

**TOWN OF ABERDEEN  
BOARD OF COMMISSIONERS  
MINUTES OF REGULAR MEETING  
OF NOVEMBER 13, 2007**

The Aberdeen Board of Commissioners met Tuesday, November 13, 2007 at 6:00 p.m. for their regular monthly Board meeting. Members present were Mayor Elizabeth B. Mofield and Commissioners Pat Ann McMurray, Donna Shannon, Arthur Parker, Robbie Farrell and Walter Wright. Others in attendance were Town Manager Bill Zell, Town Clerk Nancy Matthews, Planning Director Kathy Liles, Deputy Planner Patti Jilson and Mary Griffin, Reporter for the Pilot Newspaper.

There were approximately twenty citizens and several developers also in attendance.

**1. Call to Order**

Mayor Mofield called the meeting to order. She stated the first item of business would be to recognize those citizens to participated in the Citizen Academy Program presented by the Manager and department heads of the Town of Aberdeen.

Manager Zell then gave a brief history on the creation of CAP's. He stated by holding the six-week session with the input from each department, the citizens are given a better understanding of how the Town is run on a day-to-day basis.

Manager Zell then presented each of the participants with a certificate of attendance and completion of the program. Those receiving certificates were Buddy and Pat Thomas, Bob and Jenny Veasey, Carolyn Warlick, Mary Jo Nagy, Mary Williamson and Dell Crumpton.

Manager Zell then invited and encouraged other citizens to consider participating in the September 2008 Citizen's Academy Program.

## **PUBLIC HEARINGS**

- a. Subdivision Code Text Amendment GP#07-08 to provide a class of subdivision to be known as Public Infrastructure Subdivisions that allow for expedited review of lots created for utility purposes.**

Mayor Mofield opened the Public Hearing on GP#07-08 for public comments and Board discussion.

Planning Director, Kathy Liles, gave a brief power-point presentation explaining the three classes of subdivisions. She stated this proposed subdivision code text amendment to enable the Planning staff to have the flexibility to expedite the need to create a new well lot and other utility services.

With no public comments or Board discussion, Mayor Mofield declared the Public Hearing on Subdivision Code Text Amendment GP#07-08 closed.

- b. Application for Conditional Use Permit CU#07-10 and Site Plan Review SP#07-12 submitted by Andrew and Kathleen White to build two duplexes on two abutting lots located at 805 Magnolia Drive, Aberdeen, N. C.**

Mayor Mofield then opened the Public Hearing on Application for Conditional Use Permit CU#07-10 and Site Plan Review SP#07-12 for public comments and Board discussion.

The Town Clerk administered the oath to Planning Director Liles, Andrew Tew, Dale Streicker and Mike Dunn in order to hear their testimony.

Planning Director Liles gave a brief power-point presentation pertaining to the proposed duplexes on Magnolia. She stated letters were sent to all adjoining property owner, public notice placed in the Pilot and property was properly posted.

Planning Director Liles stated the Planning Board has reviewed and recommends approval to the Board of Commissioners. She stated all site plan requirements set forth in the Zoning Ordinance have been met.

Mr. Dale Streicker, 118 Michael Lane, briefly spoke stating this would allow too much density on this piece of property. He stated it would double the number of vehicles and would make traffic worse than it already is. He stated this was the wrong place for the proposed duplexes.

Mr. Andrew Tew, 800 Magnolia Drive, briefly spoke stating this proposed duplexes would devalue his property. He also stated there were already too many vehicles on this street. He stated he just does not like this idea at all.

Mike Dunn, 810 Magnolia Drive, stated he lives near this site. He stated he would much rather see a single-family dwelling than the duplexes. He just doesn't want any more duplexes in this neighborhood.

Manager Zell read a letter received from Michael Thomas, 801 Magnolia Drive, stating he is opposed to the proposed duplexes.

The Board then reviewed with Planning Director Liles, in which she gave clarification.

With no further public comments or Board discussion, Mayor Mofield declared the Public Hearing on Application for Conditional Use Permit CU#07-10 and Site Plan Review SP#07-12 closed.

## **2. Setting of the Agenda**

Manager Zell requested that Items under New Business, 7-f, 7-g and 7-h be removed from the Agenda to be discussed further at the November 27<sup>th</sup> Work Session.

Motion was made by Commissioner Parker, seconded by Commissioner Farrell, 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 Board Meeting of October 8, 2007; Regular Work Session of November 1, 2007.

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

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

- a. **Pam Partiss – Moore County Citizens Pet Responsibility Committee.**

### **5. Financial Report**

Manager Zell gave the financial report for the month of October. He stated, in the General Fund, the revenues were \$341,030.59 over expenses with a year-to-date net gain of \$561,402.50.

Manager Zell stated, in the Water/Sewer Fund, the revenues were \$207,933.78 over expenses with a year-to-date net gain of \$341,587.14.

### **6. Old Business**

There was no Old Business for consideration or review.

**7. New Business**

- a. Consideration to accept a petition received by Daniel Kimball for voluntary contiguous annexation of property located at 805 Robinwood Road in Forest Hills and adopt a Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31.**

Motion was made by Commissioner Shannon, seconded by Commissioner McMurray, to accept petition received by Daniel Kimball for voluntary contiguous annexation of property located at 805 Robinwood Road and adopt a Resolution Directing the Clerk to Investigate a Petition Received Under G.S. 160A-31. Motion unanimously carried.

- b. Consideration to accept the Clerk's Certificate of Sufficiency and adopt a Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for December 10, 2007.**

Motion was made by Commissioner Parker, seconded by Commissioner Farrell, to accept the Clerk's Certificate of Sufficiency and adopt a Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31 for December 10, 2007. Motion unanimously carried.

- c. Consideration to approve Subdivision Code Text Amendment GP#07-08 to provide a class of subdivision to be known as Public Infrastructure Subdivisions that allow for expedited review of lots created for utility purposes.**

Motion made by Commissioner Parker, seconded by Commissioner Wright, to approve Subdivision Code Text Amendment GP#07-08 to provide a class of subdivision to be known as Public Infrastructure "Subdivisions that allow for expedited review of lots created for utility purposes. Motion unanimously carried.

- d. Consideration of approval of Application for Site Plan Review SP#07-09 submitted by L. Q. Properties, LLC to construct a new structure for building supply sales and offices for contractor services.**

Motion made by Commissioner Wright, seconded by Commissioner McMurray, to approve Application for Site Plan Review SP#07-09 submitted by L.Q. Properties, LLC to construct a new structure for building supply sales and offices for contractor services. Motion unanimously carried.

- e. Consideration of approval of Application for Site Plan Review SP#07-011 submitted by Mike Birky – Cactus Creek Coffee – for a retail/production warehouse facility to be located on the south side of Hwy. 5 off O’Connor Place.**

Motion made by Commissioner Parker, seconded by Commissioner Shannon, to approve Application for Site Plan Review SP#07-11 submitted by Mike Birky – Cactus Creek Coffee – for a retail/production warehouse facility to be located on the south side of Hwy. 5 off O’Connor Place. Motion unanimously carried.

- f. Consideration of approval of Application for Conditional Use Permit CU#07-10 and Site Plan Review SP#07-12 submitted by Andrew and Kathleen White to build two duplexes on two abutting lots located at 805 Magnolia Drive, Aberdeen, N. C.**

Item tabled for further review at the November 27<sup>th</sup> Work Session.

- g. Consideration of approval of Building Fee Schedule for Asbestos Inspections and Sampling.**

Item tabled for further review at the November 27<sup>th</sup> Work Session.

**h. Consideration of renewal of Lease Agreement for Wholesale Grocery Building.**

Item tabled for further review at the November 27<sup>th</sup> Work Session.

**i. Consideration to award bid for Midway CDBG Sanitary Sewer Improvements.**

Manager Zell informed the Board that fifteen (15) bids were received for bid opening on Tuesday, November 6, 2007. He stated Hobbs, Upchurch & Associates have reviewed bids and it is their recommendation that the project be awarded to Empire Construction for their low bid amount of \$399,696.00.

A motion was then made by Commissioner Parker, seconded by Commissioner Farrell, to award bid for Midway CDBG Sanitary Sewer Improvements project to Empire Construction in the amount of \$399,696.00. Motion unanimously carried.

He stated after establishing a contract with Empire Construction, the Town will need to immediately negotiate a change order to include a pump station on Midway Road. He stated this is required due to the inability to negotiate an easement across certain piece of property.

**8. Other Business**

**a. Reminder: Work Session rescheduled for Tuesday, November 27<sup>th</sup> at 5:30 p.m.**

**b.** Ms. Sharon Graham, 1107 Hwy. 211, East, addressed the Board stating she had been informed by the Town that she had to change her physical mailing address. She asked why, after twenty or more years, does she have to change this address.

Planning Director Liles tried to address this issue as it pertains to Moore County's 911 Emergency Services being able to efficiently and directly find her residence in the event of an emergency.

After a lengthy discussion, Mayor Mofield directed Planning Director Liles to send a letter to all those affected on Hwy. 211 to attend the next Work Session to try to resolve this issue.

- c. Manager Zell reminded the Board of upcoming Chamber events on Tuesday, November 27<sup>th</sup> at 12 noon and Thursday, November 29<sup>th</sup> at 6 p.m. Both events will be held at the National Golf Club in Pinehurst.

## 9. Adjournment

Motion was made by Commissioner Parker, seconded by Commissioner Farrell, to adjourn the meeting. Motion unanimously carried.

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Nancy M. Matthews, Town Clerk

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Elizabeth B. Mofield, Mayor

These minutes were prepared and completed on November 13, 2007

These minutes were adopted on December 10, 2007