

**MINUTES**  
**AUGUST 14, 2006**

The Aberdeen Board of Commissioners met Monday, August 14, 2006 at 7:00 p.m. for their regular monthly Board meeting. Members present were Mayor Elizabeth B. Mofield and Commissioners Pat Ann McMurray, Donna Shannon, Robbie Farrell and Walter Wright. Commissioner Arthur Parker was unable to attend due to another commitment. Others in attendance were Town Manager Bill Zell, Town Clerk Nancy Matthews, Planning Director Giles Hopkins, Deputy Planning Director Ben Warren and Matthew Moriarity, Reporter for the Pilot Newspaper. There were several citizens also in attendance.

**1. Call to Order**

Mayor Mofield called the meeting to order and then welcomed all those in attendance. She stated there were two Public Hearings to be held.

**PUBLIC HEARINGS**

**a. Public Hearing on the Closing of Marse Henry Page Road between Bonnie Brook Road and North Poplar Street.**

Mayor Mofield opened the Public Hearing on the closing of Marse Henry Page Road between Bonnie Brook Road and North Poplar Street for public comments and Board discussion.

Deputy Planning Director Ben Warren briefly commented on the process and requirements for closing a street. He stated all requirements have been met. He requested the Board adopt the Street Closing Order after the Public Hearing, under New Business.

With no Board discussion or public comments, Mayor Mofield declared the Public Hearing on the closing of Marse Henry Page Road between Bonnie Brook Road and North Poplar Street closed.

**b. Public Hearing on proposed Zoning Code Text Amendment ZA#06-03 pertaining to a Flood Plain Ordinance.**

Mayor Mofield then opened the Public Hearing on proposed Zoning Code Text Amendment ZA#06-03 pertaining to a Flood Plain Ordinance for public comments and Board discussion.

Deputy Planning Director Warren informed the Board this item pertains to the Town adopting a Flood Plain Ordinance before October 17<sup>th</sup>. He stated if the Town does not come up with a new and adopted ordinance, that there will be no funds received from FEMA for any disaster that could hit the Town. He stated there are no significant changes to the ordinance already in effect. He stated the proposed ordinance would go back to the Planning Board for one final review and then come back to the Town Board to consider for adoption at the September 11<sup>th</sup> Regular Board meeting.

Mr. Albert Hamel, Mr. Donnie Sands and Mrs. Sara Ahmad, each had questions pertaining to the proposed ordinance.

With no further public comments or Board discussion, Mayor Mofield declared the Public Hearing on proposed Zoning Code Text Amendment ZA#06-03 closed.

**2. Setting of the Agenda**

Manager Zell stated that New Business, 6-b, needed to be deleted and to add an item as New Business, 6-g, Approval of CDBG Midway Administrative and Engineering Contracts.

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

### **3. 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 Meeting of June 12, 2006; Called Meeting of June 19, 2006; Called Meeting of July 5, 2006; Regular Work Session of August 3, 2006.**

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

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

Mayor Mofield read to the public an article that she had clipped from the Fayetteville Observer pertaining to old historical trees that had been cut in order to make room for a development. The article pertained to a group of citizens working to help preserve these and other older trees.

### **5. Old Business**

There was no Old Business to be conducted.

### **6. New Business**

- a. Consideration of approval of Zoning Code Text Amendment ZA#06-02B regarding SECTION 155.049 I-H Industrial District (Heavy).**

A motion was made by Commissioner Farrell, seconded by Commissioner McMurray, to approve Zoning Code Text Amendment ZA#06-02B regarding Section 155.049 I-H Industrial District (Heavy) as presented. Motion unanimously carried.

**b. Consideration of approval of Zoning Code Text Amendment ZA#06-03 pertaining to a Flood Plain Ordinance.**

This item was deleted and will go back to the Planning Board for a final review.

**c. Consideration of approval of Amendment of the Code of Ordinances GP#06-03 Chapter 52: Street and Sidewalk Improvements.**

A motion was made by Commissioner McMurray, seconded by Commissioner Shannon, to approve Amendment of the Code of Ordinances GP#06-03 Chapter 52: Street and Sidewalk Improvements as presented. Motion unanimously carried.

**d. Consideration of approval of Budget Amendment BA#07-01 for Elevated Tank Project (Water Tank #5) located on US Highway 15/501.**

A motion was made by Commissioner McMurray, seconded by Commissioner Wright, to approve Budget Amendment BA#07-01 for Elevated Tank Project located on US Highway 15/501. Motion unanimously carried.

**e. Consideration of adoption of Street Closing Order SC#06-01 closing that portion of Marse Henry Page Road between Bonnie Brook Road and North Poplar Street.**

A motion was made by Commissioner Farrell, seconded by Commissioner McMurray, to adopt the Street Closing Order SC#06-01 to close that portion of Marse Henry Page Road between Bonnie Brook Road and North Poplar Street. Motion unanimously carried.

**f. Consideration of approval of Right-of-Entry Agreement for New Antenna (Verizon) to be located on Dawkins Street Water Tank.**

A motion was made by Commissioner McMurray, seconded by Commissioner Shannon, to approve the Right-of-Entry Agreement for New Antenna (Verizon) to be located on Dawkins Street Water Tank. Motion unanimously carried.

**g. Consideration of approval of Contract for Administrative and Engineering Services with Hobbs, Upchurch & Associates for Community Development Block Grant Infrastructure for Midway Sewer Improvements.**

Manager Zell informed the Board that in order to proceed with the grant, the Board would need to approve these two contracts. He stated, since the Town has signed the Grant Agreement, the Town is now authorized to enter contracts for administrative and engineering services for this project. He stated however, the Town has not yet received the Environmental Release of Funds for this project. He stated the Board can approve the Administrative Services contract. He stated the Engineering contract can be approved as presented, contingent upon Release of Funds from DCA. He also stated the motion needs to contain this.

A motion was then made by Commissioner McMurray, seconded by Commissioner Shannon, to approve the Administrative Contract with Hobbs, Upchurch & Associates for the Midway CDBG Infrastructure project and also, to approve the Engineering Contract with Hobbs, Upchurch & Associates as presented contingent upon the Release of Funds from the DCA. Motion unanimously carried.

**7. Other Business**

- a.** Manager Zell distributed to the Board a copy of the bid proposal for the renovations to the Aberdeen Depot. He stated this was the only bid received. He stated this item would be on the next Work Session agenda for review.
- b.** Manager Zell requested the Board consider whether to proceed with the Brough Law Firm compiling a unified development ordinance for the Town.

A motion was made by Commissioner McMurray, seconded by Commissioner Wright, to enter into a contract with the Brough Law Firm to compile a unified development ordinance for the Town

of Aberdeen not to exceed \$25,000.00 and to take the funds from Fund Balance. Motion unanimously carried.

**8. Adjourn**

With no further business, a motion was made by Commissioner Farrell, seconded by Commissioner Wright, to adjourn the meeting. Motion unanimously carried.

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Nancy M. Matthews, Town Clerk

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Elizabeth B. Mofield, Mayor