

PINEHURST  
VILLAGE COUNCIL  
WORK SESSION AGENDA  
JANUARY 12, 2010  
4:30 P.M.  
CONFERENCE ROOM  
VILLAGE HALL  
PINEHURST, NORTH CAROLINA

*(Note: The Council will meet in closed session with the Village Attorney beginning at 4:30 pm.  
The open session will begin at 5:30 pm)*

1. Call to Order.
2. Motion to go into Closed Session pursuant to NCGS 143-318.11 (a) (3) to discuss with the Village Attorney litigation between Lydia Boesch, *et al*, v. Village of Pinehurst and regarding Pinewild Project Limited Partnership, *et al*, v. Village of Pinehurst.
3. Motion to adjourn Closed Session and reconvene in Open Work Session at 5:30 pm.
4. Call to Order of Work Session (5:30 pm.).  
  
Reports –
  - Manager
  - Council
5. Ordinance #10-01: Consideration of Adopting an Ordinance Approving an Annexation Agreement between Foxfire Village and the Village of Pinehurst.
6. Consideration of Adopting the Planning Director's Memorandum of December 15, 2009 stating the consistency of the 2003 Comprehensive Long Range Plan with Ordinance #10-02.
7. Ordinance #10-02: Consideration of Adopting an Ordinance Amending the Pinehurst Development Ordinance by Incorporating the Engineering Standards Manual as a part of the Pinehurst Development Ordinance.
8. Discussion of proposed Annexation Agreement with Town of Aberdeen.
9. Resolution #10-01: Consideration of a Resolution regarding a Re-appointment to the Planning and Zoning Board. (Larry Cox)
10. Consideration of items left over from morning session (proposed PDO changes, committee coordination, discussion of water and sewer matters).
11. Preview of Regular Meeting Agenda and Public Hearing items.
12. Consideration of appointment to Planning and Zoning Board.
13. Other business.
14. Comments from attendees.
15. Adjournment.

**VILLAGE OF PINEHURST  
VILLAGE COUNCIL  
WORK SESSION  
January 12, 2010**

**395 MAGNOLIA ROAD  
CONFERENCE ROOM  
PINEHURST, NORTH CAROLINA  
4:30 P.M.**

The Pinehurst Village Council held a Work Session at 4:30 Tuesday, January 12, 2010 in the Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Dr. George P. Lane, Mayor  
Ms. Virginia F. Fallon, Mayor Pro-Tem  
Ms. Nancy Roy Fiorillo, Councilmember  
Mr. Douglas A. Lapins, Councilmember  
Ms. Joan M. Thurman, Councilmember  
Mr. Andrew M. Wilkison, Village Manager  
Ms. Linda S. Brown, Village Clerk  
And approximately 10 attendees, including 2 staff and 2 press.

**1. Call to Order (4:30 p.m.).**

Mayor George P. Lane called the meeting to order.

**2. Motion to go into Closed Session.**

Councilmember Lapins moved to recess the Work Session and enter a Closed Session pursuant to NCGS 143-318.11 (a) (3): To discuss with the Village Attorney litigation between Lydia Boesch, *et al*, v. Village of Pinehurst and regarding Pinewild Limited Partnership, *et al* v. Village of Pinehurst. The motion was seconded by Councilmember Thurman and carried unanimously.

**GENERAL ACCOUNT**

The Council, the Village Manager, and the Village Attorney discussed the status of litigation between Lydia Boesch, *et al*, v. Village of Pinehurst and regarding Pinewild Limited Partnership, *et al* v. Village of Pinehurst. The Village Attorney also reported to the Council the substance of discussions he has had with counsel for the owner of the water and sewer plants in Wagram, NC.

**3. Motion to adjourn the Closed Session and Reconvene in Open Work Session at 5:30 p.m.**

Councilmember Lapins moved to adjourn the Closed Session and re-enter the Work Session. The motion was seconded by Councilmember Thurman and carried unanimously.

**4. Call to Order of Work Session (5:30 p.m.)**

Mayor George P. Lane called the meeting to order.

**Reports:**

– **Manager**

- **Comprehensive Plan Meeting.**

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The Manager reported that the Comprehensive Plan Steering Committee will meet tomorrow (Wednesday, January 13, 2010) at 2:00 p.m. in the Assembly Hall.

- **NCLM Regional Meetings.**

The Manager reported that there will be some NCLM Regional Meetings to discuss statewide municipal concerns on April 13, 14 and 15. The closest ones will be held in Wadesboro and Trinity. The Manager will attend; any Councilmember who wishes to attend is welcome to ride with him.

- **Council**

- **Councilmember Thurman** asked if the testing of fire hydrants has begun yet. The Manager replied that the testing is due to begin in January, but no testing will be done in Old Town due to concerns with the pipe's ability to withstand the stress of testing. **Mrs. Thurman** stated that she understood that the insurance underwriters had tested in Aberdeen and due to the testing, Aberdeen had received a higher insurance rating. If Pinehurst is tested, would we receive a lower rating due to the condition of the pipes in Old Town? The Manager replied that we are due for testing, but none is scheduled yet.

- **Councilmember Lapins-**

-asked if others besides the Council have received the action reports from the County Commissioner's meetings. Could we do the same after our meetings? The Manager replied that some citizens receive e-news reports from us, and he will investigate a similar arrangement after our meetings.

-stated that the Planning and Zoning Board will hear a request from the Traditions contractor for a Pinehurst Development Ordinance text amendment to increase the density for the Traditions acreage. If that board approves the request, is their report to Council binding? The Manager replied that their report is advisory only. Director of Planning and Inspections Andrea Correll added that the text amendment would probably not be recommended since it is not consistent with our 2003 Comprehensive Plan.

-asked if the well field consultant could address Council at the January 26<sup>th</sup> meeting? The Manager replied that he would set this up for the Work Session.

**5. Ordinance #10-01: An Ordinance Approving an Annexation Agreement Between Foxfire Village and the Village of Pinehurst.**

The Manager explained the need for the Ordinance #10-01. Upon the motion of Councilmember Fallon, seconded by Councilmember Lapins, Ordinance #10-01 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

**6. Memo- Director of Planning And Inspections Andrea Correll- Dated December 15, 2009- Ordinance #10-02 Is Consistent With The 2003 Comprehensive Long-Range Plan.**

Councilmember Fallon moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll, and dated December 15, 2009 as the Council statement that draft Ordinance #10-02 is

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consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Thurman seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

**7. Ordinance #10-02: An Ordinance to Incorporate the Engineering Standards Manual as a Part of the Pinehurst Development Ordinance.**

The Manager explained the need for the Ordinance #10-02. Upon the motion of Councilmember Fiorillo, seconded by Councilmember Lapins, Ordinance #10-02 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

**8. Discussion of proposed Annexation Agreement with the Town of Aberdeen.**

The Council discussed the proposed map that is a part of the proposed Annexation Agreement with the Town of Aberdeen. No action was taken.

**9. Resolution #10-01: A Resolution Regarding a Re-Appointment to the Pinehurst Planning and Zoning Board. (Cox)**

The Manager explained the need for Resolution #10-01. Upon the motion of Councilmember Fallon, seconded by Councilmember Thurman, Resolution # 10-01 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

**10. Consideration of items left over from morning session.**

Council finished discussing these items when they resumed the Mini-Retreat at 1:30 p.m. today.

**11. Preview of Regular Meeting Agenda and Public Hearing items.**

The Council previewed the Regular Meeting Agenda for January 26, 2010 and added to the agenda two Quasi-Judicial Hearings regarding proposed Wells 9 and 5a and associated facilities by Moore County Public Utilities.

**12. Discussion with/consideration of potential appointee to Pinehurst Planning and Zoning Board.**

Council met with Mr. Richard J. ("Dick") Ellis, a potential appointee to the Planning and Zoning Board. Council interviewed Mr. Ellis.

Mr. Ellis is currently an alternate member of the Board of Adjustment. If he is appointed to the Planning and Zoning Board, he will resign his position on the Board of Adjustment.

After the candidate had been dismissed, Councilmember Fallon moved to appoint Mr. Richard J. ("Dick") Ellis to the Planning and Zoning Board for a term of 2 years, expiring January 31, 2012. The motion was seconded by Councilmember Lapins and passed unanimously by a vote of 5-0.

**13. Other Business.**

There was none.

**14. Comments from Attendees.**

**Doug Middaugh**

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-asked if the Engineering Manual will now be posted on the website. Answer- yes.

-stated that Scotland County has requested a feasibility study, and the Village has stated that it will conduct Due Diligence for the Local Government Commission in order to borrow funds. Isn't this the same thing? Answer- we have probably used the terms interchangeably, but these are actually two different studies.

**15. Adjournment.**

Councilmember Fallon moved to adjourn the Work Session. The motion was seconded by Councilmember Thurman and carried unanimously. The meeting adjourned at 6:15 p.m.

Respectfully Submitted,

*Linda S. Brown*

Linda S. Brown, CMC  
Village Clerk