

**ABERDEEN BOARD OF COMMISSIONERS  
MINUTES OF WORK SESSION  
OCTOBER 2, 2008**

The Aberdeen Board of Commissioners met Thursday, October 2, 2008 at 5:30 p.m. for their regular Work Session. Members present were Mayor Elizabeth Mofield and Commissioners Pat Ann McMurray, Robbie Farrell, Donna Shannon and Walter Wright. Commissioner Jim Thomas was unable to attend. Others in attendance were Town Manager Bill Zell, Town Clerk Nancy Matthews, Planning Director Kathy Liles, Deputy Planner Patti Jilson and Town Attorney, T. C. Morphis.

Manager Zell requested that Item 8- d: Rezoning for lot on Dogwood Drive and Item 9: Potential civil settlement, be moved to the beginning of the Work Session as these items need to be discussed in Closed Session pertaining to attorney-client privilege.

A motion was made by Commissioner McMurray, seconded by Commissioner Shannon, to go into Closed Session pertaining to attorney-client privilege for the purpose of a personnel matter and potential civil settlement. Motion unanimously carried.

The Board returned from Closed Session to Regular Session. Mayor Mofield then stated with regard to both the personnel matter and the potential civil litigation, the Town Board gave Town staff and Attorney as how to proceed.

**1. Taylor Building, US Hwy. #1 – South.**

Planning Director Liles stated that at last meeting, there was a discussion pertaining to the Taylor Building. She stated a hearing was held on the condition of the building. She stated that the Building Inspector inspected the building and ordered abatement directing the owner to tear the building down or bring the building up to code. She stated the property owner has 60 days in which to take those actions. She stated they did not file an appeal within the ten-day window and now the clock is running. She stated the concern the staff has is that it may be very difficult to actually get to a point to have permits pulled

before the sixty-day window which will be November 3<sup>rd</sup>. If they do not meet the deadline, then staff may come back to the Board and ask for authorization to move forward in taking the building down.

Planning Director Liles ask since property owner is making an effort to bring the building up to code, that this item be reviewed from Work Session to Work Session and as long as they are showing progress, to give them the opportunity to recover the site.

In attendance was Mr. Billy Campbell, B&R Excavation of Cameron, who stated he has removed the 12,000 gallon fuel tank from the premises. He stated he will have to clean up the interior of the building in order for an engineer to get inside to inspect. He stated he could get started with the cleanup next week.

The Board will be informed on the progress of this item at the October Work Session.

**2. Schedule a Board of Adjustment meeting.**

Planning Director Liles stated the Town Board needs to hear an appeal before the Board of Adjustment. She stated Attorney T. C. Morphis will be in attendance.

The consensus of the Board was to schedule this Appeal for Monday, November 10<sup>th</sup> at 5:30 p.m.

**3. Voluntary contiguous annexation petitioned by RHA North Carolina, Inc. for property located at 928 Magnolia Drive.**

Planning Director Liles informed the Board this item was removed from the Public Hearing at the September meeting. She stated this item will be on the October 13<sup>th</sup> Board meeting for action. **Agenda item as Public Hearing & New Business.**

**4. Application for Conditional Use Permit CU#08-07 by George M. Rose, PE, for a Residential Planned Development for single-family residential use on 77 lots to be known as Forest Hills West.**

Planning Director Liles informed the Board the developer has elected to use the residential planned development classification to allow them to cloister their homes and stay out of the floodplains and wetlands on this property. She stated the approval process would be to consider the Conditional Use Permit and if approved by the Town Board, the developer would come back with a preliminary plat to be reviewed before the Planning Board. If they approve the preliminary plat request, then the developer would submit for the final plat.

The Board had some concerns on several of the lots that were located in the wetlands. Also, the Board wanted sidewalks on both sides of the street. **Agenda item as Public Hearing.**

**5. Minimum Housing Violations on two dwellings located at 105 and 107 Blyther Street.**

Planning Director Liles informed the Board that the Building Inspector Rodney Childress investigated the two dwellings located at 105 and 107 Blyther Street for minimum housing violations. She stated both structures are in dilapidated condition and are unfit for human habitation. She stated that Building Inspector Childress issued an order to remove or demolish both of the structures within 30 days. She stated that the property owner, Mr. Blyther, stated he is unable to remove the dwelling units and requested the Town remove said dwellings and he understood that a lien would be placed on this property.

Planning Director Liles stated that the Planning staff recommends that the Board call for a Public Hearing on this item for October 13<sup>th</sup>. **Agenda item as Public Hearing.**

**6. Clean Water Management Trust Fund Grant Authorization.**

Planning Director Liles reported to the Board that during 2008, the Clean Water Management Trust Fund authorized two grant agreements which the Town has entered. She stated the first award was for a Stormwater Mini-grant to map the Town's watersheds and stormwater systems, proposing the best management practices for improving water quality and to raise public awareness. She stated CWMTF authorized \$50,000 for this project and the Town, by signature on the agreement, commit to \$18,000.00. She stated the second award was for a Greenways and Trails Planning Grant to complete a planning project for the expansion of the greenway and walking trail at Aberdeen Lake Park as part of a long range master plan for the park facility. She stated CWMTF authorized \$40,000.00 with the Town committing to \$15,000.00.

Planning Director Liles stated that the Trust Fund staff contacted the Planning Department and asked that the Board, in its minutes, reflect that it will commit \$18,000.00 in cash for the stormwater mini-grant and \$10,000.00 cash match for the greenways grant with another \$5,000.00 committed to Town personnel salary and benefits. She stated these projects were incorporated into the Town's budget for 2008/2009.

Planning Director Liles stated the Trust Fund also indicated that written documentation must be provided that the projects and their intended uses are, and will continue to be, in compliance with all applicable laws, regulations and ordinances, including without limitation, land use, health, environmental protection and zoning laws.

A motion was then made by Commissioner McMurray, seconded by Commissioner Shannon, that funds for the Clean Water Management Trust Fund Grant Authorization are encumbered and the projects will meet all local, state and federal requirements. Motion unanimously carried.

**7. Identity Theft Prevention Policy and Procedures.**

Manager Zell informed the Board that new Federal Trade Commission requirements concerning the adoption of identity theft prevention programs must be in place by November 1, 2008. He stated the FTC rules will require that municipalities that have utility accounts, even those that do not use computerized accounting systems, have in place written procedures that help protect consumer identity and fight theft of customer account information. He stated the policy procedures must identify, detect and respond to possible signals of identity theft known as Red Flags. He stated the Board received a copy of the proposed policy for their review and this policy will need to be adopted at the October 13<sup>th</sup> Board meeting. **Agenda item as New Business.**

**8. Application Approval & Funding Commitment Resolution for NCDOT Bicycle & Pedestrian Planning Grant.**

Manager Zell stated the NCDOT has announced the availability of grant money for a bicycle and pedestrian planning grants. He stated in order to apply for this grant, the Town must commit to a \$6,000.00 cash match for the project to be made available upon grant award. He stated the resolution has to be approved for submittal to TARPO. **Agenda item as New Business.**

**9. Other Business:**

**a. Wholesale Grocery Building Project.**

Mr. Richard Gergle briefly spoke to the Board giving background on his previous proposal for heating and air conditioning for the building. He stated the criteria he first used for putting together heat/air for the building was to just take the chill out in the winter and some cooling for the summer. He stated in looking at this a second time, he decided on some changes. He stated he felt to provide for more heat/air would give more flexibility for someone else using the building in the future. He stated that a 9-ton unit would better suit the

building than a 7-ton. Mr. Gergle asked if the Board agreed, that he would be charged for this improvement as the Board did on the roof repair.

After some discussion, the Board directed Building Inspector Childress to look at the building and get his recommendation for consideration at the October 13<sup>th</sup> Board meeting. **Agenda item as New Business.**

## **10. Discussion Items:**

### **a. Report on Multi-family Zoning and Comprehensive Plan Recommendations.**

Planning Director Liles stated the Board received in their agenda packets a copy of the multi-family recommendations from Holland Consulting Planners, Inc. recommendations. She stated the consultants are on target, a Town meeting was conducted for public input and provided draft recommendations. She then briefly reviewed with the Board some of the proposals. She stated the single most driving purpose of doing these recommendations is to get the overall density of multi-family dwelling down to 25%.

Planning Director Liles stated the Planning Board reviewed and they have made some changes. She stated these changes will go back to the Planning Board on October 16<sup>th</sup> for further review. She stated the Planning Board wants to meet jointly with the Town Board to review and discuss for any other changes.

### **b. NC 211 Highway Rezoning.**

Planning Director Liles stated at the last Work Session, the Board was not comfortable with HC zoning along NC Hwy. 211 and requested staff to look at zoning this area to GC. Deputy Planner Jilson stated that Mr. Locklear will consider a use consistent with GC zoning. Planning Director Liles stated from a planning perspective, there are a lot of houses in this area.

After review and discussion, Mayor Mofield asked that the Planning staff informally contact these homeowners to get their input/opinion on this proposed change of rezoning NC Hwy. 211.

## **11. Other Business**

### **a. Proclamation – National Business Women’s Week**

**Agenda item as New Business.**

### **b. Berkeley Park Dedication**

Manager Zell informed the Board that the dedication for the Berkeley Park will be on Thursday, October 9<sup>th</sup>, 704 Keyser Street, at 4 p.m.

### **c. Sardine Festival**

Manager Zell informed the Board that the 16<sup>th</sup> Annual Sardine Festival will be held Friday, October 10<sup>th</sup>, Aberdeen Lake Park, 11:a.m. to 2:00 p.m.

**d.** Mayor Mofield stated she had been contacted by a property owner concerned about businesses off Hwy. #5, they are not allowed to have a sign placed in front of their businesses so that they get visibility. She suggested that Planning staff look at the ordinance to see what changes can be made to allow sign for these businesses.

**e.** Commissioner Wright asked that when a business or property owner moves out, that the signs be taken down.

**f.** Planning Director Liles informed the Board that staff has hired another full-time inspector. She stated his name is Weston Fulp and he previously worked for the Town of Pinebluff.

## 12. Adjournment

A motion was made by Commissioner McMurray, seconded by Commissioner Farrell, to adjourn the meeting. Motion unanimously carried.

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Nancy M. Matthews, Town Clerk

Minutes were completed in draft  
form on October 6, 2008

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Elizabeth B. Mofield, Mayor

Minutes were adopted  
October 13, 2008