

VILLAGE OF PINEHURST
VILLAGE COUNCIL
SPECIAL WORK SESSION AGENDA
JUNE 15, 2007
9:00 AM
ASSEMBLY HALL
VILLAGE HALL
PINEHURST, NORTH CAROLINA

1. Call to Order.
2. Ordinance 07-18: An Ordinance to Extend the Corporate Limits of the Village of Pinehurst, North Carolina, Under the Authority Granted by Chapter 160A, Article 4A, Part 3 of the General Statutes of North Carolina.
3. Adjournment.

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**395 MAGNOLIA ROAD
ASSEMBLY HALL
PINEHURST, NORTH CAROLINA
9:00 A.M.**

The Pinehurst Village Council held a Work Session at 9:00 a.m., Tuesday, June 15, 2007 in the Assembly Hall of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Mr. Steven J. Smith, Mayor
Mr. George E. Hillier, Mayor Pro-Tem
Ms. Virginia F. Fallon, Councilmember
Mr. Douglas A. Lapins, Councilmember
Ms. Lorraine A. Tweed, Councilmember
Mr. Andrew M. Wilkison, Village Manager
Ms. Linda S. Brown, Village Clerk
And approximately 15 attendees, including 2 staff and 2 press.

1. Call to Order.

Mayor Steven J. Smith called the meeting to order.

2. Ordinance #07-18: An Ordinance to Extend the Corporate Limits of the Village of Pinehurst, North Carolina, Under the Authority Granted by Chapter 160A, Article 4A, Part 3, of the General Statutes of North Carolina.

The Manager read the following prepared statement regarding Ordinance #07-18:

“Good morning Mayor and Council. Though you have sat through a number of meetings where the subject of the annexation of Pinewild has been discussed, including the public hearing held on March 27th of this year, there are some important facts about the annexation that I feel need to be made a part of the record so that someone reviewing the record can better understand this annexation. Additionally, questions were raised during that public hearing that need to be addressed which I will do here.

- Some questions have been raised about the public’s ability to obtain information about the annexation. The Village has gone to great lengths to provide information about this annexation. In January of this year, all those owning property within the area to be annexed were mailed notices describing the proposed annexation and announcing the dates of the public information meetings and public hearing. Since January 23, the Village also has had an annexation report available at the Village Hall for interested residents to read. On March 2 of this year, the Village had three separate public informational meetings where it explained its annexation report and fielded questions about the annexation. Only one informational meeting is required by law, but the Village held two additional informational meetings to ensure that interested property owners had ample opportunities to learn about the proposed annexation. The Village exceeded what the law requires in terms of publicizing information about this annexation.
- Questions also were raised during the public hearing concerning how Pinewild qualifies for annexation. North Carolina law has some fairly detailed regulations governing what kinds of areas can be annexed. Those regulations are explained in greater detail in the Village’s

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annexation report, but essentially they require that an area must have achieved a certain level of development before it can be annexed. Before beginning the annexation process, therefore, the Village carefully studied development within Pinewild to ensure it satisfied the statutory standards for annexation. As the Village's annexation report details, the area exceeds all those standards.

- Some questions have also been raised about some areas that are not being annexed at this time. Specifically there have been some questions raised about why Jackson Hamlet is not being annexed. The Village has adopted a resolution of consideration for Jackson Hamlet, which simply means that it is an area that the Village could look to annex in the future. However, Jackson Hamlet is not eligible for annexation now. Those same regulations that I was just discussing require an area to have achieved a certain level of development before it can be annexed. Although Pinewild has achieved that level of development, Jackson Hamlet has not. So, North Carolina law would not allow the Village to annex Jackson Hamlet at the present time. However, the Village may be able to annex Jackson Hamlet in the future if that community continues to develop. The Village is also studying the area known as Monroe Town for annexation, and the Village has also recently adopted a Resolution of Consideration identifying Monroe Town as being under consideration for annexation, just as we have done for Jackson Hamlet. Should Monroe Town develop to a point where it is clear that it does qualify for annexation, I foresee that my staff may recommend that the Village annex Monroe Town.
- There were also several questions raised during the public hearing concerning services, in fact, several questions were posed concerning how annexation would affect the quality of police protection within Pinewild. Pinewild is currently served by the Moore County Sheriff's Department. After annexation, the area will be patrolled and protected by the Village of Pinehurst Police Department. The Village Police Department currently has 25 police officers, including 21 patrol officers. In addition to providing other services, these officers patrol the Village 7 days per week, for 24 hours per day.

Along with the Village Police Department's other services, which are described in the annexation report, this 24-hour patrol protection will be extended to Pinewild as a result of the annexation. To ensure that Pinewild receives the same level of police protection that the Village currently enjoys, the Police Department will be hiring 4 additional patrol officers. The Village also will be buying two additional patrol vehicles to help serve Pinewild.

Annexation will result in a higher concentration of police protection for Pinewild than currently exists there. Currently, Moore County has one Sheriff's Department officer for every 9.7 miles of County territory that the Sheriff's Department covers, including Pinewild. After annexation of Pinewild, the Village will have a police officer for every 0.7 square miles of territory that it protects.

- Some questions also were raised during the public hearing about fire protection. You recall I am sure that the Pinehurst Fire Department already serves Pinewild because Pinewild is within the Longleaf Fire District, and the Pinehurst Fire Department will continue to serve the area after annexation. However, Pinewild residents no longer will pay the fire district tax. Additionally, the Village has an ISO rating of 5, whereas some properties within Pinewild currently are rated at 9. After annexation, we expect that all Pinewild properties will have a 5 rating, so that annexation will bring fire insurance benefits to many of the property owners.
- In addition to the fire and police services, solid waste, recycling and yard debris services will also be extended into Pinewild by the Village upon annexation. Pinewild residents currently

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pay a private company to collect their trash, which they no longer will have to do after annexation because the Village provides this service. Additionally, Pinewild residents currently receive only one trash collection per week. The Village, however, collects residents' trash twice per week, and it will extend this biweekly service into Pinewild. Pinewild residents also currently receive leaf and yard debris pickup once per week, whereas the Village provides this service at least weekly and twice weekly from March to mid-December. The Village provides curbside recycling collection once every other week and will also extend this service into Pinewild.

- Annexation of Pinewild will also provide the Village the opportunity to extend its extraterritorial zoning jurisdiction up to the statutorily allowed two miles from the new corporate limits, which is very important to the village, its' citizens and the citizens of the village's extraterritorial zoning jurisdiction as it allows the village to manage the development of its surrounding territory to assure that it develops in a manner compatible with the rest of Pinehurst.
- Lastly, it has been asked how long has Pinewild Country Club of Pinehurst been under consideration for annexation? It was a little more than twenty years ago, in 1987, that Pinewild Country Club was first addressed via a Resolution of Consideration for annexation by the Village of Pinehurst. The Village has re-authorized such Resolutions of Consideration regularly over the past twenty years, with the latest Resolution of Consideration addressing the annexation of Pinewild Country Club having been adopted in November of 2005. The area proposed for annexation now meets the statutory requirements for annexation."

Councilmember Lapins stated for the record that he has supported the annexation since it first came before the Council. He has reviewed minutes and various documents and has not found any reason to change his mind.

Councilmember Hillier stated that there were three key factors in his decision to favor annexation of Pinewild: 1) annexation is a major element of managing growth, 2) extension of our ETJ beyond Pinewild is important, and 3) it is time for all to share the costs of common benefits equally.

Mayor Smith stated that he feels the Village will gain a large number of great citizens after the annexation is completed.

Mayor Smith explained the North Carolina law provides for city-initiated annexations, and he feels this is a good thing. He repeated an example that he used when he testified at the public hearing held in Raleigh this week concerning North Carolina annexation law, that Allegheny County in Pennsylvania is stymied by the current Pennsylvania annexation law. Pittsburg cannot expand; the surrounding towns cannot tax high enough to pay for the services their residents want. There is no solution there since Pennsylvania law does not allow city-initiated annexation. North Carolina law hopes to avoid such a situation.

He stated that his motivation for annexation is the extension of the ETJ beyond the limits of Pinewild. He feels that Pinehurst can do a better job of protecting the area than the current stewards.

He mentioned that many of the speakers at the public hearing in Raleigh mentioned abuses of the annexation law, specifically extension of services. He noted that services will be extended to the citizens of Pinewild on day one after the annexation becomes effective. He also expressed his opinion that this annexation is exactly the kind of annexation that was anticipated by the members of the state legislature who passed the annexation law.

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Councilmember Tweed stated that she would echo all the comments made by her three colleagues on the dais today.

Councilmember Fallon stated that after listening to the citizens who spoke at the public hearing in Raleigh concerning North Carolina annexation law, she still feels that the current law is a good law and that the Village is doing the right thing.

Councilmember Hillier moved that Ordinance #07-18 be adopted; Councilmember Tweed seconded the motion. Mayor Smith asked the Clerk to poll the Council. The votes were cast as follows:

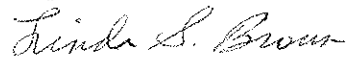
Councilmember Tweed- aye
Councilmember Lapins- aye
Councilmember Fallon- aye
Mayor Pro-Tem Hillier- aye
Mayor Smith- aye

The motion was approved by a vote of 5 to 0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

3. Adjournment.

Councilmember Fallon moved to adjourn the Work Session. The motion was seconded by Councilmember Lapins and carried unanimously. The meeting adjourned at 9:15 a.m.

Respectfully Submitted,



Linda S. Brown, CMC
Village Clerk