

Minutes

Work Session

Aberdeen Town Board

August 8, 2016

Robert N. Page Municipal Building

Monday, 6:00 p.m.

Aberdeen, North Carolina

The Aberdeen Town Board met Monday, August 8, 2016 at 6:00 p.m. for the Work Session. Members present were Mayor Robert A. Farrell, Mayor Pro-tem Jim Thomas, and Commissioners Ken Byrd, and Eleese Goodwin. Commissioners Joe Dannelley and Buck Mims were not in attendance for the meeting. Staff members in attendance were Planning Director Pam Graham, Planner Daniel Martin, Town Manager Bill Zell, and Town Clerk Regina Rosy. Attorney T.C. Morphis, and Reporter for The Pilot Jaymie Cox were also in attendance for the meeting.

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

1. Continuation of Public Hearing for Conditional Use Permit #16-04 submitted by George Nelson for property located on Lighthouse Circle.

Mayor Farrell opened the continued public hearing. The Public Hearing has been continued to the Board Meeting on September 26, 2016. Motion unanimously carried 3-0.

2. Conditional Use Permit #16-04 submitted by George Nelson for property located on Lighthouse Circle.

A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Byrd, to continue the public hearing to the September 26, 2016 meeting. Motion unanimously carried 3-0.

3. Update from Public Works Director Rickie Monroe on Thomas Avenue.

Manager Zell gave an update from Public Works Director Monroe's memo. A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Goodwin, to proceed with hiring to complete the survey of properties on Thomas Avenue. Motion unanimously carried 3-0.

4. Minor Modification Request for Conditional Use Permit #15-06 for Quality Inn.

Director Graham introduced Dilip Mehta and Sonya Sasser from Quality Inn. Director Graham stated the applicant has asked for relief from the barricade keyed entrance and the registered guests/visitors passes displayed in their windshield. Director Graham read a letter from the Police Chief. Mr. Mehta gave an overview of why these requirements are a hardship. Mayor Farrell asked Director Graham if she could get with the Police Chief and check on the visitor guest passes before the Board makes a decision. Ms. Sasser stated they do not rent to anyone that lives within 30 miles of Aberdeen. Mayor Pro-tem Thomas suggested leaving condition #18 in place for another 6 months, and see if anything comes up from it, and if there are no issues, then eliminate the condition.

Attorney Morphis stated if a condition is removed from the CUP, then it cannot be added back. A motion was made by Mayor Pro-tem Thomas, to keep condition #5 in place for 6 months from today regarding the parking passes, and then revisit at the end of the 6 months period. Commissioner Byrd suggested amending the motion to read 6 months from the date the motel opened, which has already been 21 days. Motion was seconded by Commissioner Goodwin as amended. Motion unanimously carried 3-0.

A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, to remove Condition #18 from the CUP, with the caveat that a camera must be pointed at the entrance to record vehicles going in and out. Mayor Farrell asked how the Board would revisit this item if there are issues from removing the condition. Attorney Morphis stated that would need to be addressed in the motion. Director Graham stated Fire Chief Richardson stated the 2nd access is actually required by Fire Code so it should not need to be revisited. Motion unanimously carried 3-0.

5. Request for a 1-Year Extension to Conditional Use Permit #05-06 for Sandy Springs Subdivision.

Director Graham stated she was contacted by Stafford and they are interested in picking the project back up. Director Graham stated once a year has passed with no activity, then the CUP expires, and since that expiration date is coming up in September, this item is to provide additional time to work on the project. Director Graham stated staff recommends that the extension be granted with the condition that the 2nd entrance be completed within a fixed period of time,

that all NCDOT requirements regarding the second entrance be complied with, and a performance guarantee, issued in the same manner and subject to the same requirements as performance guarantees given per UDO §152-53, be provided to the Town for the completion of all work associated with the construction of the second entrance. Mayor Farrell asked how much more construction is expected to take place. Mr. Stafford stated 30 additional lots will be developed. Director Graham stated there is a series of motions to be considered if the Board so chooses.

A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, that CU #15-06 has not expired as of this date. Motion unanimously carried 3-0.

A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, that the permit recipient, Stafford Land Company, has proceeded with the project authorized by CU #05-06 with due diligence and in good faith. Motion unanimously carried 3-0.

A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, that conditions relative to CU #05-06 have not changed so substantially as to warrant a new application. Motion unanimously carried 3-0.

A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, that the Aberdeen BOC issues approval with conditions of the extension request for CU#05-06 as follows:

1. Sandy Springs Road between Lots 10 and 36 as shown on the enclosed Phase 1 Final Plat shall make connection with Pee Dee Road no later than September 1, 2017.
2. All NCDOT and Town of Aberdeen requirements regarding completion of the second entrance shall be complied with.
3. A performance guarantee shall be provided to the Town, in the same manner as performance guarantees given per UDO §152-53, payable to or in favor of the Town and in an amount equal to 125% of the cost of construction of the second entrance. Such estimated cost shall be in the form of a document signed and sealed by a Professional Engineer licensed to practice in the State of North Carolina and approved in a separate action by the Town Board of Commissioners.

Motion unanimously carried 3-0.

6. Minor Modification Request for Conditional Use Permit #06-04 submitted by McKee Homes.

Director Graham stated Jeff Potter is in attendance this evening. Jeff Potter stated this is the last lot that a minor modification will be needed for in Phase I. A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Byrd, to approve the Minor Modification Request for Conditional Use Permit #06-04 submitted by McKee Homes. Motion unanimously carried 3-0.

7. Re-appointments to the Historic Preservation Commission.

Director Graham stated there are 3 sitting members of the HPC that are interested and eligible for reappointment to the HPC: Mollie Wilson, Jon Ring, and Ernestine Chapman. A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Goodwin, to reappoint Mollie Wilson, Jon Ring, and Ernestine Chapman to the HPC for an additional 4-year term. Motion unanimously carried 3-0.

8. Downtown Master Plan Task Force Appointments.

Planner Martin stated the term for this group would be approximately 6 months, and would be until the project is complete. The members are Elease Goodwin, Bonnie McPeake, Betsy Mofield, Betsy Saye, Holly Bell, Mike Ratkowski, Shane English, and Paul Barnes. A motion was made by Commissioner Byrd, seconded by Mayor Pro-tem Thomas, to formally appoint the 8 members to the Downtown Master Plan Task Force. Motion unanimously carried 3-0.

9. Proclamation proclaiming September 2016 as Chiari Malformation Awareness Month.

A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, to approve a Proclamation proclaiming September as Chiari Malformation Awareness Month. Motion unanimously carried 3-0.

10. Other Business.

Three residents from Legacy Lakes voiced a concern about a sales trailer that is being planned by McKee Homes for the Legacy Lakes Development. The residents stated they want an opportunity to voice their concerns to the Board, when the

timing is appropriate. Commissioner Byrd suggested getting together a petition to be presented as a matter of public record at the meeting on August 22, 2016 under Informal Discussion and Public Comment.

11. Closed Session pursuant to N.C. General Statute 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body and N.C. General Statute 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

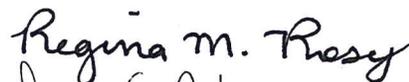
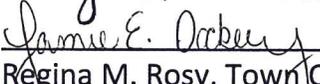
A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, to go into Closed Session pursuant to N.C. General Statute 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body and N.C. General Statute 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. Motion carried unanimously 3-0.

The Board returned from Closed Session.

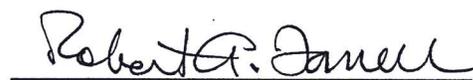
A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin to open regular session. Motion unanimously carried 3-0.

12. Adjournment.

A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Goodwin, to adjourn the Board Meeting. Motion unanimously carried 3-0.

Regina M. Rosy, Town Clerk
Jamie E. Dockery, Deputy Town Clerk



Robert A. Farrell, Mayor

Minutes were completed in
Draft form on August 8, 2016

Minutes were approved
on December 12, 2016

including a copy of the minutes of the meeting to the Board of Directors. The Board of Directors is requested to refer to the minutes of the meeting on August 12, 2016 under the heading of "Board of Directors' Minutes".

11. A motion was made by Commissioner [Name] seconded by Commissioner [Name] to go into closed session pursuant to W.C. General Statute 143-21(a)(1) to discuss with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body and W.C. General Statute 143-21(a)(2) to establish or prevent the public body's use or retention of agents concerning the position to be held of a contract or program, contract for the acquisition of real property by purchase, rental, exchange, or lease.

A motion was made by Commissioner [Name] seconded by Commissioner [Name] to go into closed session pursuant to W.C. General Statute 143-21(a)(3) to discuss with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body and W.C. General Statute 143-21(a)(2) to establish or to prevent the public body's use or retention of agents concerning the position to be held of a contract or proposed contract for the acquisition of real property by purchase, rental, exchange, or lease. Motion carried by a vote of 3-0.

The Board returned from closed session.

A motion was made by Commissioner [Name] seconded by Commissioner [Name] to go into closed session pursuant to W.C. General Statute 143-21(a)(3) to discuss with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body and W.C. General Statute 143-21(a)(2) to establish or to prevent the public body's use or retention of agents concerning the position to be held of a contract or proposed contract for the acquisition of real property by purchase, rental, exchange, or lease. Motion carried by a vote of 3-0.

12. Adjournment.

A motion was made by Mayor [Name] seconded by Councilmember [Name] to adjourn the local meeting. Motion unanimously carried 3-0.


Robert A. Finn III, Mayor


[Name], Deputy Mayor

Minutes were approved on October 12, 2016.

Minutes were completed on August 8, 2016.