

Regular Board Meeting

Aberdeen Town Board

A motion was made by Mayor Robert A. Farrell, seconded by

November 23, 2015 **Robert N. Page Municipal Building**
Monday, 6:00 p.m. **Aberdeen, North Carolina**

The Aberdeen Town Board met Monday, November 23, 2015 at 6:00 p.m. for the Regular Board Meeting. Members present were Mayor Robert A. Farrell, Mayor Pro-tem Jim Thomas, and Commissioners Joe Dannelley, Elease Goodwin, Buck Mims, and Pat Ann McMurray. Staff members in attendance were Public Works Director Rickie Monroe, Steve Templin, Brandon Mills, Cheryl Ross, Police Chief Tim Wenzel, Planning Director Pam Graham, Town Manager Bill Zell, Josh Kirk, and Town Clerk Regina Rosy. Attorney T.C. Morphis, Phil Noblett, Jason & Katie Cole, Jane Mills, Stephanie Mills, Tim Marcham, Brian & Jennifer Bowles, Anna Byrd, Marion Seay, Jane Cowan, Barbara Allred, Peggy Hendrix, Danielle Orloff, Jerry Jones, Joshua Raynor, Ken Byrd, Chris Gilder, Mike Martin, Dennis McLaughlin, Todd Abbey, Wilma Laney, Jeff Golahan, Pat Corso, Ernestine Chapman, John Nagy, Maurice Holland, Sr., Jitu Gandhi, and Gary Shah were also in attendance for the meeting.

Manager Zell stated this year's Citizens Academy program was a success and it has just concluded. Manager Zell presented each

group of citizens and it has just concluded. Manager Zell presented each group of citizens and it has just concluded. Manager Zell presented each group of citizens and it has just concluded.

the Citizens Academy program participants with a letter of appreciation. Manager Zell thanked each of the participants of Aberdeen for their participation in the Citizens Academy program.

Mayor Farrell called the meeting to order at 6:02 p.m. Mayor Farrell stated this about how the Town of Aberdeen operates. Mayor Farrell stated this about how the Town of Aberdeen operates.

a. **Pledge of Allegiance.** Mayor Farrell asked everyone to please stand for the pledge of allegiance.

2. **Setting of the Agenda** Manager Zell stated the General Fund of the town is in the black. Manager Zell stated one of the noteworthy expenses was revenue of the black.

A motion was made by Commissioner McMurray, seconded by Commissioner Goodwin, to approve the setting of the agenda as presented. Motion unanimously

carried 5-0. Manager Zell reviewed some comparisons between the numbers. Manager Zell reviewed some comparisons between the numbers. Manager Zell reviewed some comparisons between the numbers.

3. **Consent Agenda** Manager Zell stated that the vehicle maintenance in 2014 is really over budget. Manager Zell stated that the vehicle maintenance in 2014 is really over budget.

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 Board Meeting on October 26, 2015, Closed Session on October 26, 2015, and Work Session on November 9, 2015.

11:08 AM

A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner McMurray, to approve the consent agenda as presented.
Motion unanimously carried 5-0.

4. Informal Discussion and Public Comment

a. 2015 Employee of the Year Presentation.

Manager Zell presented the 2015 Employee of the Year Award to Brandon Mills. Manager Zell read some of the nominations for Brandon Mills and presented him with a check for \$300, 2 vacation days, and a framed certificate.

b. Citizen's Academy Program Graduation.

Manager Zell stated this year's Citizen's Academy Program was a great group of citizens and it has just concluded. Manager Zell presented each of the Citizen's Academy Program participants with a framed certificate and Town of Aberdeen padfolio. Manager Zell thanked each of the participants for dedicating their time to participating in this program and learning more about how the Town of Aberdeen operates. Mayor Farrell stated this program takes place each year in the fall, and he recommended it to any citizen who has not already participated.

5. Financial Report

Manager Zell stated the General Fund at the end of October is \$1.1 million in the black. Manager Zell stated one of the noteworthy expenses was reversal of year-end payroll, which is an annual correction that takes place each year to pro-rate the payroll at the end of the fiscal year. Manager Zell stated for the Water & Sewer Fund, the numbers will look better next month when it is a billing month included in the numbers. Manager Zell reviewed some comparisons between line items – and vehicle maintenance in Sanitation is really over budget this year, due to an engine needing to be replaced in a garbage truck. Manager Zell stated for fuel costs, diesel costs are less this year (approximately \$20,000 savings so far this year) which is saving the Town money. Manager Zell also reviewed the R&P property tax revenue analysis, local sales tax revenue analysis, and hold harmless tax revenue analysis.

Commissioner Mims stated these comparisons really help put the budget in perspective, and he appreciates the extra effort.

6. Public Hearings and New Business

a. Schedule Public Hearing for Conditional Use Permit CU #15-07 submitted by Bethesda Ives, LLC for December 14, 2015. Director Graham stated the property is located in the MC (Highway Commercial) zoning and the site of the property is located in the MC (Highway Commercial) zoning. Mayor Farrell recused himself from this item and stepped away from the podium. Mayor Pro-tem Thomas stated a public hearing will be scheduled for Conditional Use Permit CU #15-07 submitted by Bethesda Ives, LLC for December 14, 2015 at 6:00 p.m.

b. Public Hearing on Annexation #49-215 submitted by David & Peggy Hendrix. Director Graham stated the existing structure on the property is a 10,000 square foot building. Mayor Farrell rejoined the podium. Mayor Farrell opened the public hearing on Annexation #49-215 submitted by David & Peggy Hendrix. Director Graham stated this is for a voluntary annexation, and the property owners have recently built a home on the property and they are interested in receiving Town services. Director Graham stated legal notice requirements have been met, and tonight is the public hearing for this item. Director Graham displayed a map of the lot in question and also an aerial photograph. Director Graham stated Ms. Hendrix is here this evening if there are any questions.

With no further discussion, Mayor Farrell closed the public hearing on Annexation #49-215 submitted by David & Peggy Hendrix.

c. Consider action on Annexation Ordinance #49-215 to Extend the Corporate Limits of the Town of Aberdeen, North Carolina.

Director Graham displayed a vicinity zoning map. Director Graham stated if the Board is prepared, this item can be considered for approval this evening. A motion was made by Commissioner Mims, seconded by Commissioner Goodwin, to approve Annexation Ordinance #49-215 to Extend the Corporate Limits of the Town of Aberdeen, North Carolina. Motion unanimously carried 5-0.

d. Public Hearing for Conditional Use Permit #15-06 for hotel use submitted by Jitu Gandhi. Director Graham stated the property is located in the MC (Highway Commercial) zoning and the site of the property is located in the MC (Highway Commercial) zoning. Mayor Farrell recused himself from this item and stepped away from the podium. Mayor Pro-tem Thomas stated a public hearing will be scheduled for Conditional Use Permit CU #15-06 submitted by Bethesda Ives, LLC for December 14, 2015 at 6:00 p.m.

Mayor Farrell opened the Public Hearing for Conditional Use Permit #15-06 for hotel use submitted by Jitu Gandhi.

Town Clerk Regina Rosy swore in Jitu Gandhi and Gary Shah.

Director Graham stated Mr. Gandhi requests a Conditional Use Permit to allow a hotel use at 1405 N. Sandhills Blvd, Aberdeen. Director Graham stated the property is located in the HC (Highway Commercial) Zoning District. Director Graham stated the property is located at the site of the former Country Hearth Inn.

Director Graham stated the applicant proposes to establish a hotel operation utilizing the existing structures, following renovations. Mr. Gandhi intends to place the hotel under a national brand, yet to be determined. A rough site plan has been provided; additional details will be required for a more formal site plan review, pending approval of the conditional use. Hotel uses require a CUP in the HC District. As the previous hotel use has been discontinued for more than 180 days, a new application is required.

Director Graham stated the HC District is intended primarily for businesses that serve the travelling public, require large areas for display of goods and are not oriented to the pedestrian shopper. Because this district is generally located adjacent to main thoroughfares where it is subject to public view, uses should provide an appropriate appearance, ample parking, suitable landscaping, and safe pedestrian access and connectivity.

Director Graham stated the parcel is adjoined by other HC zoned properties on all sides; Ruby Tuesday and Applebee's share the block between 15-501 and Magnolia Drive, and the nearest residences are approximately 475 feet to the west along Magnolia Drive.

Director Graham displayed a vicinity zoning map. Director Graham stated the site is approximately 3.22 acres. The property consists of three existing structures (two guest room buildings and an office area connected by a breezeway to the largest guest room building). The hotel property contains 106 parking spaces; 133 are required however the total parking count for the hotel and two restaurants is 318 (shared parking is likely). The property has 50' of highway frontage on US 1 with an entry drive; currently the site can also be accessed through the Ruby Tuesday's parking area and from Magnolia Square office complex to the west. Director Graham displayed a 2010 Aerial Image of the proposed site.

Director Graham reviewed the security concerns for the property. The Country Hearth operation experienced two shooting deaths in mid 2013. A settlement agreement was reached between the Town and the hotel ownership at that time, however the hotel did not meet their obligations and the operation was closed. The property went into foreclosure in January of this year and has been actively marketed for sale. Planning, Police staff, and the applicants prepared a list of security requirements that are included in the conditions for approval of the CUP.

Director Graham stated regarding conformity with adopted Town plans, the Future Land Use Map associated with the Plan identifies the area as commercial, which is consistent with the current zoning and existing uses in the vicinity. Director Graham stated staff considers the proposal to be in general conformity with the adopted Land Development Plan.

Director Graham reviewed the recommended conditions: Conditional Use Permits (CUPs) run with the land and as such CU #15-06 applies to the entirety of the property reflected in PID #00047309. An amendment to the CUP is needed to remove property from the CUP or to make changes to the CUP. If an activity is a use by right, it is not subject to the CUP.

The proposed use is authorized by the CUP, however approval is contingent on an interdepartmental review to ensure that all Federal, State and local regulations, as well as all conditions of the CUP, are met.

Building and Fire Inspections and Town of Aberdeen Business License are to be required prior to beginning operation; all to be coordinated through the Planning and Inspections Department.

Any and all required permits and/or approvals from other regulatory agencies must be in place prior to issuance of a Notice to Proceed by the Planning Department.

The proposal shall institute and maintain a safety and general operation plan, to include:

- a. Rooms shall only be rented to persons with a current driver's license or state-issued identification;
- b. Rooms shall only be rented to persons arriving by vehicle with current license plates;
- c. Guest registration shall include vehicle license number and make and model of the vehicle;
- d. A parking pass shall be issued to all registered guests and shall be visible on the dashboard on the vehicle at all times while on the property;

- e. Visitors of registered guests shall be issued a visitor pass which shall be visible on the dashboard of their vehicles at all times while on the property;
- f. Vehicles on the property without either a guest pass or a visitor pass shall be towed;
- g. On-premise, armed security personnel shall be on site during the hours of 10:00 p.m. to 5:00 a.m., and any additional hours as established by the hotel management;
- h. Visitation of non-registered guests to guest rooms shall be prohibited between the hours of 11:00 p.m. and 8:00 a.m. Visitor vehicles on the property outside of these established hours shall be towed;
- i. Signs shall be prominently displayed that state the towing policies;
- j. Aberdeen Police Department personnel shall have access to the guest registry at all times. If the custodian of the guest registry objects, the Police shall first obtain an administrative search warrant or a search warrant prior to inspecting the guest registry;
- k. Weekly rentals of rooms shall be prohibited; (There was discussion at this point about monthly rentals being prohibited, but not weekly rentals since some golfers may stay for a week. Commissioner Dannelley asked the applicant if the national brand headquarters may want to weigh in on this discussion, since they may have certain expectations. Director Graham stated the conditions have changed very little since the beginning of this project. Commissioner Dannelley stated he would like to propose adding in a condition that the national brand would have an opportunity to weigh in regarding these conditions so this project can be a win-win for everyone. Mayor Farrell stated it sounds like this would be a franchise project, so they would be able to make their own rules. Commissioner Dannelley stated he just does not want to belabor the issue, and limit the opportunities for the applicant to partner with a national brand. Director Graham stated she has worked hand in hand with the applicant on these conditions. Director Graham stated it is really easy to come back to these conditions and pull some back if they are no longer necessary, but it is much more difficult to add additional conditions down the road, without going through a whole new CUP process. Commissioner Mims stated he does not think this condition is over-restrictive. Director Graham stated a change would be made to make this condition monthly rentals would be prohibited, not weekly.)
- l. The Aberdeen Police Chief, or his designee, shall evaluate the exterior lighting on site prior to beginning operation and shall provide a written statement to the Planning Director and the applicant regarding sufficiency or the lighting for security purposes.

- m. The Aberdeen Police Chief, or his designee, shall evaluate the function, quantity, and location of surveillance cameras on the property prior to beginning operation and shall provide a written statement to the Planning Director and the applicant regarding the sufficiency of the cameras for security purposes;
- n. Aberdeen Police Department personnel shall have access to surveillance cameras at all times;
- o. Signs shall be prominently displayed on the property that state that the property is protected by surveillance cameras;
- p. All parking of vehicles shall be aligned with parking lines so that license plates may be easily viewed;
- q. The hotel manager shall live on site;
- r. The rear driveway that leads to the adjacent property to the west shall remain closed by a barrier that requires a key to access.

Director Graham stated Mr. Gandhi and his nephew, Gary Shah, are here this evening to answer any questions the Board may have. Commissioner Mims asked if this hotel will assuredly be a national brand, and Mr. Gandhi replied yes. Commissioner Dannelley suggested adding in the verbiage that was included on the application for this project: the hotel will operate with a national franchise flag and an experienced and professional management team.

Wilma Laney asked if safety concerns will be addressed regarding parking. Commissioner Mims stated there is an abundance of parking available. Commissioner Mims stated surveillance cameras will be provided and security personnel will also be onsite at the hotel. Commissioner Mims asked Chief Wenzel if he feels the security will be better than it was before. Chief Wenzel stated yes, absolutely it will be better.

Jeff Golahan asked if there is any plan to provide a barrier between the subject property and Magnolia Square. Mr. Gandhi stated it is not currently in the plan, but they have no issue with putting up a fence. Director Graham stated that condition can be added if the Board would like to. Commissioner Mims asked how tall the fence can be. Director Graham stated up to a 8 ft. fence can be installed. Mr. Golahan stated 8 ft. would be his preference. Director Graham stated 6 ft. is the rule, but the Board can authorize 8 ft., and even up to 10 ft. for the fence height if the circumstances warrant it. Director Graham stated what she is hearing is that an additional condition should be added that a fence shall be installed along the property line shared with Magnolia Square to be no less than 6 ft. in height and shall

will meet all UDO requirements for fencing. The Board members agreed what is correct. Commissioner Mims asked for clarification on how the motions will need to go, since changes have been made to the conditions. Director Graham stated Motion 7 could be approved with conditions as amended, and she will re-read those condition changes to make sure they are correct. Commissioner Dannelley asked about condition "n" allowing access to Aberdeen Police Department staff for surveillance at all times. Attorney Morphis stated there was a typo in his memo to the Board, but there is not any case law on point, and there is no expectation of privacy for public areas.

With no further discussion, Mayor Farrell closed the Public Hearing for Conditional Use Permit #15-06 for hotel use submitted by Jitu Gandhi.

Consider action on Conditional Use Permit #15-06 for hotel use submitted by Jitu Gandhi. Director Graham stated if the Board is prepared to make a decision tonight, then this item can be considered this evening.

A motion was made by Commissioner Mims, seconded by Mayor Protem Thomas, that CU #15-06 is complete as submitted. Motion unanimously carried 5-0.

A motion was made by Commissioner Mims, seconded by Mayor Protem Thomas, that CU #15-06 if completed as proposed will comply with all requirements of the UDO. Motion unanimously carried 5-0.

A motion was made by Commissioner Mims, seconded by Mayor Protem Thomas, that CU #15-06 satisfies Finding #1: will not endanger public health or safety. Motion unanimously carried 5-0.

A motion was made by Commissioner Mims, seconded by Mayor Protem Thomas, that CU #15-06 satisfies Finding #2: will not substantially injure the value of adjoining or abutting property. Motion unanimously carried 5-0.

A motion was made by Commissioner Mims, seconded by Mayor Protem Thomas, that CU #15-06 satisfies Finding #3: will be in harmony with the area in which it is located. Motion unanimously carried 5-0.

A motion was made by Commissioner Mims, seconded by Mayor Protem Thomas, that CU #15-06 satisfies Finding #4: will be in general conformity with the Land Use Plan or other plans specifically adopted by the Board.

Motion unanimously carried 5-0.

A motion was made by Commissioner Mims, seconded by Mayor Protem Thomas, that based on the findings of fact and the evidence presented, the Board of Commissioners issues approval of CU #15-06 with amended conditions as presented. Motion unanimously carried 5-0.

Public Hearing on Conditional Zoning #15-02 submitted by Southern Pines Gaines to Allow an Indoor Recreational Use.

Mayor Farrell opened the Public Hearing on Conditional Zoning #15-02 submitted by Southern Pines Gaines to Allow an Indoor Recreational Use.

Director Graham stated the applicant is Southern Pines Gaines, and the contact person is Danielle Orloff. The request is for recommendation of approval for conditional zoning for the addition of an indoor sports recreation use at 3140 NC Highway 5.

Director Graham stated the total parcel acreage is 62.601 acres. The subject property is within the Commercial-Light Industrial (C-I) Zoning District. C-I zoning adjoins the subject parcel to the north, east and west. To the south, R10-10 residential zoning adjoins the property.

Director Graham displayed the vicinity zoning map, and an aerial image of the site. Director Graham displayed a proposed layout. Director Graham stated because this is a conditional zoning, the Board can work with the applicant on the conditions, and the proposal is to conditionally rezone parcel ID # 00050942 from C-I to C-I-C. Director Graham stated conditional zoning districts allow for the establishment of certain uses, which because of their nature or scale, have particular impacts on both the immediate area and the community as a whole.

Director Graham stated there are two existing structures on the subject property. The main facility is 650,000 square feet and the adjacent building is 35,000 square feet. The main facility accommodates the following businesses:

- Manning & Co.
- Kolcraft

to 9:00 PM. b. **Capel Rugs** and **AC Sandhills** are located on the subject property. The subject property is located on the east side of the subject property, adjacent to the subject property. The subject property is located on the east side of the subject property, adjacent to the subject property.

Director Graham stated regarding the 2030 Land Development Plan, the Future Land Use Map adopted in 2005 reflects the subject property as commercial. The APA's *A Planner's Dictionary* includes amusement and recreation services in its definition of Retail Services Establishment. The Land Use Plan's citizen survey listed recreational opportunities, need for teen recreation/youth programs, and need to utilize empty manufacturing facilities as weaknesses. Two responders also listed active youth programs/places for use as a strength. Based on these items, staff considers the proposal to be in general conformity with plans adopted by the Town.

Director Graham stated applicants are required to conduct a community meeting prior to the public hearing for all conditional zonings and provide a report summarizing attendance and discussion items. This meeting was held on 11/10/2015. Director Graham stated during this meeting, a tour of the facility was given, along with a description of the proposal.

Director Graham read an email from Rob Cornwell, Managing Partner for Insite. Director Graham also read a letter from John O'Malley into the record.

Director Graham stated the recommended conditions for this project are the following:

1. Any and all approvals including but not limited to permits from the Town or other regulatory agencies must be obtained prior to a notice to proceed by the Planning Department.
2. The applicant shall retain existing vegetation in the buffer areas and elsewhere on the property and shall supplement with additional landscaping as directed in order to comply with the landscaping and screening requirements of the UDO.
3. Conditional and Special Use Permits for the property shall not be required for the uses specified by Conditional Zoning CZ #15-02.
4. The conditional zoning is contingent on approval of a final site plan by staff to ensure compliance with the UDO.
5. Staff is directed to enter Conditional Zoning District C-I-C for property identified by PID #00050942 on the official zoning map and add a label for CZ #15-02 upon final approval.

Director
Graham
11/10/2015

Commissioner Mims asked if Mr. O'Malley is here this evening.

Director Graham stated he is not here this evening, that is why he submitted the letter, but Ms. Orloff is here this evening and she manages the building for Mr. O'Malley. Commissioner Mims asked Director Graham to explain the difference between conditional zonings and conditional use permits. Director Graham provided a summary of the differences. Commissioner Mims asked for information on Insite, and the credibility of the organization. Mayor Farrell stated Pat Corso can provide some information on Insite.

Danielle Orloff stated Mr. O'Malley has put a lot of personal effort into marketing this building. Ms. Orloff stated she has a list of industries they have approached to utilize space in the building. Ms. Orloff stated it is expensive to maintain a predominantly empty building. Ms. Orloff stated the goal was to create enough revenue to cover costs for the building, and also to provide maintenance to the exterior and interior of the building. Ms. Orloff stated they have tried to work with many businesses, and the businesses are just not wanting to move to this area. Ms. Orloff stated there is not a specific listing on the building, and Mr. O'Malley does not want to sell the building, he wants to lease it.

Commissioner Dannelley asked who David Trapp is. Todd Abbey, with AC Sandhills, stated Mr. Trapp is a grant writer and writes research papers to help obtain possible grants for projects.

Pat Corso, with Partners in Progress, stated he has worked with Mr. O'Malley on this building for some time. Mr. Corso stated he is not opposed to indoor recreational opportunities. Mr. Corso stated the challenge here is once you make a decision to change the zoning on this building to allow recreation in the building, it changes the use of the building. Mr. Corso stated he thinks the best site for industrial in Moore County is this building. Mr. Corso stated Insite is the same company that brought us Project Tiger, and they are very good at what they do. Mr. Corso stated Insite was not hired as a listing agent for the building, but they were told if they bring a client to Mr. O'Malley then they would receive a commission. Mr. Corso stated there has been client activity as recent as last week, with a gentleman looking for 400,000 square feet of space to buy. Mr. Corso stated he really does not believe this project has received the national advertising that it deserves. Mr. Corso presented a chart of client activity for the Gulistan Building between July 2014 and November 2015. Mr. Corso stated he feels like everything has not been done to market the building that can be done.

Mr. Corso stated he feels like the building can be broken down into smaller pieces for businesses to use.

Commissioner Dannelley asked if it is Mr. Corso's position that it would be "game over" for manufacturing business opportunities for this location if this conditional zoning is approved. Mr. Corso stated you can not mix recreational uses with business uses – it does not work. Commissioner Dannelley asked Ms. Orloff if it limits Mr. O'Malley's options if he is not willing to sell the building. Ms. Orloff stated even with the recreation uses, 362,000 square feet would still be available for manufacturing uses in the building.

Mr. Chris Gilder stated one of the challenges he faces in his business is drawing people to the area, and he feels having recreational opportunities in the area helps draw people to the area. Commissioner Dannelley asked if this is approved, the plan is to do youth sports, but he doesn't really see a real plan. Commissioner Dannelley asked if jobs will be created with this plan.

Todd Abbey, Executive Director for AC Sandhills, stated the goal is to continue to improve the area from a community standpoint. Mr. Abbey stated all of the resources they would put in the building including flooring, netting, etc. is all temporary and can be removed. The goal is to put down 6 basketball courts/volleyballs courts, youth programming, safe places for youth to go, etc. Mr. Abbey stated he understands that industrial uses are the best use of the building, and if someone surfaces that wants to lease the 400,000 square feet for that purpose, then they will pick up and go. Commissioner McMurray asked why they would not want to start somewhere else with their plan rather than an industrial building.

Commissioner Mims stated he thoroughly appreciates what AC Sandhills is doing in the community. Commissioner Mims stated he does not believe in over-regulation. Commissioner Mims stated if more effort was put into marketing the property for industrial uses, then he might be more inclined to be favorable towards this.

Director Graham stated this conditional zoning would just be an additional use for the property, but would not remove any of the current uses. Ms. Orloff stated AC Sandhills would just be using a small portion of the building, and the rest could still be used for industrial uses. Ms. Orloff stated the revenue is needed from the recreation use of the property, in order to provide the maintenance and improvements for the rest of the building.

Mayor Pro-tem Thomas asked how many employees would be employed through this operation. Mr. Abbey stated it would be a continuation of the operation they currently have and it would require additional staff. Commissioner Mims asked what kind of lease would be signed for this project. Mr. Abbey stated the lease would be based on the success of the operation.

Mayor Farrell stated this is a premier industrial site for not only Aberdeen, but Moore County. Mayor Farrell stated it is a catch 22 situation.

Mr. Corso stated this really boils down to a fundamental issue. Industry in North Carolina is going to urban centers and interstates and not rural areas. Mr. Corso stated site selectors have not really had the opportunity to market this building, and unfortunately it has not happened yet. Mr. Corso stated after that has taken place, then he can feel better about this current proposal. Mr. Corso stated he is just not ready to give up on the site yet.

Chris Gilder stated he feels it would be a shame to not be able to use the space temporarily for recreation, until an industrial use is found for the building. Ms. Orloff stated Clift Commercial is actively marketing the building currently. Ms. Orloff stated there have been 2 recent opportunities that almost came through, but fell through. Ms. Orloff stated Mr. O'Malley does not want to sign with a site selector because he feels it limits his options. Ms. Orloff stated it is extremely expensive to maintain the building.

Commissioner Dannelley asked what continuing efforts are being made to gain occupants for the building? Ms. Orloff stated there are currently 2 potential occupants, but they are only looking for small spaces with very specific requirements. Ms. Orloff stated tenants are looking for smaller spaces.

Dennis McLaughlin, Director of the Volleyball Program, stated he was a part of the Board in 2010 that developed AC Sandhills. He stated he is struggling with the hope that someone will lease the building, when in the mean time it can be used to benefit the community. This would make an immediate impact to the community. Mayor Farrell asked if any other buildings have been looked at? Mr. McLaughlin stated ceiling heights are a real challenge, and unfortunately they have not located another facility. Mayor Farrell stated it sounds like a lot of money is going to be invested from AC Sandhills, with the possibility that if an industrial use is found for the

building, then AC Sandhills could have to pick up and leave. Mr. Gilder stated there is a revenue share from the tournaments that can be used to offset the dollars invested.

Mike Martin, Board Member with AC Sandhills, stated the Town Board could allow this use, yet still preserve the building for future industrial use, by placing an additional condition on the conditional zoning.

With no further discussion, Mayor Farrell closed the Public Hearing on Conditional Zoning #15-02 submitted by Southern Pines Gaines to Allow an Indoor Recreational Use.

Consider action on Conditional Zoning #15-02 submitted by Southern Pines Gaines to Allow an Indoor Recreational Use.

A motion was made by Commissioner McMurray, seconded by Commissioner Goodwin, to issue denial of Conditional Zoning #15-02. Motion unanimously carried 5-0. Commissioner Mims stated he is not saying that this use can never happen. Commissioner Mims stated those potential jobs are really important to the community.

A motion was made by Commissioner McMurray, seconded by Commissioner Goodwin, that Conditional Zoning #15-02 is not consistent with applicable plans of the Town of Aberdeen. Motion unanimously carried 5-0.

A motion was made by Commissioner McMurray, seconded by Commissioner Goodwin, that CZ #15-02 is not reasonable and in the public interest. Motion unanimously carried 5-0.

Consider action on Piedmont Natural Gas Line Easement.

Manager Zell stated this item is for an easement for a new line that Piedmont Natural Gas will be putting in and the line runs across Town of Aberdeen property at the site of Well #13. Piedmont Natural Gas has agreed to pay the Town \$5,000 for this easement. Attorney Morphis has reviewed the easement and all recommended changes have been incorporated into the language. Commissioner Dannelley asked how \$5,000 was determined for the easement. Manager Zell stated the length helped determine the amount. A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Dannelley, to approve the Piedmont Natural Gas Line Easement. Motion unanimously carried 5-0.

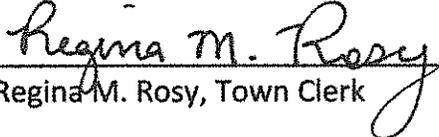
7. Other Business

- a. Volunteer Board Appreciation Event & Recognition of Commissioner Pat Ann McMurray on Monday, December 7, 2015 at 6:00 p.m. at Postmaster's House.

Commissioner McMurray stated it has been her pleasure to serve on the Board.

8. Adjournment

A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Goodwin, to adjourn the Board Meeting. Motion unanimously carried 5-0.


Regina M. Rosy, Town Clerk

Minutes were completed in
Draft form on November 23, 2015


Robert A. Farrell, Mayor

Minutes were approved
on December 14, 2015

Yorkshire Board Application Event & Recognition of Outstanding Services
The Mayor of London, December 7, 2015 at 10.30 am. We have discussed
the event.

The Mayor of London has been given the go-ahead to raise on

the subject

at

A note on this matter for Mayor's reference is being prepared by the Commission
in order to inform the Board Meeting. Motion for priority carried 5-0.

Robert A. Farwell, Mayor

Minutes were approved
on December 24, 2015

Robert A. Farwell
Robert A. Farwell, Mayor

Minutes were approved in
Draft form on November 23, 2015