

Minutes  
Work Session  
Aberdeen Town Board

October 10, 2016  
Monday, 6:00 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

The Aberdeen Town Board met Monday, October 10, 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, Joe Dannelley, Buck Mims and Elease Goodwin. Staff members in attendance were Planning Director Pam Graham, Planner Daniel Martin, Town Manager Bill Zell, Planner Kathy Blake, Public Works Director Rickie Monroe, and Deputy Town Clerk Jamie Dockery. Attorney T.C. Morphis, Reporter for The Pilot Laura Douglass, Pat Corso, Tim Marcham, and 4 citizens were also in attendance for the meeting.

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

Mayor Farrell thanked Manager Zell for all of the employees that worked very hard over the weekend dealing with Hurricane Matthew.

1. NCDOT Well Project – Well #28.

Director Monroe stated the Town is working on the NCDOT Well Project, 2 wells are in the process of being built and there are issues with the 3<sup>rd</sup> well due to a change of command at the Public Water Supply. Director Monroe reaffirmed with the Public Water Supply that the plans for Well #28 would be approved if presented to DENR. The answer was yes from the Public Water Supply. DOT has provided \$700,000 for the wells project, and Director Monroe stated an estimated amount of \$96,833.63 is needed from the Town in order to finish the project. The estimate includes building a pump house for the filtration system just in case it is needed. Commissioner Byrd asked what amount the Town needs to contribute. Director Monroe stated \$96,000. Commissioner Mims asked about change orders affecting the cost of the project. Director Monroe stated change orders are not typical in these projects. Commissioner Mims asked if this is a general fund transfer. Manager Zell stated it would come from Water & Sewer Fund Balance.

A motion was made by Commissioner Dannelley, seconded by Commissioner Goodwin, to approve the request of up to additional \$96,000 out of the Water &

Sewer Fund Balance as requested by Public Works Director to continue work on Well #28. Motion unanimously carried 5-0.

2. Continued Public Hearing for CU #16-04-B Submitted by George Nelson for Property Located on Lighthouse Circle.

Mayor Farrell opened the public hearing for Continued Public Hearing for CU #16-04-B Submitted by George Nelson for Property Located on Lighthouse Circle.

Director Graham stated that only new information is included in the presentation. Marilyn Kane and Mr. King were sworn in at the previous meeting. Director Graham stated the project was split into part A and B. Part A was the 1 quad building which was approved on the 12<sup>th</sup> of September. The 2 triplex units are being considered for Part B.

Recommended conditions are very similar to Part A with some simple clarifications. Condition #4 is authorizing a maximum of 6 multi-family units (2 triplex units) based on the plans presented. Condition #8 states the minimum front setback is reduced to 10 feet. Condition #10 states the multi-family standards requiring a school bus shelter have been waived.

Commissioner Byrd asked if there was a meeting with the homeowners and if there was an agreement. Mr. King stated they met Sunday, October 2<sup>nd</sup>. There was a unanimous decision that the homeowners and Architectural Review Board liked the plans. Mayor Farrell asked how big of a retaining wall will have to be built? Mr. King stated it is a 4' retaining wall and has been pushed back a bit. The heated square footage is the same with the garages pulled forward a little and turned 90 degrees and the garden area is included. Mr. King stated all of the materials used will be the exact same as the other structures in the area. Mayor Farrell thanked Mr. King for working with the citizens. Ms. Kane thanked the board for the additional time to work out the issues. Ms. Kane stated there was a vote on all of the changes and the homeowners are happy with the changes and have agreed for the triplexes to be built as presented in the last set of plans.

With no further discussion, Mayor Farrell closed the public hearing on CU #16-04-B Submitted by George Nelson for Property Located on Lighthouse Circle.

A motion was made by Commissioner Mims, seconded by Commissioner Byrd, that CU #16-04-B is within the jurisdiction of the town Board according to the Table of Permissible Uses. Motion unanimously carried 5-0.

A motion was made by Commissioner Mims, seconded by Commissioner Byrd, that CU #16-04-B is complete as submitted. Motion unanimously carried 5-0.

A motion was made by Commissioner Mims, seconded by Commissioner Byrd, that CU #16-04-B, 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 Commissioner Byrd, that CU #16-04-B satisfies Finding #1: will not endanger public health or safety. Motion unanimously carried 5-0.

A motion was made by Commissioner Mims, seconded by Commissioner Byrd, that CU #16-04-B 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 Commissioner Byrd, that CU #16-04-B 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 Commissioner Byrd, that CU #16-04-B satisfies Finding #4: will be in general conformity with 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 Commissioner Byrd, that based on the Finding of Fact and the evidence presented, the Town Board issues approval of CU #16-04-B with the recommended conditions.

The meeting was moved to the Conference Room for the remainder of the Work Session.

**3. Resolution to Accept Renewed Surety Bonds to Guarantee Infrastructure at Legacy Lakes.**

The current bonds are set to expire 10/10/16 and a 1 year renewal to expire 10/10/17 is being requested. MFV-FC Portfolio and LStar have an expected

completion date for final coat of asphalt by the end of 12/31/16. Director Monroe stated he spoke with Debbie Riley, with Riley Paving, who has done other paving in Legacy Lakes about finishing the paving in Legacy Lakes. Commissioner Byrd stated that it's in the Town's and Legacy Lakes' best interest to go with a company that is reputable.

A motion was made by Commissioner Mims, seconded by Commissioner Goodwin, to accept the resolution to renew the bonds in their entirety. Motion unanimously carried 5-0.

4. Update on Concerns at Legacy Lakes.

Director Graham stated Bruce Parker presented a packet of concerns and issues in Legacy Lakes. Director Graham stated she sorted through to see what the Town had authority over, what others had authority over that the Town could persuade to take action, and what items were just hands off approach.

Director Graham stated she contacted Department of Environmental Quality and they made a site visit and spoke with McKee Homes and Goneau Construction representatives about silt fencing and inlet protection. Director Graham has requested that an additional visit be scheduled to inspect the possibility of sediment in the lakes and that she be present during the inspection. This was agreed to but no date has been scheduled as yet for the inspection.

Director Graham asked for any questions or suggestions. Mayor Farrell asked if there was another way to get a construction entrance on the property. Director Graham stated a 2<sup>nd</sup> entrance is planned at a later phase but it will not help with the concern about the traffic circle as it directs traffic through the circle. It is reasonable to expect that once the top coat of asphalt is completed, the circle will be able to withstand the construction traffic.

5. Quarterly Transportation Update.

Director Graham stated the Moore County Transportation Committee has stepped up their meeting schedule. The Carthage Byway and Western Connector were approved. Scott Walston showed system deficiencies in Aberdeen, which include US 1, Hwy. 5, and US 15-501 being over capacity. DOT is making efforts to involve businesses and citizens for the US 1 & 15/501 projects early on in the process.

6. Other Business.

Mayor Farrell asked for an update on the damage assessment from Hurricane Matthew. Director Monroe stated Aberdeen Lake was the worst that he has ever seen in his whole life. All the bridges seemed to be fine and not damaged. The dam gate is broken staying half open, and Mayor Farrell stated the Board needs to think about getting the dam gate fixed and discuss that at a future work session. Commissioner Byrd asked if the Town can make a request to get estimates. Director Monroe stated the estimates previously requested included the lake being drained. Commissioner Byrd directed Manager Zell to get estimates for the dam gate to be fixed.

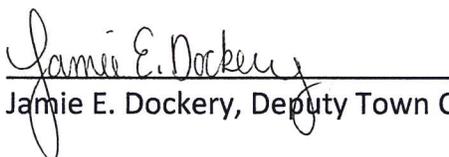
7. Closed Session pursuant to N.C. General Statute 143-318.11(a)(3), (4), and (5) to preserve the attorney-client privilege, to discuss economic development matters, and to discuss the possible acquisition of real estate.

A motion was made by Commissioner Mims, seconded by Commissioner Byrd, to go into Closed Session pursuant to N.C.G.S. 143-318.11(a)(3), (4), and (5) to preserve the attorney-client privilege, to discuss economic development matters, and to discuss the possible acquisition of real estate. Motion unanimously carried 5-0.

The Board returned from Closed Session. A motion was made by Commissioner Byrd, seconded by Commissioner Goodwin, to open regular session. Motion unanimously carried 5-0

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.

  
Jamie E. Dockery, Deputy Town Clerk

Minutes were completed in  
Draft form on October 10, 2016

  
Robert A. Farrell, Mayor

Minutes were approved  
on October 24, 2016

Myself further asked for an update on the damage assessment from Matthew  
Matthew, Director of the State of Michigan, was the worst that he has ever  
seen in his whole life. All the bridges seemed to be fine & not damaged. The dam  
gate is broken staying half open and water started the flood water to think  
about getting the dam gate closed with the dam gate. The water was  
coming in from the dam gate. The water was coming in from the dam gate.  
Commissioner Byrd directed a manager to go to the dam gate to be  
fixed.

The Board passed a motion to adjourn the meeting to discuss the  
provision of the state constitution to discuss the provision of the state  
constitution to discuss the provision of the state constitution.

A motion was made by Commissioner Miller, seconded by Commissioner  
Byrd, to adjourn the meeting to discuss the provision of the state  
constitution to discuss the provision of the state constitution.

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

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

  
Robert A. Gaskill, Mayor

  
Marie E. Dockery, Deputy Mayor

Minutes were approved  
on October 14, 2013

Minutes were considered  
on October 10, 2013