

**PINEHURST**  
**VILLAGE COUNCIL**  
**WORK SESSION AGENDA**  
**JUNE 8, 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 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 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. Discussion with Joyce Franke regarding Village beautification.
6. **Action:** Discussion with Director of Human Resources and consideration of Resolution #10-21; A Resolution Amending the Policy on the Administration of the Pay Plan and Position Classification Plan for the Village of Pinehurst.
7. **Action:** Resolution #10-22: A Resolution Establishing The Water Committee for the Village of Pinehurst.
8. **Action:** Ordinance #10-31: An Ordinance Amending Chapter VII of the Pinehurst Municipal Code as it pertains to the requirements of Golf Carts operated on public roads in the Village of Pinehurst.
9. **Action:** Discussion with Planning Director and consideration of Ordinance #10-32: An Ordinance Amending the Pinehurst Development Ordinance as it pertains to Section 10.2.2.2 (d) and Section 10.2.1.3 SR-18 (c) (1) Accessory Structures Setbacks and Section 10.2.2.1 (D) (3) Allowable Encroachment.
10. **Action:** Ordinance #10-33. An Ordinance Appropriating Funds for Operating Expenses for the Village of Pinehurst, North Carolina.
11. **Action:** Ordinance #10-34: An Ordinance Amending the Budget of the Village of Pinehurst (Downtown Beautification).
12. **Action:** Ordinance #10-35: An Ordinance Amending the Budget of the Village of Pinehurst (Welcome Center Donation).
13. **Action:** Ordinance #10-36: An Ordinance Amending the Budget of the Village of Pinehurst. (Controlled Substances Tax)

14. **Action:** Motion authorizing the Mayor to execute an agreement for legal services with Village Attorney.
15. Discussion regarding draft Code of Ethics for the Village Council of the Village of Pinehurst.
16. Preview of Regular Meeting Agenda.
17. Other business.
18. Comments from attendees.
19. Adjournment.

**VILLAGE OF PINEHURST  
VILLAGE COUNCIL  
WORK SESSION  
June 8, 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, June 8, 2010 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 20 attendees, including 5 staff and 0 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 contractual issues, and the Village Attorney's recent conversation with the attorney representing WestPoint Homes.

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

Councilmember Fiorillo 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 Virginia F. Fallon called the meeting to order.

**Reports:**

-- Manager

**Neighborhood Advisory Committee Meeting**

The Manager reported that the Neighborhood Advisory will meet on Thursday, June 17, 2010 at 3:30 p.m. at the Fire Station.

-- Council

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- **Mayor Pro-Tem Thurman** pointed out that the minutes of the May 11, 2010 Work Session state that the Water Committee and the Wellhead Protection Committee are being combined into one committee. Actually the Wellhead Committee has not been disbanded; it is now a dormant committee and will begin working again when the wellhead protection area is periodically re-examined.

-**Councilmember Fiorillo** reported that there is a tethered dog in the Doral Woods area that has gotten loose. He has harmed another pet, and neighbors are afraid of him. She requested that staff check on the tethered dog laws currently in effect.

-**Mayor Fallon** suggested that the Village consider an Armed Forces Appreciation Day especially for the children of service men and women. Perhaps the Parks and Recreation Department could schedule a day at Cannon Park and handle the arrangements.

**5. Discussion with Joyce Franke regarding Village Beautification.**

Ms. Joyce Franke and Mr. Larry Best discussed Village beautification with the Council.

**6. Discussion with Director of Human Resources and consideration of Resolution #10-21: A Resolution Amending the Policy on the Administration of the Pay Plan and Position Classification Plan for the Village of Pinehurst.**

Human Resources Director Angela Kantor explained the need for Resolution #10-21. Upon the motion of Councilmember Thurman, seconded by Councilmember Lapins, Resolution # 10-21 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

**7. Resolution #10-22: A Resolution Establishing the Village of Pinehurst Water Committee.**

The Manager explained the need for Resolution #10-22. Upon the motion of Councilmember Fiorillo, seconded by Councilmember Thurman, Resolution # 10-22 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

**8. Ordinance #10-31: An Ordinance Amending Chapter VII of the Pinehurst Municipal Code As It Pertains to the Requirements of Golf Carts Operated on Public Roads in the Village of Pinehurst.**

The Manager explained the need for the Ordinance #10-31. Upon the motion of Councilmember Lapins, seconded by Councilmember Parson, Ordinance #10-31 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

**9. Memo- Director of Planning and Inspections Andrea Correll- Ordinance #10-32 Is Consistent With The 2010 Comprehensive Long-Range Plan.**

Councilmember Fiorillo moved to adopt the memo prepared by Director of planning and Inspections Andrea Correll, and dated June 8, 2010 as the Council statement that draft Ordinance 10-32 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Lapins seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

**Discussion with Planning and Inspections Director and Consideration of Ordinance 10-32: An Ordinance Amending the Pinehurst Development Ordinance As It Pertains to Section 10.2.2.2(d) and Section 10.2.1.3 SR-18(c) (1) Accessory Structures setbacks and Section 10.2.2.1(d) (3) Allowable Encroachment.**

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June 8, 2010**

Director of Planning and Inspections Andrea Correll explained the need for the Ordinance #10-32. Upon the motion of Councilmember Fiorillo, seconded by Councilmember Thurman, Ordinance #10-32 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

**10. Ordinance #10-33: An Ordinance Appropriating Funds for Operating Expenses for Pinehurst, North Carolina. (Municipal Budget FY 2010-2011)**

The Manager explained the need for the Ordinance #10-33. Upon the motion of Councilmember Lapins, seconded by Councilmember Thurman, Ordinance #10-33 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

**11. Ordinance #10-34: 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 (Downtown Beautification).**

The Manager explained the need for the Ordinance #10-34. Upon the motion of Councilmember Thurman, seconded by Councilmember Parson, Ordinance #10-34 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

**12. Ordinance #10-35: 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 (Welcome Center).**

The Manager explained the need for the Ordinance #10-35. Upon the motion of Councilmember Parson, seconded by Councilmember Lapins, Ordinance #10-35 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

**13. Ordinance #10-36: 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 (State Authorized Substances Excise Taxes).**

The Manager explained the need for the Ordinance #10-36. Upon the motion of Councilmember Fiorillo, seconded by Councilmember Thurman, Ordinance #10-36 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

**14. Motion Authorizing Mayor to Execute an Agreement for Legal Services with Village Attorney.**

The Manager explained the need for this contract. Councilmember Lapins moved that the Mayor be authorized to execute on behalf of the Village an agreement for legal services with Mr. Michael J. Newman. Councilmember Parson seconded the motion which carried unanimously by a vote of 5-0. (Copy of the agreement is in the Minute File.)

**15. Discussion regarding draft of Code of Ethics for the Village Council of Pinehurst.**

Council discussed a draft of the Code of Ethics prepared to meet the requirements of GS 160A-83 but took no action on the item.

**16. Preview of Regular Meeting Agenda.**

**VILLAGE OF PINEHURST  
VILLAGE COUNCIL  
WORK SESSION  
June 8, 2010**

The Council previewed the Regular Meeting Agenda for June 22, 2010 and added Ordinance #10-22 Green Neighborhood to the agenda. This ordinance had been tabled at the May 25, 2010 Regular Meeting.

**17. Other Business.**

➤ **Contract- Pratt Industries Agreement for Supply of Recyclable Materials.**

The Manager explained the need for this contract and referenced a memo from Assistant Manager Jeff Batton dated June 8, 2010 regarding the contract. Councilmember Fiorillo moved to authorize the Mayor, or her designee, to enter into a six year contract with Pratt Industries, contract effective February 1, 2011, whereby the Village of Pinehurst will supply all of its collected recyclable materials to Pratt Industries in Fayetteville, North Carolina at a sales price of \$30 per ton. Councilmember Lapins seconded the motion which carried unanimously by a vote of 5-0. (Copies of the memo from Assistant Manager Jeff Batton dated June 8, 201 and a draft contract are in the Minute File.)

**18. Comments from Attendees.**

**Dick Bisbe** extended kudos to the Village staff for their handling of the roll out of the new auto-arm trash pick-up. He appreciated the meetings, the information and the helpfulness of staff in getting the size can his family needs.

**Dr. Larry Ellis**, Senior Pastor of the Village Chapel, stated that he had come to answer any questions Council might have concerning the application for a Major Special Use Permit. **Village Manager Andy Wilkison, Director of Planning and Inspections Andrea Correll and Councilmembers** explained that the hearing on June 22, 2010 is a quasi-judicial hearing. Council will only consider what was written in the application and what is said at the hearing to decide to approve or disapprove the application. Procedures prevent them from talking about the application with anyone.

**19. Adjournment.**

Councilmember Thurman moved to adjourn the Work Session. The motion was seconded by Councilmember Lapins and carried unanimously. The meeting adjourned at 6:55 p.m.

Respectfully Submitted,



Linda S. Brown, CMC  
Village Clerk