

**PINEHURST VILLAGE COUNCIL  
AGENDA FOR SPECIAL MEETING OF AUGUST 11, 2009  
395 MAGNOLIA ROAD  
ASSEMBLY HALL  
PINEHURST, NORTH CAROLINA  
1:00 P.M.**

1. Call to Order.
2. Recess Special Meeting and Enter Into a Quasi-Judicial Hearing.
3. **Quasi-Judicial Hearing #1:** Request for a Major Special Use Permit in order to construct an Elevated Water Storage Tank to serve the Pinehurst area. The proposed development will occur on property identified as a part of Moore County LRK # 29515. This is a newly created  $\pm$  1 acre tract at the intersection of Blake Blvd. and Monticello Road, addressed as 675 Monticello Rd. This property is currently zoned PC (Public Conservation). Moore County is the owner and applicant.
4. **Quasi-Judicial Hearing #2:** Request for a Major Special Use Permit in order to construct a Sewer Lift Station to serve the Lake Pinehurst area. This Lift Station will replace the existing Lift Station 10-1. The proposed development will occur on properties identified as Moore County LRK #'s 57529 and 21275. This facility is addressed as 249 Lake Forest Dr. SW. These property is currently zoned R-15 (single family residential) and R-10 (single family residential). The properties are owned by Mr. John H. Wouters and Joyce M. Bramwell. Moore County is the applicant.
5. **Quasi-Judicial Hearing #3:** Request for a Major Special Use Permit in order to construct a Sewer Lift Station to serve the Lake Pinehurst area. This Lift Station will replace the existing Lift Station 10-2. The proposed development will occur on property identified as Moore County LRK # 25954. This facility is addressed as 365 Burning Tree Rd. This property is currently zoned R-10 (single family residential). Moore County is the owner and applicant.
6. **Quasi-Judicial Hearing #4:** Request for a Major Special Use Permit in order to construct a Sewer Lift Station to serve the Lake Pinehurst area. This Lift Station will replace the existing Lift Station 10-3. The proposed development will occur on property identified as Moore County LRK # 25981. This facility is addressed as 5 Sugar Gum Lane. This property is currently zoned R-MF (multi-family residential). Moore County is the owner and applicant.
7. **Quasi-Judicial Hearing #5:** Request for a Major Special Use Permit in order to construct a Sewer Lift Station to serve the Lake Pinehurst area. This Lift Station will replace the existing Lift Station 13-1. The proposed development will occur on property identified as Moore County LRK # 51627. This facility is addressed as 1356 Burning Tree Road and located within the Lake Pinehurst Villas Development. The property is currently zoned R-MF (multi-family residential). The property is owned by Lake Pinehurst Villas Homeowners Association. Moore County is the applicant.

8. **Quasi-Judicial Hearing #6:** Request for a Major Special Use Permit in order to construct a Sewer Lift Station to serve the Lake Pinehurst area. This Lift Station will replace the existing Lift Station 13-2. The proposed development will occur on property identified as Moore County LRK # 51628. This facility is addressed as 825 Diamondhead Dr and located within the Lake Point Cottages Development. These property is currently zoned R-MF (multi-family residential). The property is owned by Lake Point Cottages. Moore County is the applicant.
9. Adjourn Quasi-Judicial Hearing and Re-enter Special Meeting.
10. Motion to Authorize Mayor and Village Manager to Negotiate and Execute a Contract for Professional Services.
11. Ordinance 09-24: 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 (Governor's Crime Commission Community Oriented Response Team Grant).
12. Ordinance 09-25: 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 (Wagram Facility Appraisal).
13. Ordinance 09-26: 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 (Police Communications Equipment Insurance Claim).
14. Other Business.
15. Adjournment.

**MINUTES OF  
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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 Special Meeting on Tuesday, August 11, 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. Jeff Batton, Assistant Village Manager  
Mr. Michael J. Newman, Village Attorney  
Ms. Linda S. Brown, Village Clerk  
And approximately 50 persons in the audience.

Absent- Mr. Andrew M. Wilkison, Village Manager

**1. CALL TO ORDER.**

Mayor George P. Lane called the meeting to order.

**2. RECESS SPECIAL MEETING AND ENTER INTO A QUASI-JUDICIAL HEARING.**

Councilmember Tweed moved to recess the Special Meeting and enter into a Quasi-Judicial Hearing. The motion was seconded by Councilmember Fallon and carried unanimously.

- 3. QUASI-JUDICIAL HEARING #1:** Request for a Major Special Use Permit in order to construct an Elevated Water Storage Tank to serve the Pinehurst area. The proposed development will occur on property identified as a part of Moore County LRK # 29515. This is a newly created ± 1 acre tract at the intersection of Blake Blvd. and Monticello Road, addressed as 675 Monticello Road. This property is currently zoned PC (Public Conservation). Moore County is the owner and applicant.

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

Document: (Copy of Moore County's Application for Special Use for an Elevated Water Storage Tank at 675 Monticello Road is in the Minute File.)

- 4. QUASI-JUDICIAL HEARING #2:** Request for a Major Special Use Permit in order to construct a Sewer Lift Station to serve the Lake Pinehurst area. This Lift Station will replace the existing Lift Station 10-1. The proposed development will occur on properties identified as Moore County LRK #'s 57529 and 21275. This facility is addressed as 249 Lake Forest Dr. SW. The property is currently zoned R-15 (single family residential) and R-10 (single family residential). The properties are owned by Mr. John H. Wouters and Joyce M. Bramwell. Moore County is the applicant.

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

Document: (Copy of Moore County's Application for Special Use for Sewer Lift Station 10-1 at 249 Lake Forest Dr. SW is in the Minute File.)

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5. **QUASI-JUDICIAL HEARING #3:** Request for a Major Special Use Permit in order to construct a Sewer Lift Station to serve the Lake Pinehurst area. This Lift Station will replace the existing Lift Station 10-2. The proposed development will occur on property identified as Moore County LRK # 25954. This facility is addressed as 365 Burning Tree Rd. This property is currently zoned R-10 (single family residential). Moore County is the owner and applicant.

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

Document: (Copy of Moore County's Application for Special Use for Sewer Lift Station 10-2 at 365 Burning Tree Road is in the Minute File.)

6. **QUASI-JUDICIAL HEARING #4:** Request for a Major Special Use Permit in order to construct a Sewer Lift Station to serve the Lake Pinehurst area. This Lift Station will replace the existing Lift Station 10-3. The proposed development will occur on property identified as Moore County LRK # 25981. This facility is addressed as 5 Sugar Gum Lane. This property is currently zoned R-MF (multi-family residential). Moore County is the owner and applicant.

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

Document: (Copy of Moore County's Application for Special Use for Sewer Lift Station 10-3 at 5 Sugar Gum Lane is in the Minute File.)

7. **QUASI-JUDICIAL HEARING #5:** Request for a Major Special Use Permit in order to construct a Sewer Lift Station to serve the Lake Pinehurst area. This Lift Station will replace the existing Lift Station 13-1. The proposed development will occur on property identified as Moore County LRK # 51627. This facility is addressed as 1356 Burning Tree Road and located within the Lake Pinehurst Villas Development. The property is currently zoned R-MF (multi-family residential). The property is owned by Lake Pinehurst Villas Homeowners Association. Moore County is the applicant.

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

Document: (Copy of Moore County's Application for Special Use for Sewer Lift Station 13-1 at 1356 Burning Tree Road is in the Minute File.)

8. **QUASI-JUDICIAL HEARING #6:** Request for a Major Special Use Permit in order to construct a Sewer Lift Station to serve the Lake Pinehurst area. This Lift Station will replace the existing Lift Station 13-2. The proposed development will occur on property identified as Moore County LRK # 51628. This facility is addressed as 825 Diamondhead Dr and located within the Lake Point Cottages Development. The property is currently zoned R-MF (multi-family residential). The property is owned by Lake Point Cottages. Moore County is the applicant.

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

Document: (Copy of Moore County's Application for Special Use for Sewer Lift Station 13-2 at 825 Diamondhead Drive is in the Minute File.)

9. **ADJOURN QUASI-JUDICIAL HEARING AND RE-ENTER SPECIAL MEETING.**

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

10. **MOTION TO AUTHORIZE MAYOR AND VILLAGE MANAGER TO NEGOTIATE AND EXECUTE A CONTRACT FOR PROFESSIONAL SERVICES.**

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Councilmember Fallon move to authorize the Mayor and the Village Manager to negotiate and execute a contract for professional services to appraise the value of the land and facilities at the former West Point Pepperell Mill in Wagram, North Carolina. Councilmember Dawson seconded the motion which was unanimously approved by a vote of (5-0).

11. **ORDINANCE #09-24: 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 (Governor's Crime Commission Community Oriented Response Team Grant).**

Upon the motion of Councilmember Thurman, seconded by Councilmember Tweed, Ordinance #09-24 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 #09-25: 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 (Wagram Facility Appraisal).**

Upon the motion of Councilmember Tweed, seconded by Councilmember Dawson, Ordinance #09-25 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 #09-26: 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 (Police Communications Equipment Insurance Claim).**

Upon the motion of Councilmember Tweed, seconded by Councilmember Fallon, Ordinance #09-26 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. **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- Quasi-Judicial Hearing #1.**

Councilmember Thurman moved to approve the major special use permit requested by Moore County to construct, install and operate a 500,000 gallon Elevated Water Storage Tank, a ground water well known as 3A and well house, and all related appurtenances as each of the standards of review set forth by the Pinehurst Development Ordinance has been met. 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.)

➤ **Deliberations Public Hearing #2:**

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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- Quasi-Judicial Hearing #2.**

Councilmember Dawson moved to approve the Major Special Use Permit for Moore County's requested replacement of lift station 10-1 located at 247 Lake Forest Drive SW., as each of the standards of review set forth by the Pinehurst Development Ordinance has been met. Councilmember Thurman 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 #3:**

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- Quasi-Judicial Hearing #3.**

Councilmember Fallon moved to approve the Major Special Use Permit for Moore County's requested replacement of lift station 10-2 located at 365 Burning Tree, as each of the standards of review set forth by the Pinehurst Development Ordinance has been met. 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.)

➤ **Deliberations Public Hearing #4:**

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- Quasi-Judicial Hearing #4.**

Councilmember Tweed moved to approve the Major Special Use Permit for Moore County's requested replacement of lift station 10-3 located at 5 Sugar Gum, as each of the standards of review set forth by the Pinehurst Development Ordinance has been met. 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 #5:**

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- Quasi-Judicial Hearing #5.**

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Councilmember Thurman moved to approve the Major Special Use Permit for Moore County's requested replacement of lift station 13-1 located at 1356 Burning Tree Road, as each of the standards of review set forth by the Pinehurst Development Ordinance has been met. 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.)

➤ **Deliberations Public Hearing #6:**

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- Quasi-Judicial Hearing #6.**

Councilmember Fallon moved to approve the Major Special Use Permit for Moore County's requested replacement of lift station 13-2 located at 825 Diamondhead Drive, as each of the standards of review set forth by the Pinehurst Development Ordinance has been met. Councilmember Dawson 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.)

**15. ADJOURNMENT.**

Councilmember Tweed moved to adjourn the Special Meeting. The motion was seconded by Councilmember Fallon and carried unanimously. The Special Meeting adjourned at 2:00 p.m.

Respectfully Submitted,

*Linda S. Brown*

Linda S. Brown, CMC  
Village Clerk