee.** The council may vote to refer an item to a committee for study and recommendations. Debate on motion to refer an item to a committee is limited to 5 minutes. While the item is pending before a committee, the council may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6. If the committee fails to act on the item within 90 days of the referral date, the council must take up the motion if asked to do so by the member who introduced it.

**Motion 12. To Amend.**

**(a) Germaneness.** A motion to amend must concern the same subject matter as the motion it seeks to alter.

**(b) Limit on Number of Motions to Amend.** When a motion to amend is under consideration, a motion to amend the amendment may be made; however, no more than one motion to amend and one motion to amend the amendment may be pending at the same time.

**(c) Amendments to Ordinances.** Any amendment to a proposed ordinance must be reduced to writing before the vote on the amendment.

**Motion 13. To Revive Consideration.** The council may vote to revive consideration of any substantive motion that has been deferred pursuant to Motion 8, provided it does so within [100] days of its vote to defer consideration.

**Motion 14. To Reconsider.** The council may vote to reconsider its action on a matter, provided the motion to reconsider is made (a) at the same meeting or next regular meeting during which the action to be reconsidered was taken and (b) by a member who voted with the prevailing side. For purposes of this motion, "the same meeting" includes any continuation of a meeting through a motion to recess to a certain time and place (Motion 3). The motion is not in order if it interrupts the council's deliberation on a pending matter.

## Part IX. Ordinances and Contracts

### Rule 28. Introduction of Ordinances

For purposes of these rules, the “date of introduction” for a proposed ordinance is the date on which the council first votes on the proposed ordinance’s subject matter. ~~[The council votes on the subject matter of a proposed ordinance when it votes on whether to adopt or make changes to the proposed ordinance.]~~

### Rule 29. Adoption, Amendment, and Repeal of Ordinances

#### (a) Adoption of Ordinances.

- (1) *Proposed ordinances to be in writing.* No proposed ordinance shall be adopted unless it has been reduced to writing and distributed to members before a vote on adoption is taken.
- (2) *Adoption on date of introduction.* To be approved on the date of introduction, a proposed ordinance or any action having the effect of an ordinance, **except an ordinance on which a public hearing must be held pursuant to N.C.G.S. § 160D-601 before an ordinance be adopted**, must receive affirmative votes equal to at least two-thirds of the council’s actual membership, excluding vacant seats and not counting the mayor, unless the mayor has the right to vote on all questions before the council.
- (3) *Adoption after date of introduction.* To be approved after the date of introduction, a proposed ordinance or any action having the effect of an ordinance must receive affirmative votes equal to at least a majority of all council members not excused from voting on the matter. In calculating the number of affirmative votes necessary for approval, the council shall count the mayor if he or she votes on all questions. If the mayor votes only in the case of tie, the mayor’s vote counts if there is an equal division.

**(b) Amendment and Repeal of Ordinances.** The same voting requirements that govern the adoption of proposed ordinances also apply to the amendment or repeal of an ordinance.

### Rule 30. Adoption of the Budget Ordinance

**(a) Special Rules for the Adoption or Amendment of the Budget Ordinance.** Notwithstanding any provision in the town charter, general law, or local act,

- (1) the council may adopt or amend the budget ordinance at a regular or special meeting of the council by a simple majority of those members present and voting, a quorum being present;
- (2) no action taken with respect to the adoption or amendment of the budget ordinance need be published or is subject to any other procedural requirement governing the adoption of ordinances or resolutions by the council; and
- (3) the adoption or amendment of the budget ordinance and the levy of taxes in the budget ordinance are not subject to the provisions of any town charter or local act concerning initiative or referendum.

**(b) Notice Requirements for Budget Meetings.** During the period beginning with the submission of the budget to the council and ending with the adoption of the budget ordinance, the council may hold any special meetings that may be necessary to complete its work on the budget ordinance. Except for the notice requirements of the open meetings law, which continue to apply, no provision of law concerning the call of special meetings applies during that period so long as

- each member of the board has actual notice of each special meeting called for the

- purpose of considering the budget and
- no business other than consideration of the budget is taken up.

**(c) No Authority for Closed Sessions.** This rule shall not be construed to authorize the council to hold closed sessions on any basis other than the grounds set out in Rule 5.

### **Rule 31. Approval of Contracts and Authorization of Expenditures**

**(a) Contracts to be in Writing.** No contract shall be approved or ratified by the town council unless it has been reduced to writing at the time of the council's vote.

**(b) Approval of Contracts.** To be approved or ratified, a contract must receive affirmative votes equal to at least a majority of all council members not excused from voting on the contract, including the mayor's vote in the event of a tie.

**(c) Authorization of Expenditure of Public Funds.** The same vote necessary to approve or ratify a contract is required for the council to authorize the expenditure of public funds, except when the expenditure is authorized pursuant to Rule 34.

## **Part X. Public Hearings and Comment Periods**

### **Rule 32. Public Hearings**

**(a) Calling Public Hearings.** In addition to holding public hearings required by law, the council may hold any public hearings it deems advisable. The council may schedule hearings or delegate that responsibility to town staff members, as appropriate, except when state law directs the council itself to call the hearing. If the council delegates scheduling authority, it must provide adequate guidance to assist staff members in exercising that authority.

**(b) Public Hearing Locations.** Public hearings may be held anywhere within the town or within the county where the town is located.

**(c) Rules for Public Hearings.** The council may adopt reasonable rules for public hearings that, among other things,

- fix the maximum time allotted to each speaker,
- provide for the designation of spokespersons for groups of persons supporting or opposing the same positions,
- provide for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall (so long as arrangements are made, in the case of a hearing subject to the open meetings law, for those excluded from the hall to listen to the hearing), and
- provide for the maintenance of order and decorum in the conduct of the hearing.

**(d) Notice of Public Hearings.** Any public hearing at which a majority of the council is present shall be considered part of a regular or special meeting. Consequently, the relevant notice and related requirements of the open meetings law, as set out in Rules 9 through 12, apply to such hearings. Some statutes mandate additional notice for particular types of hearings, and such notice must be provided together with notice of the meeting during which the hearing will take place.

**(e) Continuing Public Hearings.** The council may continue any public hearing without further advertisement to a time and place certain, provided the time (including the date, if the hearing will resume on a different day) and place of the continued hearing are announced in open session. Except for hearings conducted pursuant to paragraph (g), if a quorum of the council is not present for a properly scheduled public hearing, the hearing must be continued until the council's next regular meeting without further advertisement.

**(f) Conduct of Public Hearings.** At the time appointed for the hearing, the mayor shall call the hearing to order and proceed to allow public input in accordance with any rules adopted by the council for the hearing. Unless the council extends the hearing, when the time allotted for the hearing expires, or when no one wishes to speak who has not done so, the mayor shall declare the hearing closed, and the council shall resume the regular order of business.

### **Rule 33. Public Comment Periods**

**(a) Frequency of Public Comment Periods.** The council must provide at least one opportunity for public comment each month at a regular meeting, except that the council need not offer a public comment period during any month in which it does not hold a regular meeting.

**(b) Rules for Public Comment Periods.** The council may adopt reasonable rules for public comment periods that, among other things,

- fix the maximum time allotted to each speaker,
- provide for the designation of spokespersons for groups supporting or opposing the same positions,
- provide for the selection of delegates from groups supporting or opposing the same positions when the number of persons wishing to attend the public comment period exceeds the capacity of the hall (so long as arrangements are made for those excluded from the hall to listen to the hearing), and
- provide for the maintenance of order and decorum in the conduct of the hearing.

**(c) Content-Based Restrictions Generally Prohibited.** The council may not restrict speakers based on subject matter, as long as their comments pertain to subjects within the council's real or apparent jurisdiction.

## **Part XI. Appointments and Appointed Bodies**

### **Rule 35. Committees and Boards**

**(a) Establishment and Appointment.** The council may establish temporary and standing committees to help carry on the work of town government. Unless otherwise provided by law or the council, the power of appointment of vacancies to such bodies lies with the mayor. The council may prescribe the membership of temporary or non-standing committees at the time of establishment by resolution.

At the time of adoption of these rules, the current council committees consist of the following:

- (i) Governance, Fiscal Stewardship, and Internal Support
- (ii) Environmental Leadership

- (iii) Responsible Development
- (iv) Vibrant Community and Economic Vitality
- (v) Public Safety

**(b) Open Meetings Law.** The requirements of the open meetings law apply whenever a majority of an appointed body's members gather in person or simultaneously by electronic means to discuss or conduct official business. They do not apply to meetings solely among the town's professional staff.

**(c) Procedural Rules.** The council may prescribe the procedures by which the town's appointed bodies operate, subject to any statutory provisions applicable to particular bodies. [In the absence of rules adopted by the council, an appointed body may promulgate its own procedural rules, so long as they are in keeping with any relevant statutory provisions and generally accepted principles of parliamentary procedure.]

## **Part XII. Miscellaneous**

### **Rule 36. Amendment of the Rules**

These rules may be amended at any regular meeting or at any properly called special meeting for which amendment of the rules is one of the meeting's stated purposes. Any amendment to these rules must be consistent with the town charter, any relevant statutes, and generally accepted principles of parliamentary procedure. To be adopted, a motion to amend these rules must be approved by a two-thirds of the council's members, excluding vacant seats.

### **Rule 37. Reference to Robert's Rules of Order Newly Revised**

The council shall refer to *Robert's Rules of Order Newly Revised* for guidance when confronted with a procedural issue not covered by these rules or state law. Having consulted *Robert's*, the mayor shall make a ruling on the issue subject to appeal to the council under Rule 27, Motion 1.

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Bruce Venable, Planner III

Department(s): Planning

### Requested Motion

Motion to approve the Statement of the Apex Town Council pursuant to G.S. 160D-605(a) addressing action on the Unified Development Ordinance (UDO) Amendments of February 24, 2026, proposed by staff.

### Approval Recommended?

The Planning Department recommends approval.

### Item Details

## Attachments

- CN16-A1: Statement of Town Council - Unified Development Ordinance (UDO) Amendments - February-March 2026



**STATEMENT OF THE APEX TOWN COUNCIL PURSUANT TO G.S. 160D-605(a) ADDRESSING ACTION ON THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENTS OF FEBRUARY 24, 2026**

Pursuant to G.S. §160D-601 and Sec. 2.2.11.E of the Unified Development Ordinance, the Planning Director for the Town of Apex, Dianne Khin, caused proper notice to be given (by publication and posting), of a public hearing on UDO Amendments before the Town Council on the 24<sup>th</sup> day of February 2026.

The Apex Town Council held a public hearing on the 24<sup>th</sup> day of February 2026. Bruce Venable, Planner III, presented the Planning Board's vote to recommend approval by a vote of 7-0 at the public hearing.

All persons who desired to present information relevant to the UDO were allowed to present evidence at the public hearing before the Apex Town Council. No one who wanted to speak was turned away.

The Town Council on the 24<sup>th</sup> day of February 2026, by a vote of 5-0 approved the Ordinance for UDO Amendments.

The Apex Town Council finds from information and testimony provided at the public hearing that the approval of the various UDO Amendments of February 24, 2026, are consistent with the *Advance Apex: The 2045 Plan* and reasonable and in the public interest for the following reason(s):

1. The amendments to Secs. 7.2.1.1 *Design Standards, Streets*; 7.2.4 *Design Standards, Easements*; and 13.4 *Transportation, Definitions* require the use of a temporary turnaround when a stub street is 150 feet or longer. The amendments also require payment of a fee-in-lieu to cover the removal of the temporary turnaround and restoration of the site once the stub street is connected through new development on adjacent property. These requirements align with the Town's transportation, environmental protection, and public safety goals by ensuring emergency and service vehicle access while protecting required buffers.

\_\_\_\_\_  
Jacques K. Gilbert  
Mayor

ATTEST:

\_\_\_\_\_  
Allen Coleman, CMC, NCCCC  
Town Clerk

\_\_\_\_\_  
Date

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: TOWN CLERK'S REPORT

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

### Requested Motion

- A. Motion to reappoint Mr. Umesh Pai to the Apex Board of Adjustment (BOA) for a three year term effective January 1, 2026 through December 31, 2028.
- B. Motion to reappoint Mr. William "Pat" Hollenbeck to the Apex Board of Adjustment (BOA) for a three-year term effective March 1, 2026 through February 28, 2029.
- C. Motion to reappoint Michael Sayers to the Apex Board of Adjustment (BOA) for a three-year term effective March 1, 2026 through February 28, 2029.
- D. Motion to transfer Mr. Aaron Barnes from the Culture and Arts Advisory Board (CAAB) to the Apex Board of Adjustment (BOA) for a three-year term (restarting) effective April 1, 2026 through March 31, 2029.
- E. Motion to appoint Mr. William Gerherd to the Apex Board of Adjustment (BOA) for a partial unexpired term effective June 1, 2026 through December 31, 2026. This partial term is created by Mr. William Hart's resignation.

### Approval Recommended?

Yes

### Item Details

A total of **six (6) applications** were received for appointment consideration to the Apex Board of Adjustment (BOA) and they are below in alphabetical order by last name:

- **Barnes, Aaron** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Gentry, William** - **Not Eligible** Based on Residency Requirements
- **Gerhard, William** - Corporate Limits Resident -Eligible for Voting Over 18 Representative Position
- **Hollenbeck, William "Pat"** - Corporate Limits - Member Seeking Reappointment
- **Pai, Umesh** - Corporate Limits - Member Seeking Reappointment
- **Sayers, Michael** - Corporate Limits - Member Seeking Reappointment

- **Zhang, Tianduo** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position

The Town of Apex has two statutorily required resident advisory boards which are the Board of Adjustment (BOA) and the Planning Board. The Board of Adjustment (BOA) is charged with considering particular kinds of development issues that require special use permits or variances from the Town's Unified Development Ordinance (UDO). More specifically, the Board of Adjustment is responsible for the following as stated in Section 2.1.3 of the Town's Unified Development Ordinance (UDO):

- a) Review and approve, approve with conditions, or deny. To review, hear, consider and approve, approve with conditions, or deny
  - Applications for Variance Permits.
  - Applications for Special Use Permits.
- b) Appeals. To review, hear, consider, and reverse or affirm, in whole or in part, or modify:
  - Written orders, decisions, interpretations, requirements, or determinations of the Planning Director or other administrative officials charged with enforcement of any other ordinance that regulates land use or development
  - Mast Subdivision Plans.
  - Construction Plans
  - Master Subdivision Final Plats.
  - Soil Erosion and Sedimentation Control Plans.
- c) Studies. To make studies of the resources, possibilities, and needs of the Town upon the authorization of the Town Council and to report its findings and recommendations with reference thereto, from time to time, to the Town Council.

The Board of Adjustment (BOA) consists of five (5) regular members and three (3) alternate members.

#### Attachments

- TC1-A1: Applicants At A Glance - Board of Adjustment w-applications
- TC1-A2: Nomination Summary by Councilmember - Multiple Boards





"The Peak of Good Living"

OFFICE OF THE TOWN CLERK

# TOWN OF APEX NORTH CAROLINA

## BOARD OF ADJUSTMENT

### APPLICANTS AT A GLANCE

#### Requested Action(s):

A. Recommendations needed on the Board of Adjustment (BOA) for three (3) Regular Positions, serving three (3) year-terms expiring February 28, 2029 (Hollenbeck), December 31, 2028 (Pai), and December 31, 2029 (Sayers), respectively. The following candidates are eligible for reappointment:

- Hollenbeck, William – *confirmed interest in being reappointed*
- Pai, Umeshi – *confirmed interest in being reappointed*
- Sayers, Michael – *confirmed interest in being reappointed*

B. Recommendations needed to fill an Alternate 3 vacancy on the Board of Adjustment (BOA), serving a three (3) year-term expiring February 28, 2029.

- Alternate 3 - Vacant

### APPLICANTS AT A GLANCE - CURRENT

Position #	Applicant(s)	Status	Resident Status	Notes
BOA-005	Hollenbeck, William	Active Current Member	Corporate Limits	Eligible for Reappointment
BOA-007	Pai, Umesh	Active Current Member	Corporate Limits	Eligible for Reappointment
BOA-004	Sayers, Michael	Active Current Member	Corporate Limits	Eligible for Reappointment



*"The Peak of Good Living"*

**OFFICE OF THE TOWN CLERK**

# TOWN OF APEX NORTH CAROLINA

## **APPLICANTS AT A GLANCE – NEW APPLICANTS**

<b>Applicant(s)</b>	<b>Status</b>	<b>Resident Status</b>	<b>Notes</b>
Barnes, Aaron	NEW	Corporate Limits	Eligible for Appointment / Currently appointed to CAAB / and is interested in serving on the BOA
Gentry, William	NEW	Neither Corporate Limits or ETJ	Not Eligible for Appointment
Gerhard, William	NEW	Corporate Limits	Eligible for Appointment
Zhang, Tianduo	NEW	Corporate Limits	Eligible for Appointment

# APPLICATIONS

## **ELIGIBLE FOR REAPPOINTMENT**

- Hollenbeck, William – *Corporate Limits*
- Pai, Umesh – *Corporate Limits*
- Sayers, Michael – *Corporate Limits*

Advisory Boards have been established to increase community input and participation in Town government. Some advisory boards exist to advise and make recommendations on important policy matters to the Apex Mayor and Town Council, while others have regulatory responsibilities that are established by law.

Members of advisory boards provide an invaluable service to our Town, and the Town of Apex Mayor and Town Councilmembers appreciate the interest of all residents willing to serve their community through participation on Town advisory boards.

The Apex Mayor and Town Councilmembers are committed to appoint diverse, qualified, and dedicated people to these advisory boards to achieve board membership with people of all ages, interests, and backgrounds. All appointments are taken with great care by the governing body for the Town of Apex. Factors considered in appointments and reappointments include eligibility, civic and political participation, equitable geographic and diversity representation, skill sets, and board attendance.

Applicants seeking appointments to a specific board are strongly urged to attend several meetings of the board prior to completing and submitting an application.

Completed applications are retained in the Office of the Town Clerk until such time that a vacancy occurs or for up to one-year from the application submission date. Please note, your completed application is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

## Profile and General Information

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**Legal Name**

William P Hollenbeck

**Pronouns**

**Preferred First Name**

Pat

**Spouse/Partner Name (If applicable)**

Kelly Hollenbeck

**Physiscal Address**

2927 Angelica Rose Way, Apex, North Carolina 27502

**Mailing Address**

2927 Angelica Rose Way, Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Board of Adjustment (BOA)

**How did you hear about this opportunity to serve?**

Town Employee / Elected Official

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

Pragmatic Semiconductor

**Current Job Title**

Head of Sales - USA

**Employer Main Work Telephone Number**

+44 (0)1223 855010

**Employer Onsite Office Location**

Apex, North Carolina 27502

**Please briefly describe your job function and core duties,**

Head of sales, specification and requirements evaluation, people manager, lead negotiator, legal contract contributor

**Interest and Civic / Volunteer Experience**

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**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

I am a current board member who has served for the past three years on the apex town Board of Adjustment as an alternate. I have just been appointed to a voting member and would like to extend/continue serving.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

Maintain/Improve quality of life in Apex, continue the high level of standards the town has set forth, provide fair assessments of citizen requests for positive impact on community.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Enable Apex to continue on its current trajectory of positive growth, continue to maintain the highest community standards, provide an opportunity for citizens to voice their concerns/initiatives and fairly respond as a member of the board.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

Apex Town Board of Adjustment (current member)

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Apex Town Board of Adjustment (current member)

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

5 or more hours per month

## Demographic Information

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**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

4-6 years

## Conflict of Interest Declarations and Disclosures

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**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

A handwritten signature in dark blue ink, appearing to read 'W. P. Hill', is written over a horizontal line. The signature is stylized and cursive.

**Entry #:** 796    **Status:** Submitted    **Submitted:** 2/10/2026 8:22 PM

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The Apex Mayor and Town Councilmembers are committed to appoint diverse, qualified, and dedicated people to these advisory boards to achieve board membership with people of all ages, interests, and backgrounds. All appointments are taken with great care by the governing body for the Town of Apex. Factors considered in appointments and reappointments include eligibility, civic and political participation, equitable geographic and diversity representation, skill sets, and board attendance.

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

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**Legal Name**

Umesh K Pai

**Pronouns**

He/Him/His

**Preferred First Name**

**Spouse/Partner Name (If applicable)**

Sangeetha U Pai

**Physical Address**

203 Jerryanne Ct, Apex, North Carolina 27523

**Mailing Address**

203 Jerryanne Ct, Apex, North Carolina 27523

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Board of Adjustment (BOA)

**How did you hear about this opportunity to serve?**

Currently Serving

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

Pentair

**Current Job Title**

Sr. Manager Cloud, App and Security

**Employer Main Work Telephone Number**

1-800-831-7133

**Employer Onsite Office Location**

Apex, North Carolina 27523

**Please briefly describe your job function and core duties,**

Developing secure connected pool products that can be operated using mobile applications. Managing teams of 45 people located in Apex and office in India

**Interest and Civic / Volunteer Experience**

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**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

My family and I have lived in Apex for more than 16 years. We chose Apex because of its strong sense of community, excellent schools, and commitment to thoughtful growth. Raising my family here has given me a personal connection to the decisions this board makes and a clear understanding of how those decisions affect neighbors, businesses, and the long-term character of the town.

Having served on the Board of Adjustment for the past several years, I have developed a strong understanding of the board's responsibilities, procedures, and legal framework, and I would like to continue contributing this experience in another term. Through my service on the Board of Adjustment, I have gained practical experience reviewing variance requests, interpreting zoning ordinances, weighing evidence, and participating in quasi-judicial hearings.

I am a strong believer in community service and have always sought opportunities to give back. I hold a Master of Business Administration from North Carolina State University, which has helped me develop analytical, organizational, and decision-making skills that are directly applicable to board service. I approach each case with preparation, fairness, and respect for differing viewpoints.

I would be honored to continue serving the Town of Apex on the Board of Adjustment and to support balanced growth, responsible development, and a high quality of life for all residents.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

1) Having served on the Board of Adjustment for several years, I bring working knowledge of the board's procedures, legal standards, and past practices. This continuity helps the board operate efficiently and supports consistent, well-reasoned decisions that align with town ordinances and state law. I bring working knowledge of the board's procedures, legal standards, and past practices. This continuity helps the board operate efficiently and supports consistent, well-reasoned decisions that align with town ordinances and state law.

2) As a resident of Apex for more than 16 years and a parent raising my family here, I understand how board decisions affect neighborhoods, schools, and local businesses. This perspective allows me to evaluate cases not only from a technical standpoint but also with an appreciation for their real-world impact on the community.

3) My background includes a Master of Business Administration from North Carolina State University, which has strengthened my ability to analyze information, weigh evidence, and approach complex issues logically. I apply these skills to each case with a focus on fairness, objectivity, and adherence to established regulations.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

1) Continue to uphold high standards for quasi-judicial decision-making by carefully reviewing evidence, applying the ordinance as written, and ensuring that findings are clearly stated and supported. This helps protect the integrity of the board's decisions and reduces the risk of appeals.

2) Stay current and curious to learn about changes to zoning ordinances, state statutes, and relevant court cases, and encourage continued training for board members. A well-informed board is better equipped to handle complex cases and make sound decisions.

3) Provide strong support to the board and town staff by being prepared, responsive, and collaborative in decision-making

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

I am actively involved in mentoring student teams, including my son's school group, through the UAS4STEM competition. This work supports students from Apex and Wake County in learning about autonomous drone technology. Last year, I coached a team that qualified to participate in a national competition in Oshkosh, Wisconsin.

I lead and manage an Adopt-a-Highway program that coordinates quarterly cleanups along McCrimmon Parkway, an NCDOT roadway in neighboring Cary. This work improves the appearance and safety of a heavily traveled corridor and reflects pride in our local region.

I also help organize and host community gatherings for members of the immigrant community to keep them engaged in cultural activities and connected to local resources. These efforts promote inclusion, build relationships, and help residents feel more connected to the Town of Apex.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Served on the board of adjustment for the past 3 years.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

## Demographic Information

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**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

Asian or Pacific Islander

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

46 to 55

**I have been an Apex resident for**

More than 10 years

## Conflict of Interest Declarations and Disclosures

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**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

A handwritten signature in black ink is written over a horizontal line. The signature is stylized and appears to be a first name followed by a last name. The ink is dark and the signature is clearly legible.

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

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**Legal Name**

Michael A Sayers

**Pronouns**

He/Him/His

**Preferred First Name**

Mike

**Spouse/Partner Name (If applicable)**

**Physical Address**

305 Saunders St, Apex, NC 27502-1446, APEX, North Carolina 27502

**Mailing Address**

305 Saunders St, Apex, NC 27502-1446, APEX, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Board of Adjustment (BOA)

**How did you hear about this opportunity to serve?**

Town Email, On BOA now.

## Professional Experience

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If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

### Education

High School Diploma or GED

### Current Employer

Retired

### Current Job Title

NA

### Employer Main Work Telephone Number

NA

### Employer Onsite Office Location

NA, North Carolina 27502-1446

**Please briefly describe your job function and core duties,**

NA

## Interest and Civic / Volunteer Experience

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

NA

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

Servicing on BOA at present.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Maintain the on going golls Of the BOA.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

Servicing on BOA at present.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Servicing on BOA at present. 3 Years.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

5 or more hours per month

**Demographic Information**

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

Over 55

**I have been an Apex resident for**

More than 10 years

**Conflict of Interest Declarations and Disclosures**

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

*Michael A. Sayers*

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# APPLICATIONS

## ELIGIBLE FOR APPOINTMENT

- Barnes, Aaron – *Corporate Limits*
- Gentry, William – *Neither Corporate Limits or ETJ*
- Gerhard, William – *Corporate Limits*
- Zhang, Tianduo – *Corporate Limits*

**Entry #:** 791    **Status:** Submitted    **Submitted:** 2/3/2026 3:44 PM

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

Aaron G Barnes

**Pronouns**

He/Him/His

**Preferred First Name**

Aaron

**Spouse/Partner Name (If applicable)**

Edwin Musgrave

**Physical Address**

578 Chessie Sta, Apex, North Carolina 27502

**Mailing Address**

578 Chessie Station, Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Board of Adjustment (BOA), Environmental Advisory Board (EAB), Planning Board (PB)

**How did you hear about this opportunity to serve?**

Town Employee / Elected Official

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

Terra & Twine Handcrafted, LLC

**Current Job Title**

Co-Founder & Creative Director

**Employer Main Work Telephone Number**

984-386-1411

**Employer Onsite Office Location**

Apex, North Carolina 27502

**Please briefly describe your job function and core duties,**

I am the Co-Founder and Creative Director of Terra & Twine Handcrafted, LLC, a small, Apex-based business focused on nature-inspired goods, sustainable materials, and community-centered retail. My role spans strategic planning, operations, compliance, branding, public engagement, and vendor coordination.

In parallel, I work as a senior communications and strategy consultant, advising organizations on stakeholder engagement, public messaging, risk mitigation, and long-range planning. My background includes leadership roles in government, international organizations, and defense, where I managed complex programs, coordinated cross-functional teams, and translated policy into actionable execution.

**Interest and Civic / Volunteer Experience**

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**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

My interest in serving on the Environmental Advisory Board, Planning Board, or Board of Adjustment is rooted in my commitment to thoughtful growth, stewardship, and transparent decision-making in Apex. As a current member of the Culture and Arts Advisory Board, I have seen firsthand how advisory bodies can meaningfully shape policy, public trust, and long-term outcomes when they are well-prepared, collaborative, and grounded in community realities.

Professionally, I bring experience operating at the intersection of policy, planning, and public impact — evaluating tradeoffs, assessing second- and third-order effects, and balancing technical requirements with human outcomes. Personally, as a resident, small business owner, and active civic participant, I care deeply about ensuring Apex continues to grow in a way that is environmentally responsible, well-planned, and fair to residents, businesses, and future generations.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

1. Systems-level perspective: My background in strategic planning and regulatory environments allows me to evaluate proposals holistically — considering environmental impact, land use, infrastructure strain, community character, and long-term sustainability rather than isolated outcomes.
2. Proven advisory board experience: Through my service on CAAB, I understand board responsibilities, public-records requirements, meeting discipline, and how to translate community input into clear recommendations for Council and staff.
3. Clear, accountable communication: I am skilled at asking precise questions, documenting rationale, and communicating decisions in a way that builds public confidence, even when outcomes are complex or contentious.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

1. Strengthen clarity and consistency in decision-making: Support processes that ensure recommendations are well-documented, precedent-aware, and understandable to residents.
2. Balance growth with stewardship: Advocate for approaches that protect environmental resources, neighborhood integrity, and infrastructure capacity while recognizing Apex’s growth realities.
3. Improve community understanding and trust: Help demystify board processes and decisions so residents feel informed, heard, and respected even when outcomes are not unanimous.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

I currently serve on the Town of Apex Culture and Arts Advisory Board, where I have contributed to initiatives focused on public engagement, digital presence, and community visibility for arts and cultural programming. This includes supporting clearer communication between the board, Town staff, and residents, and helping frame arts initiatives as part of Apex’s broader quality-of-life and economic ecosystem.

Outside of formal board service, I regularly engage with local events, small businesses, and community organizations, and operate an Apex-based business that participates in local markets and civic life. These roles give me consistent, on-the-ground insight into how Town decisions affect residents, entrepreneurs, and neighborhoods.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Culture and Arts Advisory Board (Town of Apex) — Current member since October 2025

In prior professional roles, I have supported and advised governmental and intergovernmental bodies in planning, policy development, and oversight capacities, including work with municipal partners and international public institutions.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

5 or more hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

Two or more

**Do you rent or own your home?**

I own my townhome

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

7-10 years

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

Please signing below

A handwritten signature in blue ink, consisting of several large, overlapping loops and a long horizontal stroke at the end, positioned above a thin horizontal line.

Advisory Boards have been established to increase community input and participation in Town government. Some advisory boards exist to advise and make recommendations on important policy matters to the Apex Mayor and Town Council, while others have regulatory responsibilities that are established by law.

Members of advisory boards provide an invaluable service to our Town, and the Town of Apex Mayor and Town Councilmembers appreciate the interest of all residents willing to serve their community through participation on Town advisory boards.

The Apex Mayor and Town Councilmembers are committed to appoint diverse, qualified, and dedicated people to these advisory boards to achieve board membership with people of all ages, interests, and backgrounds. All appointments are taken with great care by the governing body for the Town of Apex. Factors considered in appointments and reappointments include eligibility, civic and political participation, equitable geographic and diversity representation, skill sets, and board attendance.

Applicants seeking appointments to a specific board are strongly urged to attend several meetings of the board prior to completing and submitting an application.

Completed applications are retained in the Office of the Town Clerk until such time that a vacancy occurs or for up to one-year from the application submission date. Please note, your completed application is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

## Profile and General Information

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**Legal Name**

William B Gentry

**Pronouns**

**Preferred First Name**

**Spouse/Partner Name (If applicable)**

**Physical Address**

8528 Ragan Rd, Apex, North Carolina 27502

**Mailing Address**

8528 Ragan Rd, Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

ETJ Advisory Board

**How did you hear about this opportunity to serve?**

Town Website

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Bachelors Degree

**Current Employer**

retired

**Current Job Title**

retired

**Employer Main Work Telephone Number**

9194555382

**Employer Onsite Office Location**

Apex, North Carolina 27502

**Please briefly describe your job function and core duties,**

retired NC police officer and medivac flight R.N.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

I am a 50+ year resident of City of Raleigh and Apex ETJ.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

I have a strong interest in serving the Apex community by helping advise on growth and development.

I am a licensed realtor and have a lot of knowledge on residential, commercial and rural land. I want to help preserve the unique lifestyle we currently enjoy in the Apex area.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Historic Preservation. Open space and rural enhancement. Continue to attract positive entities relocating to this area.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

Apex Community Emergency Response Team

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Civil Air Patrol senior member  
Raleigh Police Club

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

n/a

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

No, I have not attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

5 or more hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

No

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

Yes

**Gender**

Male

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

Over 55

**I have been an Apex resident for**

I am not currently an Apex resident

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

na

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

na

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

No

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

*Wm Gentry*

---

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Completed applications are retained in the Office of the Town Clerk until such time that a vacancy occurs or for up to one-year from the application submission date. Please note, your completed application is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

William Gerhard

**Pronouns**

He/Him/His

**Preferred First Name**

Billy

**Spouse/Partner Name (If applicable)**

Alexa Waters

**Physical Address**

2076 Toad Hollow Trl, Apex, North Carolina 27502

**Mailing Address**

SAME, SAME, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Board of Adjustment (BOA), Environmental Advisory Board (EAB), Multimodal Transportation Advisory Board (MTAB), Planning Board (PB)

**How did you hear about this opportunity to serve?**

Town Website

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

Three Ships

**Current Job Title**

Chief Technology Officer

**Employer Main Work Telephone Number**

7043157960

**Employer Onsite Office Location**

Raleigh, North Carolina 27605

**Please briefly describe your job function and core duties,**

As Chief Technology Officer at Three Ships, I lead the company's technology, data, and analytics strategy across a portfolio of digital marketing and consumer services businesses. My core duties include overseeing software development, data infrastructure, and AI initiatives that improve efficiency and decision-making. I work closely with business and operations leaders to design and implement technology solutions that drive growth, transparency, and better customer experiences.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

Apex has been an incredible place for my family, and I'm eager to give back by contributing to the town's continued growth and success. I've built my career at the intersection of technology, data science, and organizational leadership, and I believe those skills can add real value to the board's work.

As the Chief Technology Officer of a North Carolina-based company, I lead cross-functional teams that design and implement data systems used to make complex decisions more transparent and efficient. My work often involves translating technical insights into practical, people-centered policies -- an approach I believe mirrors the kind of thoughtful governance that helps a town like Apex thrive.

I'm particularly passionate about using data and technology to improve service delivery, enhance transparency, and support long-term planning grounded in evidence rather than opinion. I see public service as an opportunity to apply that same analytical rigor and collaborative spirit in a way that benefits the community I call home.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

Data-Driven Decision Making:

I bring extensive experience using analytics and technology to inform strategic decisions. I can help the Town use data more effectively to evaluate policies, optimize resource allocation, and measure outcomes—ensuring decisions are transparent, evidence-based, and grounded in long-term impact.

Technical and Operational Expertise:

As a Chief Technology Officer leading interdisciplinary teams across software, data science, and process design, I have firsthand experience managing complex systems and translating technical insights into practical action. I can contribute to modernizing how the Town approaches digital transformation, cybersecurity, and citizen services.

Collaborative and Community-Oriented Leadership:

My professional success has depended on building cross-functional alignment among people with diverse perspectives. I value respectful debate, clear communication, and finding common ground—skills that are essential for effective public service. My goal is to apply that same collaborative mindset to help Apex grow in a way that balances innovation with preserving the character that makes it special.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Use Data to Strengthen Decision-Making and Transparency:

I would like to help the Town of Apex make more informed decisions by using data and technology to track performance, measure impact, and communicate outcomes clearly to residents. By establishing simple, transparent dashboards or periodic reporting frameworks, we can ensure that policy and resource decisions are grounded in evidence and understood by the community.

Promote Smart, Sustainable Growth:

Apex is growing rapidly, and I want to support initiatives that balance development with livability -- focusing on traffic management, infrastructure planning, and maintaining the town's unique character. My goal would be to help apply analytical tools and scenario modeling to anticipate long-term needs and ensure our growth remains responsible and financially sound.

Advance Digital Efficiency and Citizen Engagement:

I would like to help modernize how the Town communicates and delivers services -- making it easier for residents to access information, provide feedback, and engage with local government. Drawing from my background in building digital systems and automation tools, I'd focus on practical ways to streamline internal workflows and improve the resident experience.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

While I haven't recently volunteered within the Town of Apex, I've long believed in the importance of community-driven service. During my undergraduate studies, I volunteered for hundreds of hours to establish the first water quality monitoring program in the Galápagos Islands. That initiative -- still active more than a decade later -- provides ongoing testing to ensure clean drinking water for both residents and visitors. The experience taught me how data, collaboration, and local partnerships can create sustainable, real-world impact, and it continues to shape how I think about community problem-solving and long-term stewardship here in Apex.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

NA

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

No, I have not attended meetings in-person, but have rewatched the livestream recordings of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

1-3 years

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

A handwritten signature in blue ink, appearing to be 'B. W. [unclear]', written on a white background. The signature is fluid and cursive, with a large loop at the end.

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

Tianduo Zhang

**Pronouns**

She/Her/Hers

**Preferred First Name**

**Spouse/Partner Name (If applicable)**

Howard Gou

**Physical Address**

1044 Blackpool Ct, Apex, North Carolina 27502

**Mailing Address**

1044 Blackpool Ct., Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Board of Adjustment (BOA), Environmental Advisory Board (EAB)

**How did you hear about this opportunity to serve?**

Friend / Neighbor, Town Employee / Elected Official

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

North Carolina Central University

**Current Job Title**

Assistant Professor in Mass Communication

**Employer Main Work Telephone Number**

9195307200

**Employer Onsite Office Location**

Durham, North Carolina 27502

**Please briefly describe your job function and core duties,**

Teaching. Research. Service

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

I hear that one was having a hard time fill but zoning appeal is so important for the town. I have a doctoral degree and I am pretty comfortable with data and reading complex cases. I am trained in promoting civic discourse and civic engagement through Citizen University.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

I work for a public university so no conflict of interests. I do research for living so I will very carefully review whatever case is at hand and come up with solutions if needed to be. I am very comfortable with data and analysis so my decision would be data driven.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Board of adjustment is a need based board. I don't have an agenda myself.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

Organized my HOA Chelsea Run to complete Town of Apex beautification grant.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Not a board but I worked with Durham Public Health Department securing and delivering a 2 year 2 million dollar federal grant on promoting public health literacy.  
Served as scientist on NC PFAS Test Network (2 years).  
Advice NC HHS on community survey development (one time)

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

No, I have not attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Female

**Ethnicity**

Asian or Pacific Islander

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

4-6 years

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

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**Please signing below**

A handwritten signature in dark blue ink, consisting of a series of loops and curves, positioned above a horizontal line.

**TOWN OF APEX**  
**COUNCILMEMBER NOMINATIONS FOR RESIDENT ADVISORY BOARD OPENINGS**  
**OFFICIAL NOMINATION RECORD**

Board(s) Applied	Legal Last Name	Legal First Name	New / Reappoint	Corporate Limits (CL) / ETJ	Alternative Board Interest(s)	Mayor Pro-Tempore Terry Mahaffey	Councilmember Arno Zegerman	Councilmember Ed Gray	Councilmember Shane Reese	Councilmember Sue Mu	TOTAL
BOA	Barnes	Aaron	New	CL	CAAB, EAB, PB	TM	AZ	EG	SR	SM	4
BOA	Gentry	William	New	Neither	N/A	TM	AZ	EG	SR	SM	0
BOA	Gerhard	William	New	CL	EAB, PB	TM	AZ	EG	SR	SM	2
BOA	Hollenbeck	William	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
BOA	Pai	Umesh	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
BOA	Sayers	Michael	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
BOA	Zhang	Tianduo	New	CL	EAB, PB	TM	AZ	EG	SR	SM	1
EAB	Barnes	Aaron	New	CL	BOA, CAAB, PB	TM	AZ	EG	SR	SM	0
EAB	Gerhard	William	New	CL	BOA, PB	TM	AZ	EG	SR	SM	0
EAB	Jensen	Bill	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
EAB	Linson	Makya	New	CL	N/A	TM	AZ	EG	SR	SM	0
EAB	Nallavolu	Ramesh	New	CL	N/A	TM	AZ	EG	SR	SM	2
EAB	Ripper	Melissa	New	CL	PB	TM	AZ	EG	SR	SM	3
EAB	Valle	Daniel	New	CL	N/A	TM	AZ	EG	SR	SM	2
EAB	Zhang	Tianduo	New	CL	BOA, PB	TM	AZ	EG	SR	SM	1
PB	Barnes	Aaron	New	CL	BOA, CAAB, EAB	TM	AZ	EG	SR	SM	0
PB	Byrd	Alyssa	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
PB	Gerhard	William	New	CL	BOA, EAB	TM	AZ	EG	SR	SM	0
PB	Hatcher	Kaitlyn	New	Neither	N/A	TM	AZ	EG	SR	SM	0
PB	Johnson	Avery	New	CL	N/A	TM	AZ	EG	SR	SM	0
PB	Khodaparast	Daniel	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
PB	Nebolisa	Kyrone	New	CL	N/A	TM	AZ	EG	SR	SM	2
PB	Rhodes	Steven	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
PB	Ripper	Melissa	New	CL	N/A	TM	AZ	EG	SR	SM	1
PB	Spanioli	Mark	New	ETJ	MTAB	TM	AZ	EG	SR	SM	3
PB	Yule	Kristy	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
PB	Zhang	Tianduo	New	CL	BOA, EAB	TM	AZ	EG	SR	SM	3

<b>LEGEND</b>	
	Nominations

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: TOWN CLERK'S REPORT

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

### Requested Motion

- A) Motion to reappoint Mr. William "Bill" Jensen to the Apex Environmental Advisory Board (EAB) for a two-year term effective February 1, 2026 through January 31, 2028.
- B) Motion to appoint Melissa Ripper to the Apex Environmental Advisory Board (EAB) for a two-year term effective March 1, 2026 through February 28, 2028. (Replacing Sean Crowell)
- C) Motion to appoint Mr. Daniel Valle to the Apex Environmental Advisory Board (EAB) for a partial unexpired term effective March 1, 2026 through December 31, 2026. (Replacing Patrick Adams).

### Approval Recommended?

Yes

### Item Details

A total of **nine (9) applications** were received for appointment consideration, and they are (in alphabetical order by last name):

- **Barnes, Aaron** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Gerherd, William** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Jensen, William "Bill"** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position.
- **Linson, Makyia** - Corporate Limits Resident - **Only Eligible for Voting Youth** Representative
- **Nallavolu, Ramesh** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Ripper, Melissa** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Valle, Daniel** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Zhang, Tianduo** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position

The Governing Body for the Town of Apex considered a number of structural changes to the Town's Resident Advisory Board during their Work Session on December 17, 2024. As a result, the Town's Environmental Advisory Board (EAB) scope of responsibilities was expanded to include the Tree Citizen Advisory Panel (CAP) and Bee City Committee's functions.

The Environmental Advisory Board (EAB) is responsible for assisting the Town Council in strengthening environmentally responsible practices that protect, promote, and nurture our community and the natural world through advice and program support.

The Environmental Advisory Board (EAB) consist of eleven (11) voting members, including one youth representative as defined in the Resident Advisory Board Administrative Policy.

#### Attachments

- TC2-A1: Applicants At A Glance - Environmental Advisory Board (EAB) w-applications
- TC2-A2: Nomination Summary by Councilmember - Multiple Boards





"The Peak of Good Living"

OFFICE OF THE TOWN CLERK

TOWN OF APEX NORTH CAROLINA

ENVIRONMENTAL ADVISORY BOARD

APPLICANTS AT A GLANCE

Requested Action(s):

A. Recommendations are needed to fill two (2) positions on the Environmental Advisory Board (EAB) both positions serving two-year terms from January 1, 2026 through December 31, 2027. The following candidate is eligible for reappointment:

- Jensen, Bill – confirmed interest in being reappointed
NOTE: Crowell, Sean – not seeking reappointment

B. Recommendations are needed to fill a partial term position on the Environmental Advisory Board (EAB) expiring December 31, 2026. Mr. Patrick Adams resigned effective (February 5, 2026) and his position needs to be filled.

APPLICANTS AT A GLANCE - CURRENT

Table with 5 columns: Position No., Applicant(s), Status, Resident Status, Notes. Rows include EAB-006 (Jensen, Bill), EAB-004 (Vacant), and EAB-009 (Vacant).



"The Peak of Good Living"

OFFICE OF THE TOWN CLERK

TOWN OF APEX  
NORTH CAROLINA

**APPLICANTS AT A GLANCE – NEW APPLICANTS**

Applicant(s)	Status	Resident Status	Notes
Barnes, Aaron	NEW	Corporate Limits	Eligible for Appointment / currently appointed on CAAB and in interested in serving on EAB
Gerhard, William	NEW	Corporate Limits	Eligible for Appointment
Linson, Makyia	NEW	Corporate Limits	Youth Applicant – No Current Youth Vacancies on EAB
Nallavolu, Ramesh	NEW	Corporate Limits	Eligible for Appointment
Ripper, Melissa	NEW	Corporate Limits	Eligible for Appointment
Valle, Daniel	NEW	Corporate Limits	Eligible for Appointment
Zhang, Tianduo	NEW	Corporate Limits	Eligible for Appointment

# APPLICATIONS

## ELIGIBLE FOR REAPPOINTMENT

- Jensen, Bill – *Corporate Limits*

**Entry #:** 787    **Status:** Submitted    **Submitted:** 1/4/2026 9:32 PM

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Advisory Boards have been established to increase community input and participation in Town government. Some advisory boards exist to advise and make recommendations on important policy matters to the Apex Mayor and Town Council, while others have regulatory responsibilities that are established by law.

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The Apex Mayor and Town Councilmembers are committed to appoint diverse, qualified, and dedicated people to these advisory boards to achieve board membership with people of all ages, interests, and backgrounds. All appointments are taken with great care by the governing body for the Town of Apex. Factors considered in appointments and reappointments include eligibility, civic and political participation, equitable geographic and diversity representation, skill sets, and board attendance.

Applicants seeking appointments to a specific board are strongly urged to attend several meetings of the board prior to completing and submitting an application.

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

William S E Jensen

**Pronouns**

**Preferred First Name**

Bill

**Spouse/Partner Name (If applicable)**

**Physical Address**

1005 South Wellonsburg Place, Apex, North Carolina 27502

**Mailing Address**

1005 South Wellonsburg Place, Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Environmental Advisory Board (EAB)

**How did you hear about this opportunity to serve?**

Town Employee / Elected Official

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

Retired

**Current Job Title**

Retired

**Employer Main Work Telephone Number**

9192740926

**Employer Onsite Office Location**

NA, North Carolina 27502

**Please briefly describe your job function and core duties,**

As an Aerospace engineer, I functioned to develop product for the industry. I worked on all aspects of engineering from design through analysis through program management.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

I have always been interested in environmental issues from biological aspects through energy development and management. I previously ran a small tree nursery in Californial.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

My education in mechanical engineering and experience with solar energy compliment knowledge of other board members. I was previously a town council member and still have an understanding of town procedures. I have a technical understanding of stormwater management.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

I would want to further promote solar energy in both housing and commercial structures. I would work to promote expanded stormwater management programs in developments. I would hope t develop a greater community understanding of the need for environmental stewardship.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

I am a member of the EAB where I try to achieve the goals noted above.

I am a member of the Wake County Energy Advisory Board which provides me additional insight to environmentally friendly energy systems.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Apex EAB. Two or three years.

Wake County Energy Advisory Commission for three years.

Previous Apex town councilman for twenty years.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

5 or more hours per month

**Demographic Information**

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

Yes

**Gender**

Male

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

Over 55

**I have been an Apex resident for**

More than 10 years

**Conflict of Interest Declarations and Disclosures**

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

*William S. Jensen*

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# APPLICATIONS

## ELIGIBLE FOR APPOINTMENT

- Barnes, Aaron – *Corporate Limits*
- Gerhard, William – *Corporate Limits*
- Linson, Makya – *Youth Applicant / Corporate Limits*
- Nallavolu, Ramesh – *Corporate Limits*
- Ripper, Melissa – *Corporate Limits*
- Valle, Daniel – *Corporate Limits*
- Zhang, Tianduo – *Corporate Limits*

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

Aaron G Barnes

**Pronouns**

He/Him/His

**Preferred First Name**

Aaron

**Spouse/Partner Name (If applicable)**

Edwin Musgrave

**Physical Address**

578 Chessie Sta, Apex, North Carolina 27502

**Mailing Address**

578 Chessie Station, Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Board of Adjustment (BOA), Environmental Advisory Board (EAB), Planning Board (PB)

**How did you hear about this opportunity to serve?**

Town Employee / Elected Official

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

Terra & Twine Handcrafted, LLC

**Current Job Title**

Co-Founder & Creative Director

**Employer Main Work Telephone Number**

984-386-1411

**Employer Onsite Office Location**

Apex, North Carolina 27502

**Please briefly describe your job function and core duties,**

I am the Co-Founder and Creative Director of Terra & Twine Handcrafted, LLC, a small, Apex-based business focused on nature-inspired goods, sustainable materials, and community-centered retail. My role spans strategic planning, operations, compliance, branding, public engagement, and vendor coordination.

In parallel, I work as a senior communications and strategy consultant, advising organizations on stakeholder engagement, public messaging, risk mitigation, and long-range planning. My background includes leadership roles in government, international organizations, and defense, where I managed complex programs, coordinated cross-functional teams, and translated policy into actionable execution.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

My interest in serving on the Environmental Advisory Board, Planning Board, or Board of Adjustment is rooted in my commitment to thoughtful growth, stewardship, and transparent decision-making in Apex. As a current member of the Culture and Arts Advisory Board, I have seen firsthand how advisory bodies can meaningfully shape policy, public trust, and long-term outcomes when they are well-prepared, collaborative, and grounded in community realities.

Professionally, I bring experience operating at the intersection of policy, planning, and public impact — evaluating tradeoffs, assessing second- and third-order effects, and balancing technical requirements with human outcomes. Personally, as a resident, small business owner, and active civic participant, I care deeply about ensuring Apex continues to grow in a way that is environmentally responsible, well-planned, and fair to residents, businesses, and future generations.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

1. Systems-level perspective: My background in strategic planning and regulatory environments allows me to evaluate proposals holistically — considering environmental impact, land use, infrastructure strain, community character, and long-term sustainability rather than isolated outcomes.
2. Proven advisory board experience: Through my service on CAAB, I understand board responsibilities, public-records requirements, meeting discipline, and how to translate community input into clear recommendations for Council and staff.
3. Clear, accountable communication: I am skilled at asking precise questions, documenting rationale, and communicating decisions in a way that builds public confidence, even when outcomes are complex or contentious.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

1. Strengthen clarity and consistency in decision-making: Support processes that ensure recommendations are well-documented, precedent-aware, and understandable to residents.
2. Balance growth with stewardship: Advocate for approaches that protect environmental resources, neighborhood integrity, and infrastructure capacity while recognizing Apex’s growth realities.
3. Improve community understanding and trust: Help demystify board processes and decisions so residents feel informed, heard, and respected even when outcomes are not unanimous.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

I currently serve on the Town of Apex Culture and Arts Advisory Board, where I have contributed to initiatives focused on public engagement, digital presence, and community visibility for arts and cultural programming. This includes supporting clearer communication between the board, Town staff, and residents, and helping frame arts initiatives as part of Apex’s broader quality-of-life and economic ecosystem.

Outside of formal board service, I regularly engage with local events, small businesses, and community organizations, and operate an Apex-based business that participates in local markets and civic life. These roles give me consistent, on-the-ground insight into how Town decisions affect residents, entrepreneurs, and neighborhoods.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Culture and Arts Advisory Board (Town of Apex) — Current member since October 2025

In prior professional roles, I have supported and advised governmental and intergovernmental bodies in planning, policy development, and oversight capacities, including work with municipal partners and international public institutions.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

5 or more hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

Two or more

**Do you rent or own your home?**

I own my townhome

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

7-10 years

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

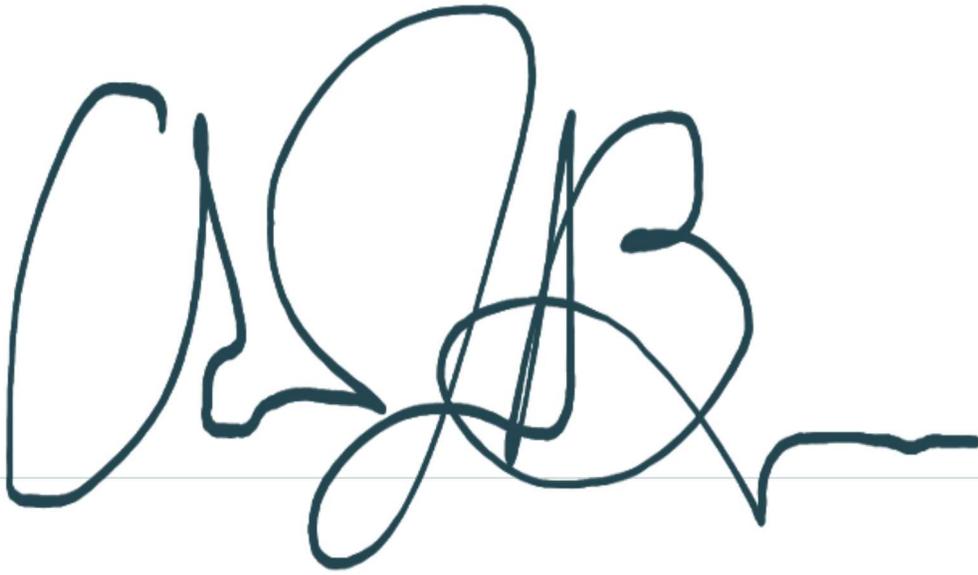
NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

Please signing below



A handwritten signature in blue ink, consisting of several large, overlapping loops and a long horizontal stroke at the end, positioned above a thin horizontal line.

**Entry #:** 780    **Status:** Submitted    **Submitted:** 10/27/2025 10:07 PM

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

William Gerhard

**Pronouns**

He/Him/His

**Preferred First Name**

Billy

**Spouse/Partner Name (If applicable)**

Alexa Waters

**Physical Address**

2076 Toad Hollow Trl, Apex, North Carolina 27502

**Mailing Address**

SAME, SAME, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Board of Adjustment (BOA), Environmental Advisory Board (EAB), Multimodal Transportation Advisory Board (MTAB), Planning Board (PB)

**How did you hear about this opportunity to serve?**

Town Website

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

Three Ships

**Current Job Title**

Chief Technology Officer

**Employer Main Work Telephone Number**

7043157960

**Employer Onsite Office Location**

Raleigh, North Carolina 27605

**Please briefly describe your job function and core duties,**

As Chief Technology Officer at Three Ships, I lead the company's technology, data, and analytics strategy across a portfolio of digital marketing and consumer services businesses. My core duties include overseeing software development, data infrastructure, and AI initiatives that improve efficiency and decision-making. I work closely with business and operations leaders to design and implement technology solutions that drive growth, transparency, and better customer experiences.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

Apex has been an incredible place for my family, and I'm eager to give back by contributing to the town's continued growth and success. I've built my career at the intersection of technology, data science, and organizational leadership, and I believe those skills can add real value to the board's work.

As the Chief Technology Officer of a North Carolina-based company, I lead cross-functional teams that design and implement data systems used to make complex decisions more transparent and efficient. My work often involves translating technical insights into practical, people-centered policies -- an approach I believe mirrors the kind of thoughtful governance that helps a town like Apex thrive.

I'm particularly passionate about using data and technology to improve service delivery, enhance transparency, and support long-term planning grounded in evidence rather than opinion. I see public service as an opportunity to apply that same analytical rigor and collaborative spirit in a way that benefits the community I call home.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

Data-Driven Decision Making:

I bring extensive experience using analytics and technology to inform strategic decisions. I can help the Town use data more effectively to evaluate policies, optimize resource allocation, and measure outcomes—ensuring decisions are transparent, evidence-based, and grounded in long-term impact.

Technical and Operational Expertise:

As a Chief Technology Officer leading interdisciplinary teams across software, data science, and process design, I have firsthand experience managing complex systems and translating technical insights into practical action. I can contribute to modernizing how the Town approaches digital transformation, cybersecurity, and citizen services.

Collaborative and Community-Oriented Leadership:

My professional success has depended on building cross-functional alignment among people with diverse perspectives. I value respectful debate, clear communication, and finding common ground—skills that are essential for effective public service. My goal is to apply that same collaborative mindset to help Apex grow in a way that balances innovation with preserving the character that makes it special.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Use Data to Strengthen Decision-Making and Transparency:

I would like to help the Town of Apex make more informed decisions by using data and technology to track performance, measure impact, and communicate outcomes clearly to residents. By establishing simple, transparent dashboards or periodic reporting frameworks, we can ensure that policy and resource decisions are grounded in evidence and understood by the community.

Promote Smart, Sustainable Growth:

Apex is growing rapidly, and I want to support initiatives that balance development with livability -- focusing on traffic management, infrastructure planning, and maintaining the town's unique character. My goal would be to help apply analytical tools and scenario modeling to anticipate long-term needs and ensure our growth remains responsible and financially sound.

Advance Digital Efficiency and Citizen Engagement:

I would like to help modernize how the Town communicates and delivers services -- making it easier for residents to access information, provide feedback, and engage with local government. Drawing from my background in building digital systems and automation tools, I'd focus on practical ways to streamline internal workflows and improve the resident experience.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

While I haven't recently volunteered within the Town of Apex, I've long believed in the importance of community-driven service. During my undergraduate studies, I volunteered for hundreds of hours to establish the first water quality monitoring program in the Galápagos Islands. That initiative -- still active more than a decade later -- provides ongoing testing to ensure clean drinking water for both residents and visitors. The experience taught me how data, collaboration, and local partnerships can create sustainable, real-world impact, and it continues to shape how I think about community problem-solving and long-term stewardship here in Apex.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

NA

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

No, I have not attended meetings in-person, but have rewatched the livestream recordings of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

1-3 years

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

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**Please signing below**

A handwritten signature in blue ink, appearing to be 'B. W. [unclear]', written on a white background. The signature is fluid and cursive, with a large loop at the end.

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## Profile and General Information

---

**Legal Name**

Makyia Linson

**Pronouns**

She/Her/Hers

**Preferred First Name**

**Spouse/Partner Name (If applicable)**

**Physical Address**

503 Stonecreek drive, Apex, North Carolina 27539

**Mailing Address**

SAME, SAME, North Carolina 27539

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Culture and Arts Advisory Board (CAAB), Environmental Advisory Board (EAB)

**How did you hear about this opportunity to serve?**

Town Employee / Elected Official, Town Website

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Youth Representative (Currently in High School)

**Current Employer**

Youth Rep

**Current Job Title**

Youth Rep

**Employer Main Work Telephone Number**

Youth Rep

**Employer Onsite Office Location**

Youth Rep, North Carolina 27539-5369

**Please briefly describe your job function and core duties,**

Youth Rep

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

I want to join this board because I really care about making decisions that matter—and honestly, I'm excited to get some real leadership experience along the way. As a student, I think it's crucial for young people to actually have a say in the programs and policies that shape our lives. If I get the chance to serve, I'll bring the student perspective to the table, but I'm also looking forward to learning from people who've been doing this longer than I have.

I've got a few strengths I can offer. My classes have sharpened my communication, critical thinking, and problem-solving skills. Working on group projects and getting involved outside the classroom taught me how to work with all kinds of people, listen to different opinions, and keep an open mind—even when things get tough. I'm organized, I stay motivated, and I make sure to follow through on what I start.

On top of that, I know what it's like to be a student right now. I get the pressure of academic expectations, the juggling act of campus activities, and the challenge of balancing school with everything else. These real-life experiences help me understand what my peers need and what they're worried about, and I want to bring that insight to the board's decisions.

In the end, I want to give back to my community and keep growing as a leader. I'm ready to bring energy, curiosity, and a genuine student point of view to the board. I'd be proud to help support its mission.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

The reason why my service on my chosen boards could be beneficial is so I can offer my perspective as a long-term resident, contribute to better decision-making, and as a student, I can help my other board members think critically about decisions.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

One of the most important goals that I wish to achieve during my term is to garner awareness of consumer waste and the importance of reusing, reducing, and reusing products we take for granted. Another issue that I wish to execute is the deforestation epidemic that we are currently facing in Apex. I wish to make further use of the land that we still have and produce multiple urban green spaces out of them. My last concern that I would love to fix is the major water quality degradation that is now prevalent in our communities.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

One of my most recent volunteer experiences that executed is by reading to the seniors of Apex. By understanding our older class, I can further realize the dynamic between our present and future generations.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

I have not served on a governmental board, but I have spent a couple years in student body leadership.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

N/A

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

No, I have not attended meetings in-person, but have rewatched the livestream recordings of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

**Demographic Information**

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**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Female

**Ethnicity**

Black or African American

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

16 to 18

**I have been an Apex resident for**

More than 10 years

**Conflict of Interest Declarations and Disclosures**

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**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

Yes

**If you selected yes, please provide additional details below. If not, please indicate NA.**

My school work and responsibilities

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

N/A

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

Please signing below

A handwritten signature in dark blue ink is written over a thin horizontal line. The signature is highly stylized and cursive, starting with a large, sweeping initial letter that resembles a 'B' or 'M'. The rest of the signature consists of several connected, fluid strokes that are difficult to decipher as specific letters. The ink is a consistent dark blue color.

**Entry #:** 747 - Planning Board

**Status:** Submitted

**Submitted:** 7/15/2025 11:44 AM

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Advisory Boards have been established to increase community input and participation in Town government. Some advisory boards exist to advise and make recommendations on important policy matters to the Apex Mayor and Town Council, while others have regulatory responsibilities that are established by law.

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Applicants seeking appointments to a specific board are strongly urged to attend several meetings of the board prior to completing and submitting an application.

Completed applications are retained in the Office of the Town Clerk until such time that a vacancy occurs or for up to one-year from the application submission date. Please note, your completed application is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

## Profile and General Information

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**Legal Name**

Ramesh Nallavolu

**Pronouns**

**Preferred First Name**

Ramesh

**Spouse/Partner Name (If applicable)**

Vasundhara Nallavolu

**Physical Address**

3401 Writt Ct, New Hill, North Carolina 27562

**Mailing Address**

3401 Writt Ct, New Hill, North Carolina 27562

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

**How did you hear about this opportunity to serve?**

Town Website

## **Professional Experience**

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If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

CWT US LLC

**Current Job Title**

Manager , Test Engineering

**Employer Main Work Telephone Number**

8002137295

**Employer Onsite Office Location**

Minnetonka, Minnesota 55305

**Please briefly describe your job function and core duties,**

I am IT QA Manager, managing team of 8 people for IT functions and quality assurance for Customer, and ERP applications

## **Interest and Civic / Volunteer Experience**

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**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

I am passionate about civic involvement and committed to contributing meaningfully to the town I call home. Having served as an elected Town Meeting Member in Lexington, Massachusetts, I was actively involved in reviewing and voting on zoning changes, land use proposals, and development policies — all of which directly intersect with the responsibilities of a Planning Board. That experience gave me a solid foundation in municipal governance and a deep respect for transparent, inclusive planning processes.

Since relocating to NC in 2022, I have continued serving the public as a commissioned Notary in North Carolina and as a STAR election official for Wake County, ensuring election integrity and citizen trust in democratic systems. These roles have further strengthened my skills in public service, attention to detail, and working respectfully with diverse populations.

I'm drawn to the Planning Board because it plays a critical role in shaping the character and livability of Apex. As the town grows, I want to help ensure that development is thoughtful, balanced, and aligned with long-term community goals. I bring strong listening skills, a collaborative spirit, and a practical understanding of how policy decisions impact residents on the ground. I would be honored to contribute my experience and dedication to help Apex grow in a smart, sustainable way

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

Experience in Local Governance and Zoning Review:

As a former elected Town Meeting Member in Lexington, MA, I participated in deliberations on zoning bylaws, land use, and development proposals. This direct experience equips me with a solid understanding of how planning decisions affect community growth, infrastructure, and residents' quality of life.

Commitment to Civic Engagement and Public Service:

Since moving to Apex, I have continued serving the community as a commissioned Notary Public and as a STAR election official for Wake County. These roles reflect my dedication to civic responsibility, transparency, and trust in public institutions—values I would carry into my work on the Planning Board.

Balanced, Community-Centered Perspective:

I bring a thoughtful, inclusive approach to public service, informed by both my prior civic experience and my passion for community development. I understand the importance of balancing growth with sustainability and neighborhood character, and I am committed to decisions that serve both current and future residents of Apex

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Support Smart, Sustainable Growth:

I would work to ensure that development in Apex aligns with the town's long-term comprehensive plan. This includes encouraging responsible land use, protecting green spaces, and supporting infrastructure that grows with the population — such as transportation, utilities, and public services.

Promote Community Input and Transparency:

I believe public engagement is critical to good planning. I would advocate for increased transparency in decision-making and seek ways to ensure residents, including underrepresented groups, have a voice in shaping Apex's future. Public trust grows when the community feels informed and heard.

Balance Economic Development with Quality of Life:

Apex's appeal comes from its vibrant neighborhoods, schools, and small-town charm. I want to support policies that attract thoughtful commercial and residential development while preserving the character of existing communities and addressing concerns like traffic, affordability, and access to amenities.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

Since moving to Apex, NC, I have actively contributed to the community through my role as a STAR election official with Wake County Board of Elections. In this capacity, I've helped ensure smooth, secure, and transparent voting processes — a vital part of civic life that directly supports Apex/NC residents' participation in local democracy. I've also served as a Notary Public in North Carolina, offering my services to the public, often free of charge, to help residents with important legal and administrative needs.

While these roles may seem behind the scenes, they build the foundation of trust, access, and civic engagement that every community relies on. My presence in these positions has allowed me to meet people from all walks of life in Apex, understand their concerns, and deepen my commitment to serve in broader capacities like the Planning Board

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

I previously served as an elected Town Meeting Member in Lexington, Massachusetts for three years, where I was actively involved in reviewing and voting on town bylaws, budgets, and zoning and land use proposals. This experience gave me a strong foundation in municipal governance and community planning.

Since relocating to North Carolina, I have been volunteering as a STAR election official with Wake County, contributing to the electoral process at the county level

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

No, I have not attended meetings in-person, but have rewatched the livestream recordings of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

**Demographic Information**

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**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

Asian or Pacific Islander

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

46 to 55

**I have been an Apex resident for**

1-3 years

**Conflict of Interest Declarations and Disclosures**

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**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

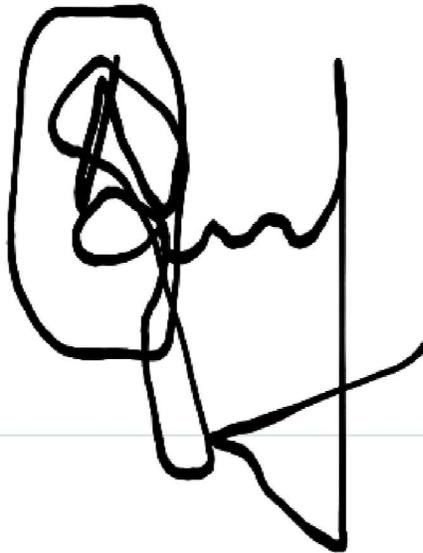
NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a series of loops and a long vertical stroke on the right side. The signature is positioned above a horizontal line.

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

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**Legal Name**

Melissa B Ripper

**Pronouns**

She/Her/Hers

**Preferred First Name**

Melissa

**Spouse/Partner Name (If applicable)**

Ralph Ripper

**Physical Address**

3418 Jordan Shires Dr, New Hill, North Carolina 27562

**Mailing Address**

3418 Jordan Shires Dr, New Hill, North Carolina 27562

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

(919) 362-1844

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Environmental Advisory Board (EAB), Planning Board (PB)

**How did you hear about this opportunity to serve?**

Town Website

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Bachelors Degree

**Current Employer**

Potters Hand Preschool and Living with Autism

**Current Job Title**

Teacher and Advocate

**Employer Main Work Telephone Number**

9193078007

**Employer Onsite Office Location**

New Hill, North Carolina 27562

**Please briefly describe your job function and core duties,**

As an advocate I help those with special needs on every day life skills and independency. I also was a part time employee but now sub for Potters Hand Preschool. Some of my other advocacy work needed more of my attention in recent months. I have 20 yrs of lobbying for autism rights as well.

**Interest and Civic / Volunteer Experience**

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**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

I have lived in Apex and New Hill for 26 years. I have watched the continuous growth and I want to make sure our town makes the right decisions to fit the narrative of the Peak of good Living.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

In the last 10 yrs I have watched Apex explode in growth. I would like to see it make the right decisions to make it still charming, attractive, and functional for all that live here. This is the longest place I've ever lived and some of the growth or applications I have concerns about and want to make sure they are appropriate in our area. I have experience in advocating.

I'm comfortable speaking with the public. And I would love to work along side our council members in the decision process.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Thoughts and decisions are well thought out and researched for our area. I enjoy researching and would like to help in this dept. There are other towns in Wake Cty who have made mistakes with fast growth and I'd like to see us do it intelligently. I want to help with the overall big picture for our community.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

Currently I am a member of the Protect Wake County Coalition which is a volunteer group looking at smart ways the state of NC and Wake County can go about data centers coming into areas and what are the best ways to keep people safe from their health issues, and use of water and utilities. I've had the chance to get to know council well during this time and would hope this would be an asset.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

I graduated for the NC Partners in Policymaking in 2006 connected with the NC Developmental Disabilities Council who learns special needs law and works with the NC General Assembly. I have continued that work since that time. Using those skills to work on House Representative Paul Stam's campaign many yrs ago regarding autism bills in NC. I also worked on Terry MaHaffey's campaign 2 yrs ago as well for Apex.

I also was on the board with North Carolina Autism Society about a decade ago working with the GA on advocacy.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA but would like to attend it

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

**Demographic Information**

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Female

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

46 to 55

**I have been an Apex resident for**

More than 10 years

**Conflict of Interest Declarations and Disclosures**

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

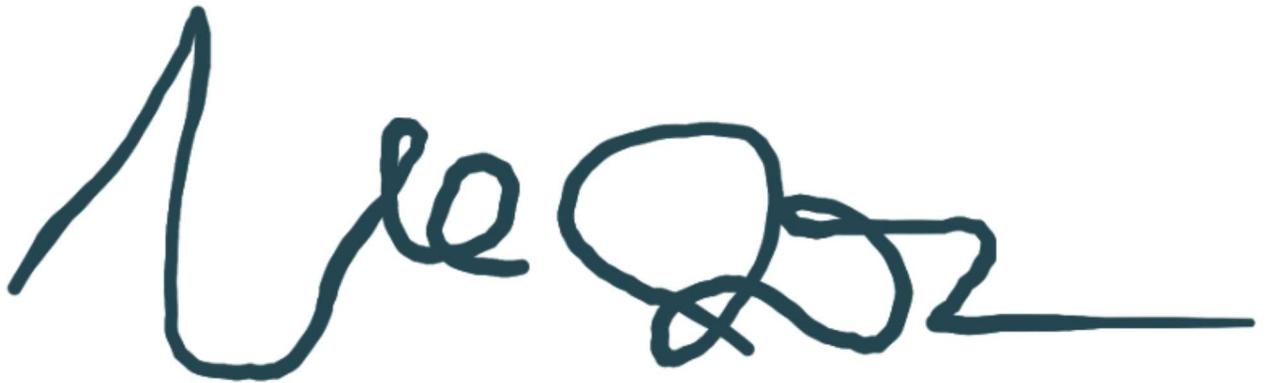
NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

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**Please signing below**

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

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**Legal Name**

Daniel A Valle

**Pronouns**

**Preferred First Name**

**Spouse/Partner Name (If applicable)**

Soolmaz Hosseini

**Physical Address**

2992 Green Tractor Ave, Apex, North Carolina 27502

**Mailing Address**

2992 Green Tractor Ave, Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

(919) 378-1816

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Environmental Advisory Board (EAB), Parks and Recreation Advisory Board (PRAB)

**How did you hear about this opportunity to serve?**

Instagram, Town Website

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Bachelors Degree

**Current Employer**

VÊLA the Cleaning Collective

**Current Job Title**

Chief Marketing Officer

**Employer Main Work Telephone Number**

(919) 446-4855

**Employer Onsite Office Location**

Apex, North Carolina 27502

**Please briefly describe your job function and core duties,**

Oversee marketing for an upstart service-based company in Apex, North Carolina, that involves growth-generating, search engine and website optimization, social media management, innovation and technology, and brand growth.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

Since moving to Apex in late July, I've been struck by how much of our town's identity is tied to its green spaces and how we balance growth with environmental integrity. My interest in serving on the Environmental Advisory Board (EAB) AND the Parks and Recreation Advisory Board (PRAB) comes from a career dedicated to exactly that balance. I spent ten years in South Florida as a conservation leader and educator, where I didn't just study ecology — I lived it through fieldwork, curriculum design, and civic action. I've published peer-reviewed research on endangered species (<https://www.researchgate.net/profile/Daniel-Valle-2>). I've also spent years in the "trenches" of community engagement, from wrangling invasive species with the Florida Fish & Wildlife Conservation Commission (FWC) to leading student project-based learning research at Zoo Miami.

What distinguishes my application is my ability to bridge the gap between technical data and community needs. I'm a "boots-on-the-ground" scientist who is equally comfortable getting dirty performing fieldwork or presenting preservation strategies to County Commissioners in a professional setting. I want to bring that blend of academic rigor and practical, "lived-in" experience to my own community in Apex to ensure our community, parks, and natural resources are managed with both current enjoyment and long-term sustainability in mind.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

1. Evidence-Based Decision Making: With my background in environmental science and data analysis (including qualitative and quantitative fieldwork), I can help the board evaluate projects through a scientific lens, ensuring that initiatives for the Town are backed by sound ecological principles and measurable metrics.
2. Expertise in Educational Outreach: One of Apex's greatest assets is its families. My experience as a Science Department Chair and Magnet Coordinator has taught me how to translate complex environmental issues into engaging, "hands-on" community programs. I can help design outreach that turns our parks into "living classrooms" for Apex youth.
3. Partnership and Resource Management: Throughout my career, I've successfully navigated collaborations between federal agencies (USFWS), state organizations (FWC), and local stakeholders. I know how to find common ground between diverse groups — developers, conservationists, and residents — to move projects forward while protecting our natural heritage.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

1. Enhancing "Citizen Science" in Apex Parks: I'd love to implement a community-led biodiversity tracking initiative using accessible tech like trail cameras or "bio-blitz" apps. This would engage residents in monitoring our local wildlife and provide the Town with valuable data on our ecosystem health.
2. Integrating Sustainable Land Use with Recreation: My goal would be to advise on park designs that utilize native "pollinator gardens" and habitat-sensitive landscaping. We can create spaces that are both beautiful for residents and functional for our local flora and fauna, reducing maintenance costs while increasing biodiversity.
3. Strengthening Youth Environmental Leadership: I hope to create a bridge between our local schools and the Town boards, perhaps through an "Advisory Internship" program where students can assist with environmental assessments or park projects, fostering the next generation of Apex stewards.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

While much of my recent large-scale volunteerism was rooted in Florida — ranging from Python removal to black forest planting initiatives to mangrove cleanups and urban habitat restoration — my arrival in Apex has seen me transition that energy into becoming an observant and active neighbor. My "volunteer" contribution recently has been sharing my expertise through informal community networking and education about local conservation.

Beyond my local neighborhood involvement, I have a long history of high-impact volunteerism, such as participating in International Coastal Cleanups and World Wetland Day events. In Apex, I view my application to these boards as the next step in my volunteer journey: shifting from one-off events to consistent, strategic service. I've spent my life giving my time to "rescue" ecosystems; now, I want to give my time to "shape" the one where my family and I live.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Land Acquisition Selection Committee (LASC), part of the Environmentally Endangered Lands (EEL) Program in Miami-Dade County.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

N/A

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

No, I have not attended meetings in-person, but have rewatched the livestream recordings of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

5 or more hours per month

## Demographic Information

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**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

American Indian/Alaskan Native Aleutian

**Do you rent or own your home?**

I rent my single family home

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

less than 1 year

## Conflict of Interest Declarations and Disclosures

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**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

N/A

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

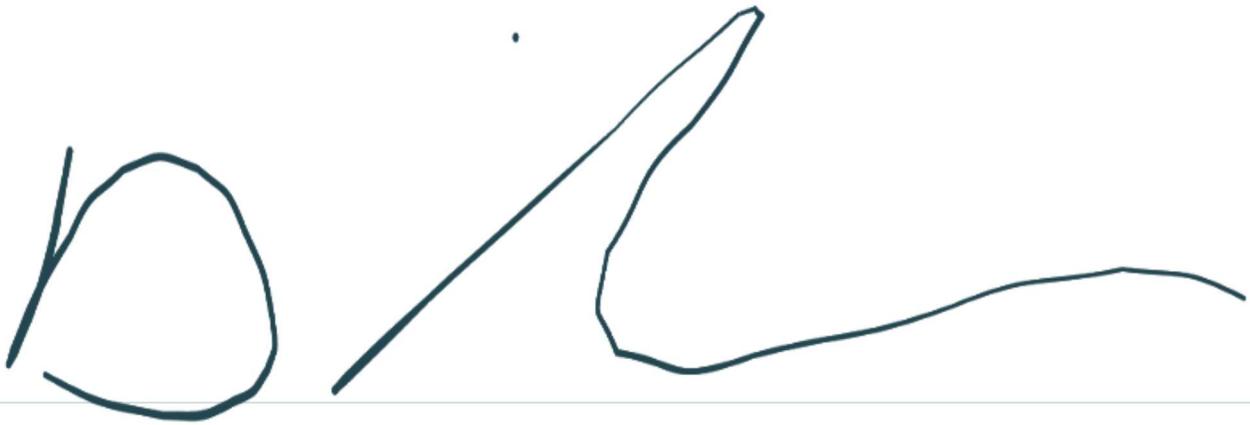
N/A

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

A handwritten signature in blue ink, consisting of a large, stylized 'A' followed by a long, sweeping horizontal stroke that ends in a small upward curve.

Advisory Boards have been established to increase community input and participation in Town government. Some advisory boards exist to advise and make recommendations on important policy matters to the Apex Mayor and Town Council, while others have regulatory responsibilities that are established by law.

Members of advisory boards provide an invaluable service to our Town, and the Town of Apex Mayor and Town Councilmembers appreciate the interest of all residents willing to serve their community through participation on Town advisory boards.

The Apex Mayor and Town Councilmembers are committed to appoint diverse, qualified, and dedicated people to these advisory boards to achieve board membership with people of all ages, interests, and backgrounds. All appointments are taken with great care by the governing body for the Town of Apex. Factors considered in appointments and reappointments include eligibility, civic and political participation, equitable geographic and diversity representation, skill sets, and board attendance.

Applicants seeking appointments to a specific board are strongly urged to attend several meetings of the board prior to completing and submitting an application.

Completed applications are retained in the Office of the Town Clerk until such time that a vacancy occurs or for up to one-year from the application submission date. Please note, your completed application is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

Tianduo Zhang

**Pronouns**

She/Her/Hers

**Preferred First Name**

**Spouse/Partner Name (If applicable)**

Howard Gou

**Physical Address**

1044 Blackpool Ct, Apex, North Carolina 27502

**Mailing Address**

1044 Blackpool Ct., Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Board of Adjustment (BOA), Environmental Advisory Board (EAB)

**How did you hear about this opportunity to serve?**

Friend / Neighbor, Town Employee / Elected Official

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

North Carolina Central University

**Current Job Title**

Assistant Professor in Mass Communication

**Employer Main Work Telephone Number**

9195307200

**Employer Onsite Office Location**

Durham, North Carolina 27502

**Please briefly describe your job function and core duties,**

Teaching. Research. Service

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

I hear that one was having a hard time fill but zoning appeal is so important for the town. I have a doctoral degree and I am pretty comfortable with data and reading complex cases. I am trained in promoting civic discourse and civic engagement through Citizen University.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

I work for a public university so no conflict of interests. I do research for living so I will very carefully review whatever case is at hand and come up with solutions if needed to be. I am very comfortable with data and analysis so my decision would be data driven.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Board of adjustment is a need based board. I don't have an agenda myself.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

Organized my HOA Chelsea Run to complete Town of Apex beautification grant.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Not a board but I worked with Durham Public Health Department securing and delivering a 2 year 2 million dollar federal grant on promoting public health literacy.  
Served as scientist on NC PFAS Test Network (2 years).  
Advice NC HHS on community survey development (one time)

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

No, I have not attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Female

**Ethnicity**

Asian or Pacific Islander

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

4-6 years

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

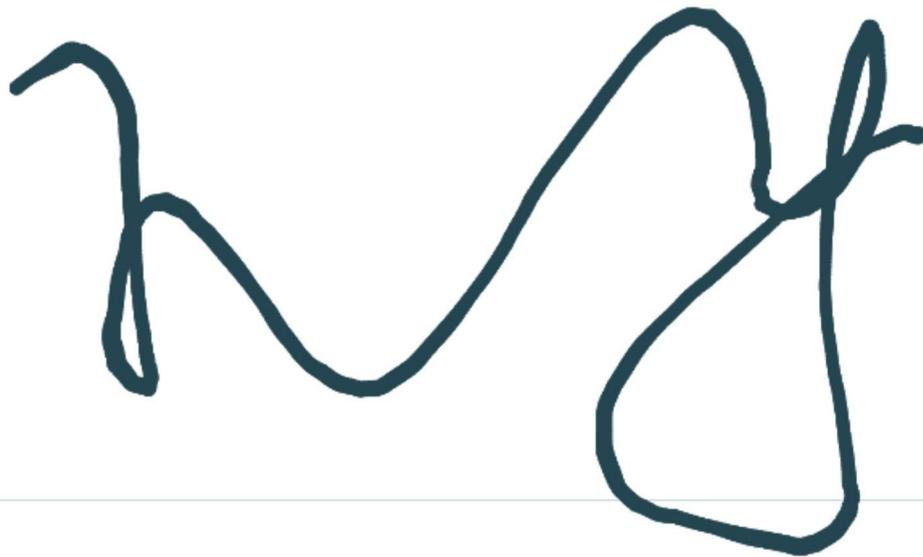
NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

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**Please signing below**

A handwritten signature in dark blue ink, consisting of a series of loops and curves, positioned above a horizontal line.

**TOWN OF APEX**  
**COUNCILMEMBER NOMINATIONS FOR RESIDENT ADVISORY BOARD OPENINGS**  
**OFFICIAL NOMINATION RECORD**

Board(s) Applied	Legal Last Name	Legal First Name	New / Reappoint	Corporate Limits (CL) / ETJ	Alternative Board Interest(s)	Mayor Pro-Tempore Terry Mahaffey	Councilmember Arno Zegerman	Councilmember Ed Gray	Councilmember Shane Reese	Councilmember Sue Mu	TOTAL
BOA	Barnes	Aaron	New	CL	CAAB, EAB, PB	TM	AZ	EG	SR	SM	4
BOA	Gentry	William	New	Neither	N/A	TM	AZ	EG	SR	SM	0
BOA	Gerhard	William	New	CL	EAB, PB	TM	AZ	EG	SR	SM	2
BOA	Hollenbeck	William	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
BOA	Pai	Umesh	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
BOA	Sayers	Michael	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
BOA	Zhang	Tianduo	New	CL	EAB, PB	TM	AZ	EG	SR	SM	1
EAB	Barnes	Aaron	New	CL	BOA, CAAB, PB	TM	AZ	EG	SR	SM	0
EAB	Gerhard	William	New	CL	BOA, PB	TM	AZ	EG	SR	SM	0
EAB	Jensen	Bill	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
EAB	Linson	Makya	New	CL	N/A	TM	AZ	EG	SR	SM	0
EAB	Nallavolu	Ramesh	New	CL	N/A	TM	AZ	EG	SR	SM	2
EAB	Ripper	Melissa	New	CL	PB	TM	AZ	EG	SR	SM	3
EAB	Valle	Daniel	New	CL	N/A	TM	AZ	EG	SR	SM	2
EAB	Zhang	Tianduo	New	CL	BOA, PB	TM	AZ	EG	SR	SM	1
PB	Barnes	Aaron	New	CL	BOA, CAAB, EAB	TM	AZ	EG	SR	SM	0
PB	Byrd	Alyssa	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
PB	Gerhard	William	New	CL	BOA, EAB	TM	AZ	EG	SR	SM	0
PB	Hatcher	Kaitlyn	New	Neither	N/A	TM	AZ	EG	SR	SM	0
PB	Johnson	Avery	New	CL	N/A	TM	AZ	EG	SR	SM	0
PB	Khodaparast	Daniel	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
PB	Nebolisa	Kyrone	New	CL	N/A	TM	AZ	EG	SR	SM	2
PB	Rhodes	Steven	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
PB	Ripper	Melissa	New	CL	N/A	TM	AZ	EG	SR	SM	1
PB	Spanioli	Mark	New	ETJ	MTAB	TM	AZ	EG	SR	SM	3
PB	Yule	Kristy	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
PB	Zhang	Tianduo	New	CL	BOA, EAB	TM	AZ	EG	SR	SM	3

<b>LEGEND</b>	
	Nominations

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: TOWN CLERK'S REPORT

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

### Requested Motion

- A. Motion to reappoint Alyssa Byrd to the Apex Planning Board for a two-year (2) term effective January 1, 2026 through December 31, 2027.
- B. Motion to reappoint Daniel Khodaparast to the Apex Planning Board for a two-year (2) term effective January 1, 2026 through December 31, 2027.
- C. Motion to reappoint Steven Rhodes to the Apex Planning Board for a two-year (2) term effective January 1, 2026 through December 31, 2027.
- D. Motion to reappoint Kristy Yule to the Apex Planning Board for a two-year (2) term effective January 1, 2026 through December 31, 2027.
- E. Motion to transfer Mark Spanioli from the Apex Multimodal Transportation Advisory Board (MTAB) to the Apex Planning Board for a two-year term (restarting) effective April 1, 2026 through March 31, 2028. (Replacing Tim Royal).
- F. Motion to appoint Kyrone Nebolisa to the Apex Planning Board for a two-year (2) term effective April 1, 2026 through March 31, 2028. (Replacing Preston Mitchell).

### Approval Recommended?

Yes

### Item Details

A total of twelve (12) applications were received for appointment consideration, and they are (in alphabetical order by last name):

- **Barnes, Aaron** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Byrd Alyssa** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Gerhard, William** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Hatcher, Kaitlyn** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Johnson, Avery** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position

- **Khodaparast, Daniel** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Nebolisa, Kyrone** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Rhodes, Steven** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Ripper, Melissa** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Spanioli, Mark** - Exterritorial Jurisdiction - Eligible for Voting Over 18 ETJ Representative Position
- **Yule, Kristy** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position
- **Zhang, Tianduo** - Corporate Limits Resident - Eligible for Voting Over 18 Representative Position

The Town of Apex has two statutorily required resident advisory boards which are the Board of Adjustment (BOA) and the Planning Board. The Planning Board is charged with discussing matters related to land use and development. More specifically, the Planning Board is responsible for the following as stated in Section 2.1.2 of the Town's Unified Development Ordinance (UDO):

- Review and make recommendations to approve or disapprove. To review, hear, consider, and make recommendations to the Town Council to approve or disapprove:
  - The adoption of an ordinance to amend the Official Zoning District Map (Rezoning).
  - The adoption of an ordinance to amend the text of this Ordinance (Text amendment).
- Review and make recommendations to approve, approve with conditions, or disapprove. To hear, review, consider, and make recommendations to the Town Council to approve, approve with conditions, or disapprove:
  - The adoption of an ordinance to amend the Official Zoning District Map.
  - The adoption of an ordinance approving a PUD-CZ, SD-CZ, TND-CZ, or MEC-CZ zoning district designation.
- Long range plans. To consider and/or make recommendations to the Town Council to adopt or amend long range plans.
- Make special knowledge and expertise available. To make its special knowledge and expertise available upon written request and authorization of the Town Council to any official, department, board, commission or agency of the Town.
- Studies. To make studies of the resources, possibilities and needs of the Town upon the authorization of the Town Council, and report its findings and recommendations, with reference thereto, to the Town Council.
- Recommendations of recognition of Appearance Awards. To consider and make recommendations on nominees for Residential, Non-Residential, and Tree Appearance Awards to the Town Council.

The Planning Board consist of ten (10) voting members and one non-voting Youth Representative as defined in the Resident Advisory Board Administrative Policy.

Attachments

- TC3-A1: Applicants At A Glance - Planning Board w-applications
- TC3-A2: Nomination Summary by Councilmember - Multiple Boards





"The Peak of Good Living"

OFFICE OF THE TOWN CLERK

TOWN OF APEX NORTH CAROLINA

PLANNING BOARD

APPLICANTS AT A GLANCE

Requested Action(s):

A. Recommendations needed on the Planning Board (PB) for five (5) Regular Positions, serving two (2) year-terms expiring December 3, 2027. The following candidates are eligible for reappointment:

- Byrd, Alyssa – confirmed interest in being reappointed
- Khodaparast, Daniel – confirmed interest in being reappointed
- Rhodes, Steven – confirmed interest in being reappointed
- Royal, Tim – confirmed interest in being reappointed
- Yule, Kristy – confirmed interest in being reappointed

B. Recommendations needed on the Board of Adjustment (BOA) for an Exterritorial Jurisdiction (ETJ) position, serving a two (2) year-term expiring December 31, 2027. The current member, Mr. Tim Royal, has reached the maximum allowable terms and continues to serve until his replacement is named.

APPLICANTS AT A GLANCE – CURRENT

Position #	Applicant(s)	Status	Resident Status	Notes
PB-008	Byrd, Alyssa	Active Current Member	Corporate Limits	Eligible for Reappointment
PB-009	Khodaparast, Daniel	Active Current Member	Corporate Limits	Eligible for Reappointment



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**TOWN OF APEX**  
NORTH CAROLINA

PB-001	Vacant	Active Current Member	Corporate Limits	Preston Mitchell does not wish to be reappointed and his term ended December 2025
PB-006	Rhodes, Steven	Active Current Member	Corporate Limits	Eligible for Reappointment
PB-003	Royal, Tim	Inactive Member	Corporate Limits	Not Eligible for Reappointment
PB-002	Yule, Kristy	Active Current Member	Corporate Limits	Eligible for Reappointment

***APPLICANTS AT A GLANCE – NEW APPLICANTS***

<b>Applicant(s)</b>	<b>Status</b>	<b>Resident Status</b>	<b>Notes</b>
Barnes, Aaron	NEW	Corporate Limits	Eligible for Appointment / currently appointed on CAAB / interested in serving on PB
Gerhard, William	NEW	Corporate Limits	Eligible for Appointment
Hatcher, Kaitlyn	NEW	Neither Corporate Limits or ETJ	Not Eligible for Appointment
Johnson, Avery	NEW	Corporate Limits	Eligible for Appointment
Negolisa, Kyrone	NEW	Corporate Limits	Eligible for Appointment
Ripper, Melissa	NEW	Corporate Limits	Eligible for Appointment



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**OFFICE OF THE TOWN CLERK**

**TOWN OF APEX**  
NORTH CAROLINA

Spanioli, Mark	NEW	<u>ETJ</u>	Eligible for Appointment
Zhang, Tianduo	NEW	Corporate Limits	Eligible for Appointment

# APPLICATIONS

## **ELIGIBLE FOR REAPPOINTMENT**

- Byrd, Alyssa – *Corporate Limits – has not submitted updated application*
- Khodaparast, Daniel – *Corporate Limits*
- Rhodes, Steven – *Corporate Limits*
- Yule, Kristy - *Corporate Limits – last application was submitted August 2025.*

**Entry #:** 794    **Status:** Submitted    **Submitted:** 2/8/2026 10:20 PM

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

Daniel P Khodaparast

**Pronouns**

He/Him/His

**Preferred First Name**

**Spouse/Partner Name (If applicable)**

Kathryn Khodaparast

**Physical Address**

121 Ada Street, Apex, North Carolina 27502

**Mailing Address**

SAME, Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Planning Board (PB)

**How did you hear about this opportunity to serve?**

Facebook, Town Employee / Elected Official, Town Email, Town Website, Currently on Planning Board

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Bachelors Degree

**Current Employer**

Intuit Mailchimp

**Current Job Title**

Senior Site Reliability Engineer

**Employer Main Work Telephone Number**

800-819-1620

**Employer Onsite Office Location**

Atlanta, Georgia 30308

**Please briefly describe your job function and core duties,**

As a Site Reliability Engineer (SRE), I work to ensure that my company's online services stay online and are highly available for our customers 24/7. Rather than just waiting for things to break, I spend time trying to eliminate toil. I automate systems that identify problems and remediate them.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

While I have only lived within the Town of Apex for about 7 years, during that time I have seen increasing change. We are the "Peak of Good Living" and are increasingly a popular place for people to call home. In Justice Heights, where I live, change is ever present with new homes being nestled between those that are generations old. Being a part of the Planning Board allows me to help ensure we are taking into account this diversity. I want to help make an impact maintaining a healthy balance of growth and land use that still supports those that have always called Apex home. There are many residents that need a voice and can be afraid to raise it; I want to help be that voice for their concerns.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

In my professional field, I am trained to use a wide variety of metrics to inform complex decisions, often in high-stress environments. I bring this same analytical and open-minded approach to the Planning Board, ensuring that even the most high-profile or contentious cases are evaluated with a calm, objective focus. By weighing numerous factors and technical data points, I can help the Board reach balanced conclusions that are grounded in logic and long-term stability rather than just the pressure of the moment.

I take my responsibility to the residents of Apex seriously, which is why I go beyond the standard agenda to conduct my own diligent research, including walking neighborhoods to gather direct feedback and minimize personal bias. I want to continue being a voice for residents who may feel hesitant to speak up or navigate the planning process themselves. My goal is to ensure that as we grow, the diverse backgrounds and concerns of all our citizens are authentically represented in every land-use decision we make.

Living in Justice Heights for the past seven years has given me a front-row seat to the growth we are experiencing. My service is beneficial because I am committed to maintaining a healthy balance between necessary growth and the preservation of our existing neighborhoods. I understand that planning decisions go far beyond what is written on paper; they carry deep personal and cultural meaning. I strive to ensure that Apex's evolution respects the history of those who have always called this town home.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Living in Justice Heights, I see firsthand the delicate balance between new construction and legacy homes that have been in families for generations. My first goal is to champion "sensitive infill" that allows for modernization and growth without displacing long-time residents in our established neighborhoods. I want to ensure that our land-use decisions provide clear transitions between different densities, protecting the heritage of Apex while welcoming the diversity that new housing options bring.

Secondly, I think there are ways we can make the planning process more digestible/approachable for everyone. Not just those who are comfortable speaking at the podium. I would like to work with staff to identify outreach initiatives that meet residents where they are. To be more specific, targeting residents in underrepresented areas who may feel intimidated by the technical nature of the UDO.

Finally, really my main goal is to just be present. The decisions that we make in the Planning Board are not inconsequential. They can have a rippling effect on residents and businesses for decades. It is important that I show up and demonstrate my commitment each month, making level headed decisions based on the information we are given.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

Recently I applied for a Neighborhood Beautification Grant through the Town's Community Development & Neighborhood Connections department. I won a grant and have been working with my neighborhood to come together over the past year to improve upon our public space. Justice Heights is becoming more closely knit and we now have many positive relationships with non-profit partners including Habitat for Humanity and We Plant it Forward. Neighbors have come together to do their part and bond.

We also have a revived newsletter now, helping us stay connected:

<http://justiceheights.org/>

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Town of Apex Planning Board, Peak Plan Task Force

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities associated with the board.

**Are you a Peak Academy Graduate?**

Yes

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

2024

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

5 or more hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

7-10 years

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

*Daniel Khodaparast*

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

Steven A Rhodes

**Pronouns**

He/Him/His

**Preferred First Name**

Steven

**Spouse/Partner Name (If applicable)**

Amanda

**Physical Address**

107 Downing Pl, Apex, North Carolina 27502

**Mailing Address**

107 Downing Pl, Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Planning Board (PB)

**How did you hear about this opportunity to serve?**

Town Email

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

Enbridge

**Current Job Title**

Director of Sales

**Employer Main Work Telephone Number**

1-877-776-2427

**Employer Onsite Office Location**

Cary, North Carolina 27513

**Please briefly describe your job function and core duties,**

Manage growth and marketing programs for NC.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

Reapplying based on previous Planning Board experience.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

Extensive energy background.

Managed large utility projects.

Long time resident that truly cares about Apex.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Best Support the Town Staff and Residents.

Remain actively engaged.

Listen.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

Apex HS FFA Alumni Board

Fairmont UMC - summer work team

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Raleigh Edge 7

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

46 to 55

**I have been an Apex resident for**

More than 10 years

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

*Steven A Rhodes*

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# APPLICATIONS

## ELGIBLE FOR APPOINTMENT

- Barnes, Aaron – *Corporate Limits*
- Gerhard, William – *Corporate Limits*
- Hatcher, Kaitlyn – *Neither Corporate Limits or ETJ*
- Johnson, Avery - *Corporate Limits*
- Negolisak, Kyrone - *Corporate Limits*
- Ripper, Melissa - *Corporate Limits*
- Spanioli, Mark – *ETJ*
- Zhang, Tianduo – *Corporate Limits*

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

Aaron G Barnes

**Pronouns**

He/Him/His

**Preferred First Name**

Aaron

**Spouse/Partner Name (If applicable)**

Edwin Musgrave

**Physical Address**

578 Chessie Sta, Apex, North Carolina 27502

**Mailing Address**

578 Chessie Station, Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Board of Adjustment (BOA), Environmental Advisory Board (EAB), Planning Board (PB)

**How did you hear about this opportunity to serve?**

Town Employee / Elected Official

**Professional Experience**

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If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

Terra & Twine Handcrafted, LLC

**Current Job Title**

Co-Founder & Creative Director

**Employer Main Work Telephone Number**

984-386-1411

**Employer Onsite Office Location**

Apex, North Carolina 27502

**Please briefly describe your job function and core duties,**

I am the Co-Founder and Creative Director of Terra & Twine Handcrafted, LLC, a small, Apex-based business focused on nature-inspired goods, sustainable materials, and community-centered retail. My role spans strategic planning, operations, compliance, branding, public engagement, and vendor coordination.

In parallel, I work as a senior communications and strategy consultant, advising organizations on stakeholder engagement, public messaging, risk mitigation, and long-range planning. My background includes leadership roles in government, international organizations, and defense, where I managed complex programs, coordinated cross-functional teams, and translated policy into actionable execution.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

My interest in serving on the Environmental Advisory Board, Planning Board, or Board of Adjustment is rooted in my commitment to thoughtful growth, stewardship, and transparent decision-making in Apex. As a current member of the Culture and Arts Advisory Board, I have seen firsthand how advisory bodies can meaningfully shape policy, public trust, and long-term outcomes when they are well-prepared, collaborative, and grounded in community realities.

Professionally, I bring experience operating at the intersection of policy, planning, and public impact — evaluating tradeoffs, assessing second- and third-order effects, and balancing technical requirements with human outcomes. Personally, as a resident, small business owner, and active civic participant, I care deeply about ensuring Apex continues to grow in a way that is environmentally responsible, well-planned, and fair to residents, businesses, and future generations.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

1. Systems-level perspective: My background in strategic planning and regulatory environments allows me to evaluate proposals holistically — considering environmental impact, land use, infrastructure strain, community character, and long-term sustainability rather than isolated outcomes.
2. Proven advisory board experience: Through my service on CAAB, I understand board responsibilities, public-records requirements, meeting discipline, and how to translate community input into clear recommendations for Council and staff.
3. Clear, accountable communication: I am skilled at asking precise questions, documenting rationale, and communicating decisions in a way that builds public confidence, even when outcomes are complex or contentious.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

1. Strengthen clarity and consistency in decision-making: Support processes that ensure recommendations are well-documented, precedent-aware, and understandable to residents.
2. Balance growth with stewardship: Advocate for approaches that protect environmental resources, neighborhood integrity, and infrastructure capacity while recognizing Apex’s growth realities.
3. Improve community understanding and trust: Help demystify board processes and decisions so residents feel informed, heard, and respected even when outcomes are not unanimous.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

I currently serve on the Town of Apex Culture and Arts Advisory Board, where I have contributed to initiatives focused on public engagement, digital presence, and community visibility for arts and cultural programming. This includes supporting clearer communication between the board, Town staff, and residents, and helping frame arts initiatives as part of Apex’s broader quality-of-life and economic ecosystem.

Outside of formal board service, I regularly engage with local events, small businesses, and community organizations, and operate an Apex-based business that participates in local markets and civic life. These roles give me consistent, on-the-ground insight into how Town decisions affect residents, entrepreneurs, and neighborhoods.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Culture and Arts Advisory Board (Town of Apex) — Current member since October 2025

In prior professional roles, I have supported and advised governmental and intergovernmental bodies in planning, policy development, and oversight capacities, including work with municipal partners and international public institutions.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

5 or more hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

Two or more

**Do you rent or own your home?**

I own my townhome

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

7-10 years

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

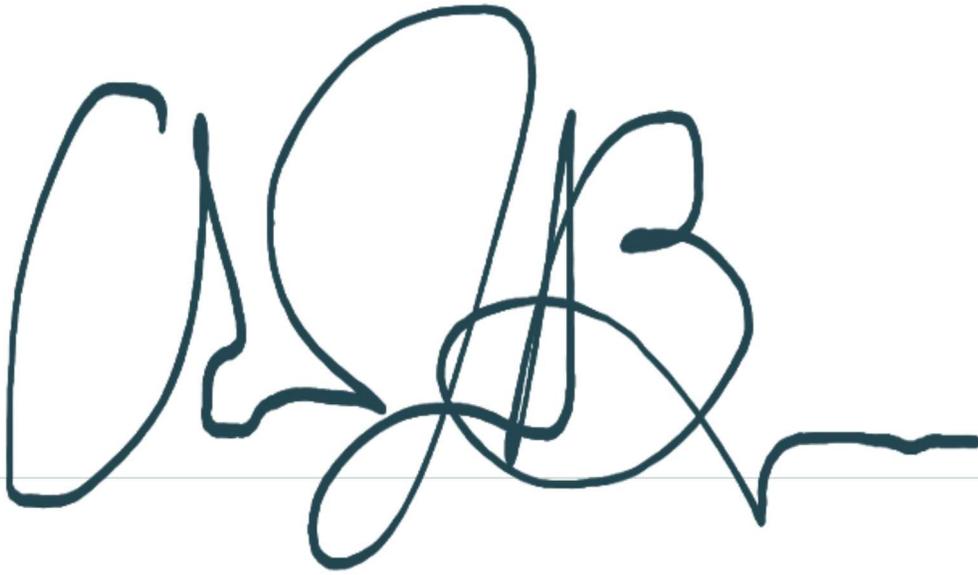
NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

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Please signing below



A handwritten signature in blue ink, consisting of several large, overlapping loops and a long horizontal stroke at the end, positioned above a thin horizontal line.

**Entry #:** 780    **Status:** Submitted    **Submitted:** 10/27/2025 10:07 PM

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

William Gerhard

**Pronouns**

He/Him/His

**Preferred First Name**

Billy

**Spouse/Partner Name (If applicable)**

Alexa Waters

**Physical Address**

2076 Toad Hollow Trl, Apex, North Carolina 27502

**Mailing Address**

SAME, SAME, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Board of Adjustment (BOA), Environmental Advisory Board (EAB), Multimodal Transportation Advisory Board (MTAB), Planning Board (PB)

**How did you hear about this opportunity to serve?**

Town Website

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

Three Ships

**Current Job Title**

Chief Technology Officer

**Employer Main Work Telephone Number**

7043157960

**Employer Onsite Office Location**

Raleigh, North Carolina 27605

**Please briefly describe your job function and core duties,**

As Chief Technology Officer at Three Ships, I lead the company's technology, data, and analytics strategy across a portfolio of digital marketing and consumer services businesses. My core duties include overseeing software development, data infrastructure, and AI initiatives that improve efficiency and decision-making. I work closely with business and operations leaders to design and implement technology solutions that drive growth, transparency, and better customer experiences.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

Apex has been an incredible place for my family, and I'm eager to give back by contributing to the town's continued growth and success. I've built my career at the intersection of technology, data science, and organizational leadership, and I believe those skills can add real value to the board's work.

As the Chief Technology Officer of a North Carolina-based company, I lead cross-functional teams that design and implement data systems used to make complex decisions more transparent and efficient. My work often involves translating technical insights into practical, people-centered policies -- an approach I believe mirrors the kind of thoughtful governance that helps a town like Apex thrive.

I'm particularly passionate about using data and technology to improve service delivery, enhance transparency, and support long-term planning grounded in evidence rather than opinion. I see public service as an opportunity to apply that same analytical rigor and collaborative spirit in a way that benefits the community I call home.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

Data-Driven Decision Making:

I bring extensive experience using analytics and technology to inform strategic decisions. I can help the Town use data more effectively to evaluate policies, optimize resource allocation, and measure outcomes—ensuring decisions are transparent, evidence-based, and grounded in long-term impact.

Technical and Operational Expertise:

As a Chief Technology Officer leading interdisciplinary teams across software, data science, and process design, I have firsthand experience managing complex systems and translating technical insights into practical action. I can contribute to modernizing how the Town approaches digital transformation, cybersecurity, and citizen services.

Collaborative and Community-Oriented Leadership:

My professional success has depended on building cross-functional alignment among people with diverse perspectives. I value respectful debate, clear communication, and finding common ground—skills that are essential for effective public service. My goal is to apply that same collaborative mindset to help Apex grow in a way that balances innovation with preserving the character that makes it special.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Use Data to Strengthen Decision-Making and Transparency:

I would like to help the Town of Apex make more informed decisions by using data and technology to track performance, measure impact, and communicate outcomes clearly to residents. By establishing simple, transparent dashboards or periodic reporting frameworks, we can ensure that policy and resource decisions are grounded in evidence and understood by the community.

Promote Smart, Sustainable Growth:

Apex is growing rapidly, and I want to support initiatives that balance development with livability -- focusing on traffic management, infrastructure planning, and maintaining the town's unique character. My goal would be to help apply analytical tools and scenario modeling to anticipate long-term needs and ensure our growth remains responsible and financially sound.

Advance Digital Efficiency and Citizen Engagement:

I would like to help modernize how the Town communicates and delivers services -- making it easier for residents to access information, provide feedback, and engage with local government. Drawing from my background in building digital systems and automation tools, I'd focus on practical ways to streamline internal workflows and improve the resident experience.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

While I haven't recently volunteered within the Town of Apex, I've long believed in the importance of community-driven service. During my undergraduate studies, I volunteered for hundreds of hours to establish the first water quality monitoring program in the Galápagos Islands. That initiative -- still active more than a decade later -- provides ongoing testing to ensure clean drinking water for both residents and visitors. The experience taught me how data, collaboration, and local partnerships can create sustainable, real-world impact, and it continues to shape how I think about community problem-solving and long-term stewardship here in Apex.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

NA

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

No, I have not attended meetings in-person, but have rewatched the livestream recordings of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Male

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

1-3 years

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

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**Please signing below**

A handwritten signature in blue ink, appearing to be 'B. W. [unclear]', written on a white background. The signature is fluid and cursive, with a large loop at the end.

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

Kaitlyn M Hatcher

**Pronouns**

**Preferred First Name**

**Spouse/Partner Name (If applicable)**

**Physical Address**

3712 Mason Rd, New Hill, North Carolina 27562

**Mailing Address**

SAME, New Hill, North Carolina 27562

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Planning Board (PB)

**How did you hear about this opportunity to serve?**

Friend / Neighbor, Facebook

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

Wake County HHS

**Current Job Title**

Nutritionist

**Employer Main Work Telephone Number**

(919) 212-7000

**Employer Onsite Office Location**

Raleigh, North Carolina 27610

**Please briefly describe your job function and core duties,**

As a WIC Nutritionist, I provide nutrition education, counseling, and assessment services to women, infants, and children enrolled in the WIC program. This role supports healthy pregnancies, growth, and development through individualized care, group education, and coordination with healthcare and community partners.

My core duties include: conducting nutrition assessments, providing individualized nutrition counseling and breastfeeding support, developing and delivering nutrition education materials and classes, monitoring participant progress and maintaining accurate documentation and collaborating with healthcare providers and community agencies.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

My interest in serving on this board is deeply rooted in my love for and long-standing connection to this community. My family has lived in this area for generations, beginning with the establishment of our homestead in the late 1800s in what is now Harris Lake Park. When that land was taken for the creation of the park and lake, my family resettled in New Hill. Generations later, I remain here, committed to preserving the character and charm of the ETJ while supporting thoughtful and responsible growth.

Over the years, our community has experienced significant infrastructure changes, including high-voltage power lines, sewage and gas lines, and water treatment facilities running through or near our homes. Most recently, the proposed data center has reinforced for me how critical it is for residents to stay informed and engaged in planning and development decisions. These experiences have shaped my perspective and strengthened my desire to contribute meaningfully to decisions that will impact both current residents and future generations.

Professionally, I bring a strong background in public health and community service. I hold a master's degree in nutrition with a focus on public health and previously served as the WIC Director at CommWell Health from February 2019 through January 2023. In that role, I was actively involved in community outreach, including work with migrant workers and their families. I currently serve as a Nutritionist with Wake County Health and Human Services, where I continue to work at the intersection of public health, community needs, and systems-level planning.

My professional and lived experiences have strengthened my skills in collaboration, strategic thinking, and cultural competence. I am accustomed to working with diverse stakeholders and approaching complex issues with a balanced, community-centered lens. I would bring to this board both a deep personal investment in this area and a thoughtful, informed approach to decision-making, with the goal of ensuring growth that is responsible, inclusive, and respectful of our community's history.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

1. Multigenerational perspective and commitment to responsible growth

As a multigenerational resident of the ETJ, I bring a long-term perspective shaped by both family history and lived experience. My family's roots date back to the late 1800s in what is now Harris Lake Park, with later resettlement in New Hill. Having witnessed major infrastructure projects and ongoing development pressures firsthand, I understand the lasting impact planning decisions have on residents. This perspective allows me to support growth that is thoughtful, transparent, and respectful of community character.

2. Public health expertise and community-focused decision-making

I hold a master's degree in nutrition with a public health focus and have extensive experience working in community-based and government health settings. As former WIC Director at CommWell Health and a current Nutritionist with Wake County Health and Human Services, I bring a people-centered lens to policy and planning discussions, with attention to how decisions affect health, access to resources, and overall quality of life in Apex.

3. Collaborative, strategic, and culturally competent approach

My professional background has strengthened my skills in collaboration, strategic thinking, and cultural competence. Through leadership roles and community outreach—particularly with migrant workers and their families—I am experienced in working with diverse stakeholders and navigating complex issues. I would contribute a balanced, inclusive, and solution-oriented voice that supports informed and community-responsive outcomes for the Town of Apex.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

1. Promote responsible, transparent growth that reflects community input

One of my primary goals would be to support development decisions that balance growth with preservation of community character, particularly within the ETJ. I hope to encourage transparent processes, clear communication, and meaningful opportunities for resident engagement so that planning decisions reflect both long-term impacts and community priorities.

2. Incorporate public health and quality-of-life considerations into planning decisions

Drawing on my public health background, I would work to ensure that planning and policy discussions consider impacts on health, environmental quality, and access to resources. This includes thoughtful consideration of infrastructure, environmental exposures, and how development affects families, vulnerable populations, and overall quality of life in the Town of Apex.

3. Strengthen collaboration and trust between the Town and the community

I would aim to help strengthen relationships between residents, board members, and Town staff by fostering respectful dialogue and collaboration. By bringing a culturally competent, community-centered perspective, I hope to help bridge gaps between technical planning processes and lived community experiences, supporting decisions that are informed, inclusive, and sustainable.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

My recent volunteer experience has focused on community outreach and service to vulnerable populations within Wake County, including residents of the Town of Apex and surrounding areas. Through my professional and volunteer involvement in nutrition and public health initiatives, I have supported families by providing nutrition education, connecting individuals to resources, and helping address food access and health-related needs. These volunteer experiences have reinforced my commitment to community service, collaboration, and civic engagement. They have also deepened my understanding of the diverse needs within Apex, allowing me to contribute a thoughtful, informed, and community-centered perspective to initiatives that support the town's overall health and quality of life.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

I have not previously served on a governmental board. However, my professional roles within public health have required regular collaboration with local and county government agencies, participation in cross-sector initiatives, and engagement in community planning and outreach efforts. These experiences have provided me with a strong understanding of public-sector processes, accountability, and collaborative decision-making, and have prepared me to contribute effectively in a board setting.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

No

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

Yes

**Gender**

Female

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I rent my single family home

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

More than 10 years

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

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Please signing below

Kaitlyn Thomas

---

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## Profile and General Information

---

**Legal Name**

Avery Johnson

**Pronouns**

She/Her/Hers

**Preferred First Name**

Avery

**Spouse/Partner Name (If applicable)**

Antonio Johnson

**Physical Address**

1812 Kelly Glen Drive, Apex, North Carolina 27502

**Mailing Address**

1812 Kelly Glen Drive, Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Planning Board (PB)

**How did you hear about this opportunity to serve?**

Town Employee / Elected Official, Town Email

**Professional Experience**

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If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

NC State Bureau of Investigation - Retired (Part-time)

**Current Job Title**

Procurement/Contract Specialist

**Employer Main Work Telephone Number**

919-582-8554

**Employer Onsite Office Location**

Raleigh, North Carolina 27502

**Please briefly describe your job function and core duties,**

Assist with developing and managing contracts ranging from medium to high complexity which includes drafting, reviewing and negotiating contracts. Assist in the development of IFBs, RFQs, RFPs, and MOUs. Ensuring all contracts comply with state laws, agency policies, and applicable federal regulations. Assist business and technical owners from all functional areas in the selection of vendors and documentation of vendor obligations consistent with requirements. Work within the framework of purchasing, contracting and legal strategies, law, administrative regulations and policies and procedures. Guide and assist internal customers through the entire decision-making process and contracting experience. Work with the end-user to obtain and prepare solicitations for competitive bidding. Enter requisition into NC Procurement System for the procurement of goods and services.

**Interest and Civic / Volunteer Experience**

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**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

My interest in serving on this board is to provide my educational and work experience to the Board as it relates to planning the contracts and procurement for the Town of Apex. I bring 30+ years of experience with state and federal procurement/contracts. I believe it is important to ensure that TOA receives the services and goods in which has been procured and uphold Vendor(s) to the terms of all contractual agreements.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

1. Thirty plus year of experience.
2. Dedication and Team Player.
3. Provide excellent customer service

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

1. Bring collaboration.
2. Continue to provide transparency.
3. Ensure planning made is conducive for all.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

I have volunteered with the Transitional Assistance and Hospice House and had patients at the Cambridge Senior Living in Apex.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

No governmental boards, only service on community boards.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

No, I have not attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

5 or more hours per month

## Demographic Information

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**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

Yes

**Gender**

Female

**Ethnicity**

Two or more

**Do you rent or own your home?**

I own my townhome

**My age range is (please select one):**

Over 55

**I have been an Apex resident for**

More than 10 years

## Conflict of Interest Declarations and Disclosures

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**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

N/A

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

Yes

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

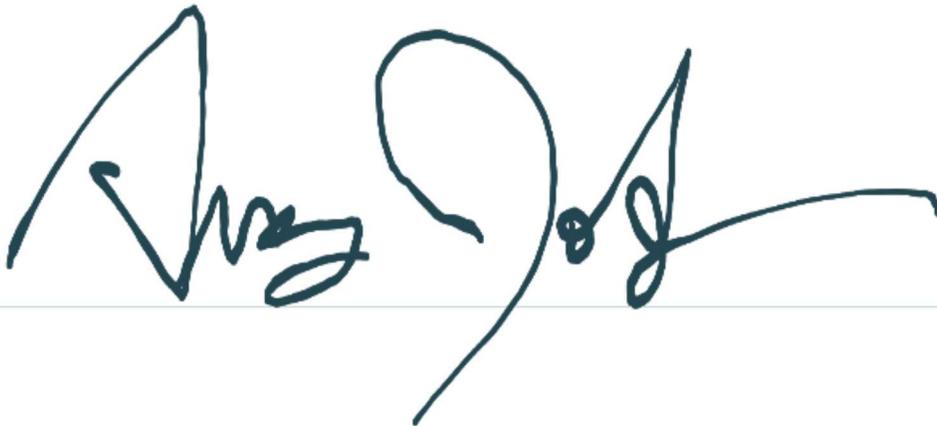
Antonio Johnson

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

A handwritten signature in black ink, appearing to read 'Antonio Johnson', written over a horizontal line.

**Entry #:** 784    **Status:** Submitted    **Submitted:** 12/29/2025 9:22 PM

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Advisory Boards have been established to increase community input and participation in Town government. Some advisory boards exist to advise and make recommendations on important policy matters to the Apex Mayor and Town Council, while others have regulatory responsibilities that are established by law.

Members of advisory boards provide an invaluable service to our Town, and the Town of Apex Mayor and Town Councilmembers appreciate the interest of all residents willing to serve their community through participation on Town advisory boards.

The Apex Mayor and Town Councilmembers are committed to appoint diverse, qualified, and dedicated people to these advisory boards to achieve board membership with people of all ages, interests, and backgrounds. All appointments are taken with great care by the governing body for the Town of Apex. Factors considered in appointments and reappointments include eligibility, civic and political participation, equitable geographic and diversity representation, skill sets, and board attendance.

Applicants seeking appointments to a specific board are strongly urged to attend several meetings of the board prior to completing and submitting an application.

Completed applications are retained in the Office of the Town Clerk until such time that a vacancy occurs or for up to one-year from the application submission date. Please note, your completed application is subject to public inspection upon request.

[Learn more](#) about each of the committees listed below.

## Profile and General Information

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**Legal Name**

Kyrone C Nebolisa

**Pronouns**

He/Him/His

**Preferred First Name**

Kyrone

**Spouse/Partner Name (If applicable)**

Chinyere Nebolisa

**Physical Address**

2861 Jordan Pointe Blvd, New Hill, North Carolina 27562

**Mailing Address**

2861 Jordan Pointe Blvd, New Hill, North Carolina 27562

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Planning Board (PB)

**How did you hear about this opportunity to serve?**

Town Employee / Elected Official

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

Johnson & Johnson

**Current Job Title**

QA Specialist, CSV

**Employer Main Work Telephone Number**

866-565-2873

**Employer Onsite Office Location**

Wilson, North Carolina 27894

**Please briefly describe your job function and core duties,**

I currently work at Johnson and Johnson as a Quality Assurance specialist in computer systems validation. In my role I ensure that all of the automation systems that will control our process of making oncology medicines meets FDA and site quality standard to help ensure that patients receive the highest quality product.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

I am interested in serving on the Apex Planning Board because I care deeply about how our community grows and want to contribute my skills and experience to support thoughtful, balanced decision-making. As a QA Specialist in computer system validation, I am trained to evaluate complex information, weigh risk, follow regulations, and document decisions clearly and objectively. I believe these strengths translate well to reviewing plans, ordinances, and development proposals that will shape Apex's long-term future.

Over the past five years living in Apex/New Hill, I have become increasingly invested in the town's success, particularly through my volunteer work as an ambassador with the Apex Chamber of Commerce and my service on the board of Launch Apex. These roles have given me direct exposure to the needs and challenges of small businesses, as well as the importance of fostering an environment where entrepreneurs can thrive. As a small business owner and homeowner myself, I understand the need to balance economic growth with preserving quality of life, ensuring housing remains attainable, and maintaining the character that makes Apex attractive. I am especially interested in smart growth, support for small businesses, and affordable housing, and I would approach Planning Board responsibilities with a data-informed, community-minded, and collaborative mindset.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

1. Analytical and compliance-focused skill set

As a QA Specialist in computer system validation, I am accustomed to reviewing complex information, assessing risk, and ensuring alignment with regulations and standards. This experience would help me carefully evaluate development proposals and planning policies, ask detailed and relevant questions, and support decisions that are consistent, well-documented, and in the long-term best interest of the town.

2. Small business and economic development perspective

Through my work as an ambassador with the Apex Chamber of Commerce and my service on the Launch Apex board, I have regular interaction with small business owners and entrepreneurs. I understand the challenges they face related to location, zoning, costs, and access to customers. I can bring this perspective to the Planning Board to help ensure that our land use decisions support a healthy small business environment while still protecting residential quality of life.

3. Commitment to balanced, community-centered growth

As a five-year resident of Apex/New Hill, a homeowner, and a small business owner, I am directly impacted by decisions around growth, housing, and infrastructure. I care about promoting smart growth that preserves the character of Apex, improves affordability, and supports connectivity and livability. I would be a consistent advocate for balancing economic development with thoughtful planning, transparency, and consideration of how decisions affect both current residents and future generations.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

1. Support smart, well-planned growth that aligns with Apex's long-term vision

I would work to ensure that new development is consistent with the Comprehensive Plan and small area plans, with particular attention to impacts on traffic, infrastructure, and existing neighborhoods. My goal would be to prioritize projects that enhance connectivity, preserve community character, and make efficient use of land and public resources.

2. Strengthen support for small businesses through land use and zoning decisions

Drawing on my experience with the Apex Chamber of Commerce and Launch Apex, I would aim to highlight how zoning, site design, and mixed-use development can either help or hinder small businesses. I would work to encourage development patterns that create walkable, active commercial areas and provide opportunities for locally owned businesses to succeed.

3. Promote a more diverse and attainable housing mix

I would advocate for planning and zoning decisions that create a broader range of housing types and price points, consistent with town policies. This includes supporting thoughtfully located higher-density and mixed-use projects, where appropriate, and encouraging tools that help maintain affordability while still respecting neighborhood context and quality of life.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

My most recent volunteer experience has been through the Apex Chamber of Commerce, where I have served as an ambassador, and as a board member for Launch Apex. As a Chamber ambassador, I help welcome and connect businesses, attend events, and support outreach efforts that strengthen relationships between local businesses and the community. This contributes to a stronger small business ecosystem and a more vibrant local economy. Through Launch Apex, I work with an entrepreneurial support program that provides mentoring, networking, and resources to new and growing small businesses. By supporting these entrepreneurs, I help create opportunities for job growth, innovation, and local investment in Apex. Together, these roles have allowed me to positively contribute to the town's economic vitality and sense of community.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

I have not yet served on a governmental board. My experience to date has been in community and economic development roles, including serving as an ambassador with the Apex Chamber of Commerce and as a board member for Launch Apex. I see the Planning Board as an opportunity to bring this perspective into formal public service and to apply my professional skills and community experience in a more structured, policy-focused manner.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

N/A

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

No, I have not attended meetings in-person, but have rewatched the livestream recordings of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

5 or more hours per month

**Demographic Information**

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**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

Yes

**Gender**

Male

**Ethnicity**

Black or African American

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

4-6 years

**Conflict of Interest Declarations and Disclosures**

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

N/A

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

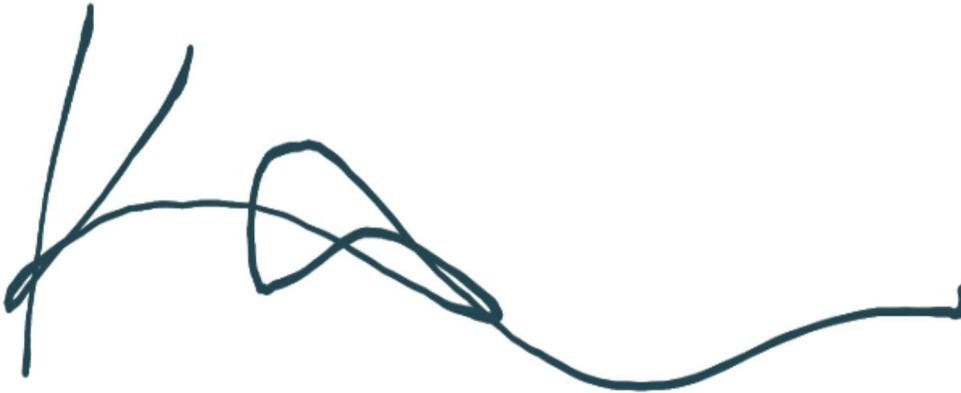
N/A

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

A handwritten signature in dark blue ink, consisting of several loops and a long horizontal stroke at the end.

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

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**Legal Name**

Melissa B Ripper

**Pronouns**

She/Her/Hers

**Preferred First Name**

Melissa

**Spouse/Partner Name (If applicable)**

Ralph Ripper

**Phyiscal Address**

3418 Jordan Shires Dr, New Hill, North Carolina 27562

**Mailing Address**

3418 Jordan Shires Dr, New Hill, North Carolina 27562

**Mobile Phone**

**Alternate Phone  
(work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Environmental Advisory Board (EAB), Planning Board (PB)

**How did you hear about this opportunity to serve?**

Town Website

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Bachelors Degree

**Current Employer**

Potters Hand Preschool and Living with Autism

**Current Job Title**

Teacher and Advocate

**Employer Main Work Telephone Number**

9193078007

**Employer Onsite Office Location**

New Hill, North Carolina 27562

**Please briefly describe your job function and core duties,**

As an advocate I help those with special needs on every day life skills and independency. I also was a part time employee but now sub for Potters Hand Preschool. Some of my other advocacy work needed more of my attention in recent months. I have 20 yrs of lobbying for autism rights as well.

**Interest and Civic / Volunteer Experience**

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**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

I have lived in Apex and New Hill for 26 years. I have watched the continuous growth and I want to make sure our town makes the right decisions to fit the narrative of the Peak of good Living.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

In the last 10 yrs I have watched Apex explode in growth. I would like to see it make the right decisions to make it still charming, attractive, and functional for all that live here. This is the longest place I've ever lived and some of the growth or applications I have concerns about and want to make sure they are appropriate in our area. I have experience in advocating.

I'm comfortable speaking with the public. And I would love to work along side our council members in the decision process.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Thoughts and decisions are well thought out and researched for our area. I enjoy researching and would like to help in this dept. There are other towns in Wake Cty who have made mistakes with fast growth and I'd like to see us do it intelligently. I want to help with the overall big picture for our community.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

Currently I am a member of the Protect Wake County Coalition which is a volunteer group looking at smart ways the state of NC and Wake County can go about data centers coming into areas and what are the best ways to keep people safe from their health issues, and use of water and utilities. I've had the chance to get to know council well during this time and would hope this would be an asset.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

I graduated for the NC Partners in Policymaking in 2006 connected with the NC Developmental Disabilities Council who learns special needs law and works with the NC General Assembly. I have continued that work since that time. Using those skills to work on House Representative Paul Stam's campaign many yrs ago regarding autism bills in NC. I also worked on Terry MaHaffey's campaign 2 yrs ago as well for Apex.

I also was on the board with North Carolina Autism Society about a decade ago working with the GA on advocacy.

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA but would like to attend it

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

**Demographic Information**

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Female

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

46 to 55

**I have been an Apex resident for**

More than 10 years

**Conflict of Interest Declarations and Disclosures**

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

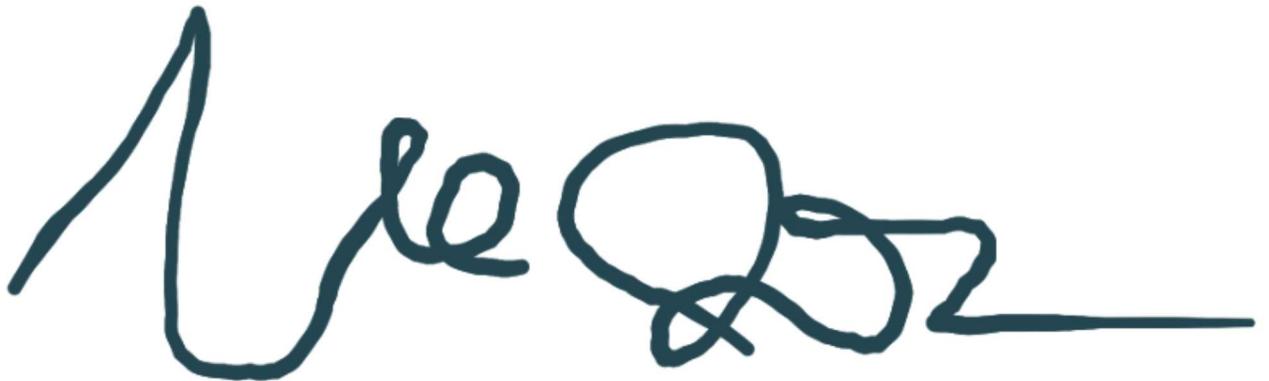
NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

A handwritten signature in dark blue ink, consisting of a large, stylized initial 'N' followed by a series of loops and a horizontal line extending to the right.

**Entry #:** 799    **Status:** Submitted    **Submitted:** 2/24/2026 1:58 PM

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

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**Legal Name**

Mark Spanioli

**Pronouns**

**Preferred First Name**

Mark

**Spouse/Partner Name (If applicable)**

Laura Spanioli

**Physical Address**

2908 Timpani Trl, Apex, North Carolina 27539

**Mailing Address**

2908 Timpani Trl, Apex, North Carolina 27539

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Planning Board (PB)

**How did you hear about this opportunity to serve?**

Mayor Gilbert

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Bachelors Degree

**Current Employer**

Town of Morrisville

**Current Job Title**

Director of Engineering

**Employer Main Work Telephone Number**

9194636193

**Employer Onsite Office Location**

Morrisville, North Carolina 27560

**Please briefly describe your job function and core duties,**

Engineering department head in charge of development services, capital projects and stormwater administration for the Town. Engineering is in charge of all design and construction projects for the Town including facilities (public safety, parks and administrative buildings). roads (NCDOT and Town roads) and stormwater projects (SCM's, culverts and other stormwater conveyance). Engineering also provides plan review and inspection services for all private development within the Town.

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

Extensive knowledge of planning and zoning principles through over 25 years of public and private development as a consulting engineer and a municipal engineer. Projects included residential, commercial, industrial and municipal projects.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

My background and experience as an Engineering Director in Local Government, my experience as a design engineer, my knowledge of real estate development.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Assist the Town staff and Council make informed decisions, preserve the community development goals and support positive development for Apex

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

I volunteer as a youth group leader at my church and host volunteer events with the students to help with community needs. I am a board member of my HOA. I also participate in litter clean-ups around the community. I think because of the types of volunteer opportunities I participate in, it makes me feel connected to the community and the people that live here.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Wake County Board of Adjustments (current, 2 years), Apex MTAB (current, 3 months), Bond Oversight Board City of Miami (3 years, 2012-2015)

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

Yes, I have attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

5 or more hours per month

**Demographic Information**

---

**Do you live within the Apex town limits?**

No

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

Yes

**Gender**

Male

**Ethnicity**

White/Non-Hispanic

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

46 to 55

**I have been an Apex resident for**

4-6 years

**Conflict of Interest Declarations and Disclosures**

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

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**Please signing below**

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[Learn more](#) about each of the committees listed below.

## Profile and General Information

---

**Legal Name**

Tianduo Zhang

**Pronouns**

She/Her/Hers

**Preferred First Name**

**Spouse/Partner Name (If applicable)**

Howard Gou

**Physical Address**

1044 Blackpool Ct, Apex, North Carolina 27502

**Mailing Address**

1044 Blackpool Ct., Apex, North Carolina 27502

**Email**

**Mobile Phone**

**Alternate Phone (work/home)**

**Are you current on your Town of Apex and Wake County property taxes?**

Yes

**I'm interested in serving on... (please select all boards you are interested in being considered for appointment)**

Board of Adjustment (BOA), Environmental Advisory Board (EAB)

**How did you hear about this opportunity to serve?**

Friend / Neighbor, Town Employee / Elected Official

**Professional Experience**

---

If you applying to be a youth representative, please put "Youth Rep" in the required text fields below.

**Education**

Masters Degree

**Current Employer**

North Carolina Central University

**Current Job Title**

Assistant Professor in Mass Communication

**Employer Main Work Telephone Number**

9195307200

**Employer Onsite Office Location**

Durham, North Carolina 27502

**Please briefly describe your job function and core duties,**

Teaching. Research. Service

**Interest and Civic / Volunteer Experience**

---

**Please explain the reasoning for your interest in serving on this board. Your response may include lived experiences, qualifications, skills, and attributes and any other information that might distinguish your application from other candidates.**

I hear that one was having a hard time fill but zoning appeal is so important for the town. I have a doctoral degree and I am pretty comfortable with data and reading complex cases. I am trained in promoting civic discourse and civic engagement through Citizen University.

**Please describe three (3) reasons why your service on the chosen board could be beneficial to the Town of Apex.**

I work for a public university so no conflict of interests. I do research for living so I will very carefully review whatever case is at hand and come up with solutions if needed to be. I am very comfortable with data and analysis so my decision would be data driven.

**If appointed to your preferred board, please describe your top three (3) goals or initiatives you would hope to achieve during your term.**

Board of adjustment is a need based board. I don't have an agenda myself.

**Please describe your recent volunteer experience and how this positively contributed to the Town of Apex.**

Organized my HOA Chelsea Run to complete Town of Apex beautification grant.

**Please list any governmental board (noting the length of time) on which you are currently or have previously served that might distinguish your application from other candidates.**

Not a board but I worked with Durham Public Health Department securing and delivering a 2 year 2 million dollar federal grant on promoting public health literacy.  
Served as scientist on NC PFAS Test Network (2 years).  
Advice NC HHS on community survey development (one time)

**Have you read the current Charter and Scope of Responsibilities associated with the board you seek to serve on**

Yes, I read and understand the current scope and responsibilities assigned to the board.

**Are you a Peak Academy Graduate?**

No

**If you are a recent graduate of Peak Academy, please indicate the year you attended. If you are not a Peak Academy Graduate, please put NA.**

NA

**Have you attended two (2) or more advisory board meetings within the last 12 months?**

No, I have not attended meetings in-person of the advisory board for which I am applying for.

**How many hours per month are you available to serve in-person, if selected.**

3-5 hours per month

## Demographic Information

---

**Do you live within the Apex town limits?**

Yes

**Do you live within the town's extra-territorial jurisdiction (ETJ)?**

No

**Gender**

Female

**Ethnicity**

Asian or Pacific Islander

**Do you rent or own your home?**

I own my single family home

**My age range is (please select one):**

30 to 45

**I have been an Apex resident for**

4-6 years

## Conflict of Interest Declarations and Disclosures

---

**Do you have any personal or business interest that could create a conflict (either real or perceived) if appointed?**

No

**If you selected yes, please provide additional details below. If not, please indicate NA.**

NA

**Are you an immediate family member of a current Town of Apex Employee, Town Elected Official, or Advisory Board/Committee appointee?**

No

**If you selected yes, please the immediate family members name and affiliation with the Town. If not, please indicate NA.**

NA

**Have you reviewed the Town of Apex Resident Advisory Board Administrative Policy?**

Yes

I, hereby, authorize Town of Apex to verify all information included in this application. I certify that the information contained in this application is true according to the best of my knowledge and belief. I certify that I am providing my legal name and address in which I reside. I understand that inaccurate or untrue information will be cause for immediate removal from any appointed advisory board. By submitting this application, I agree to adhere to all Town policies pertaining to advisory boards, including attendance. I understand that this application is subject to the N.C. Public Records Law (NCGS § 132-1) and may be released upon request.

**Please signing below**

A handwritten signature in dark blue ink, consisting of a series of loops and curves, positioned above a horizontal line.

**TOWN OF APEX**  
**COUNCILMEMBER NOMINATIONS FOR RESIDENT ADVISORY BOARD OPENINGS**  
**OFFICIAL NOMINATION RECORD**

Board(s) Applied	Legal Last Name	Legal First Name	New / Reappoint	Corporate Limits (CL) / ETJ	Alternative Board Interest(s)	Mayor Pro-Tempore Terry Mahaffey	Councilmember Arno Zegerman	Councilmember Ed Gray	Councilmember Shane Reese	Councilmember Sue Mu	TOTAL
BOA	Barnes	Aaron	New	CL	CAAB, EAB, PB	TM	AZ	EG	SR	SM	4
BOA	Gentry	William	New	Neither	N/A	TM	AZ	EG	SR	SM	0
BOA	Gerhard	William	New	CL	EAB, PB	TM	AZ	EG	SR	SM	2
BOA	Hollenbeck	William	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
BOA	Pai	Umesh	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
BOA	Sayers	Michael	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
BOA	Zhang	Tianduo	New	CL	EAB, PB	TM	AZ	EG	SR	SM	1
EAB	Barnes	Aaron	New	CL	BOA, CAAB, PB	TM	AZ	EG	SR	SM	0
EAB	Gerhard	William	New	CL	BOA, PB	TM	AZ	EG	SR	SM	0
EAB	Jensen	Bill	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
EAB	Linson	Makya	New	CL	N/A	TM	AZ	EG	SR	SM	0
EAB	Nallavolu	Ramesh	New	CL	N/A	TM	AZ	EG	SR	SM	2
EAB	Ripper	Melissa	New	CL	PB	TM	AZ	EG	SR	SM	3
EAB	Valle	Daniel	New	CL	N/A	TM	AZ	EG	SR	SM	2
EAB	Zhang	Tianduo	New	CL	BOA, PB	TM	AZ	EG	SR	SM	1
PB	Barnes	Aaron	New	CL	BOA, CAAB, EAB	TM	AZ	EG	SR	SM	0
PB	Byrd	Alyssa	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
PB	Gerhard	William	New	CL	BOA, EAB	TM	AZ	EG	SR	SM	0
PB	Hatcher	Kaitlyn	New	Neither	N/A	TM	AZ	EG	SR	SM	0
PB	Johnson	Avery	New	CL	N/A	TM	AZ	EG	SR	SM	0
PB	Khodaparast	Daniel	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
PB	Nebolisa	Kyrone	New	CL	N/A	TM	AZ	EG	SR	SM	2
PB	Rhodes	Steven	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
PB	Ripper	Melissa	New	CL	N/A	TM	AZ	EG	SR	SM	1
PB	Spanioli	Mark	New	ETJ	MTAB	TM	AZ	EG	SR	SM	3
PB	Yule	Kristy	Reappoint	CL	N/A	TM	AZ	EG	SR	SM	4
PB	Zhang	Tianduo	New	CL	BOA, EAB	TM	AZ	EG	SR	SM	3

LEGEND	
	Nominations



*"The Peak of Good Living"*

# TOWN OF APEX NORTH CAROLINA

## *Proclamation*

### **Ask Apex Day 2026**

*from the Office of the Mayor*

WHEREAS, The Town of Apex is committed to providing responsive, accessible, and transparent local government services to our residents; and,

WHEREAS, Ask Apex serves as the Town's centralized customer service center, offering residents one number, one point of contact, and clear accountability for non-emergency service requests and information; and,

WHEREAS, Centralized service models such as 311 enhance efficiency, improve cross-department coordination, reduce confusion, and strengthen communication between residents and local government; and,

WHEREAS, 311 Day is recognized nationally on March 11th as an opportunity to celebrate local government customer service professionals and highlight the essential role they play in strengthening public trust and civic engagement; and,

WHEREAS, The Town of Apex extends its appreciation to the Ask Apex Team for their diligent work each day assisting residents, resolving concerns, and connecting our growing community with the services it needs.

NOW, THEREFORE, I, Jacques K. Gilbert, Mayor of Apex, North Carolina, do hereby proclaim Wednesday, March 11<sup>th</sup>, 2026, "Ask Apex Day" in the Town of Apex, and encourage residents to recognize and appreciate the dedicated professionals of Ask Apex, and reach out to our excellent Ask Apex staff with your Town questions and concerns at (919) 249-3311.

I hereby set my hand and have caused the Seal of the Town of Apex, North Carolina, to be affixed this the 10<sup>th</sup> day of March, 2026

Jacques Gilbert, Mayor



*"The Peak of Good Living"*

TOWN OF APEX  
NORTH CAROLINA

*Proclamation*

**Creek Week 2026**

*from the Office of the Mayor*

WHEREAS, Regional Creek Week, started by the NC Clean Water Education Partnership (CWEP) in 2021, is a special week set aside where CWEP-affiliated local governments concurrently work together to celebrate and steward local creeks and streams; and,

WHEREAS, the Town of Apex is located within seven different river basins, three of which flow into Jordan Lake; and,

WHEREAS, Through the collective efforts of local governments, organizations, and individuals working together, our community continues to educate residents about the necessity of protecting these vital waterways; and,

WHEREAS, Creeks, streams, rivers, and other waterways support outdoor recreation, fisheries, healthy lifestyles, safe drinking water supplies, biodiversity, natural beauty, and provide critical habitat for aquatic wildlife; and,

WHEREAS, The Town of Apex is excited to celebrate Creek Week by hosting a Big Sweep Cleanup event on March 14<sup>th</sup>, a Youth Track-Out Camp educational program on March 18<sup>th</sup>, and an Invasive Plant Species Removal Workday on March 20<sup>th</sup>.

NOW, THEREFORE, I, Jacques K. Gilbert, Mayor of Apex, North Carolina, do hereby proclaim the week of March 15<sup>th</sup> - March 21<sup>st</sup>, 2026, "Creek Week" in the Town of Apex, and urge all residents to join in the vital work of protecting our waters and investing in the healthy future of our planet.

I hereby set my hand and have caused the Seal of the Town of Apex, North Carolina, to be affixed this the 10<sup>th</sup> day of March, 2026

Jacques Gilbert, Mayor

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Dianne Khin, Director

Department(s): Planning

### Requested Motion

Conduct a Public Hearing and possible motion to adopt an Ordinance on the Question of Annexation - Apex Town Council's intent to annex 4.53 acres, located at 7200 Jenks Road (PIN 0733-41-1651), Annexation No. 815, into the Town Corporate limits.

### Approval Recommended?

Yes

### Item Details

The annexation petition has been certified and a public hearing notice has been posted.

This annexation request is not associated with a rezoning case and is requested to access Town water and sewer services. The current property is zoned as rural residential (RR).

### Attachments

- PH1-A1: Annexation Ordinance - Annexation No. 815 - 7200 Jenks Road - 4.53 acres
- PH1-A2: Public Hearing Notice - Annexation No. 815 - 7200 Jenks Road - 4.53 acres
- PH1-A3: Legal Description - Annexation No. 815 - 7200 Jenks Road - 4.53 acres
- PH1-A4: Aerial Map - Annexation No. 815 - 7200 Jenks Road - 4.53 acres
- PH1-A5: Plat Map - Annexation No. 815 - 7200 Jenks Road - 4.53 acres
- PH1-A6: Annexation No. 815 - 7200 Jenks Road - 4.53 acres





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## TOWN OF APEX, NORTH CAROLINA

Municipality No. 333

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After recording, please return to: Town Clerk, Town of Apex, P.O. Box 250, Apex, NC 27502

ORDINANCE NO. 2026-\_\_\_\_  
ANNEXATION PETITION NO. 815  
7200 JENKS ROAD | 4.23 ACRES

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS  
OF THE TOWN OF APEX, NORTH CAROLINA  
P.O. Box 250, Apex, North Carolina 27502

WHEREAS, the Apex Town Council has been petitioned under G.S.§160A-31, as amended, to annex the area described herein; and

WHEREAS, the Apex Town Council has by Resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Apex Town Hall at 6:00 p.m. on March 10, 2026, after due notice by posting to the Town of Apex website, <http://www.apexnc.org/news/public-notice-legal-ads>; and

WHEREAS, the Apex Town Council does hereby find as a fact that said petition meets the requirements of G.S.§160A-31, as amended.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Apex, North Carolina:

Section 1. By virtue of the authority granted by G.S.§160A-31, as amended, the territory described on the below identified survey plat, also property PIN No. 0742-71-8313, is hereby annexed and made part of the Town of Apex, North Carolina, as of the date of adoption of this Ordinance on March 10, 2026. The survey plat that describes the annexed territory is that certain survey plat entitled "ANNEXATION MAP FOR THE TOWN OF APEX" in that certain area identified as "4.53 ACRES TOTAL ANNEXED" and PIN No. 0733-41-1651. Plat map print date July 09, 2024 and Land Surveyor dated July 09, 2024 and recorded in Book of Maps book number 2026 and page numbers \_\_\_\_\_, Wake County Registry.

Section 2. Upon and after the adoption of this ordinance, the territory described herein and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Apex, North Carolina, and shall be entitled to the same privileges and benefits as other parts of the Town of Apex. Said territory shall be subject to municipal taxes according to G.S.§160A-58.10, as amended.

Section 3. The Clerk of the Town of Apex, North Carolina shall cause to be recorded in the Office of the Register of Deeds of Wake County and in the Office of the Secretary of State at Raleigh, North Carolina and in the Office of the Wake County Board of Elections an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this Ordinance.

Adopted this the 10th day of March 10, 2026.

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Jacques K. Gilbert  
Mayor | Town of Apex

ATTEST:

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Allen L. Coleman, CMC  
Town Clerk | Town of Apex

APPROVED AS TO FORM:

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Laurie L. Hohe  
Town Attorney | Town of Apex

Legal Description

LEGAL DESCRIPTION PER FIELD SURVEY

A certain tract or parcel of land situated in Wake County, North Carolina, now or formerly owned by SJA Global Advisors Inc., and being more particularly described as follows:

BEGINNING at an existing iron pipe located along the northern right-of-way of Jenks Road (SR 1601), said point being the southeastern corner of the tract herein described; said Point of Beginning having North Carolina State Plane Coordinates (NAD83/2011) of Northing 731,276.66 U.S. Survey Feet and Easting 2,034,241.17 U.S. Survey Feet;

thence from said Point of Beginning the following eight (8) courses and distances:

1. N 00° 52' 41" E, a distance of 677.72 feet to an existing iron pipe;
2. N 01° 12' 26" E, a distance of 22.71 feet to an existing iron pipe on the southern line of property now or formerly owned by Roberts Crossing Homeowners Association, Inc.;
3. N 86° 25' 20" W, a distance of 289.15 feet to an existing iron rod, said point being the northeastern corner of the property now or formerly owned by Joseph Mack Morton and Carrie Anne Jones;
4. S 06° 35' 29" E, a distance of 215.15 feet to an existing iron pipe, said point being the northeastern corner of the property now or formerly owned by Ronald E. Wright and wife, Talitha F. Wright;
5. S 06° 36' 13" E, a distance of 439.38 feet to an existing iron pipe, said point being the northeastern corner of the property now or formerly owned by James H. Hines, Jr. and wife, Brenda T. Hines;
6. S 06° 38' 16" E, a distance of 203.62 feet to an existing iron pipe, said point being the southeastern corner of the property now or formerly owned by James H. Hines, Jr. and wife, Brenda T. Hines, and also being located along the northern right-of-way of Jenks Road;
7. N 53° 35' 55" E, a distance of 112.37 feet along the northern right-of-way of Jenks Road to a point;
8. N 52° 43' 24" E, a distance of 111.23 feet along the northern right-of-way of Jenks Road to the Point of Beginning.

Containing 4.228 acres, more or less, and being subject to any and all easements, rights-of-way, and restrictions of record.

Closure Note: All bearings are referenced to the North Carolina State Plane Coordinate System,

NAD83/2011, and are grid bearings. Coordinates shown are grid values expressed in U.S. Survey

Feet. The description, as written, mathematically closes.

**PUBLIC RIGHT-OF-WAY PARCEL (FOR ANNEXATION)**

BEGINNING at an existing iron pipe located along the northern right-of-way of Jenks Road (SR 1601), said point being the southeastern corner of the tract now or formerly owned by SJA Global Advisors Inc.; said Point of Beginning having North Carolina State Plane Coordinates (NAD83/2011) of Northing 731,276.66 U.S. Survey Feet and Easting 2,034,241.17 U.S. Survey Feet; thence from said Point of Beginning the following eight (5) courses and distances:

1. S 00° 52' 41" W, a distance of 76.30 feet to a point along the extension of the eastern property line of the track now or formerly owned by SJA Global Advisors Inc, said point located on the southern right-of-way of Jenks Rd;
2. S 53° 19' 54" W, a distance of 211.69 feet to a point along the southern right-of-way of Jenks Rd;
3. N 06° 38' 16" W, a distance of 69.12 feet to an existing iron pipe along the extension of the western property line of the tract now or formerly owned by SJA Global Advisors Inc., said point also being the southwestern property corner of the property;
4. N 53° 35' 55" E, a distance of 112.37 feet to a point,
5. N 52° 43' 24" E, a distance of 111.23 feet to the Point of Beginning.

Containing 0.30 acres, more or less, and being part of the 60' public right-of-way of Jenks Rd

(NCSR-1601).

\*\*\*\*\*

ORDINANCE NO. 2026-\_\_\_\_  
ANNEXATION PETITION NO. 815  
7200 JENKS ROAD | 4.23 ACRES

STATE OF NORTH CAROLINA

COUNTY OF WAKE

CLERK'S CERTIFICATION

I, Allen L. Coleman, Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Annexation Ordinance No. 2026\_\_\_\_\_, adopted at a meeting of the Town Council, on the 10th day of March, 2026, the original of which will be on file in the Office of the Town Clerk of Apex, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Apex, North Carolina, this the 10th day of March, 2026.

\_\_\_\_\_  
Allen L. Coleman, CMC  
Town Clerk

(SEAL)

## LEGAL DESCRIPTION PER FIELD SURVEY

A certain tract or parcel of land situated in **Wake County, North Carolina**, now or formerly owned by **SJA Global Advisors Inc.**, and being more particularly described as follows:

**BEGINNING** at an existing iron pipe located along the northern right-of-way of Jenks Road (SR 1601), said point being the **southeastern corner** of the tract herein described; said Point of Beginning having North Carolina State Plane Coordinates (NAD83/2011) of **Northing 731,276.66 U.S. Survey Feet** and **Easting 2,034,241.17 U.S. Survey Feet**;

thence from said Point of Beginning the following **eight (8) courses and distances**:

1. **N 00° 52' 41" E**, a distance of 677.72 feet to an existing iron pipe;
2. **N 01° 12' 26" E**, a distance of 22.71 feet to an existing iron pipe on the southern line of property now or formerly owned by Roberts Crossing Homeowners Association, Inc.;
3. **N 86° 25' 20" W**, a distance of 289.15 feet to an existing iron rod, said point being the northeastern corner of the property now or formerly owned by Joseph Mack Morton and Carrie Anne Jones;
4. **S 06° 35' 29" E**, a distance of 215.15 feet to an existing iron pipe, said point being the northeastern corner of the property now or formerly owned by Ronald E. Wright and wife, Talitha F. Wright;
5. **S 06° 36' 13" E**, a distance of 439.38 feet to an existing iron pipe, said point being the northeastern corner of the property now or formerly owned by James H. Hines, Jr. and wife, Brenda T. Hines;
6. **S 06° 38' 16" E**, a distance of 203.62 feet to an existing iron pipe, said point being the southeastern corner of the property now or formerly owned by James H. Hines, Jr. and wife, Brenda T. Hines, and also being located along the northern right-of-way of Jenks Road;
7. **N 53° 35' 55" E**, a distance of 112.37 feet along the northern right-of-way of Jenks Road to a point;
8. **N 52° 43' 24" E**, a distance of 111.23 feet along the northern right-of-way of Jenks Road to the **Point of Beginning**.

Containing **4.228 acres, more or less**, and being subject to any and all **easements, rights-of-way, and restrictions of record**.

**Closure Note:** All bearings are referenced to the **North Carolina State Plane Coordinate System, NAD83/2011**, and are grid bearings. Coordinates shown are grid values expressed in **U.S. Survey Feet**. The description, as written, **mathematically closes**.

**PUBLIC RIGHT-OF-WAY PARCEL (FOR ANNEXATION)**

**BEGINNING** at an existing iron pipe located along the northern right-of-way of Jenks Road (SR 1601), said point being the **southeastern corner** of the tract now or formerly owned by **SJA Global Advisors Inc.**; said Point of Beginning having North Carolina State Plane Coordinates (NAD83/2011) of **Northing 731,276.66 U.S. Survey Feet** and **Easting 2,034,241.17 U.S. Survey Feet**;

thence from said Point of Beginning the following **eight (5) courses and distances**:

1. **S 00° 52' 41" W**, a distance of 76.30 feet to a point along the extension of the eastern property line of the tract now or formerly owned by **SJA Global Advisors Inc.**, said point located on the southern right-of-way of Jenks Rd;
2. **S 53° 19' 54" W**, a distance of 211.69 feet to a point along the southern right-of-way of Jenks Rd;
3. **N 06° 38' 16" W**, a distance of 69.12 feet to an existing iron pipe along the extension of the western property line of the tract now or formerly owned by **SJA Global Advisors Inc.**, said point also being the southwestern property corner of the property;
4. **N 53° 35' 55" E**, a distance of 112.37 feet to a point,
5. **N 52° 43' 24" E**, a distance of 111.23 feet to the **Point of Beginning**.

Containing **0.30 acres, more or less**, and being part of the 60' public right-of-way of Jenks Rd (NCSR-1601).



"The Peak of Good Living"

OFFICE OF THE TOWN CLERK

# TOWN OF APEX NORTH CAROLINA

**Media Contact:**

Allen Coleman, Town Clerk to the Apex Town Council

**FOR IMMEDIATE RELEASE**

## PUBLIC NOTICE – PUBLIC HEARING

APEX, N.C. (February 27, 2026) – The Town Council of Apex, North Carolina has scheduled a Public Hearing to be held at **6:00 p.m.** at Apex Town Hall, 73 Hunter Street, on the **10th day of March, 2026**, on the question of annexation of the following property requested by petition filed pursuant to G.S. 160A-31:

**Annexation Petition No. 815**  
**7200 Jenks Road – 4.53 acres**



*Continued on next page*



*"The Peak of Good Living"*

**OFFICE OF THE TOWN CLERK**

# TOWN OF APEX NORTH CAROLINA

## **PUBLIC NOTICE – PUBLIC HEARING**

Residents may submit written comments to the Town Council with attention marked to the Town Clerk Allen Coleman; P.O. Box 250; Apex, NC 27502 or by email at public [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org). Please use subject line "Annexation Petition No. 815" and include your first and last name, your address, and your phone number in your written statements. Written comments will be accepted until 3:00 PM on Tuesday, March 10, 2026.

Members of the public can access and view the meeting on the Town's YouTube Channel <https://www.youtube.com/c/TownofApexGov> or attend in-person.

Anyone needing special accommodations to attend this meeting and/or if this information is needed in an alternative format, please contact the Town Clerk's Office. The Town Clerk is located at 73 Hunter Street in Apex Town Hall on the 2<sup>nd</sup> Floor, (email) [allen.coleman@apexnc.org](mailto:allen.coleman@apexnc.org) or (phone) 919-249-1260. We request at least 48 hours' notice prior to the meeting to make the appropriate arrangements.

Questions should be directed to the Town Clerk's Office.

###

# PETITION FOR VOLUNTARY ANNEXATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #: 815  
 Fee Paid: \$ 200.00

Submittal Date: 9-18-2025  
 Check #: CC

## TO THE TOWN COUNCIL APEX, NORTH CAROLINA

- We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex,  Wake County,  Chatham County, North Carolina.
- The area to be annexed is  contiguous,  non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
- If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

### OWNER INFORMATION

PIN # 0733411651

SJA GLOBAL ADVISORS INC. BOOK # 018364 Page # 00224,  
 Owner Name (Please Print) Property PIN or Deed Book & Page # 225,  
919 300 5550 RAMJEY @ GMAIL.COM 226  
 Phone E-mail Address

~~Owner Name (Please Print)~~ Property PIN or Deed Book & Page #

Phone E-mail Address

Owner Name (Please Print) Property PIN or Deed Book & Page #

Phone E-mail Address

### SURVEYOR INFORMATION

Surveyor: META GEOMATICS  
 Phone: 919 612 1187 Fax: \_\_\_\_\_  
 E-mail Address: CHAN @ META GEOMATICS.COM

### ANNEXATION SUMMARY CHART

Property Information	Reason(s) for annexation (select all that apply)
Total Acreage to be annexed: <u>4.53</u> <del>4.22</del>	Need water service due to well failure <input checked="" type="checkbox"/>
Population of acreage to be annexed: <u>4.22</u> 6	Need sewer service due to septic system failure <input checked="" type="checkbox"/>
Existing # of housing units: <u>1</u>	Water service (new construction) <input type="checkbox"/>
Proposed # of housing units: _____	Sewer service (new construction) <input type="checkbox"/>
Zoning District*: <u>RR</u>	Receive Town Services <input checked="" type="checkbox"/>

\*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 815

Submittal Date: 9-18-2025

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County,  
this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

SEAL

My Commission Expires: \_\_\_\_\_

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the 11th day of September, 2025.

Corporate Name SJA Global Advisors LLC

SEAL

Attest: Anita Ragothaman  
Secretary (Signature)

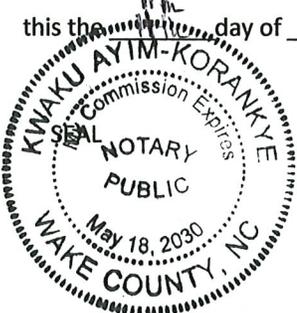
By: [Signature]  
President (Signature)

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, KWAKU AYIM-KORANKYE, a Notary Public for the above State and County,  
this the 11th day of SEPTEMBER, 2025.

[Signature]  
Notary Public

My Commission Expires: 05-18-2030



**PETITION FOR VOLUNTARY ANNEXATION**

Application #: \_\_\_\_\_

Submittal Date: 9-18-2025

**COMPLETE IF IN A LIMITED LIABILITY COMPANY**

In witness whereof, \_\_\_\_\_ a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Name of Limited Liability Company \_\_\_\_\_

By: \_\_\_\_\_  
Signature of Member/Manager

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

SEAL

My Commission Expires: \_\_\_\_\_

**COMPLETE IF IN A PARTNERSHIP**

In witness whereof, \_\_\_\_\_, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Name of Partnership \_\_\_\_\_

By: \_\_\_\_\_  
Signature of General Partner

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

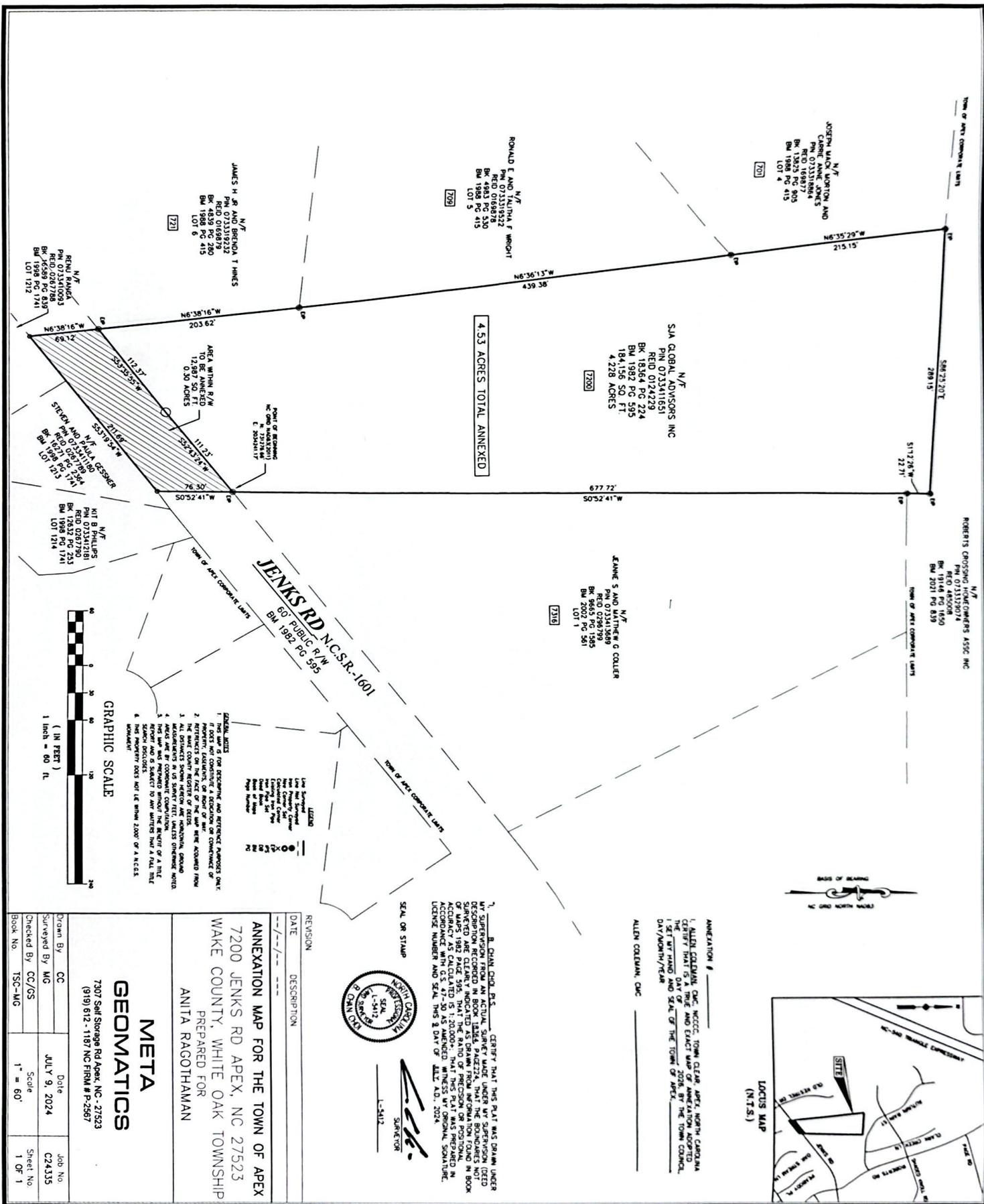
Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

SEAL

My Commission Expires: \_\_\_\_\_





- GENERAL NOTES**
1. THIS MAP IS FOR RECORDING AND RECORDING PURPOSES ONLY. IT DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY OF ANY KIND, INCLUDING BUT NOT LIMITED TO THE ACCURACY OF THE DATA OR THE RESULTS OF THE SURVEY.
  2. THE SURVEYOR'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY INFORMATION AND TO REPORT THE RESULTS OF HIS OR HER SURVEY ACCURATELY AND COMPLETELY.
  3. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL DISTANCES UNLESS OTHERWISE NOTED.
  4. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS THAT WOULD AFFECT THE SURVEY.
  5. THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SURVEY.
  6. THIS PROPERTY DOES NOT EXCEED 2.000' OF A C.E.S. AMOUNT.

**LEGEND**

- Line Not Surveyed
- Line Surveyed
- Point Not Surveyed
- Point Surveyed
- Controlled Corner
- Uncontrolled Corner
- Iron Nail
- Iron Pipe
- Iron Stake
- Iron Pipe
- Iron Stake
- Iron Pipe
- Iron Stake



**SEAL OR STAMP**

DATE: \_\_\_\_\_

DESCRIPTION: \_\_\_\_\_

REVISION: \_\_\_\_\_

**ANNEXATION #** \_\_\_\_\_

**ALLEN COLEMAN, CMC**

I, ALLEN COLEMAN, CMC, NCCCO, TOWN CLERK, APEX, NORTH CAROLINA, CERTIFY THAT IS A TRUE AND EXACT MAP AS DRAWN AND AS SHOWN ON THE FACE HEREOF AND SEAL OF THE TOWN OF APEX, \_\_\_\_\_ DAY/MONTH/YEAR.

**LOCUS MAP (N.T.S.)**

**ANNEXATION MAP FOR THE TOWN OF APEX**

**7200 JENKS RD APEX, NC 27523**

**WAKE COUNTY, WHITE OAK TOWNSHIP**

PREPARED FOR

**ANITA RAGOTHAMAN**

**META GEOMATICS**

7307 Self Storage Rd Apex, NC - 27523  
(919) 612-1187 NC FIRM # P-2567

Drawn By	CC	Date	JULY 9, 2024	Job No.	C24335
Surveyed By	MG	Scale	1" = 60'	Sheet No.	1 OF 1
Checked By	CC/GS				
Book No.	TSC-MG				



*"The Peak of Good Living"*

**OFFICE OF THE TOWN CLERK**

# TOWN OF APEX NORTH CAROLINA

**Media Contact:**

Allen Coleman, Town Clerk to the Apex Town Council

**FOR IMMEDIATE RELEASE**

**PUBLIC NOTICE – PUBLIC HEARING**

APEX, N.C. (February 27, 2026) – The Town Council of Apex, North Carolina has scheduled a Public Hearing to be held at **6:00 p.m.** at Apex Town Hall, 73 Hunter Street, on the **10th day of March, 2026**, on the question of annexation of the following property requested by petition filed pursuant to G.S. 160A-31:

**Annexation Petition No. 823**  
**8001 Green Level Church Road – 2.16 acres**



*Continued on next page*



*"The Peak of Good Living"*

**OFFICE OF THE TOWN CLERK**

# TOWN OF APEX NORTH CAROLINA

## **PUBLIC NOTICE – PUBLIC HEARING**

Residents may submit written comments to the Town Council with attention marked to the Town Clerk Allen Coleman; P.O. Box 250; Apex, NC 27502 or by email at public [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org). Please use subject line "Annexation Petition No. 823" and include your first and last name, your address, and your phone number in your written statements. Written comments will be accepted until 3:00 PM on Tuesday, March 10, 2026.

Members of the public can access and view the meeting on the Town's YouTube Channel <https://www.youtube.com/c/TownofApexGov> or attend in-person.

Anyone needing special accommodations to attend this meeting and/or if this information is needed in an alternative format, please contact the Town Clerk's Office. The Town Clerk is located at 73 Hunter Street in Apex Town Hall on the 2<sup>nd</sup> Floor, (email) [allen.coleman@apexnc.org](mailto:allen.coleman@apexnc.org) or (phone) 919-249-1260. We request at least 48 hours' notice prior to the meeting to make the appropriate arrangements.

Questions should be directed to the Town Clerk's Office.

###

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Dianne Khin, Director

Department(s): Planning

### Requested Motion

Conduct a Public Hearing and possible motion to adopt an ordinance on the Question of Annexation - Apex Town Council's intent to annex 2.16 acres, located at 8001 Green Level Church Road (PIN 0723-84-9111), Annexation No. 823, into the Town Corporate limits.

### Approval Recommended?

Yes

### Item Details

The annexation petition has been certified and a public hearing notice has been posted.

This annexation request is not associated with a rezoning case and is requested to access Town water and sewer services. The current property is zoned as rural residential (RR).

### Attachments

- PH2-A1: Annexation Ordinance - Annexation No. 823 - 8001 Green Level Church Road - 2.16 acres
- PH2-A2: Public Hearing Notice - Annexation No. 823 - 8001 Green Level Church Road - 2.16 acres
- PH2-A3: Legal Description - Annexation No. 823 - 8001 Green Level Church Road - 2.16 acres
- PH2-A4: Aerial Map - Annexation No. 823 - 8001 Green Level Church Road - 2.16 acres
- PH2-A5: Plat Map - Annexation No. 823 - 8001 Green Level Church Road - 2.16 acres
- PH2-A6: Annexation Petition - Annexation No. 823 - 8001 Green Level Church Road - 2.16 acres





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## TOWN OF APEX, NORTH CAROLINA

Municipality No. 333

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After recording, please return to: Town Clerk, Town of Apex, P.O. Box 250, Apex, NC 27502

ORDINANCE NO. 2026-\_\_\_\_  
ANNEXATION PETITION NO. 823  
8001 GREEN LEVEL CHURCH ROAD | 2.16 ACRES

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS  
OF THE TOWN OF APEX, NORTH CAROLINA  
P.O. Box 250, Apex, North Carolina 27502

WHEREAS, the Apex Town Council has been petitioned under G.S.§160A-31, as amended, to annex the area described herein; and

WHEREAS, the Apex Town Council has by Resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Apex Town Hall at 6:00 p.m. on March 10, 2026, after due notice by posting to the Town of Apex website, <http://www.apexnc.org/news/public-notice-legal-ads>; and

WHEREAS, the Apex Town Council does hereby find as a fact that said petition meets the requirements of G.S.§160A-31, as amended.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Apex, North Carolina:

Section 1. By virtue of the authority granted by G.S.§160A-31, as amended, the territory described on the below identified survey plat, also property PIN No. 0742-71-8313, is hereby annexed and made part of the Town of Apex, North Carolina, as of the date of adoption of this Ordinance on March 10, 2026. The survey plat that describes the annexed territory is that certain survey plat entitled "ANNEXATION MAP FOR THE TOWN OF APEX" in that certain area identified as PIN No. 0723-84-9111. Plat map print date December 03, 2025 and Land Surveyor dated January 14, 2025 and recorded in Book of Maps book number 2026 and page numbers \_\_\_\_\_, Wake County Registry.

Section 2. Upon and after the adoption of this ordinance, the territory described herein and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Apex, North Carolina, and shall be entitled to the same privileges and benefits as other parts of the Town of Apex. Said territory shall be subject to municipal taxes according to G.S.§160A-58.10, as amended.

Section 3. The Clerk of the Town of Apex, North Carolina shall cause to be recorded in the Office of the Register of Deeds of Wake County and in the Office of the Secretary of State at Raleigh, North Carolina and in the Office of the Wake County Board of Elections an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this Ordinance.

Adopted this the 10th day of March 10, 2026.

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Jacques K. Gilbert  
Mayor | Town of Apex

ATTEST:

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Allen L. Coleman, CMC  
Town Clerk | Town of Apex

APPROVED AS TO FORM:

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Laurie L. Hohe  
Town Attorney | Town of Apex

Legal Description

Book of Maps 2014, Page 706 2.16 Acre Parcel - Annexation Description

ALL of that certain piece, parcel, or tract of land laying, situate, and being in the Township of White Oak, County of Wake, State of North Carolina, and being all of a 2.16 acre parcel identified as the Morris Property on a plat recorded in Book of Maps 2014, Page 706 of the Wake County Register of Deeds (the Registry), now or formerly of Prasad B. and Archana Patel as described in Deed Book 18933, Page 576 of the Registry, and being more particularly described as follows:

BEGINNING at a point, the northwestern corner of the lands herein described, and the northeastern corner of lands now or formerly White Oak Creek Homeowners Association, Inc. as described in Deed Book 18910, Page 1844 of the Registry and as shown as HOA Common Area on a plat recorded in Book of Maps 2018, page 2259 of the Registry, and being a common corner with lands now or formerly of Joy W.

Williams as described in Deed Book 20-E, Page 3730 of the Registry; thence with said Williams lands North 88 degrees 35 minutes 46 seconds East, a distance of 311.24 feet to a point on the eastern right-of-way of Green Level Church Road (S.R. 1600); thence with said eastern right-of-way of Green Level Church Road the following three (3) courses and distances:

- 1) South 02 degrees 27 minutes 51 seconds West, a distance of 91.51 feet to a point;
- 2) South 02 degrees 39 minutes 15 seconds West, a distance of 99.05 feet to a point;
- 3) South 02 degrees 41 minutes 15 seconds West, a distance of 135.11 feet to a point;

thence through the right-of-way of Green Level Road and continuing with lands now or formerly of Yates Green Level Farm, LLC as described in Deed Book 18225, Page 1571 of the Registry North 85 degrees 14 minutes 28 seconds West, a distance of 299.31 feet to a point, said point being the southwestern corner of the lands herein described, and the southeastern corner of lands now or formerly of Sandra Hammer Coon and Wyatt Page Coon, III as described in Deed Book 18173, Page 587 of the Registry and as shown as Lot 33 on said plat recorded in Book of Maps 2018, Page 2259 of the Registry; thence with said Coon lands and continuing with the right-of-way of Range Overlook Crossing as shown on said plat recorded in Book of Maps 2018, Page 2259 of the Registry and continuing with said White Oak Creek Homeowners Association, Inc. lands North 00 degrees 23 minutes 28 seconds East, a distance of 292.88 feet to the POINT AND PLACE OF BEGINNING;

and containing a total of 2.16 acres or 94,302 square feet, more or less, all as shown on said plat recorded in Book of Maps 2014, Page 706 of the Registry.

\*\*\*\*\*

ORDINANCE NO. 2026-\_\_\_\_  
ANNEXATION PETITION NO. 815  
7200 JENKS ROAD | 4.23 ACRES

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

CLERK'S CERTIFICATION

I, Allen L. Coleman, Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Annexation Ordinance No. 2026\_\_\_\_\_, adopted at a meeting of the Town Council, on the 10th day of March, 2026, the original of which will be on file in the Office of the Town Clerk of Apex, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Apex, North Carolina, this the 10th day of March, 2026.

\_\_\_\_\_  
Allen L. Coleman, CMC  
Town Clerk

(SEAL)

**Book of Maps 2014, Page 706 2.16 Acre Parcel – Annexation Description**

ALL of that certain piece, parcel, or tract of land laying, situate, and being in the Township of White Oak, County of Wake, State of North Carolina, and being all of a 2.16 acre parcel identified as the Morris Property on a plat recorded in Book of Maps 2014, Page 706 of the Wake County Register of Deeds (the Registry), now or formerly of Prasad B. and Archana Patel as described in Deed Book 18933, Page 576 of the Registry, and being more particularly described as follows:

BEGINNING at a point, the northwestern corner of the lands herein described, and the northeastern corner of lands now or formerly White Oak Creek Homeowners Association, Inc. as described in Deed Book 18910, Page 1844 of the Registry and as shown as HOA Common Area on a plat recorded in Book of Maps 2018, page 2259 of the Registry, and being a common corner with lands now or formerly of Joy W. Williams as described in Deed Book 20-E, Page 3730 of the Registry; thence with said Williams lands North 88 degrees 35 minutes 46 seconds East, a distance of 311.24 feet to a point on the eastern right-of-way of Green Level Church Road (S.R. 1600); thence with said eastern right-of-way of Green Level Church Road the following three (3) courses and distances:

- 1) South 02 degrees 27 minutes 51 seconds West, a distance of 91.51 feet to a point;
- 2) South 02 degrees 39 minutes 15 seconds West, a distance of 99.05 feet to a point;
- 3) South 02 degrees 41 minutes 15 seconds West, a distance of 135.11 feet to a point;

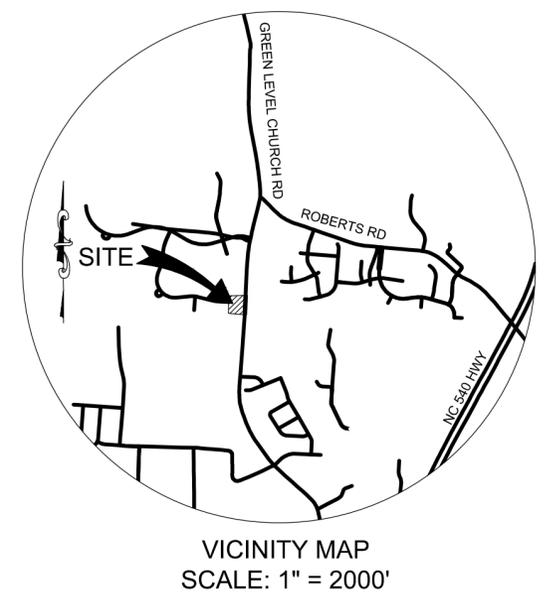
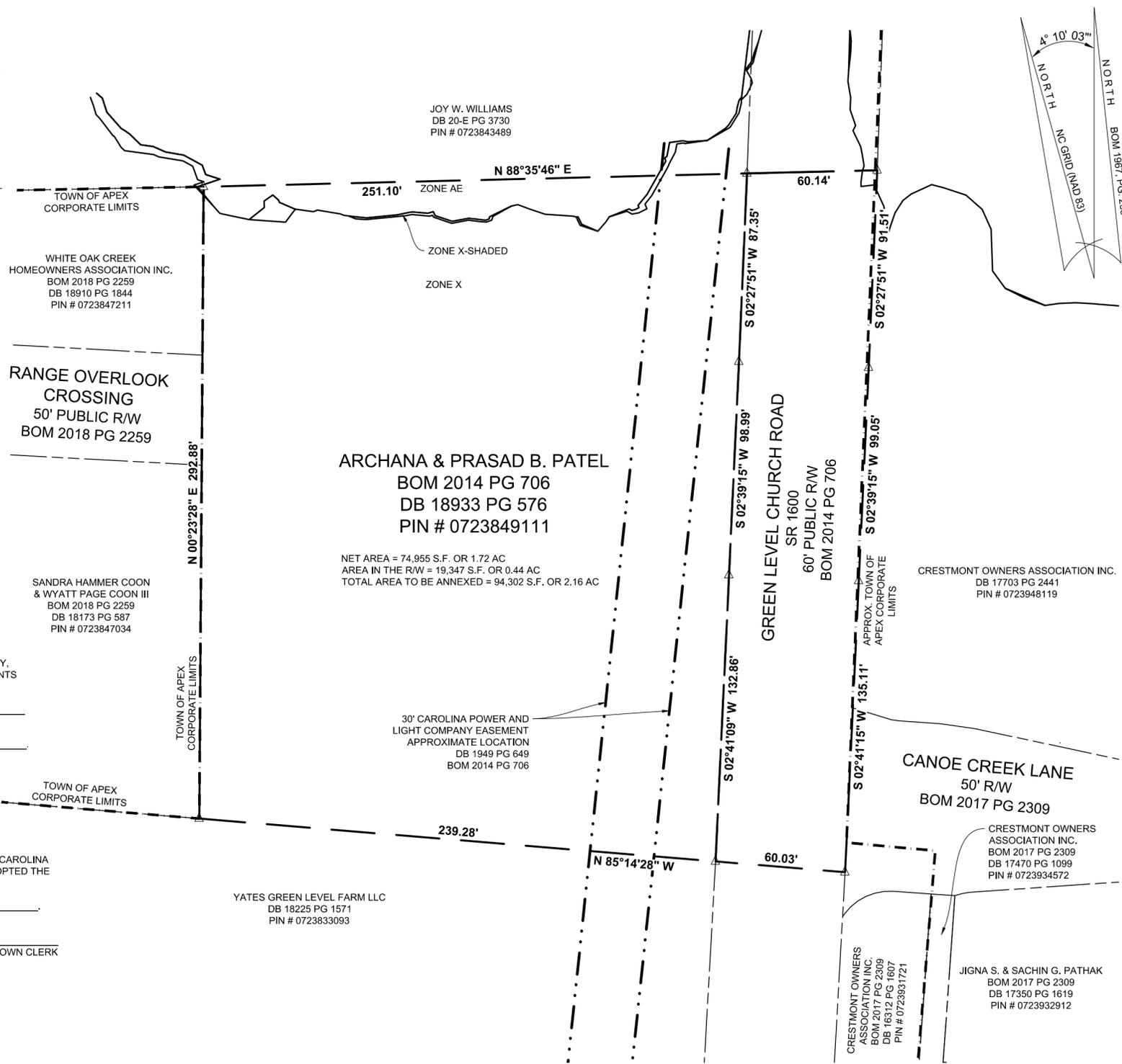
thence through the right-of-way of Green Level Road and continuing with lands now or formerly of Yates Green Level Farm, LLC as described in Deed Book 18225, Page 1571 of the Registry North 85 degrees 14 minutes 28 seconds West, a distance of 299.31 feet to a point, said point being the southwestern corner of the lands herein described, and the southeastern corner of lands now or formerly of Sandra Hammer Coon and Wyatt Page Coon, III as described in Deed Book 18173, Page 587 of the Registry and as shown as Lot 33 on said plat recorded in Book of Maps 2018, Page 2259 of the Registry; thence with said Coon lands and continuing with the right-of-way of Range Overlook Crossing as shown on said plat recorded in Book of Maps 2018, Page 2259 of the Registry and continuing with said White Oak Creek Homeowners Association, Inc. lands North 00 degrees 23 minutes 28 seconds East, a distance of 292.88 feet to the POINT AND PLACE OF BEGINNING;

and containing a total of 2.16 acres or 94,302 square feet, more or less, all as shown on said plat recorded in Book of Maps 2014, Page 706 of the Registry.



**GENERAL NOTES**

1. THIS DOCUMENT WAS DRAWN FROM DEEDS AND MAPS OF RECORD AND DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY.
2. NO TITLE SEARCH WAS PROVIDED AS PART OF THIS SURVEY, ALL UNDERLYING EASEMENTS MAY NOT BE SHOWN.
3. NO DETERMINATION HAS BEEN MADE BY THE SURVEYOR AS TO THE EXISTENCE OF UNDERGROUND UTILITIES ON THE PROPERTY SHOWN HEREON.
4. THE PURPOSE OF THIS PLAT IS TO SHOW THE AREA TO BE ANNEXED ONLY.
5. THE PROPERTY SHOWN APPEARS TO LIE PARTIALLY IN A SPECIAL FLOOD HAZARD AREA PER FEMA FIRM PANEL NO. 3720072300K, EFFECTIVE DATE 7/19/2022.
6. BEARINGS SHOWN HEREON ARE BASED ON BOOK OF MAPS 2014 PAGE 706.



**LEGEND**

- — — — — PROPERTY LINE (NOT SURVEYED)
- - - - - ADJOINER PROPERTY LINE (NOT SURVEYED)
- - - - - EASEMENT
- - - - - CORPORATE LIMITS
- △ CALCULATED POINT (NO MONUMENT SET)
- BOM BOOK OF MAPS
- DB DEED BOOK

I, \_\_\_\_\_ REVIEW OFFICER OF WAKE COUNTY, CERTIFY THAT THIS PLAT MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE \_\_\_\_\_ REVIEW OFFICER  
 APPROVAL EXPIRES IF NOT RECORDED ON OR BEFORE \_\_\_\_\_

ANNEXATION # \_\_\_\_\_  
 I, ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS IS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025, BY THE TOWN COUNCIL.  
 I SET MY HAND AND SEAL OF THE TOWN OF APEX, \_\_\_\_\_  
 ALLEN COLEMAN, CMC, NCCCC, TOWN CLERK

**SURVEYOR'S CERTIFICATION**

I, MATTHEW C. SMITH, CERTIFY THAT THIS MAP OR PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 18933, PAGE 576, AND AS SHOWN ON BOOK OF MAPS 2014, PAGE 706), THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED BY BROKEN LINES AND WERE PLOTTED FROM INFORMATION AS REFERENCED HEREON, THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10,000 +; THAT THIS MAP OR PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I FURTHER CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

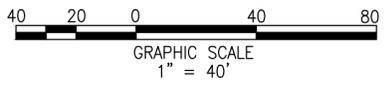
WITNESS MY ORIGINAL SIGNATURE, REGISTRATION LICENSE NUMBER AND SEAL THIS 14TH DAY OF JANUARY, 2025.

MATTHEW C. SMITH  
 NORTH CAROLINA PROFESSIONAL LAND SURVEYOR  
 LICENSE NO. L-5507



**ANNEXATION AREA SUMMARY**

8001 GREEN LEVEL CHURCH ROAD (PIN: 0723849111)	
NET AREA:	74,955 S.F. 1.72 AC.
AREA IN R/W:	19,347 S.F. 0.44 AC.
TOTAL AREA:	94,302 S.F. 2.16 AC.
TOTAL AREA TO BE ANNEXED:	2.16 ACRES
OWNER:	ARCHANA & PRASAD B. PATEL 565 WHITE OAK POND RD APEX, NC 27523-8035



ANNEXATION MAP FOR THE TOWN OF APEX:  
**± 2.16 AC**  
 PROPERTY OWNED BY  
**ARCHANA & PRASAD B. PATEL**  
 PIN # 0723849111  
 WHITE OAK TOWNSHIP,  
 WAKE COUNTY, NORTH CAROLINA  
 8001 GREEN LEVEL CHURCH ROAD  
 PREPARED FOR  
 PRASAD B. PATEL

SCALE: 1" = 40'

DATE: 12-3-2025

REVISION	
1/14/2025	TOWN COMMENTS
© 2021 Bowman Consulting Group Ltd	
DWG: V1220269-8001 Green Level Church Road/220269-01-001 (SUR) - 8001 Green Level Church Road/Survey/Plat/Annexation/220269-01-001 ANNEXATION PLAT	BY: MH CHK: MS QC:
BCG PROJECT NO: 220269-01-001	TASK: 0002 SURVEY DATE: 12-3-2025 SHEET 1 OF 1

**PETITION FOR VOLUNTARY ANNEXATION**

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #: 823  
 Fee Paid: \$ 300.00

Submittal Date: 1-5-2026  
 Check #: 193

**TO THE TOWN COUNCIL, APEX, NORTH CAROLINA**

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex,  Wake County,  Chatham County, North Carolina.
2. The area to be annexed is  contiguous,  non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

**OWNER INFORMATION**

Archana & Prasad Patel	0723849111
Owner Name (Please Print)	Property PIN or Deed Book & Page #
(847)361-5588	prasadpatel@gmail.com
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address
Owner Name (Please Print)	Property PIN or Deed Book & Page #
Phone	E-mail Address

**SURVEYOR INFORMATION**

Surveyor: Bowman North Carolina Ltd. (Matthew Smith, PLS #L-5507)  
 Phone: (704)412-7474 Fax: N/A  
 E-mail Address: matt.smith@bowman.com

**ANNEXATION SUMMARY CHART**

Property Information		Reason(s) for annexation (select all that apply)	
Total Acreage to be annexed:	<u>2.16</u>	Need water service due to well failure	<input type="checkbox"/>
Population of acreage to be annexed:	<u>Unknown</u>	Need sewer service due to septic system failure	<input type="checkbox"/>
Existing # of housing units:	<u>1</u>	Water service (new construction)	<input type="checkbox"/>
Proposed # of housing units:	<u>1</u>	Sewer service (new construction)	<input type="checkbox"/>
Zoning District*:	<u>RR to LD</u>	Receive Town Services	<input checked="" type="checkbox"/>

\*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department with questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 823

Submittal Date: 1-5-2026

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

Prasad B. Patel  
Please Print

[Signature]  
Signature

Archana P. Patel  
Please Print

[Signature]  
Signature

\_\_\_\_\_  
Please Print

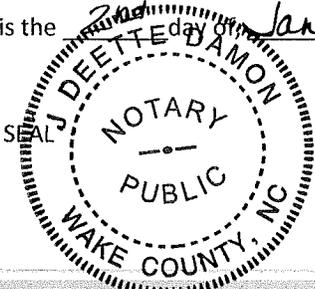
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, J De Ette Damon, a Notary Public for the above State and County,  
this the 26th day of January, 2026



[Signature]  
Notary Public J De Ette Damon

My Commission Expires: April 08, 2029

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Corporate Name \_\_\_\_\_

SEAL

By: \_\_\_\_\_  
President (Signature)

Attest:

\_\_\_\_\_  
Secretary (Signature)

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County,  
this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

SEAL

My Commission Expires: \_\_\_\_\_

PETITION FOR VOLUNTARY ANNEXATION

Application #: 823

Submittal Date: 1-5-2026

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, \_\_\_\_\_ a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Name of Limited Liability Company \_\_\_\_\_

By: \_\_\_\_\_  
Signature of Member/Manager

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

SEAL

My Commission Expires: \_\_\_\_\_

COMPLETE IF IN A PARTNERSHIP

In witness whereof, \_\_\_\_\_, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Name of Partnership \_\_\_\_\_

By: \_\_\_\_\_  
Signature of General Partner

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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

SEAL

My Commission Expires: \_\_\_\_\_

**VOLUNTARY ANNEXATION-PLAT CHECKLIST**

**FOR APPLICANT USE ONLY**

**PLEASE DO NOT INCLUDE THIS CHECKLIST WITH YOUR APPLICATION SUBMITTAL**

COMMON ACRONYMS/DEFINITIONS			
GeoCivix (IDT)	Electronic Plan Review	UDO	Town's Unified Development Ordinance
TOA	Town of Apex	NCDEQ	North Carolina Dept. of Environmental Quality
RCA	Resource Conservation Area	DDM	Design & Development Manual
CONTACT INFORMATION			
Planning Department	(919) 249-3426	Water Resources (Utilities)	(919) 372-7478
Development Services	(919) 249-3394	Clerk's Office	(919) 249-1260

#	REQUIRED PLAT ITEMS
1	The exact boundary lines of the area to be annexed fully dimensioned by lengths and bearings, and the location of intersecting boundary lines of existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2	Show and label any utility easements with metes and bounds. <i>SHOWN APPROX, NO M&amp;B</i>
3	Accurate locations and descriptions of all monuments, markers, and control points. <i>NO FIELD SURVEY</i>
4	Ultimate right-of-way widths on all streets.
5	Entitle "ANNEXATION MAP for the TOWN OF APEX" or "SATELLITE ANNEXATION MAP for the TOWN OF APEX", as appropriate.
6	Name of property owner.
7	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 or NAD 27) or deed; graphic scale; and declination.
9	Names of the township, county, and state.
10	A detailed vicinity map.
11	Include address of property if assigned.
12	Show all contiguous or non-contiguous town limits.
13	The following certification must be placed on the map near a border to allow the map to be sealed:  Annexation # _____  I, Allen Coleman, CMC, NCCCC, Town Clerk, Apex, North Carolina certify this a true and exact map of annexation adopted the _____ day of _____, 20____, by the Town Council. I set my hand and seal of the Town of Apex, _____. Day/Month/Year  _____ Allen Coleman, CMC, NCCCC, Town Clerk  -Seal-
14	Leave 2 inch by 2 inch space for the Wake County or Chatham County Register of Deeds stamp on the plat. All final plats must be stamped and signed before they can be accepted by the Town.

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: PUBLIC HEARING

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Councilmember Edward Gray

Department(s): Governing Body

### Requested Motion

Public Hearing to receive resident input regarding the formulation of the Fiscal Year 2026-2027 Annual Operating Budget. No staff presentation will be provided and no official action is expected by the Town Council.

### Approval Recommended?

Yes

### Item Details

During the Regular Town Council meeting on Tuesday, February 24, 2026, Councilmember Gray petitioned his elected colleagues to provide additional opportunities for residents to speak on the formulation of the Annual Operating Budget for the upcoming fiscal year. The elected body did not object to this concept and direction was provided to schedule a "Budget Public Hearing" once a month until the budget was adopted. Below is the schedule for Budget public hearings:

<b>Opportunity No.</b>	<b>Date</b>	<b>Time</b>	<b>Location</b>
1	Tuesday, February 10, 2026	6:00 p.m.	Apex Town Hall   Council Chambers 73 Hunter Street   Apex, NC
2	Tuesday, March 10, 2026	6:00 p.m.	Apex Town Hall   Council Chambers 73 Hunter Street   Apex, NC
3	Tuesday, April 14, 2026	6:00 p.m.	Apex Town Hall   Council Chambers 73 Hunter Street   Apex, NC
4	Tuesday, May 12, 2026	6:00 p.m.	Apex Town Hall   Council Chambers 73 Hunter Street   Apex, NC

5	Tuesday, May 26, 2026	6:00 p.m.	Apex Town Hall   Council Chambers 73 Hunter Street   Apex, NC
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Written comments are accepted throughout the budget process by emailing [annual.budget@apexnc.org](mailto:annual.budget@apexnc.org) or mailing your comments by the United States Postal Service (USPS) using the following address:

Apex Town Clerk  
Post Office Box 250  
Apex, NC 27502

All comments should include your first and last name, physical address, phone number, email address, and state that the comments are directly related to the Town of Apex Fiscal Year 2026-2027 Annual Operating Budget.

Attachments

- N/A



# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Kathy Moyer, Director

Department(s): Electric Utilities

### Requested Motion

Public Hearing and possible motion to approve amendments to the Town's Residential and Residential Time-of-Use (TOU) schedules for electricity that impact time of use rates related to detached garages.

### Approval Recommended?

Yes

### Item Details

The Town of Apex currently does not consider detached garages that are separately metered on the same premises as a residential dwelling as domestic space required in the rate schedule availability section of the residential and residential time of use rate schedules. As such customers with separately metered detached garages are billed on the small general service rate.

The request is to modify residential and residential time of use rate schedules to include detached garages, if separately metered and on the same premise as a residential dwelling unit, be billed under the residential rate instead of the small general service rate.

Staff have identified less than 20 accounts. Upon approval these accounts would be changed to the residential rate.

### Attachments

- PH4-A1: Residential Rate Schedule - Fee Schedule Amendments Related to Detached Garages
- PH4-A2: Residential Time-of-Use Rate Schedule - Fee Schedule Amendments Related to Detached Garages



**TOWN OF APEX  
ELECTRIC RATE SCHEDULE**

**RESIDENTIAL SERVICE**

**AVAILABILITY**

This schedule is available when electric service is used for domestic purposes in and about a residential dwelling unit including detached garages that are separately metered and primarily used for residential purposes that are located on the same premise as the separate residential dwelling unit. This schedule is not available for any non-residential application. Delivery of service under this schedule shall be to the customer's premises at one point of delivery through one meter.

**TYPE OF SERVICE**

The Town will furnish service through one meter, at one delivery point.

**MONTHLY RATE**

Customer Charge	\$28.00
Energy Charge All kWh	\$0.1178/kWh

**DETERMINATION OF ENERGY**

The kWh of energy shall be the difference between the current month's watt-hour meter reading and the previous month's watt-hour reading.

**PAYMENT**

All bills are due and payable upon receipt. Billing dates are the 1<sup>st</sup> and 15<sup>th</sup> of the month. Bills are considered past due and delinquent 18 days after the billing date and shall be subject to a late payment charge of 1% of the unpaid balance amount if not paid by 10:00 am on the 19<sup>th</sup> day after the billing date. In addition, if any bills are not paid within 30 days of the billing date, the Town has the right to suspend service in accordance with its service policies.

**SALES TAX**

North Carolina sales tax of 7% will be applied to the above rates.

Effective \_\_\_\_\_, 2026

**TOWN OF APEX  
ELECTRIC RATE SCHEDULE**

**RESIDENTIAL TOU**

**While some existing customers are enrolled in the Time of Use (TOU) rate program, this option is currently unavailable for new enrollment.**

***AVAILABILITY***

This schedule is available when electric service is used for domestic purposes in and about a residential dwelling unit including detached garages that are separately metered and primarily used for residential purposes that are located on the same premise as the separate residential dwelling unit. This schedule is not available for any non-residential application. Delivery of service under this schedule shall be to the customer's premises at one point of delivery through one meter.

***TYPE OF SERVICE***

The Town will furnish service through one meter, at one delivery point.

***MONTHLY RATE***

Basic Customer Charge	\$28.00
Energy Charge	
All On Peak Energy	\$0.2439/kWh
All Off Peak Energy	\$0.0648/kWh

***DETERMINATION OF ON-PEAK AND OFF-PEAK HOURS***

A. **On-Peak Hours**

The on-peak hours occur Monday-Friday at the following times:

January 1 to March 31	6:00 am to 9:00 am
April 1 to April 15	6:00 am to 9:00 am & 1:00 pm to 6:00 pm
April 16 to September 30	1:00 pm to 6:00 pm
October 1 to October 15	6:00 am to 9:00 am & 1:00 pm to 6:00 pm
October 16 to December 31	6:00 am to 9:00 am

B. **Off-Peak Hours**

The off-peak hours in any month are defined as all hours not specified as on-peak hours above. In addition, the following holidays will be considered off-peak: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day plus the day after, and Christmas Day. When one of these holidays falls on a Saturday, the Friday before will be considered off-peak; when the holiday falls on a Sunday, the following Monday will be considered off-peak.

**MINIMUM BILL**

The Minimum monthly charge shall be the Basic Customer charge.

**TERM OF CONTRACT**

Customer's initial term of service shall be 1 year.

**PAYMENT**

All bills are due and payable upon receipt. Billing dates are the 1st and 15<sup>th</sup> of the month. Bills are considered past due and delinquent 18 days after the billing date and shall be subject to a late payment charge of 1% of the unpaid balance amount if not paid by 10:00 am on the 19 day after the billing date. In addition, if any bills are not paid within 30 days of the billing date, the Town has the right to suspend service in accordance with its service policies.

**SALES TAX**

North Carolina sales tax of 7% will be applied to the above rates.

Effective \_\_\_\_\_, 2026

# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: NEW BUSINESS

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Mayor Pro-Tempore Terry Mahaffey

Department(s): Governing Body

### Requested Motion

Receive information from staff on the legal process, requirements, and responsibilities of a development moratorium; and possible motion to direct staff to begin the required statutory procedures.

### Approval Recommended?

TBD

### Item Details

On Thursday, January 22, 2026, the Apex Town Council held a joint meeting with the Apex Planning Board to receive information about hyperscale data centers and their potential impacts. The staff led presentation provided information on how hyperscale data centers within the Town's jurisdiction may affect the community in terms of energy use, water use, environmental impacts, noise, land use (including zoning, buffers, and design), economic impact, traffic, and public safety considerations.

This agenda item requests the Town Council discuss the legal process, requirements, and responsibilities of a development moratorium and provide additional direction to Town staff as appropriate.

### Attachments

- N/A



# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: NEW BUSINESS

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Mayor Jacques K. Gilbert

Department(s): Governing Body

### Requested Motion

Discuss the establishment of a Non-Standing Resident Advisory Committee to focus specifically on potential data center proposals, research and study impacts, review transparency and administrative review processes specifically related to Data Centers and associated Unified Development Ordinance (UDO) amendments, and continue engagement with an independent third-party consultant.

### Approval Recommended?

TBD

### Item Details

After the recent withdrawal of a proposed data center by a developer and with no proposals currently on the table, I would like to present a proposal to form a multidisciplinary Data Center Steering Committee, bringing together experts, residents, including ETJ representation and an independent third-party group.

The committee will focus specifically on potential data center proposals, researching and studying impacts and reviewing transparency and administrative review processes to provide recommendations for UDO considerations and other policy improvements. The goal is to ensure the Town's policies, UDO standards, and administrative review processes are transparent, sound, and well-informed before any potential proposals are considered.

While our Environmental Advisory Board (EAB) continues its broader work on environmental issues, this steering committee will examine all potential impacts of data centers—including public safety, economic, community, environmental, and operational considerations providing a dedicated and transparent forum to fully study this issue from a resident and stakeholder perspective. I hope the committee's findings and recommendations can inform regional approaches as neighboring communities review potential data center proposals.

Attachments

- N/A



# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CLOSED SESSION

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Laurie Hohe, Town Attorney

Department(s): Legal Services

### Requested Motion

Possible motion to go into closed session pursuant to NCGS 143-318.11(a)(3) to consult with the Town Attorney in order to preserve attorney-client privilege.

### Approval Recommended?

N/A

### Item Details

#### **NCGS § 143-318.11(a)(3)**

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

### Attachments

- N/A



# | Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CLOSED SESSION

Meeting Date: March 10, 2026

## Item Details

Presenter(s): Allen Coleman, Town Clerk

Department(s): Town Clerk's Office

### Requested Motion

Possible motion to go into closed session pursuant to NCGS 143-318.11(a)(1) to prevent the disclosure of information that is privileged or confidential.

### Approval Recommended?

N/A

### Item Details

#### **NCGS § 143-318.11(a)(1)**

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

### Attachments

- N/A

