

Minutes

Regular Board Meeting

Aberdeen Town Board

August 22, 2016

Robert N. Page Municipal Building

Monday, 6:00 p.m.

Aberdeen, North Carolina

The Aberdeen Town Board met Monday, August 22, 2016 at 6:00 p.m. for the Regular Board Meeting. Members present were Mayor Robert A. Farrell, Mayor Pro-tem Jim Thomas, and Commissioners Ken Byrd, Joe Dannelley, and Elise Goodwin. Commissioner Buck Mims was not in attendance. Staff members in attendance were Planning Director Pam Graham, Assistant Public Works Director Harold Watts, Town Manager Bill Zell, and Deputy Town Clerk Jamie Dockery. Attorney T.C. Morphis, Reporter for The Pilot Laura Douglass, Peggy Johnson, and approximately 26 other citizens were also in attendance for the meeting.

1. Call to Order

Mayor Farrell called the meeting to order at 6:02 p.m.

a. Pledge of Allegiance.

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

2. Setting of the Agenda

A Closed Session pursuant to N.C.G.S. 143-318.11(a)(3) to preserve the attorney client privilege added to the agenda to discuss. A motion was made by Mayor Pro-tem Thomas, seconded by Commissioner Dannelley, to approve the setting of the agenda as amended. Motion unanimously carried 4-0.

3. Informal Discussion and Public Comment

a. Legacy Lakes – Bruce Parker, who was representing about 15 residents in Legacy Lakes, wants to go on record that they oppose the sales trailer that was proposed by McKee Homes. They oppose any trailer in the Legacy Community now and in the future. A petition from the residents was brought with 120 signatures that layout the issues they are having with the contractors. Concerns range from failure in erosion and storm water management into the lakes, screening and landscaping maintenance, public and safety health concerns, community appearance, trash, building of houses in general, violations of noise ordinance (i.e.

not working on Sunday) and common area maintenance to include the paving of streets. Mr. Parker stated they have discussed these issues with LStar and contractors over the past 18 months and nothing has been done. Mr. Parker stated they are asking the Board for help in fixing these issues. Mayor Farrell asked about the Homeowner's Association resolving any issues. The Homeowners' Association and LStar have not been able to resolve these issues together. Director Graham stated she received the petition packet right before the meeting and it will be reviewed by her and she will follow up with the Board and citizens of Legacy Lakes as to what actions can be taken by the Town and what falls under the authority of the Town.

Dale Ronko stated they have been down this road with one builder/developer one time already and don't want to tolerate this with another.

b. Vanessa McNeill wanted to give a follow up report on her concerns with the Habitat homes in her Broadway neighborhood. Ms. McNeill wanted to thank the Commissioners for their listening ear of the residents. Ms. McNeill met with representatives from Habitat and was told they were still considering putting a 1.5 or 2 story house in the cul-de-sac which she is concerned about because there are supposed to only be 1 story houses. Ms. McNeill believes that what was approved should be stuck to. Ms. McNeill also stated that the fence is supposed to cover the four houses that border her property and she is being told by Ms. Gaar, with Habitat, that the fence would be just behind her house. Ms. McNeill asked the Board what she can do about these issues. Mayor Farrell asked Director Graham if any plans have been submitted by Habitat. Director Graham stated no. Director Graham stated nothing has been submitted at this point and there hasn't been a discussion about house plans or the fence. Director Graham stated she will review the conditions of approval and any other information to make sure all conditions are met.

c. Norman & Timothy McQueen have concerns about the sewer right of way not being maintained on 610 E. South Street. Mr. McQueen stated that a promise was made that the manhole would have flowers planted around it and it would be made pretty and it has never been done. Mr. McQueen stated every 3 years the Town will mow down the grass and weeds. Mr. McQueen asked if grass can be planted and then he will maintain it and asked the Town to do a better job at maintaining the right of way. Assistant Director Watts stated per Town Ordinance nothing can be planted on sewer right of ways but planting grass can be done with no problem.

#### 4. Financial Report

No financial report this month.

**5. New Business**

**a. Consider Letter of Support Regarding the Development of a Montessori School in Aberdeen**

Planner Graham stated Ms. Peggy Johnson is asking the Board to support the development of a Montessori School. Ms. Johnson stated they are proposing a charter Montessori School that would be K-6 with a private preschool component. Ms. Johnson stated Montessori Schools are unique because there are no desks and students work in small groups or individually at tables or on the floor and children are in 3 year age spans in the classroom and not certain grades. Each child has an individual guidance plan for their education. Application is due September 15<sup>th</sup> and Ms. Johnson is asking for a letter of support from the Town. The projected open date is fall 2018 if the school is approved. Mayor Farrell asked what the long range goal is on a building. Ms. Johnson stated they have been advised to rent the first few years and then the ultimate goal is to build a school. The school can receive state funding since it is a charter school for kindergarten on up. The first year will be K-2 and add on as the children get older. Commissioner Byrd asked about goals for student population size. Ms. Johnson stated the goal is 90 children in 4 classrooms: 2 for the 3-5 year olds and 2 for the 6-9 year olds. Commissioner Dannelley asked for clarification on the process after the Mayor signs the letter. Director Graham stated there are no further steps for the Board at this time, they are just asking for a letter to show support in the community to add to the application.

A motion was made by Commissioner Goodwin, seconded by Commissioner Byrd to authorize the Mayor to sign Letter of Intent. Motion unanimously carried 4-0.

**b. Paving Resurfacing.**

Assistant Director Watts stated this is just information for the Board. Assistant Director Watts stated because the bid amount was over \$500,000 some streets had to be taken out. Mayor Farrell asked for explanation on where the Town gets money to resurface roads and how streets are selected

for paving/resurfacing. Assistant Director Watts stated the structure of the road and amount of potholes, patches, and cuts is used to create an order of merit. The original bid was for 20 streets but that has been reduced to 15 streets included in this cycle of Powell Bill Funding. Bruce Parker asked who absorbs the cost of maintenance in Legacy Lakes once the contractor paves the roads. Assistant Director Watts state that when the final layer is put on the road then the Town will release the Surety Bond and then it falls under the Town's perpetual maintenance. Commissioner Byrd asked about keeping a partial bond for potential damage as part of construction continues. Attorney Morphis stated the maintenance bonds are not allowed anymore per the General Assembly but for a performance bond the Town can just inspect the road really well before the Town accepts it. Commissioner Byrd stated there needs to be an alternate construction entrance for Legacy Lakes Phase II and III when being built so the roads are not torn up. Director Graham stated she will look at the preliminary plat to see if there was an entrance already on the plat or if one can be added.

**6. Other Business**

- a. Commissioner Byrd wanted to thank Police Chief Wenzel with help on the traffic in the mornings at Moore Academy.

**7. Closed Session pursuant to N.C.G.S. 143-318.11(a)(3) to discuss matters within the attorney client privilege.**

A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, to go into Closed Session pursuant to N.C.G.S. 143-318.11(a)(3) to discuss matters within the attorney client privilege. Motion unanimously carried 4-0.

The Board returned from Closed Session. A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, to open regular session. Motion unanimously carried 4-0.

**8. Adjournment**

A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, to adjourn the Board Meeting. Motion unanimously carried 4-0.

Jamie E. Dockery  
Jamie E. Dockery, Deputy Town Clerk

Minutes were completed in  
Draft form on August 22, 2016

Robert A. Farrell  
Robert A. Farrell, Mayor

Minutes were approved  
on September 26, 2016

