

**PINEHURST**  
**VILLAGE COUNCIL**  
**WORK SESSION AGENDA**  
**JANUARY 9, 2007**  
**5:30 P. M.**  
**COUNCIL CONFERENCE ROOM**  
**VILLAGE HALL**  
**PINEHURST, NORTH CAROLINA**

1. Call to Order.
2. Reports – Manager
  - Scheduling of work session on Five year CIP.
  - Council
3. Resolution #07-01: A Resolution stating the intent of the Village of Pinehurst, North Carolina, to consider annexation of the area described herein and fixing the date of a public informational meeting and a public hearing on the question of annexation.
4. Resolution #07-02: A Resolution regarding re-appointments to the Pinehurst Community Appearance Commission.
5. Resolution #07-03: A Resolution Honoring the service of Mr. Andrew L. O'Brien.
6. Preview of regular meeting agenda and related public hearing items.
7. Other business.
8. Comments from attendees.
9. Closed session pursuant to NCGS 143-318.11 (a) (3). To consult with an attorney retained by the Village in order to preserve the attorney-client privilege between the attorney and the Village.
10. Adjournment.

**VILLAGE OF PINEHURST  
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WORK SESSION  
January 9, 2007**

**395 MAGNOLIA ROAD  
CONFERENCE ROOM  
PINEHURST, NORTH CAROLINA  
5:30 P.M.**

The Pinehurst Village Council held a Work Session at 5:30 p.m., Tuesday, January 9, 2007 in the Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Mr. Steven J. Smith, Mayor  
Mr. George E. Hillier, Mayor Pro-Tem  
Ms. Virginia F. Fallon, Councilmember  
Mr. Douglas A. Lapins, Councilmember  
Ms. Lorraine A. Tweed, Councilmember  
Mr. Andrew M. Wilkison, Village Manager  
Ms. Linda S. Brown, Village Clerk  
And approximately 75 attendees.

**1. Call to Order.**

Mayor Steven J. Smith called the meeting to order.

**2. Reports:**

– **Manager**

- **Scheduling of Work Session Five-Year CIP.**

The Manager and the Council decided to hold the Work Session for discussion of the Five-Year Capital Improvements Plan on February 6 at 1:00 p.m. in the Council Conference Room.

- **Reminder of Important Dates.**

The Manager reminded Council of several important dates:

January 11- Pinehurst Builders Workshop  
January 23- Retirement celebration for former Pinehurst Chief  
Inspector Jesse Joyce  
February 1- Chamber of Commerce Annual Banquet

– **Council**

- **Councilmember Tweed**

-announced that Mr. Bill Huckabee has resigned from the Conservation Commission due to health concerns. Mr. George Bonville will be added to the commission.

-asked if Council would listen to a proposal to hire a part-time or shared-time (with Resorts and county government) an Urban Forester. This person would check trees,

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recommend what needs to be removed, decide what needs to be planted, etc. on public land. Answer- Yes, Council would listen to a proposal, but suggested gathering of figures to include in the presentation.

- **Mayor Pro-Tem Hillier** stated that he had observed an adjustment in the traffic signals at NC 5 and Lake Hills Road. **Village Manager Andy Wilkison** replied that he had phoned Rob Stone of NCDOT and learned that the time allowed by the signal for traffic to exit from Lake Hills has been increased resulting in improvement in traffic flow.

- **Councilmember Lapins**

-asked if there had been any recognition for Police Sergeant Ricky Gooch who is attending the FBI Academy, perhaps a press release. Answer: Yes, an article will appear in The Pilot.

-asked if information is coming soon to Council and affected residents concerning the new trash containers. **Village Manager Andy Wilkison** replied that Assistant Manager Jeff Batton will prepare a report to Council at the next meeting. **Councilmember Fallon** suggested meetings with citizens who are in the first affected areas. **Councilmember Lapins** suggested an informational brochure, put information on the Village website, set up a question hotline for citizens, and contacting the various homeowners' associations.

**3. Resolution #07-01: A Resolution Stating the Intent of the Village of Pinehurst, North Carolina, to consider Annexation of the Area Described Herein and Fixing the Date of a Public Informational Meeting and a Public Hearing on the Question of Annexation. (Pinewild Country Club of Pinehurst).**

The Manager explained the need for Resolution #07-01. Councilmember Hillier moved adoption of resolution #07-01, and Councilmember Lapins seconded the motion. Mayor Smith requested the Council be polled.

Councilmember Tweed- yes  
Councilmember Lapins- yes  
Councilmember Fallon- yes  
Mayor Pro-Tem Hillier- yes  
Mayor Smith- yes

Resolution # 07-01 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

Mayor Smith invited comments from the assembled citizens.

**Bill Sherman** asked why Pinehurst wants to annex Pinewild. Mayor Smith stated the N.C. General Statutes allow annexation of the area when it meets population density requirements. Pinehurst has advertised its intention to annex Pinewild for 20 years or more. Village Manager Andy Wilkison has made a good presentation at an earlier meeting explaining why. Repeating that presentation would be counterproductive here.

**John Boesch** read a prepared statement. See document # 1 which is hereby incorporated by reference and made a part of these minutes.

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**Tom Campbell** noted that “nay sayers’ always outnumber positive opinions. Pinehurst residents favor this annexation because it is good for the town. People from Pinewild use Pinehurst facilities; they should pay for them.

**Norm Koltunovich** asked what facilities were used that have not been paid for. Village Manager Andy Wilkison replied that the Pinewild Property Owners Association uses Village Hall for meetings.

**John Rowerdink** stated that the Council should be aware that many residents of Pinewild do not oppose annexation. They feel that the residents of Pinewild should work with the Council to make this annexation more favorable to all.

**Al Reeder** noted that he has not been offered a vote to see if he favors annexation. Force is not a good thing.

**Tom Palmquist** stated that when Pinehurst began the residents were allowed to vote, why can the same process be offered to residents of Pinewild?

**Don Schneider** stated that the problem is the manner in which Pinehurst has gone about the process. A newspaper editorial opined that citizens are conditioned not to expect a response from elected officials. He wrote a letter to the Council and others on September 5, 2005 responding to the newspaper column, but received no response to his letter from anyone. That sets the tone that Pinehurst has taken. He asked Councilmembers to vote their conscience, not follow the lead of Mayor Smith. **Councilmember Lapins** reminded Mr. Schneider that he wrote a newspaper column in response and stated for the record that he favors annexation not because of Steve Smith. He believes that this annexation is right. **Mayor Smith** responded that the Council had a dialogue with the homebuilders on some changes to the PDO yet there is still a lawsuit. We engaged in a dialogue with Pinewild, but that has not prevented threatened litigation. We reached an agreement with your representatives, but that did not mean everybody would be happy.

**Dan Weirich** stated that there has not been negotiated action by the Pinewild Property Owners Association. What is this letter to the membership? Where is the document? **Mayor Smith** stated that the letter was a summary of what had been negotiated and the concerns. **Mr. Weirich** stated the relationship between Pinehurst and Pinewild citizens was good, but passage of annexation will change that. He chose to live in Pinewild, not Pinehurst, and now he feels that Pinehurst is coming after us!

**4. Resolution #07-02: A Resolution Regarding Re-Appointments to the Pinehurst Community Appearance Commission (Bower, Cross, Ward).**

The Manager explained the need for Resolution #07-02. Upon the motion of Councilmember Hillier, seconded by Councilmember Fallon, Resolution # 07-02 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

**5. Resolution #07-03: A Resolution Honoring the Service of Mr. Andrew L. O’Brien to the Village of Pinehurst Board of Adjustment.**

The Manager explained the need for Resolution #07-03. Upon the motion of Councilmember Fallon, seconded by Councilmember Lapins, Resolution # 07-03 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

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**6. Preview of Regular Meeting Agenda.**

The Council previewed the Regular Meeting Agenda for January 23, 2007 and made no changes.

**7. Comments from Attendees.**

**Doug Middaugh**

-stated that an audio system is needed in the Council conference room. Hearing is difficult.

-asked if there was provision for two trash cans if families need more than one. Answer- yes, residents may purchase an additional roll-out garbage can.

-asked if some of the donated lots could be used as small neighborhood parks. Answer- need adjoining lots to do that. Most of the donated lots are for drainage issues.

**Jeanne Casinella**

-agreed that microphones are needed in the Council conference room. She was not able to hear Ms. Robin Currin today.

-stated that she had spoken with Rob Stone of NCDOT, and he promised to keep looking at the traffic signal at NC 5 and Lake Hills Road.

**8. Closed Session.**

Councilmember Hillier moved to recess the Work Session and enter a Closed Session pursuant to NCGS 143-318.11 (a) (3): To consult with an attorney retained by the Village in order to protect the attorney-client privilege between the attorney and the Village. The motion was seconded by Councilmember Tweed and carried unanimously.

**GENERAL ACCOUNT**

The Council, the Village Manager and the Assistant Village Manager for Operations discussed the status of the litigation between the Village of Pinehurst and Quality Built Homes, and discussed with the Council the potential positions Village staff should take with regard to the acquisition of real property.

Upon the conclusion of the Closed Session, Councilmember Lapins moved to adjourn the Closed Session and re-enter the Work Session. The motion was seconded by Councilmember Hillier and carried unanimously.

**9. Other Business.**

- **Motion to Modify the Confirmed Assessment Roll dated December 19, 2006 for Reconstruction of the Pond #1 Dam at Queen's Court located in the Municipal Service District of the Village of Pinehurst, North Carolina.**

The Manager explained that the Assessment Roll, dated December 19, 2006, which was confirmed on that date, had a rounding error that affected three property owners. To correct the error, Mr.

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David Lawrence, Esq. of the School of Government at the University of North Carolina at Chapel Hill recommended that Council modify the confirmed roll.

Councilmember Lapins moved to modify the Confirmed Assessment Roll dated December 19, 2006 for reconstruction of the Pond #1 dam at Queen's Court located in the Municipal Service District of the Village of Pinehurst, North Carolina as specified in the attached MSD Confirmed Assessment Roll dated January 9, 2007 (attachment 2). Councilmember Hillier seconded the motion which was unanimously approved by a vote of 5-0. (Copy of the Assessment Roll dated January 9, 2007 is in the Minute File.)

**10. Adjournment.**

Councilmember Lapins moved to adjourn the Work Session. The motion was seconded by Councilmember Hillier and carried unanimously. The meeting adjourned at 7:50 p.m.

Respectfully Submitted,

  
Linda S. Brown, CMC  
Village Clerk

STATEMENT BY JOHN BOESCH,  
President, StOP the Taking Of Pinewild (StTOP)  
Presented to the Pinehurst Village Council,  
January 9, 2000

I AM HERE TONIGHT TO AGAIN STATE THE OPPOSITION OF THE VAST MAJORITY OF PINEWILD RESIDENTS TO FORCED ANNEXATION, INCLUDING THOSE DEPLOYED TO IRAQ AND AFGANISTAN.

FORCED ANNEXATION IS AN UNFAIR AND UNDEMOCRATIC VIOLATION OF OUR PROPERTY RIGHTS AND OUR RIGHTS AS AMERICANS...PRACTICED IN ONLY FOUR STATES.

SOME SAY PINEWILD RESIDENTS MOVED HERE BECAUSE OF PINEHURST. MAYBE SO. BUT, THAT IS EQUALLY TRUE OF THE PINEHURST RESIDENTS.

BOTH GROUPS WERE ATTRACTED BY THE JEWEL THAT WAS THE "OLD PINEHURST." NONE WERE ATTRACTED BY THE DISFIGURED NATIONAL TREASURE THAT

THIS COUNCIL SEEMS SO DETERMINED TO CREATE.

THE PATH THAT THE MAYOR AND THIS COUNCIL ARE FOLLOWING WILL CONTINUE TO ERODE AND ULTIMATELY DESTROY THE UNIQUENESS, THE ATTRACTIVENESS AND THE APPEAL OF THE VILLAGE. ONCE GONE, IT IS GONE FOREVER.

WHAT WILL REMAIN WILL BE A VERY ORDINARY, DYSFUNCTIONAL MUNICIPALITY WITH SOME OLD BUILDINGS, A RESORT WITH A FAMOUS NAME, AND THE ASHES OF AN OPPORTUNITY TO CREATE SOMETHING VERY SPECIAL.

FORCED ANNEXATION OFFERS THE RESIDENTS OF PINEWILD NOTHING NEW EXCEPT A LARGER TAX BILL.

FORCED ANNEXATION OF PINEWILD WILL ROB MOORE COUNTY OF HUNDREDS OF THOUSANDS OF MUCH NEEDED DOLLARS... DOLLARS THAT CAN BE MUCH BETTER SPENT ON FUNDING EDUCATIONAL NEEDS.



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A LEGAL CHALLENGE AND YOU WILL  
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