

PINEHURST
VILLAGE COUNCIL
WORK SESSION AGENDA

JUNE 12, 2012

6:00 P.M.

CONFERENCE ROOM

VILLAGE HALL

PINEHURST, NORTH CAROLINA

(Council will meet in Closed Session at 6:00 pm, and in Open Session at but no sooner than 7:00 pm)
(Meeting will occur in Assembly Hall if attendance warrants)

1. Call to Order.
2. Motion to go into Closed Session pursuant to NCGS 143-318.11 (a) (5), to instruct staff concerning the material terms of a proposed contract for the acquisition of real property.
3. Motion to adjourn the Closed Session and re-enter the Work Session.
4. Call to Order of Open Work Session (7:00 pm).
5. Reports –
 - Manager
 - Council
6. **Discussion/Consideration of Appointments:** Village Center Enhancement Committee.
7. **Public Hearing:** Fiscal year 2012/2013 Budget.
8. **Discussion:** Proposals received for Historic Consultant Services.
9. **Discussion:** Assigning jurisdiction of certain projects in public right of way to Historic Preservation Commission.
10. **Discussion/Action:** Recommended amendments to Historic District Standards and Guidelines.
11. **Discussion:** Summer meeting dates.
12. **Discussion/Action:** Regional Hazard Mitigation Plan.
13. **Discussion/Action:** Resolution #12-38: Transfer of Watershed Allocation for Drowning Creek Watershed.
14. **Discussion/Action:** Resolution #12-39: Transfer of Watershed Allocation for Nicks Creek Watershed.
15. **Discussion:** Amendment to PDO (Watershed Regulations) for issuing Special Non-residential intensity allocations for multi-family development.
16. **Action:** Resolution #12-40: A Resolution Regarding re-appointments to the Village of Pinehurst Water Committee.
17. **Action:** Resolution #12-41: A Resolution Regarding re-appointments to the Village of Pinehurst Conservation Commission.

18. **Action:** Resolution #12-42: A Resolution Appointing a Chairman of the Village of Pinehurst Conservation Commission.
19. **Action:** Resolution #12-43: A Resolution Regarding a re-appointment to the Village of Pinehurst Community Appearance Commission.
20. **Action:** Resolution #12-44: A Resolution Designating BB&T as an Official Depository for the Village of Pinehurst.
21. **Action:** Ordinance #12-18: An Ordinance Amending the Budget of the Village of Pinehurst (Restricted donations; Parks and Recreation and Police Departments).
22. **Action:** Ordinance #12-19: An Ordinance Appropriating Funds for Operating Expenses for Pinehurst, North Carolina (Budget Ordinance FY 2012-2013).
23. **Action:** Motion authorizing Mayor and Village Staff to execute an Agreement for Legal Services. (Van Camp, Meacham and Newman, PLLC)
24. **Action:** Motion authorizing Mayor and Staff to execute a contract for Solid Waste Services (Lofton, CCNC).
25. Preview of Regular Meeting Agenda.
26. Other Business.
27. Comments from attendees.
28. Adjournment.

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
WORK SESSION
June 12, 2012**

**395 MAGNOLIA ROAD
CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
6:00 P.M.**

The Pinehurst Village Council held a Work Session at 6:00 Tuesday, June 12, 2012 in the Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. Douglas A. Lapins, Mayor Pro-Tem
Mr. John R. Cashion, Councilmember
Mr. Mark W. Parson, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Andrew M. Wilkison, Village Manager
Ms. Linda S. Brown, Village Clerk
And approximately 20 attendees, including 5 staff and 1 press.

1. Call to Order.

There was no Call to Order at 6:00 pm as there was no business to be discussed in Closed Session.

2. Motion to go into Closed Session.

No Closed Session was held because Village Attorney Michael Newman was on vacation and there was no business to be discussed in Closed Session.

3. Call to Order of Work Session (7:00 p.m.)

Mayor Nancy Roy Fiorillo called the meeting to order.

4. Reports:

– **The Manager** reported that he would have three items for consideration under “Other Business.”

– **Council**

- **Councilmember Strickland** noted his support for scheduling meetings with downtown landlords and formalizing efforts for events during the US Open.
- **Mayor Pro-Tem Lapins** requested a discussion of the Welcome Center under “Other Business.”
- **Councilmember Cashion** reported that the Water Committee will send their agenda and minutes to the Council after each of their meetings.

5. Discussion/Consideration of Appointments: Village Center Enhancement Committee.

Council met with Mrs. Caroline Miller and Mrs. Carole Boxell, potential appointees to the Village Center Enhancement Committee. Council interviewed Mrs. Miller and Mrs. Boxell.

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
WORK SESSION
June 12, 2012**

After the candidates had been dismissed, Councilmember Lapins moved to appoint Mrs. Caroline Miller and Mrs. Carole Boxell to the Village Center Enhancement Committee for terms of 2 years, expiring June 30, 2014. The motion was seconded by Councilmember Strickland and passed unanimously by a vote of 5-0.

6. Public Hearing: Fiscal Year 2012-2013 Budget.

Councilmember Parson moved that the Village Council open a Public Hearing on the 2012-2013 Village Budget. Councilmember Lapins seconded the motion which carried unanimously by a vote of 5-0.

Comments:

The Village Manager introduced the Public Hearing by giving an overview of the FY 2012-2013 Budget.

Doug Middaugh-

-referenced page 134 of the Budget Document- Given Library Capital Project Fund- are funds over a 3 year or 4 year period? He feels the library is expecting the funds over a 3 year period.

Answer- The Village Manager has met with Audrey Moriarty, and she is fine with the proposed timeline.

-referenced page 5 and page 136 of the Budget Document- funds for extension of the Greenway Trail along Linden Road to the Marina has been deferred. When will the CIP be updated to reflect this change?

Answer- Yes, Council had to take some money from somewhere to get ready for the US Open but did not want to raise the tax rate.

-referenced page 100 of the Budget Document- will pave only 3 miles of Village streets this year. This breaks the long-standing commitment to 5 miles per year to keep within a 20 year life span of the paving. He feels this sets a dangerous precedent.

Answer- We had a mild winter and feel setting aside the paving standard for one year will still allow us to keep up the roads.

George Tucker-

-objected to the 5% tax increase. **Answer:** There is no tax increase this year. The tax rate remains \$.28 per hundred as it has been for many years.

-asked what the annexation of Pinewild did to the tax structure. **Answer-** The increase in tax money has been more than offset by other decreases in revenue.

Jack Farrell-

-noted the extraordinary increase in capital spending and suggested that the Village put the US Open in perspective. It is just a golf tournament.

-stated that he is concerned about the number of downtown projects. He feels the downtown will look like a construction zone which will not help Village businesses.

-asked the Council to examine the replacement policy, especially of fleet. He feels the timing of replacements should be re-evaluated.

-asked the Council to look at the accumulated amount of vacation time and retirement funds as this encumbers a great amount of money.

John Root stated that he agrees with all the comments of Mr. Farrell.

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
WORK SESSION
June 12, 2012**

There being no additional comments, Councilmember Cashion moved that the Council close the Public Hearing on the 2012-2013 Village Budget. Councilmember Strickland seconded the motion which carried unanimously by a vote of 5-0.

7. Discussion: Proposals received for Historic Consultant Services.

Council discussed the proposals for Historic Consultant Services received from John Milner Associates, Martha Lyon Landscape Architecture, Richard Mandell Landscape Architecture, and L. McKay Whatley. Councilmembers Parson and Strickland, along with staff, will conduct telephone interviews with the four prospective consultants. (Copies of the Village Request for Proposals and the proposals received are in the Minute File.)

8. Discussion: Assigning jurisdiction of certain projects in public right-of-way to Historic Preservation Commission.

Council discussed assigning jurisdiction of certain projects in public right-of-way to Historic Preservation Commission with Historic Preservation Commission Chairman Howard Warren. Village Manager Andy Wilkison stated that he would have a discussion with NCDOT officials about this possibility. Council instructed staff to find examples of other communities who have this review process in place and others who do not have this in place and report their findings to the Council. (Copies of a letter from Mr. Warren dated May 9, 2012; a letter to Mr. Chuck Dumas, NCDOT District 8 Engineer; and a memorandum from Robin Tatum Currin, Esq. of Poyner and Spruill, LLP are in the Minute File.)

9. Discussion/Action: Recommended amendments to Historic District Standards and Guidelines.

Council discussed proposed amendments to the Historic District Standards and Guidelines with Director of Planning and Inspections Andrea Correll and Historic Preservation Commission Chairman Howard Warren. Council amended the proposed language of Section 2.17.1.8 to read, "Fences over 3.5' in height shall be screened with native landscaping on sides visible from the street." (Copy of a memo from Senior Planner Molly Goodman dated June 4, 2012 regarding amendments to the Local Historic District Standards and Guidelines is in the Minute File.)

Councilmember Strickland moved that the Village Council adopt the proposed amendments (as amended) to the Local Historic District Standards and Guidelines as set forth in the memorandum of Senior Planner Molly Goodman dated June 4, 2012, and as recommended by the Historic Preservation Commission. Councilmember Cashion seconded the motion which carried unanimously by a vote of 5-0.

10. Discussion: Summer Meeting Dates.

Council discussed a proposed change to the Council meeting dates for the months of July and August, 2012. (Copy of a memo from Village Manager Andy Wilkison dated June 8, 2012 regarding suggested summer meeting dates is in the Minute File.)

Councilmember Cashion moved that the Village Council cancel the August 14 and 28, 2012 Work Sessions and Regular Meeting and hold a Special Work Session at 9:00 a.m. on August 21, 2012, and a Special Meeting at 1:00 p.m. on August 21, 2012. Councilmember Lapins seconded the motion which carried unanimously by a vote of 5-0. Council instructed the Village Clerk to send a notice of the meeting changes.

11. Discussion/Action: Regional Hazard Mitigation Plan.

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
WORK SESSION
June 12, 2012**

Council discussed a proposal for development of a Regional Hazard Mitigation Plan for Moore, Chatham, Lee and Harnett Counties. (Copies of email from Mr. Jeremy Rust of Moore County Planning and Community Development and a letter from Mr. Joe Stanton, Acting Assistant Director/Recovery Chief of the North Carolina Department of Public Safety dated May 22, 2012 are in the Minute File.)

Councilmember Strickland moved that the Mayor be authorized to execute an Agreement to participate in a Regional Hazard Mitigation Plan for Moore, Chatham, Lee and Harnett Counties. Councilmember Cashion seconded the motion which carried unanimously by a vote of 5-0.

12. Resolution #12-38: A Resolution to Accept Transfer Rights for 10/70 Land Area in the Drowning Creek Watershed to the Village of Pinehurst, North Carolina from County of Moore, North Carolina.

The Manager explained the need for Resolution #12-38. Upon the motion of Councilmember Cashion, seconded by Councilmember Parson, Resolution # 12-38 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

13. Resolution #12-39: A Resolution to Accept Transfer Rights for 10/70 Land Area in the Nick's Creek Watershed to the Village of Pinehurst, North Carolina from County of Moore, North Carolina.

The Manager explained the need for Resolution #12-39. Upon the motion of Councilmember Cashion, seconded by Councilmember Parson, Resolution # 12-39 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

14. Discussion: Amendment to PDO (Watershed Regulations) for issuing Special Non-Residential Intensity Allocations for multi-family development.

Council discussed possible PDO changes for Multi-Family Development with Senior Planner Bruce Gould. (Copy of a memo from Senior Planner Bruce Gould dated June 7, 2012 regarding possible PDO changes for multi-family development is found in the Minute File.)

15. Resolution #12-40: A Resolution Regarding Re-Appointments to the Village of Pinehurst Water Committee. (Van Roosen, Bennett, Bozarth, Holbrook)

The Manager explained the need for Resolution #12-40. Upon the motion of Councilmember Lapins, seconded by Councilmember Cashion, Resolution # 12-40 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

16. Resolution #12-41: A Resolution Regarding Re-Appointments to the Village of Pinehurst Conservation Commission. (Haddock, Querec)

The Manager explained the need for Resolution #12-41. Upon the motion of Councilmember Cashion, seconded by Councilmember Strickland, Resolution # 12-41 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

17. Resolution #12-42: A Resolution Appointing a Chairman of the Village of Pinehurst Conservation Commission. (Rowell)

The Manager explained the need for Resolution #12-42. Upon the motion of Councilmember Parson, seconded by Councilmember Cashion, Resolution # 12-42 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
WORK SESSION
June 12, 2012**

18. Resolution #12-43: A Resolution Regarding a Re-Appointment to the Village of Pinehurst Community Appearance Commission. (Cambreleng)

The Manager explained the need for Resolution #12-43. Upon the motion of Councilmember Cashion, seconded by Councilmember Strickland, Resolution # 12-43 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

19. Resolution #12-44: A Resolution Designating BB&T as an Official Depository for the Village of Pinehurst, North Carolina.

The Manager explained the need for Resolution #12-44. Upon the motion of Councilmember Strickland, seconded by Councilmember Lapins, Resolution # 12-44 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

20. Ordinance #12-18: An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinehurst for Fiscal Year 2012, Regarding Revenues and Expenditures of the General Fund for the Village of Pinehurst, North Carolina (Appropriate 2011-2012 Restricted Donations).

The Manager explained the need for the Ordinance #12-18. Upon the motion of Councilmember Lapins, seconded by Councilmember Parson, Ordinance #12-18 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

21. Ordinance #12-19: An Ordinance Appropriating Funds for Operating Expenses for Pinehurst, North Carolina. (Budget Ordinance- Fiscal Year 2012-2013)

The Manager explained the need for the Ordinance #12-19. Upon the motion of Councilmember Cashion, seconded by Councilmember Strickland, Ordinance #12-19 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

22. Action: Motion authorizing Mayor and Village Staff to execute an Agreement for Legal Services. (Van Camp, Meacham and Newman, PLLC)

Councilmember Lapins moved that the Mayor and staff be authorized to execute an agreement for legal services with Van Camp, Meacham and Newman, PLLC for the term July 1, 2012 to June 30, 2013. Councilmember Cashion seconded the motion which carried unanimously by a vote of 5-0. (Copy of the agreement is in the Minute File.)

23. Action: Motion authorizing Mayor and staff to execute a contract for Solid Waste Services (Lofton, CCNC).

Councilmember Parson moved that the Mayor and staff be authorized to execute a contract for solid waste services with Lofton Garbage Services for the period July 1, 2012 to June 30, 2013. Councilmember Strickland seconded the motion which carried unanimously by a vote of 5-0. (Copies of a memo from Assistant Manager Jeff Batton dated June 7, 2012 and the contract for Solid Waste Services is in the Minute File.)

24. Preview of Regular Meeting Agenda.

The Council previewed the Regular Meeting Agenda for June 26, 2012 and made no changes.

25. Other Business.

- Meeting on June 27th regarding US Open.

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
WORK SESSION
June 12, 2012**

This is not an open meeting. Activities planned by professionals for the week of the US Open will be discussed. Those ideas need to remain confidential.

➤ **Welcome Center.**

Council discussed the concerns in the NCDDA report concerning the Welcome Center and the possibility of relocating the center. Jeff Batton has looked at quite a few options and will provide the Council with a list of possibilities. Another option is to have a well-stocked kiosk and not have a Welcome Center.

➤ **Use of Old Fire Station by Carolina Philharmonic.**

Council agreed to have staff work out an agreement with David Michael Wolfe to use the first floor of the old Fire Station for lessons and storage.

➤ **Short Term Rentals.**

Council discussed the problems regarding short term rentals and decided that attempting to regulate these is not the way to go. Most problems can be handled by the Police Department.

➤ **Speed Limits.**

Staff has received a few requests for reduction of posted speed limits from 35 mph to 25 mph. Council discussed an overall speed limit of 25 mph but took no action. They will review a map showing the current speed limit on each street and ask Chief Phipps to attend an upcoming meeting to discuss the issue.

26. Comments from Attendees.

Doug Middaugh asked if additional trees on Linden Road were to be removed as some trees have a red band on them. Answer- no additional trees are to be cut that we are aware of, but we will check on the situation.

Frank Pacifico described a problem with the contractors working on the sewer project in front of his house. Answer- contact Moore County Public Utilities or Atlantic Coast Contractors.

27. Adjournment.

Councilmember Strickland moved to adjourn the Work Session. The motion was seconded by Councilmember Cashion and carried unanimously. The meeting adjourned at 9:30 p.m.

Respectfully Submitted,

Linda S. Brown
Linda S. Brown, CMC
Village Clerk