

**PINEHURST**  
**VILLAGE COUNCIL**  
**WORK SESSION AGENDA**  
**MARCH 24, 2009**  
**9:00 A.M.**  
**CONFERENCE ROOM**  
**VILLAGE HALL**  
**PINEHURST, NORTH CAROLINA**

1. Call to Order.
2. Reports –
  - Manager
  - Council
3. Ordinance #09-09: Amending the budget with regard to revenues and expenditures of the Public Services Facility Capital Project Fund and the Capital Reserve Fund.
4. Ordinance #09-10: Amending the budget with regard to revenues and expenditures of the General Fund (Fleet Maintenance).
5. Motion authorizing the Mayor and Village Staff to execute an offer to purchase and contract approximately 11.55 acres of land located on Juniper Lake Road.
6. Motion authorizing Mayor to execute a contract amendment with Giffels Architecture.
7. Resolution #09-11: Honoring the Service of Mr. Bartley C. Reuter.
8. Resolution #09-12: Honoring the Service of Brad Kocher.
9. Discussion of Draft Regulations to Govern Peddling and Soliciting on Private Property.
10. Discussion of Volunteer Policy.
11. Discussion of instituting non-partisan primary elections.
12. Preview of Regular Meeting Agenda and Public Hearing items.
13. Other business.
14. Comments from attendees.

15. 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.
16. Motion to go back into open session.
17. Adjournment.

**VILLAGE OF PINEHURST  
VILLAGE COUNCIL  
WORK SESSION  
March 24, 2009**

**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, March 24, 2009 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. Lorraine A. Tweed, Mayor Pro-Tem  
Mr. Jeffrey P. Dawson, Councilmember  
Ms. Virginia F. Fallon, Councilmember  
Ms. Joan M. Thurman, Councilmember  
Mr. Andrew M. Wilkison, Village Manager  
Ms. Linda S. Brown, Village Clerk

And approximately 15 attendees, including 8 staff and 1 press.

**1. Call to Order.**

Mayor George P. Lane called the meeting to order and expressed thanks on behalf of the Council to:

- Assistant Manager Natalie Dean and Village Clerk Linda Brown for their work on the Village newsletter
- Fire Chief James McCaskill for the Fire Department's work at fires at Pine Needles and in Robbins
- Parks and Recreation Program Coordinator Adam Crocker for his work at the St. Patrick's Day Parade.
- All Pinehurst citizens who volunteer to serve on the various boards and commissions, and who work with our youth, etc. Pinehurst has a large pool of volunteers.

Mayor Lane presented framed certificates honoring Police Lieutenants Ricky Gooch and Jerry McDonald who completed the Law Enforcement Executive Program at N.C. State University.

**2. Reports:**

**- Manager**

**- Resurfacing Project.**

The Manager reported that street prep work is now being done including patching. When the weather turns warmer, the actual resurfacing will begin.

**- Jackson Hamlet Sewer Project.**

The Manager reported that very soon homes in Jackson Hamlet will begin using the newly installed sewer line. We are accumulating documentation. If there is a Phase II grant offered, we will be ready to apply.

**- Pinehurst Trace Drainage Project.**

**VILLAGE OF PINEHURST  
VILLAGE COUNCIL  
WORK SESSION  
March 24, 2009**

The Manager reported that materials have arrived and installation has begun on the drainage project at Pinehurst Trace.

- **Arbor Day in Pinehurst.**

The Manager reported that the Mayor has declared April 24<sup>th</sup> as Arbor Day in the Village of Pinehurst, and a ceremony is planned for 9:00 am that day at Pinehurst Elementary School.

- **Pinehurst Business Guild- Richard Shearer.**

Pinehurst Business Guild President Patrick Barry and members Richard Shearer and Eldora Wood attended the meeting. Mr. Richard Shearer spoke on behalf of himself and the group concerning the new window hours which began March 16<sup>th</sup> for the Pinehurst Post Office. The business community is protesting the window hours change since it adversely affects them. The Post Office will not pick up or make deliveries to homes and businesses within a half mile radius of the Post Office which includes all downtown businesses. Businesses must close early to do Post Office business at the Blake Blvd. location. Mr. Shearer requested Council support for a petition being circulated which seeks intercession by Congressman Howard Coble. He also requested a Public Hearing to be set by the Council to allow input from citizens concerning this issue.

Consensus of Council was to set a Public Hearing for the next Regular Meeting to be held on April 24, 2009.

**3. Ordinance #09-09: An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinehurst Regarding Revenues and Expenditures of the Public Services Facility Capital Project Fund for the Village of Pinehurst, North Carolina.**

The Manager explained the need for the Ordinance #09-09. Upon the motion of Councilmember Fallon, seconded by Councilmember Tweed, Ordinance #09-09 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

**4. Ordinance #09-10: 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 (Fleet Maintenance).**

The Manager explained the need for the Ordinance #09-10. Upon the motion of Councilmember Tweed, seconded by Councilmember Fallon, Ordinance #09-10 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

**5. Motion Authorizing the Mayor and Village Staff to Execute an Offer to Purchase and Contract Approximately 11.55 Acres of Land Located on Juniper Lake Road.**

The Manager explained the circumstances surrounding the possibility of making an offer to purchase and contract approximately 11.55 acres of land located on Juniper Lake Road.

Councilmember Thurman moved that the Village Manager be authorized to execute on behalf of the Village an Offer to Purchase and Contract for the purchase by the Village of Pinehurst of approximately 11.55 acres of land located on Juniper Lake Road in Pinehurst, N.C. for \$200,000. Councilmember Fallon seconded the motion which carried unanimously by a vote of 5-0. (Copy of the Offer to Purchase and Contract is in the Minute File.)

**6. Motion Authorizing Mayor to Execute a Contract Amendment with Giffels Architecture.**

**VILLAGE OF PINEHURST  
VILLAGE COUNCIL  
WORK SESSION  
March 24, 2009**

The Manager explained the reason for proposing an amendment to the contract with Giffels of North Carolina, PC.

Councilmember Fallon moved to authorize the Mayor to execute an amendment to the contract with Giffels of North Carolina, PC for the Public Services Facility to increase the fee for design and permitting of water supply well system, on-site wastewater management system and paved road for wetland crossing. Councilmember Tweed seconded the motion which carried unanimously by a vote of 5-0. (Copy of the Contract Amendment is in the Minute File.)

**7. Resolution #09-11: A Resolution Honoring the Service of Mr. Bartley C. ("Bart") Reuter to the Village of Pinehurst Board of Adjustment.**

The Manager explained the need for Resolution #09-11. Upon the motion of Councilmember Tweed, seconded by Councilmember Fallon, Resolution # 09-11 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

**8. Resolution #09-12: A Resolution Honoring the Service of Mr. Brad Kocher to the Village of Pinehurst Historic Preservation Commission.**

The Manager explained the need for Resolution #09-12. Upon the motion of Councilmember Fallon, seconded by Councilmember Thurman, Resolution # 09-12 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

**9. Discussion of Draft Ordinance to Govern Peddling and Soliciting on Private Property.**

The Manager discussed with the Council a proposed ordinance to govern peddling and soliciting on private property. Consensus of Council was to set a Public Hearing to discuss this matter for the next Regular Meeting to be held on April 28, 2009. (Copy of the proposed ordinance is in the Minute File.)

**10. Discussion of Volunteer Policy.**

The Manager discussed with the Council the current Village Volunteer Policy and the possibility of amending this policy. No action was taken. (Copy of the current policy is in the Minute File.)

**11. Discussion of Instituting Non-Partisan Primary Elections.**

The Manager discussed with the Council the possibility of instituting non-partisan primary elections. Council had previously asked the Manager to research the method to institute a mayoral run-off. Director of Moore County Elections Glenda Clendenin sent a memo to Village Manager Andrew M. Wilkison explaining that a change to a municipal primary would by law have to be for all offices within the municipality. Mr. Wilkison explained that a primary would have to include the position of mayor and councilmembers. (Copy of the memo from Director of Moore County Elections Glenda Clendenin is in the Minute File.)

Mr. Wilkison also discussed the process that would allow an amendment to the Pinehurst Charter to be done by ordinance. (Copy of a packet of information detailing the process for amending the charter by ordinance is in the Minute File.)

No action was taken. Consensus of Council was to study this more and discuss it again later.

**12. Preview of Regular Meeting Agenda.**

**VILLAGE OF PINEHURST  
VILLAGE COUNCIL  
WORK SESSION  
March 24, 2009**

The Council previewed the Regular Meeting Agenda for March 24, 2009 and made no changes.

**13. Other Business.**

There was none.

**14. Comments from Attendees.**

**Doug Middaugh-**

- noted that he had not seen any changes made to the Village website to promote upcoming golf events although he had requested such action at a prior meeting
  - regarding agenda item # 5- the purchase price of this land is much higher than the assessed value
  - suggested that use of the well to be drilled at the new Public Services Facility could be offered to the county as a production well
  - requested that the meeting to be held between Village officials, Robbins officials, Seven Lakes officials and officials from Moore County be an open meeting that citizens may attend.
- Mayor Lane** verified that this will be an open meeting.

**Tom Campbell** inquired how members of the Alternate Energy Committee of the Conservation Commission might become involved in the planning of the Public Services Facility to make it more "green." **Village Manager Andy Wilkison** replied that a staff committee consisting of Jeff Batton, Natalie Dean, Jay Gibson and Walt Morgan are working with the architects. **Assistant Village Manager Jeff Batton** replied that they are not yet at the point where those decisions will be made. **Mayor Lane** added that this project is dependent on what happens in the NewCore area.

**Councilmember Fallon** noted that there was a saving to the Village by purchasing this property. **Village Manager Andy Wilkison** stated that the savings would be in construction and development costs. We will save about \$250,000.

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

Councilmember Tweed 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, and to discuss 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 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 Project Limited Partnership, *et al*, v. Village of Pinehurst.

**16. Motion to adjourn the Closed Session and Re-Enter the Work Session.**

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

**17. Adjournment.**

**VILLAGE OF PINEHURST  
VILLAGE COUNCIL  
WORK SESSION  
March 24, 2009**

Councilmember Dawson moved to adjourn the Work Session. The motion was seconded by Councilmember Fallon and carried unanimously. The meeting adjourned at 11:35 a.m.

Respectfully Submitted,

*Linda S. Brown*

Linda S. Brown, CMC  
Village Clerk