

**TOWN OF ABERDEEN
BOARD OF COMMISSIONERS
MINUTES OF WORK SESSION
MAY 29, 2008**

The Aberdeen Board of Commissioners met Thursday, May 29, 2008 at 5:30 p.m. for their regular Work Session. Members present were Mayor Pro-tem Robbie Farrell and Commissioners Pat Ann McMurray, Donna Shannon and Walter Wright. Mayor Elizabeth Mofield came in at the end of the Work Session. Commissioner Jim Thomas was unable to attend due to a prior commitment. Others in attendance were Town Manager Bill Zell, Town Clerk Nancy Matthews and Mary Griffin, Reporter for the Pilot Newspaper. Planning Director Kathy Liles and Deputy Planner Patti Jilson were unable to attend due to attending a Planning Seminar and Workshop.

Mayor Pro-tem Farrell called the Work Session to order. He stated there were several citizens who reside on Dogwood Drive who were in attendance to speak concerning the proposed Jiffy Lube and Thomas Tire operations to be constructed at the entrance of Dogwood Drive.

Some of the concerns were the increased traffic, vehicles parking in resident's driveways and on their property, and trash everywhere. One resident presented numerous pictures showing the amount of debris and trash that continually is scattered all over the property at Thomas Tire and the adjacent property owners. Other concerns were the trees on property owned by Tommy Huntley that are on the edge of the street which blocks the view of thru-traffic.

The residents residing on Dogwood Drive asked the Board to please do something to help in getting these issues resolved. It was also requested that a buffer be placed between the proposed new building and the adjoining property owner.

1. Voluntary non-contiguous annexation petitioned by David and Rebecca Watts for property located at 120 Longleaf Circle.

Manager Zell stated the Watts purchased this property and plan to construct a house in the near future. He stated the petition has been reviewed by Planning staff and find that the property is feasible to be annexed. He stated this item will be on the agenda for the first

annexation process and of setting a date for a Public Hearing. **Agenda item as New Business.**

- 2. Application for Conditional Use Permit CU#08-04 (to amend CU#07-07 and Site Plan Review SP#07-08) submitted by Ted Thomas to add three additional storage units in the rear of the property located at 136 Industrial Way.**

Manager Zell informed the Board that the Public Hearing was held at the May 12th regular meeting. He stated the application meets all requirements and item will be placed on the June 9th agenda for action. **Agenda item as New Business.**

- 3. Application for Conditional Use Permit CU#08-06 submitted by Stover Homes, Inc. to construct five duplex units in place of Buildings G, H and I at Lighthouse Trace, Saunders Blvd.**

Manager Zell stated the Public Hearing was held at the May 12th regular meeting, meets all requirements and item will be placed on the June 9th agenda for action. **Agenda item as New Business.**

- 4. General Purpose Text Amendment GP#08-03 to reassign responsibilities of the Board of Adjustment.**

Manager Zell informed the Board that the Board of Adjustment performs two critical roles: First is to provide a mechanism for appeal of the Zoning Administrator's decision regarding permitting activities, and the second is to issue variances when the intent of the ordinance may be met, but a literal interpretation of the code presents a hardship for an applicant. He stated this is a board that is rarely needed, but when it meets, it performs critical functions.

Manager Zell then stated before asking the Commissioners to appoint a new BOA membership, the Planning staff coordinated with the Brough Law Firm to determine if these duties could be reassigned. He stated the Law Firm provided a draft ordinance amendment to assign the functions of the two boards to the Planning Board. He stated the Planning Board met and did not feel comfortable performing dual roles. He stated the Planning Board felt that their

job needed to remain focused on providing input in developing the standards and ensuring that applications meet the standards and not in determining if an exception to a standard was appropriate. He then stated, based on the position of the Planning Board, it seemed best to consider another option and consider the Town Board to assume the responsibilities of the Board of Adjustment. He stated this text amendment would allow the Town Board to handle the duties of the Board of Adjustment. **Agenda item as New Business.**

5. General Purpose Text Amendment GP#08-04 Consumption of Alcoholic Beverages on Public Property.

Manager Zell informed the Board that the Aberdeen Code of Ordinances, Section 111.01, prohibits the consumption of alcoholic beverages on public property, including streets, alleys, sidewalks and parks. He stated in order to maximize rental use of the new Parks & Recreation Station for weddings and other special events, a lightening of this prohibition is needed. He stated this text amendment would allow for public consumption of alcoholic beverages *solely within the building itself subject to receipt of an ABC permit*. **Agenda item as New Business.**

6. Contract with Dixon Hughes, PLLC for the audit of accounts of FY2007-2008.

Manager Zell stated this item is for the year-end bookkeeping assistance/audit plus the GASB 34 Conversion of the Town's financial statements and standards for FY2007-2008. He stated this is the standard auditing procedure as in the past.

After some discussion, a motion was made by Commissioner McMurray, seconded by Commissioner Wright, to approve the Contract with Dixon Hughes, PLLC for the audit of accounts of FY2007-2008. Motion unanimously carried.

7. Fee Schedule for Parks & Recreation/new building.

The Board reviewed the proposed fee schedule for the rental of the Parks & Recreation building. The Board felt the schedule was adequate with the revised changes.

The Board wanted to add in addition, a fee for rental of the parking lot, the Shamburger Park Shelter and the new Firemen's Picnic Shelter. These rental amounts will be ready for consideration at the June 9th Board meeting and if not ready, will amend the fee schedule at the June 16th Special Called Meeting to adopt the FY2008-2009 Operating Budget for the Town of Aberdeen.

8. Discussion items:

a. Application for Conditional Use Permit CU#08-01 and Site Plan Review SP#08-02 submitted by Perry Johnson for an office/storage facility located at the corner of Aqua Shed Court and Ridgeline Road.

Manager Zell stated this application was placed back on the Work Session for review due to the conditional use permit listing linear feet for sidewalk in front of the proposed building. He stated it should have been square feet.

Mr. Perry Johnson was in attendance and explained why the difference in linear and square footage. He also informed the Board as to the placement of the sidewalk and gave further clarification.

After some discussion, a motion was made by Commissioner McMurray, seconded by Commissioner Wright, to amend Application for Conditional Use Permit CU#08-01 and Site Plan Review SP#08-02 pertaining to the sidewalk by changing sidewalk requirement from linear feet to square feet. Motion unanimously carried.

b. Joseph Rosy Access and Sewer Easements

Manager Zell informed the Board that an easement agreement between Mr. Joseph Rosy, the Town of Aberdeen and Moore County, when executed will grant the Town a sewer easement and access easement over part of Mr. Rosy's property that is necessary to complete the construction of the off-site sewer line that will serve the Legacy Lakes development as well as future development along the new sewer line. He stated

Forest City Land Group has either already paid Mr. Rosy \$10,000.00 or has committed to do so in the near future. He stated the County is to sign the easement as well because they will be consenting to the Town's use of an existing County sewer easement to access the new Town sewer line.

After some discussion, a motion was made by Commissioner McMurray, seconded by Commissioner Wright, to approve the easement agreement between Mr. Rosy, the Town of Aberdeen and Moore County as presented. Motion unanimously carried.

9. Other Business

- a.** Manager Zell informed the Board there will be two Public Hearings for the June 9th Board meeting.
 - (1) Public Hearing FY2008-2009 Proposed Operating Budget/Budget Message.
 - (2) Public Hearing on CDBG Community Revitalization on Bethune Street.
- b.** Three Planning Board members will be coming off in June. Need new appointments/re-appointments.

10. Adjournment

With no further items for review or discussion, a motion was made by Commissioner Wright, seconded by Commissioner Shannon, to adjourn the meeting. Motion unanimously carried.

Nancy M. Matthews, Town Clerk

Robert A. Farrell, Mayor Pro-tem

Minutes were completed in
draft form on May 30, 2008

Minutes were adopted on
June 9, 2008

