

PINEHURST
VILLAGE COUNCIL
WORK SESSION AGENDA
JANUARY 26, 2010
9:00 A.M.
CONFERENCE ROOM
VILLAGE HALL
PINEHURST, NORTH CAROLINA
(Note: If necessary, this meeting may be moved to the
Village Hall Assembly Hall)

1. Call to Order.Reports –
 - Manager
 - Council
2. Presentation by Mr. Jim Dougherty, Executive Director, Fort Bragg Regional Land Use Advisory Committee. (Action recommended: Receive presentation).
3. Presentation on Groundwater study by Vance Brooks. (Action recommended: Receive presentation).
4. Presentation of Quarterly Financial and Investment Report. (Action recommended: Receive report).
5. Consideration of adopting a motion awarding a contract for road resurfacing in the Village of Pinehurst. (Action recommended: Adopt motion).
6. Consideration of adopting a motion to authorize the Mayor to enter into a contract for solid waste, recycling and yard debris pickup. (Action recommended: Adopt motion).
7. Resolution #10-02: A Resolution Adopting a Capital Improvements Plan for the Village of Pinehurst for 2011-2015. (Action recommended: Adopt Resolution).
8. Discussion of an appointment to the Transportation Intergovernmental Policy Group.
9. Preview of Regular Meeting Agenda and Public Hearing items.
10. Other business.
11. Comments from attendees.
12. 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.
13. Motion to adjourn Closed Session.
14. Adjournment.

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**395 MAGNOLIA ROAD
CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
9:00 A.M.**

The Pinehurst Village Council held a Work Session at 9:00 a.m., Tuesday, January 26, 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 30 attendees, including 5 staff and 1 press.

1. Call to Order.

Mayor George P. Lane called the meeting to order and welcomed to the meeting Ms. Sara Bigley and half of the 5th Grade Student Council from Pinehurst Elementary School. The other half of the group attended a December Council meeting.

Reports:

– Manager

- Annual St. Patrick's Day Parade.

The Manager announced that the Annual St. Patrick's Day Parade will be held on Saturday, March 13th at 11:00 am.

– Council

- Councilmember Lapins

-noted that the letter from the Department of the Interior mentions approval of a demolition permit for the Power Plant and asked when this was done. **Village Manager Andy Wilkison** explained that the permit was applied for many years ago but the demolition was never done. **Councilmember Fallon** added that the chimney of the power plant was taken down many years before the permit for demolition of the whole facility was requested.

-asked what information we have concerning the other three Moore County Public Utilities wells that were detailed on the map distributed at the Monday meeting. Moore County said all three wells are under contract. **Village Manager Andy Wilkison** stated that all the wells would require a Special Use Permit and a Major or Minor Site Plan Application depending on the acreage of the project. We have not seen paperwork on any of this.

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2. Presentation by Mr. Jim Dougherty, Executive Director, Fort Bragg Regional Land Use Advisory Commission.

Mr. Jim Dougherty, Executive Director, Fort Bragg Pope Air Force Base Regional Land Use Advisory Commission (RULAC) presented a PowerPoint introduction to the commission detailing their accomplishments and ongoing work. (The pamphlet entitled "Fort Bragg/Pope AFB Regional Land Use Advisory Commission" is in the Minute File.)

3. Presentation on Groundwater Study by Vance Brooks.

Vance Brooks presented the proposed Well Water System Study commissioned by the Council. This a proactive project to identify optimal areas for wells, protect the areas and acquire options on land. (Copy of Proposed Well Water System Study is in the Minute File.)

4. Quarterly Financial Report and Quarterly Investment Report.

Assistant Manager Natalie Dean presented the Quarterly Financial Report and the Quarterly Investment Report for the Quarter ended December 31, 2009. (Copies of these reports and a memo prepared by Assistant Manager Natalie Dean dated January 22, 2010 are in the Minute File.)

5. Consideration of adopting a motion awarding a contract for road resurfacing in the Village of Pinehurst.

Council discussed the bid tabs for the 2010 Annual Street Improvements and Resurfacing. Councilmember Fallon moved that the Mayor and appropriate Village staff be authorized to enter into a contract with the lowest responsible bidder for the 2010 Annual Street Improvements and Resurfacing Project, Boggs Construction of Monroe, NC, in the amount of \$467,357.75, and that the Village Manager be authorized to approve additional work in excess of this amount at the bid unit prices, up to an amount not to exceed available budgeted funds for street improvements and road resurfacing purposes. Councilmember Lapins seconded the motion which carried unanimously by a vote of 5-0. (Copies of a memo from Director of Engineering Jay Gibson, dated January 20, 2010 and the bid tabulation of the 2010 Annual Street Improvements Project are in the Minute File.)

6. Consideration of adopting a motion to authorize the Mayor to enter into a contract for solid waste, recycling and yard debris pickup.

Council discussed a contract with Waste Management for solid waste, recycling and yard debris pickup for the Pinewild area. Councilmember Lapins moved to authorize the Mayor to execute a contract with Waste Management, Inc. For solid waste services to include collection of household trash, recycling and yard debris for the Pinewild Country Club of Pinehurst sub-division under the following conditions:

- That said contract shall not exceed a total of \$20 per house, per month for all services;
- That the contract shall not extend beyond 2 years;
- And that said contract shall have language to the effect that it shall not be valid and effective until such time as all legal challenges and appeals currently before the NC Supreme Court have been resolved and Pinewild County Club of Pinehurst has been legally annexed into the Village of Pinehurst corporate limits.

Councilmember Fallon seconded the motion which carried unanimously by a vote of 5-0. (Copy of the memo from Assistant Manager Jeff Batton dated January 22, 2010 is in the Minute File.)

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7. Resolution #10-02: A Resolution Adopting a Capital Improvements Plan for the Village of Pinehurst, North Carolina for 2011-2015.

The Manager explained the need for Resolution #10-02. Councilmember Lapins requested that his memo of January 25, 2010 regarding Budgets and Economics be made a matter of record. Consensus of Council was to discuss the memo at the first Work Session in March. (Copy of Councilmember Lapins memo dated January 25, 2010 is in the Minute File).

Upon the motion of Councilmember Fallon, seconded by Councilmember Thurman, Resolution # 10-02 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

8. Discussion of an appointment to the Transportation Intergovernmental Policy Group.

The Manager explained that this is a new group that is examining local participation in funding of NCDOT projects. Consensus of Council was for Councilmember Fiorillo to be a representative to this group.

9. Preview of Regular Meeting Agenda and Public Hearing items.

The Council previewed the Regular Meeting Agenda for January 26, 2010 and made no changes.

10. Other Business.

There was none.

11. Comments from Attendees.

Doug Middaugh noted that the Capital Project Plan lists two police officers for the Pinewild area and also lists two vacancies. Mr. Middaugh asked if these officers are needed since the Pinehurst Police Department currently does not have permission to enter Pinewild. Will this policy continue once the annexation is completed? Answer- negotiations with Pinewild have not resulted in a clear directive concerning this matter. We do not yet know what the final policy will be.

12. Motion to go into Closed Session.

Councilmember Fiorillo 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 Project Limited Partnership, *et al*, v. Village of Pinehurst. The motion was seconded by Councilmember Fallon 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 Project Limited Partnership, *et al*, v. Village of Pinehurst, and a civil matter between Pinehurst Medical Clinic and Frank Maser.

13. Motion to adjourn the Closed Session .

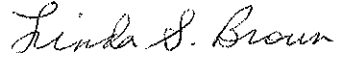
Councilmember Fiorillo moved to adjourn the Closed Session and re-enter the Work Session. The motion was seconded by Councilmember Fallon and carried unanimously.

14. Adjournment.

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Councilmember Fiorillo moved to adjourn the Work Session. The motion was seconded by Councilmember Fallon and carried unanimously. The meeting adjourned at 1:00 p.m.

Respectfully Submitted,



Linda S. Brown, CMC
Village Clerk