

PINEHURST
VILLAGE COUNCIL
WORK SESSION AGENDA
FEBRUARY 8, 2011
4:30 P.M.
CONFERENCE ROOM
VILLAGE HALL
PINEHURST, NORTH CAROLINA

1. Call to Order.
2. Motion to go into Closed Session pursuant to NCGS 143-318.11 (a) (3) to consult with the Village Attorney in order to preserve the attorney-client privilege between the Village Attorney and the Village Council.
3. Motion to adjourn the closed session and reconvene the work session.
4. Call to order of work session. (5:30 pm).
5. Reports –
 - Manager
 - Council
6. Discussion with Village Engineer regarding consideration of an amendment to the Engineering Services Agreement for the Phase 2 Jackson Hamlet Sewer Extension Project.
7. **Action:** Motion authorizing Village Manager to execute an Amendment to the Agreement for Engineering Services for the Jackson Hamlet Phase 2 Sewer Project.
8. Presentation of Quarterly Financial and Investments Report.
9. **Action:** Ordinance #11-01: An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinehurst. (Mid-year budget amendments).
10. Discussion with Consultant regarding Development Process Review.
11. Consideration of a refund of rent paid, and establishing an appropriation for Annie Oakley Boom Days. (Ordinance #11-02)
12. Discussion of Open Space Initiative with Bart O'Connor.
13. **Action:** Resolution #11-07: A Resolution regarding a re-appointment to the Historic Preservation Commission. (Holstein)
14. **Action:** Resolution #11-08: A Resolution Honoring the Service of Mr. Glenn N. Bower.
15. **Action:** Resolution #11-09: A Resolution Honoring the Service of Ms. Heidi H. Cross.
16. **Action:** Resolution #11-10: A Resolution Honoring the Service of Mr. Donald F. Ward.
17. Preview of Regular Meeting Agenda.
18. Other Business.
19. Comments from attendees.
20. Adjournment.

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WORK SESSION
February 8, 2011**

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

The Pinehurst Village Council held a Work Session at 4:30 Tuesday, February 8, 2011 in the Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Virginia F. Fallon, Mayor
Ms. Joan M. Thurman, Mayor Pro-Tem
Ms. Nancy Roy Fiorillo, Councilmember
Mr. Douglas A. Lapins, Councilmember
Mr. Mark W. Parson, Councilmember
Mr. Andrew M. Wilkison, Village Manager
Ms. Linda S. Brown, Village Clerk
And approximately 25 attendees, including 6 staff and 1 press.

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

Mayor Virginia F. Fallon called the meeting to order.

2. 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 consult with the Village Attorney in order to preserve the attorney-client privilege between the Village Attorney and the Village Council. The motion was seconded by Councilmember Thurman and carried unanimously.

GENERAL ACCOUNT

The Council, the Village Manager and the Village Attorney discussed the threat of litigation from Mr. Bruce Berge, and the ongoing litigation between Mr. Mike McCrann and the Village of Pinehurst.

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

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

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

Mayor Virginia F. Fallon called the meeting to order.

5. Reports:

- **Manager**

- **Schedule Meetings with Moore County.**

The Manager reported that he has been trying coordinate with Moore County to schedule informational meetings for affected citizens regarding the Old Town sewer rehabilitation project and the slip lining project at Lake Pinehurst.

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- Council

- **Councilmember Lapins** asked if it would be possible to send out a Council meeting highlight listing similar to the one Laura Williams distributes for Moore County. Answer- yes, we could do that. Who should it be distributed to? Send to all on the clerk's notification list.
- **Mayor Fallon** discussed with the Council a letter they had received from Bill Wetmore concerning gateways. One of the suggestions was changing some street names in Pinehurst. Council instructed staff to look into this idea.

6. Discussion with Village Engineer regarding consideration of an amendment to the Engineering Services Agreement for the Phase 2 Jackson Hamlet Sewer Extension Project.

The Council discussed with Village Engineer Mike Apke an amendment to the Engineering Services Agreement for professional services for the Phase 2 Jackson Hamlet Sewer Extension Project because the Village desires to modify the depth of a portion of the proposed sewer line along Cotton Street. (Copies of a memo from Village Engineer Mike Apke dated January 26, 2011 and a draft amendment to the Agreement for Engineering Services are in the Minute File.)

The Manager explained change order requests received from Columbus Utilities for the Jackson Hamlet Sewer Extension Project. Councilmember Fiorillo moved that the Mayor and Village staff be authorized to accept and execute change orders in the total amount of \$29,703.50, representing items #1, 2, 4, 5, and 6 on the attached memorandum from Mike Apke of McGill Associates, provided that all funding is from the Community Development block Grant and not local funds. See document # 1 which is hereby incorporated by reference and made a part of these minutes. Councilmember Thurman seconded the motion which carried unanimously by a vote of 5-0.

7. Motion authorizing Village Manager to execute an Amendment to the Agreement for Engineering Services for Phase 2 Jackson Hamlet Sewer Extension Project

Councilmember Thurman moved that the Village Council authorize the Village Manager to execute an Amendment to the Agreement for Engineering Services for the Jackson Hamlet Phase 2 Sewer Project relating to the increasing depth of the sewer line on Cotton Street. Councilmember Lapins seconded the motion which carries unanimously by a vote of 5-0.

8. Presentation of Quarterly Financial Report.

Assistant Manager Natalie Dean presented the Quarterly Financial Statements and the Quarterly Investment Report for the Quarter Ended December 31, 2010. (Copies of these reports and a memo prepared by Assistant Manager Natalie Dean dated February 4, 2011 are in the Minute File.)

9. Ordinance #11-01: An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinehurst Regarding Revenues and Expenditures of the General Fund for the Village of Pinehurst, North Carolina (Mid-Year Budget Adjustments).

Director of Financial Services John Frye discussed the projected year-end financial results. (Copy of a memo from Assistant Manager Natalie Dean dated February 8, 2011 is in the Minute File.)

The Manager explained the need for the Ordinance #11-01. Upon the motion of Councilmember Fiorillo, seconded by Councilmember Lapins, Ordinance #11-01 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File. Copy of a

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memo from Assistant Manager Natalie Dean dated February 8, 2011 concerning projected year-end financial results and budget amendment is in the Minute File.)

10. Discussion with consultant regarding development process review.

The Lawrence Group used a PowerPoint presentation to discuss with Council their findings in their development process review assessment. (Copy of the PowerPoint presentation is in the Minute File.)

11. Consideration of a refund of rent paid and establishment of an appropriation for Annie Oakley Boom Days (Ordinance 11-02).

Council discussed with Mr. and Mrs. Tim St. Germaine the possibility of establishing the Annie Oakley Boom Days event as a Village co-sponsored event, refunding the rental amount for the arboretum and making a contribution to her group toward the cost of hosting the event. By consensus, Council decided to contribute \$3,100.00 to the organizers of the Annie Oakley Boom Days event and ordered that this amount be entered in the appropriate blanks of ordinance 11-02.

The Manager explained the need for the Ordinance #11-02. Councilmember Lapins moved adoption of ordinance 11-02 with the amount of \$3,101.00 being filled into the appropriate blanks of the ordinance as the amount contributed to the organizers toward the cost of hosting the Annie Oakley Boom Days event. Councilmember Parson seconded the motion which carried unanimously by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

12. Discussion of Open Space Initiative with Bart O'Connor.

Council discussed the Open Space initiative with Mr. Bart O'Connor, Chairman of the Open Space Committee of the Conservation Commission. This is a program to encourage some property owners in Pinehurst to designate their property as "open space." By consensus the Council indicated to Mr. O'Connor that he was authorized to proceed with the program. (Copies of a letter from Mr. O'Connor to the council, a letter to be mailed to residents who own a buildable lot adjacent to their property and a pamphlet entitled "Pinehurst Open Space Trust" are in the Minute File.)

13. Resolution #11-07: A Resolution Regarding a Re-Appointment to the Pinehurst Historic Preservation Commission (Holstein).

The Manager explained the need for Resolution #11-07. Upon the motion of Councilmember Lapins, seconded by Councilmember Thurman, Resolution # 11-07 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

14. Resolution #11-08: A Resolution Honoring the Service of Mr. Glenn N. Bower to the Village of Pinehurst Community appearance Commission.

The Manager explained the need for Resolution #11-08. Upon the motion of Councilmember Fiorillo, seconded by Councilmember Lapins, Resolution # 11-08 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

15. Resolution #11-09: A Resolution Honoring the Service of Ms. Heidi H. Cross to the Village of Pinehurst Community appearance Commission.

The Manager explained the need for Resolution #11-09. Upon the motion of Councilmember Fiorillo, seconded by Councilmember Lapins, Resolution # 11-09 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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16. Resolution #11-10: A Resolution Honoring the Service of Mr. Donald F. Ward to the Village of Pinehurst Community Appearance Commission.

The Manager explained the need for Resolution #11-10. Upon the motion of Councilmember Fiorillo, seconded by Councilmember Lapins, Resolution # 11-10 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

17. Preview of Regular Meeting Agenda.

The Council previewed the Regular Meeting Agenda for February 22, 2011 and made no changes.

18. Other Business.

➤ **Resolution to Moore County concerning the Pine Forest Development.**

Council discussed the possibility of adopting a resolution to forward to Moore County regarding the Pine Forest Development. Consensus of Council was that individual Councilmembers may want to express their opinions to Moore County concerning the project, but a resolution from the Council would not be appropriate.


19. Comments from Attendees.

There were none.

20. Adjournment.

Councilmember Parson moved to adjourn the Work Session. The motion was seconded by Councilmember Thurman and carried unanimously. The meeting adjourned at 7:40 p.m.

Respectfully Submitted,


Linda S. Brown, CMC
Village Clerk

Andy Wilkison

Document # 1

From: Mike Apke <mike.apke@mcgillengineers.com>
Sent: Friday, February 04, 2011 5:03 PM
To: Bruce Gould; 'Steve Austin'; Andy Wilkison
Cc: pat.willett@mcgillengineers.com
Subject: Jackson Hamlet Phase 2 Change Orders

Gentlemen,

As a follow-up to our discussions earlier this week, we have received several change order requests from Columbus Utilities for the Jackson Hamlet Phase 2 project. It's my understanding that the construction budget that was approved by DCA for this project was \$680,600 and the project was awarded to Columbus for \$412,064.50 which leaves us \$268,535.50 below the approved construction amount. The change order requests and amounts received to date from Columbus include:

1. Add 2 sewer service taps, piping, clean-outs and decommission of existing septic tanks at Saint Paul's Church and Jackson Hamlet Community Building: \$7,741.00
2. Modifications to main sewer on Gaines Street/Community Center Road to extend line past Community Center Road and provide access to additional vacant lots that don't currently have access to sewer (price for this was requested by McGill but has not been installed yet): \$6,132.50
3. Deepen line on Cotton Street to accommodate future extension across Highway 5 (budget price – will be finalized when and if drawings are revised): \$31,100.00
4. Dump fees by Moore County for septic tanks (Tony did not have in his bid since the County waived fees on Phase 1 but apparently the County is not waiving fees for Phase 2): \$4,250.00
5. Relocate 420 feet of water line on Dawn Street in order to avoid conflict with new sewer (as-builts for water line were incorrect): \$10,780.00
6. Relocate small section of water line between Manholes 17 and 18 to avoid conflict with sewer (as-builts for water line were incorrect): \$800.00

If my math is correct, the above changes equate to about \$60,800. Normally, we like to include a contingency amount of 10% of the contract value to cover unforeseen conditions that may come up during construction. However, if approved, most of the above changes would be owner-driven in order to expand the potential service area of the new sewer system. I bring this up to ask the question of how much we can modify the contract with Columbus without going before council? If we do need council's approval for any of these changes, can we accommodate this at Tuesday's meeting? Columbus Utilities is moving rather quickly on the project and we'd like to be able to get several of these changes approved so that Tony can continue working and won't have to de-mobilize from the site.

I'll be happy to discuss this next week as necessary. Please let me know if you have any questions. I hope everyone has a great weekend!

Mike Apke, PE
Director - Pinehurst Office

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