

**PINEHURST VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF JUNE 23, 2009
395 MAGNOLIA ROAD
ASSEMBLY HALL
PINEHURST, NORTH CAROLINA
1:00 P.M.**

1. Call to Order.
2. Approval of Consent Agenda.

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

- A. Approval of Draft Minutes:
 - Work Sessions of May 12 and 26, 2009
 - Special Work Session of May 18, 2009
 - Regular Meeting of May 26, 2009
 - Closed Sessions of May 12 and 26, 2009
- B. Public Safety Reports:
 - Police Department
 - Fire Department
- C. Scheduling of Regular Meeting for Tuesday, July 28, 2009 at 1:00 p.m.

End of Consent Agenda.

3. Budget Amendments Report to Council.
4. Adjourn Regular Meeting and Enter Into a Quasi-Judicial Hearing. (All testimony shall be given under oath.)
5. Quasi-Judicial Hearing # 1: Request for Major Special Use Permit- FirstHealth of the Carolinas to build a Hospice Care Campus at 251 Campground Road.
6. Quasi-Judicial Hearing # 2: Request for Major Special Use Permit- Maxie Gleaton to occupy the old Matthews Market located at 35 McIntyre Road as a restaurant to be called Maxis's Grill and Tap Room.
7. Adjourn Quasi-Judicial Hearing and Re-Enter Regular Meeting.
8. Other Business.
9. Comments from Attendees.
10. Adjournment.

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**ASSEMBLY HALL – VILLAGE HALL
395 MAGNOLIA ROAD
PINEHURST, N. C.**

1:00 P.M.

The Village Council of the Village of Pinehurst held a Regular Meeting on Tuesday, June 23, 2009, at 1:00 p.m. in the Assembly Hall of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina with the following in attendance:

The Honorable George P. Lane, Mayor
The Honorable Lorraine A. Tweed, Mayor Pro-Tem
The Honorable Jeffrey P. Dawson
The Honorable Virginia F. Fallon
The Honorable Joan M. Thurman
Mr. Andrew M. Wilkison, Village Manager
Ms. Linda S. Brown, Village Clerk
And approximately 20 persons in the audience.

1. CALL TO ORDER.

Mayor George P. Lane called the meeting to order.

2. APPROVAL OF CONSENT AGENDA.

All items listed below were considered routine or had been discussed at length in previous meetings and were enacted by one motion. No separate discussion was held except on request by a member of the Village Council.

- A. Approval of Minutes of:
Work Sessions of May 12 and 26, 2009
Special Work Session of May 18, 2009
Regular Meeting of May 26, 2009
Closed Sessions of May 12 and 26, 2009
- B. Public Safety Reports- Police and Fire Departments.
- C. Scheduling of Regular Meeting for Tuesday, July 28, 2009 at 1:00 p.m.

End of Consent Agenda.

Councilmember Thurman moved to approve all the items listed and considered routine on the Consent Agenda. The motion was seconded by Councilmember Fallon and the Consent Agenda was unanimously approved.

3. BUDGET AMENDMENTS REPORT TO COUNCIL.

Councilmember Dawson moved to receive the Budget Amendments Report to Council for the period May 15, 2009 to June 15, 2009. The motion was seconded by Councilmember Thurman and carried unanimously.

4. ADJOURN REGULAR MEETING AND ENTER INTO A QUASI-JUDICIAL HEARING.

Councilmember Dawson moved to adjourn the Public Hearing and enter into a Quasi-Judicial Hearing. The motion was seconded by Councilmember Tweed and carried unanimously.

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5. QUASI-JUDICIAL HEARING #1 ON A REQUEST FOR MAJOR SPECIAL USE PERMIT APPROVAL FOR FIRSTHEALTH OF THE CAROLINAS TO BUILD A HOSPICE CARE CAMPUS AT 251 CAMPGROUND ROAD.

Testimony: (Verbatim transcript of Quasi-Judicial Hearing is in the Minute File.)

Documents submitted:

Document # 1- Paper copy of the slide show- submitted by John Ramsey

Document # 2- Letter- Wingard and Associates, Inc., Certified Real Estate Appraiser- submitted by John Ramsey

(Copies of submitted documents are in the Minute File)

6. QUASI-JUDICIAL HEARING #2 ON A REQUEST FOR MAJOR SPECIAL USE PERMIT APPROVAL FOR MAXIE GLEATON TO OCCUPY OLD MATTHEWS MARKET LOCATED AT 35 McINTYRE ROAD AS A RESTAURANT TO BE CALLED MAXIE'S GRILL AND TAP ROOM.

Testimony: (Verbatim transcript of Quasi-Judicial Hearing is in the Minute File.)

7. ADJOURN QUASI-JUDICIAL HEARING AND RE-ENTER REGULAR MEETING.

There being no further testimony, Councilmember Fallon moved to adjourn the Quasi-Judicial Hearing and re-enter the Regular Meeting. Councilmember Tweed seconded the motion, and it carried unanimously.

8. OTHER BUSINESS.

➤ **Deliberations Public Hearing #1:**

Since there was no opposition testimony given, Council had no testimony to discuss. The applicant's Findings of Fact had proved that the application meets the Standards of Review presented in section 5.13.6 of the Pinehurst Development Ordinance.

➤ **Motion Regarding Major Special Use Permit- Public Hearing #1.**

Councilmember Dawson moved to approve, without restrictions, the Major Special Use Permit as requested by FirstHealth of the Carolinas to Build a Hospice Care Campus at 251 Campground Road. The Village Council's Findings of Fact and the incorporated record of the meeting clearly document that each of the standards of review has been met by the applicant. Councilmember Fallon seconded the motion which carried unanimously by a vote of 5-0. (Verbatim transcript of this portion of the meeting is in the Minute File. Copy of Council's Findings of Fact is in the Minute File.)

➤ **Deliberations Public Hearing #2:**

Since there was no opposition testimony given, Council had no testimony to discuss. The applicant's Findings of Fact had proved that the application meets the Standards of Review presented in section 5.13.6 of the Pinehurst Development Ordinance.

➤ **Motion Regarding Major Special Use Permit- Public Hearing #2.**

Councilmember Fallon moved to approve the Major Special Use Permit as requested by Maxie Gleaton to occupy old Matthews Market located at 35 McIntyre Road as a

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restaurant to be called Maxie's Grill and Tap Room. The Village Council has accepted the applicant's Findings of Fact and incorporated them into the record as the Council's Findings of Fact and clearly find that each of the standards of review has been met by the applicant with one condition. The development proposal must also be approved by the Historic Commission as exterior changes are being proposed. Councilmember Tweed seconded the motion which carried unanimously by a vote of 5-0. (Verbatim transcript of this portion of the meeting is in the Minute File. Copy of Council's Findings of Fact is in the Minute File.)

9. COMMENTS FROM ATTENDEES.

There were none.

10. ADJOURNMENT.

Councilmember Thurman moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Fallon and carried unanimously. The Regular Meeting adjourned at 1:50 p.m.

Respectfully Submitted,

Linda S. Brown

Linda S. Brown, CMC
Village Clerk