

Minutes  
Work Session  
Aberdeen Town Board

January 4, 2011  
Tuesday, 5:30 p.m.

Robert N. Page Municipal Building  
Aberdeen, North Carolina

The Aberdeen Town Board met on Tuesday, January 4, 2011 at 5:30 p.m. for their regular Work Session. 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 Town Manager Bill Zell, Town Clerk Regina Rosy, Planning Director Kathy Liles, Planner Pam Graham, Chief Building Inspector Rodney Childress, and Code Enforcement Officer Charles Davis. Others in attendance were Glen Nocik, Tim Marcham, and Don Longstreet.

Mayor Mofield called the Work Session to order.

1. Town Brand.

Planning Director Liles summarized for the Board what happened at the last Work Session regarding the Town Brand. Planning Director Liles stated Susan Clift Brown had not yet produced a brand design, but suggestions had been forwarded to Glen Nocik. Mr. Nocik presented the new design he had come up with and asked the Board what they thought. Mr. Nocik stated he read all of the feedback received from the public, and he also used the feedback he received from the Town Board which included three major points for the brand: strong Scottish history, railroad aspect of the Town, and shopping aspect. Mr. Nocik passed out some smaller versions of the brand and stated this is really what he and Mrs. Nocik believe represents Aberdeen best with this brand. Mayor Mofield asked if "Shop the Crossroads" was what the Board decided on for a tagline. Commissioner Wright stated he likes "Shop the Crossroads" for the tagline. Commissioner Parker explained the crossroads represents the intersection of Highways 1, 15, 501, 211 and 5. Mr. Nocik stated the purpose of the brand is to tie the whole Town into one with the brand and represent both small shops and large shops. Mayor Mofield stated she likes "Shop the Crossroads". Commissioner Wright stated he would rather the tagline say "Shop Aberdeen" so the tagline is not quite so many words. Mr. Nocik indicated that the brand could be used with or without the tag line. Mayor Mofield stated the purpose of creating a brand is for merchants to post this brand inside their front door so visitors will know they are visiting a business in Aberdeen. Commissioner Thomas stated he likes "Shop the Crossroads". Commissioner Thomas referred to the percentages from the survey that was conducted and felt the final brand was a good representation of what those surveyed wanted. Mayor Pro-tem Farrell suggested removing the white grill, making the train look more like the train engine that used to come through Aberdeen. Commissioner Parker asked for the green color to be

a little brighter, and not so much a forest green. Mayor Mofield asked if everyone was okay with “Shop the Crossroads”, and the Board agreed it would be fine.

Planning Director Liles asked the Board what they would like staff to do next in this process. Commissioner Parker asked for a suggestion from Planning Director Liles. Planning Director Liles stated she would suggest getting together a marketing plan and schedule a release date for a news release and visit to businesses. Mayor Mofield thought production would be the next step. Mr. Nocik suggested making a large banner to place somewhere for the big unveiling. Planning Director Liles suggested placing a large banner over at the Aberdeen Recreation Station. Mayor Mofield suggested sending a letter to each merchant offering them a decal for their business door, but also suggest to business owners to use the brand to do a banner for their business, etc. Planner Graham asked if there would be any concern about offering a digital image to business owners and their reproduction quality not matching what the Town wants. Mr. Nocik stated he would recommend that all businesses order brand materials from the Town in order to keep the quality consistent. Mayor Mofield asked if the Town should trademark the brand. Mr. Nocik suggested trademarking the tagline. Commissioner Parker asked if the Business Guild met this morning. He thought the Town should work with the Business Guild on a date for launching this brand.

2. Hinesley Minimum Housing MH #10-04.

Planning Director Liles stated during the last month and a half there was a lack of forward momentum with completing the Hinesley House. Planning Director Liles displayed a timeline to the Board, and 12/1/2010 was the deadline to complete the required repairs.

Planning Director Liles stated she would like for Building Inspector Rodney Childress and Code Enforcement Officer Charles Davis to give a report. Building Inspector Childress stated he has known Jerry Hinesley for many years, and he tried to contact him and explain the Town’s perspective on this issue. Building Inspector Childress stated Mr. Hinesley has sold his business to another company and stated he left a message for him but Jerry has not returned his phone call. Building Inspector Childress stated the deed to the house is under the name of Michael Hinesley, the son, but Jerry is the one being contacted by the Town. Planning Director Liles stated Michael Hinesley has been the contact on all the mailings and legal documents. Commissioner Wright stated he visited the property, and there is no sheet rock at all inside the house. Building Inspector Childress stated none of the rough-in inspections have been completed. Commissioner Thomas suggested a building engineer visit the structure and determine if the property is sound or not before deciding how to proceed. Mayor Mofield stated the reason this has happened is obvious – the property owner does not have the money to complete the house. Commissioner Wright asked if the engineer

would provide an estimate on what it would cost to complete the house. Building Inspector Childress stated a contractor would need to provide an estimate, rather than the engineer. Building Inspector Childress stated he would hate to have the house torn down. The Board discussed the issue and decided once an engineer visits the structure, they will decide whether the structure is sound or not. Planning Director Liles informed the Board of two options the Board may take on April 11, 2010. If the structure can be repaired at a cost not to exceed 50% of the current value of the structure, then Mr. Hinesley may be given the option to repair or demolish the structure within 90 days. If the cost to repair is more than 50% of the value, the only option is to demolish within 90 days. If the structure can be repaired at a cost not to exceed 50% of the current value of the structure, then the Board agreed they would like to further discuss this item. Commissioner Parker asked if the Board even wanted to pay for an engineer if the decision will be to demolish the structure anyway. Commissioner Thomas stated the engineer report will be a legal document for the Board's protection. Commissioner Wright stated he would like for the property owner to be notified of the Town's intent prior to April 11, 2011. Mayor Mofield and Commissioner Thomas thought it would be best to have an engineer conduct a report. Mayor Pro-tem Farrell and Commissioner Parker did not think an engineer report was even necessary. A motion was made by Commissioner Thomas, seconded by Commissioner Wright, to secure the services of an engineer to determine the structural status of the property currently located at 1402 Crest Drive. Commissioner Parker opposed the motion. Motion carried 4-1. Commissioner Wright verified that planning staff will send out a certified letter to Mr. Hinesley notifying him of the Town's intent. Planning Director Liles stated she will take care of sending Mr. Hinesley the certified letter.

3. Resolution Exempting Surveying Work for Involuntary Annexations from the Requirements of N.C. General Statute 143-64.31.

Planning Director Liles stated the Town is working with the surveyor at Benchmark CMR to prepare involuntary annexation documents. The survey is using existing plats and deeds to prepare a metes and bounds description. Planning Director Liles stated when the Town does involuntary annexations, if new surveyed points have to be created on the ground, then acquisition of services would normally be subject to the RFQ process, but if the Board adopts this resolution then the Board will not have to go through the RFQ process if the cost of any actual surveying is anticipated to be less than \$30,000. Planning Director Liles stated this will help speed up the process if Benchmark determines any surveying is needed.

A motion was made by Commissioner Parker, seconded by Commissioner Thomas, to approve the Resolution Exempting Surveying Work for Involuntary

Annexations from the Procurement Process of the Mini Brooks Act. Motion unanimously carried.

4. Voluntary Annexation #45-410 submitted by L&S Builders, Inc. for property located in the Forest Hills West Subdivision.
  - a. Accept petition for voluntary annexation #45-410 submitted by L&S Builders, Inc. for property located in the Forest Hills West Subdivision.
  - b. Accept Clerk's Certificate of Sufficiency.
  - c. Resolution Fixing Date of Public Hearing for January 10, 2011 on Question of Annexation Pursuant to G.S. 160A-31.

Planning Director Liles stated Forest Hills West would like to begin the annexation process. A motion was made by Commissioner Wright, seconded by Commissioner Parker, to accept the petition for voluntary annexation #45-410 submitted by L&S Builders, Inc. for property located in the Forest Hills West Subdivision, Accept Clerk's Certificate of Sufficiency, and approve the Resolution Fixing Date of Public Hearing for January 10, 2011 on Question of Annexation Pursuant to G.S. 160A-31. Motion unanimously carried. Agenda Item as Public Hearing and New Business on January 10, 2011.

5. Voluntary Annexation #45-210 submitted by The Basil Group, LLC. for property located at Devon Circle near Devonshire Trail.
  - a. Accept petition for voluntary annexation #45-210 submitted by The Basil Group, LLC. for property located at Devon Circle near Devonshire Trail.
  - b. Accept Clerk's Certificate of Sufficiency.
  - c. Resolution Fixing Date of Public Hearing for January 10, 2011 on Question of Annexation Pursuant to G.S. 160A-31.

A motion was made by Commissioner Wright, seconded by Commissioner Parker, to accept the petition for voluntary annexation #45-210 submitted by The Basil Group, LLC. for property located at Devon Circle near Devonshire Trail, Accept Clerk's Certificate of Sufficiency, and approve the Resolution Fixing Date of Public Hearing for January 10, 2011 on Question of Annexation Pursuant to G.S. 160A-31. Motion unanimously carried. Agenda Item as Public Hearing and New Business on January 10, 2011.

6. Increased Standards for Overgrown Yards and Removal of Junked Vehicles.

Planning Director Liles stated a couple of Board members had approached the Planning Department about increasing the yard maintenance standards. Planning Director Liles stated the maximum height of grass is currently set at 24 inches. Mayor Pro-tem Farrell stated he thought it had been revised to 8 inches. Commissioner Wright agreed that he thought it had been revised to 8 inches. Planning Director Liles stated another problem is weeds, overgrown shrubs, and vines. Commissioner Wright stated the first house on Pine Street looks like a daycare with all the toys on the lawn. Commissioner Wright stated the old Campbell house and lot beside it are definitely a fire hazard.

Planning Director Liles stated in the memo that Attorney T.C. Morphis drafted to the Board, the Town clearly has authority under nuisance abatement to address anything that presents a threat to public health. Planning Director Liles stated that aesthetics may be addressed through the zoning code to the extent allowed by law. Planning Director Liles stated if the grass height is lowered from 24" to 8", the number of complaints and investigations may increase. Planning Director Liles explained that under the current town procedure, it takes an estimated 5 hours to appropriately respond to a complaint or investigation.

The Board agreed they liked the Durham language for addressing overgrown yards that Attorney Morphis had referenced and the Pinehurst Code attached. Planning Director Liles indicated that much of the Pinehurst Code is similar to what Aberdeen has. After refrigerator in the Pinehurst Code, Commissioner Wright stated he would like to add in "any other household appliance". Planning Director Liles stated they will take care of the language to represent what the Board wants.

7. Application for Conditional Use Permit CU #10-04 submitted by Gayle Holt to operate a child care home occupation located at 115 Chapel Greens Place.

Planning Director Liles pointed out the location of the home at 115 Chapel Greens Place, and stated this item will be held for Public Hearing on January 10, 2011. Mayor Mofield asked if Gayle Holt owns this property. Planner Graham stated Ms. Holt rents this property. Mayor Pro-tem Farrell asked if this would still be the same 5-children rule. Planning Director Liles stated the 5-children rule would still apply. Agenda Item as Public Hearing on January 10, 2011.

8. Application for Conditional Use Permit CU #10-05 submitted by Don Longstreet for Longwood Townhomes Phase Three.

Planning Director Liles stated that the request to the Board is to consolidate and amend existing conditional use permits for the project and add Phase 3. Commissioner McMurray asked if trees might be planted on Cypress Rd. to provide some type of shield for those houses. Agenda Item as Public Hearing on January 10, 2011.

9. Moore County Multi-Jurisdictional Hazard Mitigation Plan.

Planning Director Liles stated she tried to provide the meat of the plan to the Board and that pages relevant to other jurisdictions have been excluded from their packet. Planning Director Liles asked the Board to flip to page 7-28 which contains the specific goals for Aberdeen. Planning Director Liles stated the Town has to have a Hazard Mitigation Plan to qualify for disaster assistance. Agenda Item as Public Hearing and New Business on January 10, 2011.

10. Application for Conditional Use Permit CU#10-03 for Development of an Outside Rental Storage Facility in the Sandy Mine Commerce Park located on Aqua-shed Court (off Ridgeline Road).

Planning Director Liles stated the public hearing was held last month on this item, and this item is ready for New Business. Agenda Item as New Business on January 10, 2011.

11. UDO Map – B-3 Update.

Planning Director Liles displayed what the map changes were which included: R-10MH to R-10-10, R-6 MH to R-6-10, R-10 to R-10-10, R-6 to R-6-10, R-15 to R-15-12, R-20 to R-20-16, R-16 to R-20-16, R-20A to R-30-18, created R-18-14, Ray's Mill Pond to RA, Hwy. 211 between Collinswood and County line to HC, and corrected B-3 parcels for Art Parker that were incorrect on the map.

Mayor Mofield stated on Hwy. 211 she thought it was supposed to be zoned something other than HC. Manager Zell stated he thought it was supposed to be GC. The Board agreed that above Collinswood to HC should all be zoned GC, rather than HC. Commissioner Wright questioned if the new development might affect Ray's Mill Pond, since it looks like everything is going downhill. Planning Director Liles stated Planner Graham will address that issue during the public hearing on January 10, 2011.

Planning Director Liles asked if the Board wants to see the map one more time or is this item ready to go to the Planning Board. Mayor Mofield stated she had a question about off-premise signs. Mayor Mofield stated she has had two business owners recently tell her they would like to place an off-premise sign so that people will know where their business is located. Planning Director Liles stated the next steps would be to ensure a full document is available for public review with all components assembled, provide disk copies, and link to website. Planning Director Liles stated no significant changes that increase standards should be made once the document is ready for the Planning Board due to the high cost of legal notices.

Planning Director Liles recommended going ahead and getting the UDO in place, and then amendments can be made afterwards if the Board desires. Planning Director Liles stated the plan will be for this item to go to the Planning Board for the February meeting with additional notice. Two public hearing notices will be run before the Public Hearing.

12. Water and Sewer Deposit Policy.

Manager Zell stated the goal is to bring the policy up to date with a few revisions. A motion was made by Commissioner Wright, seconded by Commissioner McMurray, to approve the Water and Sewer Deposit Policy as revised. Motion unanimously carried.

13. Resolution for Accepting Bank Financing Terms.

Manager Zell stated this resolution is for the construction loan through RBC Bank for the Fire Department Expansion Project. Manager Zell stated it was just discovered that a public hearing will need to be held before this item can be approved. Manager Zell asked the Board members if they would be available on Tuesday, January 18<sup>th</sup> to conduct a public hearing. Everyone agreed to schedule Tuesday, Jan. 18<sup>th</sup> at 5:00 p.m. for the public hearing. Agenda Item scheduled for Public Hearing on January 18, 2011.

14. Other Business.

Manager Zell stated Thursday, Feb. 3<sup>rd</sup> is the next Work Session, and he would like to move the meeting to Tuesday, Feb. 1<sup>st</sup> since he will be at the Manager's Conference if that will work okay for the schedules of the Board members. The Board agreed to move the Work Session to Tuesday, Feb. 1<sup>st</sup>.

15. Adjournment.

With no further items for discussion or review, a motion was made by Commissioner Wright, seconded Commissioner Parker to adjourn the Work Session. Motion unanimously carried.

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Regina M. Rosy, Town Clerk

Minutes were completed in  
Draft form on January 6, 2011

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Elizabeth B. Mofield, Mayor

Minutes were adopted  
January 10, 2011