

Minutes
Regular Board Meeting
Aberdeen Town Board

August 12, 2013
Monday, 6:00 p.m.

Robert N. Page Municipal Building
Aberdeen, North Carolina

The Aberdeen Town Board met Monday, August 12, 2013 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 Planning Director Pam Graham, Assistant Public Works Director Harold Watts, Community Development Planner Jae Kim, Planner Jane Tercheria, Town Manager Bill Zell, and Town Clerk Regina Rosy. Tony Patnode, Kenneth Byrd, Maurice Holland, Jr., Maurice Holland, Sr., Jackie Speight, 7 members from MCLI, Shane Sanders, Attorney T.C. Morphis, Reporter for the Fayetteville Observer, Steve Devane, and Ted Natt, Reporter for the Pilot, were also in attendance for the meeting.

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

1. Call to Order
 - a. Pledge of Allegiance.
2. Public Hearing
 - a. Rezoning #13-01 for property owned by PS Management Company, LLC.

Public Hearing was cancelled.

3. Setting of the Agenda

Manager Zell stated one item needs to be added to Other Business – Clean Water Management Trust Fund Grant Amendment. A motion was made by Commissioner Thomas, seconded by Commissioner Parker, 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 Work Session on May 30, 2013, Regular Board Meeting on June 10, 2013, Special Called Meeting on June 17, 2013, Special Called Meeting on June 27, 2013, and Work Session on August 1, 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. Introduction of Planner Jane Tercheria.

Planning Director Graham introduced Planner Jane Tercheria to the Board and the public. Planning Director Graham gave an overview of Jane Tercheria's background and experience.

b. Maurice Holland, Jr. stated yard debris has not been picked up in a timely manner in the Midway Community. Debris has been at the road for about 2 weeks now. Mayor Mofield asked if Mr. Holland has contacted Public Works yet. Mr. Holland stated the truck goes by every day and has not picked it up yet. Assistant Public Works Director Watts asked where the specific area is, and Mr. Holland provided the location.

c. Kenneth Byrd stated he is here to discuss the golf cart ordinance further. Mr. Byrd stated the Legacy Lakes Homeowner's Association is very much in favor of the ordinance.

d. Robert Johnson, located at Fort Bragg, stated he is attending MCLI currently and attending a community meeting is one of the requirements of the class and that is why he is in attendance.

e. Tarheel Traveler - 5:55 p.m. next Monday evening, Mayor Pro-tem Farrell will be on it.

6. Financial Report

Manager Zell stated since it is only August, the first Financial Report will not be available until October. Manager Zell stated sales tax revenue for May and June 2013 were exceptional.

7. Old Business

a. An Ordinance to Regulate the Operation of Golf Carts on Public Streets within the Town of Aberdeen.

Manager Zell stated comments from the Legacy Lakes Homeowner's Association were incorporated into the ordinance, along with some comments from Commissioner McMurray. Mayor Pro-tem Farrell asked if golf carts were specified. Attorney Morphis stated he went with the definition of a golf cart from the statute.

A motion was made by Commissioner McMurray, seconded by Commissioner Thomas, to approve an Ordinance to Regulate the Operation of Golf Carts on Public Streets within the Town of Aberdeen. Motion carried 4-1, with Commissioner Parker opposing the motion.

8. New Business

a. Southwest Interceptor Easements.

Assistant Public Works Director Watts stated the pros and cons were discussed at the Work Session. Watts stated these easements are needed to be secure, before going to the bid process for the Southwest Interceptor. Mayor Mofield stated the price for Joe Ussery's item is technically a property purchase, rather than an easement. A motion was made by Commissioner Thomas, seconded by Mayor Pro-tem Farrell, to approve the purchase of the property for Joe Ussery and the other 8 easements needed in the total amount of \$26,225 for the Southwest Interceptor. Motion unanimously carried.

b. Contract for Code Red.

Assistant Public Works Director Watts stated he has tried to further negotiate this contract since the Work Session. Watts stated there is no further negotiation on this service. Mayor Mofield stated the contract is for a yearly cost, and provides unlimited texting and e-mailing of notifications, and 10,000 minutes per year. Mayor Mofield explained the Town is considering this contract, so that Town citizens can be notified in a timely manner of water line breaks, 911 failures, road closures, etc. Mayor Pro-tem Farrell asked if Watts believes this is the best option for the Town. Watts stated he has contacted several vendors, and he feels this is the most reliable service for the best price. Mayor Mofield stated the service could also be used to notify citizens of recreational activities coming up, etc. Manager Zell stated notifications can be broken up into different areas if needed.

Commissioner Thomas asked if this contract is for 1, 2 or 3 years. Watts stated it is a 3-year term, with a yearly price of \$4,920. A motion was made by Commissioner Thomas, seconded by Commissioner McMurray, to approve the Contract for Code Red for a three year term, \$4,920 per year for a total of \$14,760. Motion unanimously carried.

c. CDBG Monthly Status Reports.

(1) 2010 Midway Gardens Grant.

Planner Kim stated as required by DCA he is doing monthly status reports for each of the grants for July and August 2013. Tony Patnode explained a budget amendment that took place. Mr. Patnode stated other than this error that was made, it is a great project. Mr. Patnode explained that the Town has already paid for the streets work that was completed, and in order to get the Town reimbursed, the error has to be corrected and a requisition form filed. Manager Zell stated he has a call into Richard Self, the Director of DCA, to see what options are available to clear up this issue.

A motion was made by Commissioner Thomas, seconded by Commissioner Wright, to authorize the Town Manager if necessary to return \$39,183.18 to DCA and then request \$39,183.18 for streets work. Commissioner Thomas stated in this day and time there is some degree of assurance that the Town will get this money back. Manager Zell stated we will get it back eventually. Planning Director Graham stated she spoke with DCA and asked for some type of assurance. Graham stated she was told once DCA receives this money, then the budget amendment can take place and the money can be returned. Motion unanimously carried.

(2) 2011 SBEA Grant.

Planner Kim stated for July and August, everything is on schedule with the 2011 SBEA Grant.

(3) 2012 SBEA Grant.

Planner Kim stated for July and August, everything is on schedule with the 2012 SBEA Grant.

(4) ITPP/Pactiv Project.

Planner Kim stated there have been some issues with available funds with the Rural Center, since funding has been frozen. Kim stated some projects and payments are now being processed. Kim stated the sewer project upgrade, the inter-local agreement, will be considered for approval tonight. Kim stated the Town's portion will be \$15,500.

d. Inter-local Agreement between International Tray Pads and Packaging, Inc., the Town of Aberdeen, and the County of Moore.

A motion was made by Mayor Pro-tem Farrell, seconded by Commissioner McMurray, to approve the Inter-local Agreement between International Tray Pads and Packaging, Inc., the Town of Aberdeen, and the County of Moore. Motion unanimously carried.

- e. Conditional Use Permit #13-01 for a 152-lot subdivision on property owned by J. Speight Investments, LLC.

Planning Director Graham stated the public hearing has already been held. Graham stated Jackie Speight and Shane Sanders are here this evening if there are any further questions. A motion was made by Commissioner Wright, seconded by Commissioner Thomas, to approve Conditional Use Permit #13-01 for a 152-lot subdivision on property owned by J. Speight Investments, LLC. Mayor Pro-tem Farrell asked Graham to explain item #12. Graham stated the Planning Board recommended approval of sidewalks on both sides of the road. Graham stated the Watershed Review Board has already approved the concrete sidewalks on both sides of the road. Graham stated the sidewalks must be 5 feet in width. Motion unanimously carried.

- f. Consider Appointments to Planning Board.

Commissioner McMurray stated new names have been presented in the packet, and since these names have not been discussed, she would like to table Items 8f, 8g and 8h to the August 29, 2013 Work Session. The Board members agreed to table this item to the August 29, 2013 Work Session. Planning Director Graham stated applications can continue to be accepted until that time.

- (1) Consider reappointment of Johnny Ransdell – Term to Expire June 2016.
- (2) Consider Tim Marcham be moved from Alternate to Regular Board Member to finish remainder of Graylin King’s term – Term to expire June 2015.
- (3) In-Town Member – Term to Expire June 2016.
- (4) In-Town Alternate Member - Term to Expire June 2015. (This motion would be in the event of Tim Marcham’s appointment as a Regular Member– Should Tim Marcham not be appointed as a Regular Member, an appointment would be needed for Graylin King’s remaining term and Mr. Marcham would remain as an In-Town Alternate)

- g. Consider Appointment to Historic Preservation Commission.

- (1) Member – Term to Expire June 2017.

- h. Consider Appointments to Appearance & Beautification Commission.

- (1) Consider reappointment of Gail Clay – Term to Expire March 2016.
- (2) Member – Term to Expire March 2016.

9. Other Business

a. Clean Water Management Trust Fund Grant Amendment

Planner Kim stated a map has been provided to each Board member for the Clean Water Management Trust Fund project. Kim stated an amendment is being requested, to allow the Town Manager to sign the amendment. A motion was made by Commissioner Thomas, seconded by Commissioner Parker, to approve the Clean Water Management Trust Fund grant amendment and authorize the Town Manager to sign the amendment. Mayor Mofield asked if the trail has changed. Graham stated the intent is to still have a continuous trail. Motion unanimously carried.

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 Wright, seconded by Mayor Pro-tem Farrell, 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.

The Board returned from Closed Session.

11. Adjournment

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

Minutes were completed in
Draft form on August 12, 2013

Elizabeth B. Mofield, Mayor

Minutes were approved
on September 9, 2013