

**MINUTES  
JANUARY 9, 2006**

The Aberdeen Board of Commissioners met Monday, January 9, 2006 for their regular Board meeting. Members present were Mayor Elizabeth Mofield and Commissioners Pat Ann McMurray, Arthur Parker, Robbie Farrell and Walter Wright. Commissioner Donna Shannon was unable to attend. Others in attendance were Town Manager Bill Zell, Planning Director Giles Hopkins, Finance Officer Beth Wentland, Parks & Recreation Director Leigh Baggs, Town Clerk Nancy Matthews and Matthew Moriarity, Reporter for the Pilot. Planning Board members present were Maurice Holland, Bill Prevatte and Elease Goodwin. There were approximately twenty citizens in attendance.

**1. Call to Order**

Mayor Mofield called the meeting to order at 7:00 p.m. She stated there were several Public Hearings to be held.

**2. PUBLIC HEARINGS**

- a. Application for Conditional Use Permit CU#05-14 submitted by Ben Himsel for an automobile sales lot to be located on the west side of US 1 Hwy. at the corner of NC 5 Hwy.**

Mayor Mofield opened the Public Hearing on Application for Conditional Use Permit CU#05-14 for public comments and Board discussion.

Planning Director Hopkins stated the property is owned by Mr. Patrick Simpson and is located in a HC Highway Commercial District, which allows automobile sales lots as a Conditional Use. He stated automobile sales have been on this property previously. He also stated DOT would not allow but the one entrance onto this property. He stated once the Public Hearing has been held, the item will go to the Planning Board for their review and they will make a recommendation to the Town Board.

With no further comments or Board discussion, Mayor Mofield declared the Public Hearing on Application for Conditional Use Permit CU#05-14 closed.

**b. Amendment to Application for Conditional Use Permit CU#05-08 for Lighthouse Trace.**

Mayor Mofield then opened the Public Hearing on Application for Conditional Use Permit CU# 05-08 for public comments and Board discussion.

Mr. Bill Jones, a member of the golf committee and a trustee of the Elks Club, briefly spoke giving several concerns: The 36” drain pipe going across and underneath the golf course is not in good condition and is inadequate to handle the water runoff. He stated second, the holding pond will not be able to hold the extra water. He stated in this particular application, there are some ineffectual statements that “LandDesign will make the necessary adjustments to the existing on-site storm system in an effort to avoid storm water runoff impacting the adjacent property owners during the 10-year or less storm event.” He stated necessary repairs should be addressed before the fact, not after the fact.

Mr. Jones stated as for the foundations currently in existence, there were no flags indicating the abutting boundary/lot lines. He would like to see how much this would impact the Elks Club’s situation. He stated he would concur, if an expert saying the 36” pipe is adequate and would handle the flow created by the new development, he would have no problem with them proceeding.

Mr. Jarrett Deerwester, developer, stated he has had two professional engineers on site who have calculated the impervious surface runoff. He stated he assures the Elks Club members the 36” pipe would be well adequate to hold this runoff. He also stated that the Elks Club did sell an easement for that pipe to drain the runoff. Mr. Deerwester stated as for the holding pond, once this is properly graded, will alleviate any problem in this area. He stated if the pipe needs to be replaced in order to handle the storm water runoff, then he

as developer, would be required to correct this.

After further discussion, Mr. Deerwester is to meet Mr. Jones and walk the site in question and look at this area.

With no further public comments or Board discussion, Mayor Mofield declared the Public Hearing on Application for Conditional Use Permit CU#05-08 closed.

**c. Application for Conditional Use Permit CU#05-15 submitted by David Polny for an automotive restoration facility to be located at 707 South Pinehurst Street.**

Mayor Mofield then opened Public Hearing on Application for Conditional Use Permit CU#05-15 for public comments and Board discussion.

Planning Director Hopkins stated this property is owned by LQ Properties, LLC and is located in a CI Commercial Industrial (Light) District, which allow for automobile repairs and services as a Conditional Use. He stated Mr. Polny plans on restoring classic and antique automobiles dating 1975 and backwards. He stated all restoration will be done inside the existing building.

With no further comments or Board discussion, Mayor Mofield declared the Public Hearing on Application for Conditional Use Permit CU#05-15 closed.

**d. CDBG Grant Application for future Water/Sewer Projects.**

Mr. Bill Lester, PE with Hobbs, Upchurch & Associates, briefly stated the Public Hearing is one of two Public Hearings required as part of the process for obtaining CDBG grants. He stated this Public Hearing is a generic presentation for future water and sewer projects. He stated by being generic, it will count as the first of the necessary two Public Hearings for a specific project. He stated the second Public Hearing will have to be specific to the actual project at hand and that the initial Public Hearing is good for one year.

With no public comments or further Board discussion, Mayor Mofield declared the Public Hearing on CDBG Grant Application for future Water/Sewer Projects closed.

### **3. Setting of the Agenda**

Manager Zell stated an item needed to be added as 7-d, New Business: Accept Irrevocable Letter of Credit from 1<sup>st</sup> Bank for Partners in the Pits.

A motion was made by Commissioner Parker, seconded by Commissioner McMurray, to approve the Setting of the Agenda as amended. Motion unanimously carried.

### **4. Approval of the Consent Agenda**

**All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held except on request by a member of the Board of Commissioners**

#### **a. Minutes of Regular Board Meeting of December 12, 2005; Regular Work Session of January 3, 2006.**

A motion was made by Commissioner McMurray, seconded by Commissioner Parker, to approve the Consent Agenda as presented. Motion unanimously carried.

### **5. Financial Report**

Finance Officer Beth Wentland gave the financial report for the month of December. She stated in the General Fund, the revenues were lower than expenses by \$128,975.34, with a year-to-date net gain of \$162,707.61.

Mrs. Wentland stated in the Water/Sewer Fund and being a bi-monthly utility billing, was a net gain of \$48,637.90, with a year-to-date net gain of \$100,752.57.

Mrs. Wentland asked consideration of the Board to adopt a Resolution to finance with BB&T for the financing of three (3) Dodge Durango's for the Police Department. She stated this is required in order for her to proceed with the financial documentation. She stated the vehicles would be financed for three (3) years with an interest rate of 3.91% and the amount financed would not exceed \$66,198.

After a brief discussion, a motion was made by Commissioner McMurray, seconded by Commissioner Parker, to adopt the Resolution approving financing terms by BB&T for the financing of three Dodge Durango's for the Aberdeen Police Department in the amount of \$66,198.00 for three (3) years at the rate of 3.91%. Motion unanimously carried.

## **6. Informal Discussion and Public Comment**

a. Manager Zell informed the Board that bids were received for construction of Water Tank #5. He stated only two (2) bids were received. He stated the law requires three (3) bids so the Town will re-bid this project. Bids will be opened next Tuesday.

b. Commissioner Farrell informed the Board that there was an article in the magazine, Business North Carolina, about Aberdeen Rockfish Railroad.

c. Parks & Recreation Director Leigh Baggs informed the Board that a company out of Garner, N. C. came to Aberdeen and looked at the lake. She stated the lake needed to be drained five (5) feet before they could give the Town an estimate. She stated the lake has been drained and once she receives a quote, the Board will be informed.

## **7. New Business**

### **a. Presentation by Susan Hatchell Architect and consideration of adoption of the Master Plan Design for Aberdeen Lake Park.**

Ms. Susan Hatchell distributed to the Board information pertaining to the Site Master Plan with site analysis and construction costs for each of the lake park's infrastructure. She briefly reviewed each of these with the Board.

Mr. Tim Oakley of Oakely Associates distributed to the Board the proposed architectural drawings for the proposed recreation center. He briefly reviewed the specific areas and gave construction costs.

After some discussion, the consensus of the Board was to continue the meeting to Tuesday, January 17<sup>th</sup> at 5:30 p.m. to review more thoroughly before making a decision to proceed.

**b. Application for Rezoning RZ#05-07 submitted by Bonnie McPeake to rezone property located behind and to the north and west of Aberdeen Commons.**

Planning Hopkins informed the Board that NC Legislature has made extensive changes in some areas of planning and development. He stated that one of them has caught up with an item at this meeting. He stated before adopting or rejecting any zoning amendment, the Board must adopt a statement on planned consistency and why adopting or rejecting a zoning amendment is reasonable and in the public's interest. He stated before the Board can approve or reject the above, this statement must be adopted before any action can be made on RZ#05-07.

A motion was then made by Commissioner Parker, seconded by Commissioner McMurray, the Board of Commissioners adopt the following statement regarding approval of Zoning Amendment RZ#05-07: The amendment to the Zoning District Map of the Town of Aberdeen RZ#05-07 is consistent with the "2030 Comprehensive Land Development Plan" adopted on December 12, 2005 and the Board of Commissioners hereby consider the approval and action of the Rezoning Application RZ#05-07 to be reasonable and in the public interest because it provides for development of a parcel or parcels of property in a manner that is both economical and environmentally of benefit to the Town of Aberdeen. Motion unanimously carried.

A motion was then made by Commissioner Parker, seconded by Commissioner McMurray, to approve Application for Rezoning RZ#05-07 submitted by Bonnie McPeake to rezone property located behind and to the north and west of Aberdeen Commons to add approximately one (1) acre to handle the extra parking for this property. Motion unanimously carried.

**c. Application for Conditional Use Permit CU#05-13 submitted by Bonnie McPeake for a Business Planned Development to be located behind and to the north and west of Aberdeen Commons.**

**(a) Application for Site Plan Review SP#05-16 for a Business Planned Development to be located behind and to the north and west of Aberdeen Commons.**

Due to some concerns pertaining to the size of proposed signage, this item was continued to the January 17<sup>th</sup> for further discussion and action.

**d. Consideration of acceptance of Irrevocable Letter of Credit from 1<sup>st</sup> Bank for Partners in the Pits.**

A motion was made by Commissioner Parker, seconded by Commissioner Wright, to authorize Manager Zell to receive the Irrevocable Letter of Credit from 1<sup>st</sup> Bank on behalf of Partners in the Pits. Motion unanimously carried.

**8. Old Business**

There was no Old Business.

**9. Other Business**

**a.** Manager Zell stated he and three (3) Board members attended the Moore County Leadership Summit on December 9<sup>th</sup> at the McDonald Building in Carthage. He stated it was a positive meeting for the first step. He stated he met with the committee last week and information will be given at the January 26<sup>th</sup> Chamber meeting. He stated the executive committee has

decided that the next step is to get the elected leadership together to determine the best initial project to take on.

**b.** Manager Zell reminded the Board pertaining to the Chamber Banquet on January 26<sup>th</sup> at Pine Needles Lodge and Golf Club.

## **10. Adjourn**

With no further items for consideration or discussion, a motion was made by Commissioner Parker, seconded by Commissioner Farrell, to continue the meeting to Tuesday, January 17<sup>th</sup> at 5:30 p.m. Motion unanimously carried.

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Nancy M. Matthews, Town Clerk

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Elizabeth B. Mofield, Mayor