

PINEHURST
VILLAGE COUNCIL
WORK SESSION AGENDA
JULY 28, 2009
9:00 A.M.
CONFERENCE ROOM
VILLAGE HALL
PINEHURST, NORTH CAROLINA

1. Call to Order.
2. Reports –
 - Manager
 - Council
3. Ordinance #09-22: An Ordinance Amending the budget Appropriating Funds for Operating Expenses (Re-appropriate FY 2008-2009 funds in FY 2009-2010).
4. Ordinance #09-23: An Ordinance Accepting Declaration of Public Dedication for streets in Lamplighter Village.
5. Motion Authorizing the Mayor to execute and Agreement for Legal Services.
6. Preview of Regular Meeting Agenda and Public Hearing items.
7. Other business.
8. Comments from attendees.
9. 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; and pursuant to NCGS 143-318.11 (a) (5) to instruct the Village's staff concerning the position to be taken by the Village in negotiating the price and other material terms of a proposed contract for the acquisition of real property by purchase.
10. Adjournment.

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**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, July 28, 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 10 attendees, including 5 staff and 1 press.

1. Call to Order.

Mayor George P. Lane called the meeting to order.

2. Reports:

– Manager

- **Meeting with Norm Brown.**

The Manager reported that when he recently met with Community Appearance Commission Chairman Norm Brown, Norm had indicated that he would like to end his term by the end of this year. He also pointed out that many members of the Community Appearance Commission will be serving their sixth year in 2010. The Manager asked Council to begin thinking about a successor for Norm and some new people to serve on the Community Appearance Commission.

- **Special Council Meeting.**

The Manager reminded Council that there is a Special Meeting scheduled for Tuesday, August 11, 2009. The main purpose of the meeting is to conduct Quasi-Judicial Hearings on the elevated water tank near Monticello and five lift stations around Lake Pinehurst. Council could issue Major Special Use Permits at the meeting if they so desire; the elevated tank application still has to go to the Historic Preservation Commission. There may be other items on the agenda also.

– Council

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- **Councilmember Thurman**

-asked if there was an update on the sale of downtown buildings. Answer- no news.

-asked if there is an update on the Traditions project. Answer- they are waiting for buyers.

-asked for an update on the NC Spin presentation made to Council a few weeks ago. Answer- no money was contributed.

-asked for an update on our entering the website competition. Answer- we have not yet entered.

-asked about Andy's Quarterly Operating Report. She noticed that some departments are not meeting their goals and wondered if these departments are setting their goals too high. Answer- Andy is working with some departments regarding the timeliness of their performance reviews. He will also request a more detailed explanation from department heads if goals are not met.

- **Mayor Pro-Tem Tweed**

-asked if the sprinklers on Midland Road have rain sensors. Answer- yes, they do, but often it does not rain enough for them to function properly. The sprinklers in our parks also have sensors.

-asked Director of Planning and Inspections if we can recommend that rain sensors be installed on remodels and new construction. Answer- we do recommend this installation in the application.

-asked if the five spec homes listed on the June Planning and Inspection Report are the townhouses on Morganton Road behind Lawn and Tennis. Answer- yes, they are.

-asked if there is an update on wells #9 and 5-A. Answer- we are still waiting for information.

-asked if the citizen who received 49 pages in a public records request was charged for the paper. Answer- he was charged for the copies of the documents. The clerk opted to make the emails available in a paper format, and since they could have been made available electronically at no charge, she did not charge for the paper copies. Consensus of Council was to charge for copies of emails in the future.

- **Councilmember Fallon** had seen a copy of the July 24, 2009 issue of USA Today in which there appears a very complimentary article concerning Pinehurst. She volunteered to send copies to Councilmembers.

3. Ordinance #09-22: 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 (Re-appropriate FY 2008-2009 Funds in FY 2009-2010).

The Manager explained the need for the Ordinance #09-22. Upon the motion of Councilmember Fallon, seconded by Councilmember Tweed, Ordinance #09-22 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

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4. Ordinance #09-23: An Ordinance Accepting Declaration of Public Dedication for Streets in Lamplighter Village.

The Manager explained the need for the Ordinance #09-23. Upon the motion of Councilmember Tweed, seconded by Councilmember Thurman, Ordinance #09-23 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 to Execute an Agreement for Legal Services.

The Manager summarized the proposed agreement for legal services. Councilmember Fallon moved that the Council authorize the Mayor and Village Clerk to execute an Agreement for Legal Services with Michael J. Newman. Councilmember Tweed seconded the motion which carried unanimously by a vote of 5-0.

6. Preview of Regular Meeting Agenda.

The Council previewed the Regular Meeting Agenda for July 28, 2009 and made no changes.

7. Other Business.

There was none.

8. Comments from Attendees.

Doug Middaugh noted that the Downtown Revitalization Committee has discussed paving the sand parking lot. He opposes that action and feels there should be a Public Hearing. **Mayor Lane** stated that the committee is not considering asphalt but instead is looking at a "waffle brick" that allows water to pass through. The committee is also looking at more downtown parking by slightly increasing the size of the sand lot.

Tom Campbell asked if we had the tonnage figures for our recycling now that we have been in the new program for a month. **Assistant Manager Jeff Batton** replied that he has not yet received the report for the month. **Councilmember Fallon** added that she had heard nothing but good comments concerning the change.

9. Motion to go into Closed Session.

Councilmember Thurman moved to recess the Work Session and enter a 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 Limited Partnership, *et al*, v. Village of Pinehurst and pursuant to NCGS 143-318.11 (a) (5) to instruct the Village's staff concerning the position to be taken by the Village in negotiating the price and other material terms of a proposed contract for the acquisition of real property by purchase. The motion was seconded by Councilmember Tweed and carried unanimously.

GENERAL ACCOUNT

The Council, the Village Manager and the Village Attorney discussed ongoing litigation and property acquisition.

10. Motion to adjourn the Closed Session.

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

11. Adjournment.

Councilmember Dawson moved to adjourn the Work Session. The motion was seconded by Councilmember Thurman and carried unanimously. The meeting adjourned at 11:40 a.m.

Respectfully Submitted,

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