

Minutes
Regular Board Meeting
Aberdeen Town Board

April 8, 2013
Monday, 6:00 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Town Board met on Monday, April 8, 2013 at 6:00 p.m. for the Regular Board Meeting. Members present were Mayor Elizabeth B. Mofield, Mayor Pro-tem Robert A. Farrell and Commissioners Pat Ann McMurray, Jim Thomas and Walter Wright. Commissioner Alan Parker was not in attendance for the meeting. Staff members in attendance were Planning Director Kathy Liles, Police Chief Mike Connor, Town Manager Bill Zell, Community Development Planner Jae Kim, and Town Clerk Regina Rosy. Attorney T.C. Morphis, Reporter for the Pilot Tom Embrey, Tim Marcham, and Maurice Holland, Sr. were also in attendance.

1. Call to Order

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

a. Pledge of Allegiance.

Mayor Mofield asked everyone to please stand for the Pledge of Allegiance.

2. Public Hearings

a. Voluntary Contiguous Annexation #49-013 submitted by Bill Clark Homes of Fayetteville, LLC for property identified as Lots 12, 13, and 14 on Longleaf Circle.

Mayor Mofield opened the public hearing on Voluntary Contiguous Annexation #49-013 submitted by Bill Clark Homes of Fayetteville, LLC for property identified as Lots 12, 13, and 14 on Longleaf Circle.

Planning Director Liles stated prior to consideration of the ordinance, the Board had directed the Clerk to investigate the Sufficiency of the Petition, and adopted the Resolution Fixing the Date of Public Hearing for this evening.

Planning Director Liles stated this annexation is for lots owned by Bill Clark Homes of Fayetteville, LLC identified by PIN #857000173277, 857000173580, and 857000173699.

Planning Director Liles stated services are already provided in this particular area.

With no discussion, Mayor Mofield closed the public hearing on Voluntary Contiguous Annexation #49-013 submitted by Bill Clark Homes of Fayetteville, LLC for property identified as Lots 12, 13, and 14 on Longleaf Circle.

- b. Voluntary Contiguous Annexation #49-113 submitted by Christina and William Dunfee for property located at 1110 Devonshire Trail.

Mayor Mofield opened the public hearing on Voluntary Contiguous Annexation #49-113 submitted by Christina and William Dunfee for property located at 1110 Devonshire Trail.

Planning Director Liles stated this annexation is for a lot owned by Christina J. and William B. Dunfee identified by PIN #857000915846. Planning Director Liles stated this annexation meets all requirements to be considered for approval this evening.

Planning Director Liles stated this property is in a donut hole, and services are already provided in the area.

With no further discussion, Mayor Mofield closed the public hearing on Voluntary Contiguous Annexation #49-113 submitted by Christina and William Dunfee for property located at 1110 Devonshire Trail.

3. Setting of the Agenda

Manager Zell stated Item 8e needs to be removed from the agenda. A motion was made by Mayor Pro-tem Farrell, seconded by Commissioner Thomas, to approve the setting of the agenda as amended. Motion unanimously carried.

4. 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 March 11, 2013, Special Called Meeting on March 12, 2013, Special Called Meeting on March 19, 2013, Closed Session on March 19, 2013, and Work Session on March 28, 2013.

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

5. Informal Discussion and Public Comment

- a. Proclamation Proclaiming May 15, 2013 as Police Memorial Day and the week of May 12-18, 2013 as National Police Week.

Mayor Mofield read the Proclamation Proclaiming May 15, 2013 as Police Memorial Day and the week of May 12-18, 2013 as National Police Week. A motion was made by Commissioner Wright, seconded by Commissioner McMurray, to approve the Proclamation Proclaiming May 15, 2013 as Police Memorial Day and the week of May 12-18, 2013 as National Police Week. Motion unanimously carried.

- b. Concern from Ron Jackson.

Ron Jackson, 335 Fields Drive, stated he is here to discuss the Tree Ordinance. Mr. Jackson stated permits are taking three times as long as it used to take to obtain, due to a site visit having to be conducted. Mr. Jackson showed a lot he was hoping to build on but he is probably going to lose the contract because he is not authorized to cut down any trees on the lot and provide the fence being requested by the property owner. Mr. Jackson stated he believes the current tree ordinance is overkill since lots can not be developed due to the trees on the lots.

Planning Director Liles stated a site visit is conducted to see where the placement of the trees are, the drainage situation, and which trees are identified for preservation. Attorney Morphis stated there is a provision that trees have to be preserved unless it unreasonably burdens the development. Attorney Morphis stated the language in the ordinance does provide some room for tree removal.

Mr. Jackson stated in some instances there is not a safety reason for tree removal, but sometimes the property owner wants the trees removed in order to have a play area for children in the backyard. Mr. Jackson stated the Building Inspector can turn around inspections very quickly – but the site visit for trees is taking 2-3 weeks. Planning Director Liles stated the use of the permit triggers which trees must be kept.

Commissioner Wright stated we have to be reasonable in how we address these tree issues. Attorney Morphis stated permit activity triggers the tree ordinance, and staff wants property owners and builders to do the right thing.

Mayor Mofield asked Planning Director Liles to provide Mr. Jackson with a copy of the tree ordinance.

In other informal discussion, Mayor Mofield stated Mayor Pro-tem Farrell just authored a book and had a book signing this past weekend.

Commissioner McMurray stated the month of April is Brewery Month, and Aberdeen is very proud to have a brewery.

6. Financial Report

Manager Zell stated the General Fund at the end of March was \$762,833.11. The Town has received 94.4% of R&P property tax to date. Manager Zell stated 77.87% of the annual revenue has been received so far, and the Town has expended 66.34% to date.

7. Old Business

None

8. New Business

- a. Annexation Ordinance #49-013 submitted by Bill Clark Homes of Fayetteville, LLC for property identified as Lots 12, 13, and 14 on Longleaf Circle.

Planning Director Liles stated the ordinance is in the packet, and the effective date would be today. A motion was made by Mayor Pro-tem Farrell, seconded by Commissioner Wright, to approve Annexation Ordinance #49-013 submitted by Bill Clark Homes of Fayetteville, LLC for property identified as Lots 12, 13, and 14 on Longleaf Circle. Motion unanimously carried.

- b. Annexation Ordinance #49-113 submitted by Christina and William Dunfee for property located at 1110 Devonshire Trail.

Planning Director Liles stated the ordinance is in the packet for the Board's review. A motion was made by Mayor Pro-tem Farrell, seconded by Commissioner McMurray, to approve Annexation Ordinance #49-113 submitted by Christina and William Dunfee for property located at 1110 Devonshire Trail. Motion unanimously carried.

- c. Wellhead Protection Plan.

Planning Director Liles stated this plan was put out for consideration by the public. No objections and no response has been received by the

public. Planning Director Liles stated the plan delineates wellhead protection areas based on the amount of water our wells can legally pump and the recharge rate at which water comes back to the well. Once areas were identified, the Rural Water Association worked to identify potential contamination sources, and a risk analysis was prepared. Discussion took place between Public Works and the Rural Water Association as to the type of program to pursue – and the non-regulatory approach was recommended. Planning Director Liles stated once wells are added to the system, they are mapped, and added to this plan. Planning Director Liles stated this plan is ready for adoption this evening. A motion was made by Commissioner Thomas, seconded by Commissioner McMurray, to approve the Wellhead Protection Plan. Motion unanimously carried.

d. CDBG Monthly Status Report.

Planning Director Liles stated several CDBG projects are active.

Planning Director Liles stated for the Talent Enhancement Grant, all close-out documentation has been submitted. The last public hearing was conducted on March 28, 2013. All additional documentation has been submitted.

Planning Director Liles stated for Grant #11-C-2331, the 2011 SBEA Grant, the main update is that Davenport's Galaxy is open.

Planning Director Liles stated for Grant #10-C-2207, the Midway Gardens project, 3 out of 4 activities are on schedule. Planning Director Liles stated the administration part of the grant is off schedule due to issues with the last requisition. A Special Called Meeting will need to be scheduled for a public hearing for this project in order to do a budget amendment.

Mayor Mofield thanked the Planning Department for their hard work on these grants.

e. Interlocal Agreement with Moore County and Pactiv.

Removed from agenda.

9. Other Business

a. Schedule Special Called Meeting for CDBG Public Hearing on Midway Gardens.

Planning Director Liles stated April 22 or April 23 would be good dates if the Board is available. Planning Director Liles stated one other item needs to be added to the agenda – which would be Don Longstreet’s item. The Board scheduled Monday, April 22nd at 4:30 p.m. for the 2 public hearings.

b. 2012 SBEA Grant.

Planner Kim stated the Town was awarded the 2012 SBEA Grant.

10. Closed Session pursuant to N.C.G.S. 143-318.11(a)(3) to consult with attorney to preserve the attorney-client privilege.

A motion was made by Commissioner McMurray, seconded by Commissioner Wright, to go into Closed Session pursuant to N.C.G.S. 143-318.11(a)(3) to consult with attorney to preserve the attorney-client privilege. Motion unanimously carried.

A motion was made by Commissioner Wright, seconded by Commissioner McMurray, to open regular session.

Manager Zell stated he received a letter from Moore County charging for limbs and debris beginning in July which is \$15 per ton.

11. Adjournment

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

Regina M. Rosy, Town Clerk

Elizabeth B. Mofield, Mayor

Minutes were completed in
Draft form on April 8, 2013

Minutes were approved
on June 10, 2013