

Minutes
Regular Board Meeting
Aberdeen Town Board

October 11, 2010
Monday, 6:00 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Town Board met Monday, October 11, 2010 at 6:00 p.m. for the Regular Board Meeting. Members present were Mayor Elizabeth B. Mofield, Mayor Pro-tem Robbie Farrell and Commissioners Pat Ann McMurray, Jim Thomas, Alan Parker, and Walter Wright. Staff members in attendance were Parks & Recreation Director Leigh Baggs, Planning Director Kathy Liles, Planner Pam Graham, Town Manager Bill Zell, and Town Clerk Regina Rosy. Others in attendance included Elease Goodwin, Allan Nanney, Elizabeth Cox, Owen Gallagher, approximately 15 members from the Midway Community, and Boy Scout Troop #800.

1. Call to Order

Mayor Mofield called the meeting to order at 6:00 p.m.

Public Hearing

- a. Application RZ#10-02 to rezone twenty-one (21) contiguous properties within the Midway Community from R-20 Residential District to R-10 Residential District.

Mayor Mofield opened the public hearing on Application RZ#10-02 to rezone twenty-one (21) contiguous properties within the Midway Community from R-20 Residential District to R-10 Residential District.

Planning Director Liles stated the application is to rezone 21 parcels from R-20 to R-10 zoning. Functionality

Planning Director Liles gave a brief history of these 21 properties, beginning with 1991 which is when it was rezoned to R-10MH. Planning Director Liles stated in 1992, with no notice and in a public meeting, the zoning was reversed. Planning Director Liles stated in 2004 rezoning was initiated, but only half of the properties were rezoned to R-10 by ordinance. Planning Director Liles stated there is a lot of gray area about the actual zoning for these properties.

Planning Director Liles pointed out the boundary by Ray's Mill Creek – and she pointed out the area with wet soils – which shows which land is available for development. Planning Director Liles also pointed out the development potential for these properties if the rezoning is approved.

Planning Director Liles displayed the development potential as follows:

R-20 lot yield at 90%: 16
R-10 lot yield at 90%: 38

Trip Generation:

16 lots: 160 vehicle trips per day
38 lots: 380 vehicle trips per day
Midway: 420 vehicle trips per day
Bethesda: 1900 vehicle trips per day

Impact on water at 400 gpd per household would be 8800 gallons per day
Impact on sewer at 360 gpd per household, 7920 gpd. (Not very significant)

Planning Director Liles commented on the consistency with the Land Use Plan - designated low density on the Future Land Use Map – R-20 and R-20 A (defined as low density) Planning Director Liles stated the factors that play into the designation are availability of water and sewer, access to public road, wetlands and floodplain.

Planning Director Liles stated other considerations are comparable uses – differing densities, not a spot zoning, uniformity (all land similar circumstances should be zoned alike), plan supports need for additional residential units. Planning Director Liles stated this is not a spot zoning.

Steven Utley, 120 Mini Lane, stated he is standing up for the community. Mr. Utley stated he does not feel it is right for his community to be divided and would like the Board to rezone the properties to R-10.

Karen Thomas, 311 Midway Road, stated she is here as a resident of the Midway Community. She stated it appears that errors have taken place and Midway is not a divided community – she does not feel it would be correct to have the community divided into two separate zoning districts. She stated by zoning the other half of the community to R-10, would give her community a fighting chance. She pointed out with R-20 zoning, residents would have to build 1,400 square feet homes in that district.

Mayor Mofield asked if the zoning were R-10, is that the minimum house size and lot size. Planning Director Liles stated yes. Mayor Mofield wanted to know if there was a limit on how big a house could be. Planning Director Liles stated the zoning does not put a maximum on a house or lot size, just a minimum.

Elizabeth Cox, Executive Director with Habitat for Humanity of the Sandhills, stated the Midway Community has worked with Habitat for the last several years. She stated it will cost Habitat a tremendous amount of money to build 1400 sq. ft. homes. She stated Midway Day was just held this past Saturday, and it is a very strong community. She stated Habitat is currently

building 23 homes in the Midway Community. She stated there is a lot of interaction in the Midway Community, and they felt this zoning issue was taken care of years ago. Many of the families have limited income, and they would not be able to afford to build 1,400 sq. ft. homes, much less 1,600 sq. ft. homes.

Peter Gilbert yielded his time to speak.

Maurice Holland Sr., also concurred. He stated he used to be a member of the Aberdeen Planning Board, and he stated it was their understanding that this mistake had been corrected. Mr. Holland stated this is a request from him to clarify a number of mistakes. Mr. Holland stated this will allow his community to be zoned in the same manner, in order to keep his community united.

Maurice Holland Jr., reiterated what Karen Thomas said. He stated there has to be working class community – and he stated builders say it costs about \$100 per square feet. Mr. Holland stated a 1,000 sq. ft. home would cost about \$100,000. He stated by requiring a 1,400 sq. ft. house size, it would not allow for future building in the Midway Community.

Mark Holland, 351 Midway Road, stated this is a working class neighborhood, and needs to stay that way.

Albert Thomas, stated his dream is to build a house one day. He stated he and his fellow neighbors are trying to keep a community together and just live. He stated his community is just trying to survive. He stated most residents in Midway are just making \$8 an hour.

Mayor Mofield stated the high school carpentry class builds a home each year, and the home is auctioned each year.

Mayor Mofield closed the public hearing Application RZ#10-02 to rezone twenty-one (21) contiguous properties within the Midway Community from R-20 Residential District to R-10 Residential District.

2. Setting of the Agenda

A motion was made by Commissioner Thomas, seconded by Commissioner McMurray, to approve the setting of the agenda as presented. 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 Board Meeting on September 13, 2010 and Work Session on September 30, 2010.

A motion was made by Commissioner Wright, seconded by Commissioner Thomas, to approve the consent agenda. Motion unanimously carried.

4. Informal Discussion and Public Comment

- a. Recognition of Boy Scout Troop in attendance.

The troop leader stated Scout Troop 800 has been in existence for 31 years. They are sponsored by Page United Methodist Church. The troop leader stated the Citizenship and Community Badge is what they are working on.

Mayor Pro-tem Farrell stated both of his sons went through Troop 800 and both of his sons attained their eagle scout from Troop 800.

- b. Community & Military Series.

Manager Zell reminded the Board of the Community and Military Series Luncheon tomorrow at 12:00 p.m. at National. Commissioner Wright, Commissioner McMurray, Mayor Pro-tem Farrell, and Manager Zell stated they will be attending.

- c. Steven Utley stated there are never any Aberdeen police officers patrolling his area and he would appreciate some extra surveillance in his area. Mayor Mofield stated she will make Police Chief Mike Connor aware of this.
- d. Commissioner McMurray recognized the flags flying on US 1 Highway today – she stated they were beautiful.
- e. Mayor Pro-tem Farrell thanked Leigh Baggs and the Sardine Festival Committee. He stated the Sardine Festival was a wonderful event at Aberdeen Lake Park and it was such a wonderful day. Leigh Baggs stated 1500 cans of sardines were eaten and all moon pies, colas, shirts, and hats were sold out. Leigh Baggs stated Frances Broils, who lives on Sandpit Road, was crowned the Sardine Queen.

5. Financial Report

Manager Zell stated there is the first quarter report. Manager Zell stated the General Fund is \$665,200 to the good. Manager Zell discussed some of the big ticket items which were listed under the expenditures column.

Manager Zell stated for the Water and Sewer Fund there has only been one billing cycle this quarter, so next month will be back on track.

6. Old Business

- a. Resolution Adopting a Code of Ethics for the Board of Commissioners of the Town of Aberdeen.

Manager Zell stated the requirement for a Code of Ethics was mandated by the State Legislature, and he thinks the Board has already made the necessary changes to this document.

A motion was made by Commissioner McMurray, seconded by Commissioner Parker, to approve the Resolution Adopting a Code of Ethics for the Board of Commissioners of the Town of Aberdeen. Motion unanimously carried.

7. New Business

- a. Resolution to Accept a Certificate of Deposit for Infrastructure Improvements for Devonshire Subdivision, Phase 1.

Planning Director Liles stated this issue was discussed during the previous Work Session. One question was about curb and gutter – Planning Director Liles stated the project called for rolled curb and gutter – and that is what the contractor is putting in. Planning Director Liles stated the paving was supposed to start today, but the project must be running behind.

Planning Director Liles stated the developer proposed to provide surety and open two certificates of deposit totaling \$56,700 with RBC Bank to be pledged to the Town of Aberdeen for completion of infrastructure that would not be released unless documentation is received from the Town directing the bank to do so.

Mayor Mofield asked how much sidewalk installation is in this project. Planning Director Liles stated there is 2400 linear feet, four feet wide of sidewalk proposed for this project. Commissioner Wright asked if sidewalks are on both sides of the road. Planning Director Liles stated yes, sidewalks are on both sides of the road.

Commissioner Parker asked what the two separate amounts will be for the two CDs. Planning Director Liles stated one might be \$25,000 and the other CD would be for the balance. Commissioner Parker asked if the Board needs to set dollar figures for how these 2 separate CDs are broken down.

Commissioner Parker suggested breaking it into separate categories – one for sidewalks and one for asphalt.

Mayor Pro-tem Farrell pointed out that sidewalks would only be poured as a house is finished in the development.

Commissioner Wright wanted to make sure the sidewalks are protected. Mayor Mofield stated it sounds like the Board wants a clearer breakdown of what the two CDs are for and breakdown for each.

Mayor Mofield suggested figuring the amounts and then approving \$1.25 times 30,080, and 1.25 times \$15,352.80. Planning Director Liles stated she does not believe the contractor cares what amounts the CDs are for.

A motion was made by Commissioner Parker, seconded by Commissioner Wright, to approve the Resolution to include two certificates of deposit totaling \$56,671 to RBC Bank to be broken down by the sums of \$37,600 and \$19,100 as amended. Motion unanimously carried.

- b. Resolution Confirming that the Town of Aberdeen has the Funds Necessary to Complete Infrastructure Improvements for the Bethune Street Subdivision and that the Town Remains Committed to Providing Said Funds.

Planning Director Liles stated Bethune St. is part of a Community Development Block Grant, which includes creating a subdivision where Habitat for Humanity homes can be built. Planning Director Liles stated the estimated cost of infrastructure improvements would be \$46,000. The Town has been awarded a CDBG Grant of \$333,000. It was discovered there was a typo in the resolution for \$333,0000. The Board made the decision to omit item #4 from the resolution and correct the number in #3 to \$333,000.

A motion was made by Commissioner Parker, seconded by Commissioner Thomas, to approve the Resolution Confirming that the Town of Aberdeen has the Funds Necessary to Complete Infrastructure Improvements for the Bethune Street Subdivision and that the Town Remains Committed to Providing Said Funds as amended. Motion unanimously carried.

- b. Town of Aberdeen Red Ribbon Week 2010 Proclamation.

Parks and Recreation Director Leigh Baggs stated there have been some recent developments in Moore County. Parks and Recreation Director Leigh Baggs stated that Operation Medicine Drop was a huge success and the Aberdeen Recreation Station was the largest drop off location.

Parks and Recreation Director Leigh Baggs hit on highlights of the Red Ribbon Week 2010 Proclamation.

A motion was made by Mayor Pro-tem Farrell, seconded by Commissioner Wright, to approve the Town of Aberdeen Red Ribbon Week 2010 Proclamation. Motion unanimously carried.

8. Other Business

a. Green Growth Toolbox – Special Called Meeting.

Planning Director Liles suggested Tuesday, October 19th at 5:00 p.m. for the meeting at the Aberdeen Recreation Station to learn about the Green Growth Toolbox. The Board agreed that would be a good date.

b. Updated Southern Pines Annexation Agreement Map.

Planning Director Liles stated the Town staff went back and met with Southern Pines staff. Planning Director Liles pointed out the Paint Hill Preserve property that would be moved to Southern Pines area to potentially annex, rather than Aberdeen. Planning Director Liles stated this item will be discussed in more detail at the next Work Session.

c. Letter from Pinehurst Fire Department

9. Adjournment

With no further items for discussion, a motion was made by Commissioner Wright, seconded by Mayor Pro-tem Farrell, to adjourn the meeting. Motion unanimously carried.

Regina M. Rosy, Town Clerk

Elizabeth B. Mofield, Mayor

Minutes were completed in
Draft form on October 12, 2010

Minutes were approved
on November 8, 2010