

PINEHURST
VILLAGE COUNCIL
WORK SESSION AGENDA

AUGUST 12, 2008

4:30 P.M.

CONFERENCE ROOM

VILLAGE HALL

PINEHURST, NORTH CAROLINA

*(Note: The Council will meet in closed session
With the Village Attorney beginning at 4:30 pm.
The open session will begin at 5:30 pm)*

1. Call to Order.
2. 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.
3. Motion to adjourn closed session and reconvene in Open Work Session at 5:30 pm.
4. Call to Order of work session (5:30 pm).
5. Reports –
 - Manager
 - Council
6. 2008 Community Development Block Grant First Public Hearing.
7. Meeting with Community Watch Vice-Chairman Dick Lemke.
8. Resolution #08-22: A Resolution Regarding NCLM Green Challenge.
9. Ordinance #08-21: An Ordinance Amending the Budget of the Village of Pinehurst (Re-appropriate 2007-2008 funds in FY 2008-2009).
10. Year-end Financial and Investment Report.
11. Ordinance #08-22: An Ordinance Amending the Municipal Code as it pertains to regulating traffic on certain roads in the Village of Pinehurst (Village Acres and Lake Hills Road speed limits).

12. Ordinance #08-23: An Ordinance Amending the Municipal Code as it pertains to regulating traffic on certain roads in the Village of Pinehurst (Three-way stop intersections in Clarendon Gardens).
13. Preview of Regular Meeting Agenda and Public Hearing items.
14. Other business.
15. Comments from attendees.
16. Adjournment.

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**395 MAGNOLIA ROAD
CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
4:30 P.M.**

The Pinehurst Village Council held a Work Session at 4:30 Tuesday, August 12, 2008 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 30 attendees, including 7 staff and 2 press.

1. Call to Order (4:30 p.m.).

Mayor George P. Lane called the meeting to order.

2. Motion to go into Closed Session.

Councilmember Dawson 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. The motion was seconded by Councilmember Fallon and carried unanimously.

GENERAL ACCOUNT

The Council, the Village Manager and the Village Attorney discussed litigation between Lydia Boesch, *et al*, v. Village of Pinehurst and regarding Pinewild Limited Partnership, *et al* v. Village of Pinehurst.

3. Motion to Adjourn the Closed Session and Reconvene in Open Session at 5:30 p.m.

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

4. Call to Order of Work Session (5:30 p.m.)

Mayor George P. Lane called the meeting to order and presented a Gold Star to Matina Dwyer, widow of Spc. Joseph Dwyer, former Pinehurst resident who served in the Iraq war. In an effort to show his appreciation for Spc. Dwyer's service, Mr. James E. Gaffney of Placentia, California mailed the star to Mayor Lane. The Pinehurst Police Department was recognized for their efforts in locating Mrs. Dwyer so that she could be present to accept this award. Spc. Dwyer died in June of an accidental overdose after a lengthy battle with Post Traumatic Stress Disorder.

Mayor Lane welcomed Pinehurst Boy Scout Troop 7 who attended the Work Session as part of their requirements for earning the citizenship merit badge.

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5. Reports:

– Manager

- **Hydrostructures Report.**

The Manager reported that Michael Koonce of Hydrostructures will meet with the Council at the August 26th Work Session to discuss the overhaul of the sewer system in Old Town. He will explain what will be taking place during the next year.

- **Jackson Hamlet Sewer Project.**

The Manager reported that the advertisement for construction bids has gone out for Phase I of the Jackson Hamlet Sewer Project. Council will receive a recommendation presented to them at the September 23rd Work Session.

– Council

- **Councilmember Thurman-**

-stated that she had received a request from a citizen that a fire hydrant be placed nearer to their home and asked what the process is to take care of this request. **Village Manager Andy Wilkison** Moore County Public Utilities installs fire hydrants according to a list that the Village provides. The citizen should call the Manager or the Fire Chief to provide the details of the requested installation.

-reported that she had received reports of speeding on roads and litter being tossed on lawns in # 6 subdivision. The litter is advertising literature and a rock in a plastic bag that is thrown from cars onto lawns. What is the course of action for correcting this situation? **Village Manager Andy Wilkison** replied that the citizens should phone the Pinehurst Police Department. They are authorized to handle both offenses.

- **Mayor Pro-Tem Tweed-**

-reported that she had attended a meeting concerning BRAC, the realignment of Fort Bragg and the accompanying influx of new families into Moore County. It was reported at this meeting that Fort Bragg will become one of the most important military installations in the world bringing approximately 4,600 new people to Moore County. These new people will need housing, schools and health care. Housing does not appear to be a problem, and FirstHealth Moore Regional Hospital seems to be in good shape. Increased enrollment in the elementary schools seems to be the major problem. Moore County has requested assistance with infrastructure needs- water, sewer, roads- as well as assistance for the schools.

-noted that the first wedding had been held at the Arboretum on July 26, 2008. The great grandson of Rassie Wicker was married there, and we hope to have many more weddings will be held there.

-reported that a citizen had contacted her to explain a difficulty with adhering to the new golf cart ordinance. His cart has a textured bumper, and he is unable to affix the required sticker to the bumper. We need to re-examine the ordinance to address this problem.

-reported that she had attended the memorial service for Sherwood Lapping on Sunday. The service was very moving, and the church was packed. He will be missed in Moore County.

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6. Motion to Recess the Work Session and Enter Into a Public Hearing Regarding the 2008 Community Development Block Grant.

Councilmember Tweed moved to recess the Work Session and enter into a Public Hearing regarding the 2008 Community Development Block Grant. The motion was seconded by Councilmember Fallon and carried unanimously.

7. Public Hearing Regarding the 2008 Community Development Block Grant.

Comments:

Steve Austin, Community Development Administrator, introduced the Public Hearing by highlighting points from his August 5, 2008 memo to the Council. (Copy of the memo to the Council from Steve Austin, dated August 5, 2008 is in the Minute File.)

Doug Middaugh, Pinehurst resident, asked if this money could be used for housing in the Jackson Hamlet area. Answer- yes.

Councilmember Thurman asked if this is something we have been doing over the years. Answer- The Village replaced water lines in Jackson Hamlet some years ago; now we want to take care of the sewer lines. This is the right thing to do, and no other governmental entity has stepped up to help this community.

Carol Henry, Jackson Hamlet resident, stated that she had received the information about the money available for this year and wondered if there would be funding available for Phase III of this project. Answer- Village Manager Andy Wilkison would discuss this with her later. Ms. Henry thanked the Council for their help thus far in getting community improvements started.

Ernestine Tyson, Jackson Hamlet resident, thanked the Council for their efforts on behalf of the residents of Jackson Hamlet. She stated that there are good families in Jackson Hamlet who want to be able to tap onto a sewer system and get rid of their septic tanks.

An unidentified Jackson Hamlet resident expressed his concern about the possibility of water contamination by the septic tanks.

Councilmember Fallon asked about the time line for the sewer project. Answer- Phase I dirt will be turned soon. We will be notified in March 2009 regarding funding for Phase II. The whole process usually takes about 2 1/2 years.

Mark Bethea, Jackson Hamlet resident, noted that the septic systems in the Jackson Hamlet area are failing.

Tom Campbell, Pinehurst resident, asked the amount of money involved in Phase I. Answer- with the matching funds, \$850,000.00.

Mayor Lane asked if the project could be funded for the area that is across the road and across the railroad tracks. Answer- Local governments can apply for only one project at a time, but another governmental unit (such as Moore County) could apply.

8. Motion to Adjourn the Public Hearing and Re-Enter the Work Session.

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There being no further discussion, Councilmember Fallon moved to recess the Public Hearing and re-enter the Work Session. The motion was seconded by Councilmember Thurman and carried unanimously.

9. Meeting with Community Watch Vice-Chairman Dick Lemke.

Council met with Pinehurst Community Watch Vice-Chairmen Dick Lemke and Mr. Mike Pellish, a potential appointee to the Pinehurst Community Watch Board. Council interviewed Mr. Pellish.

After the candidate had been dismissed, Councilmember Thurman moved to appoint Mr. Dick Lemke as Chairman of the Pinehurst Community Watch, to fill the unexpired term of Mr. William J. Hiser, and to appoint Mr. Mike Pellish as Vice-Chairman to fill the unexpired term of Mr. Dick Lemke. The motion was seconded by Councilmember Tweed and passed unanimously by a vote of 5-0.

10. Resolution #08-22: A Resolution Adopting a Sustainability Plan for the Village of Pinehurst to Coordinate Efforts Inter-Departmentally That Overall Reduce Carbon and Protect Our Natural Environment.

The Manager explained the need for Resolution #08-22. Upon the motion of Councilmember Fallon, seconded by Councilmember Tweed, Resolution # 08-22 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

11. Ordinance #08-21: An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinehurst Regarding Revenues and Expenditures of the General Fund (Re-Appropriate FY 2007-2008 Funds In FY 2008-2009).

Assistant Manager of Administration and Finance Natalie Dean and Director of Financial Services John Frye explained the need for the Ordinance #08-21. Upon the motion of Councilmember Fallon, seconded by Councilmember Tweed, Ordinance #08-21 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. Year-End Financial and Investment Report.

Assistant Manager of Finance and Administration Natalie Dean and Director of Financial Services John Frye presented the Year-End Financial Report for the Year ended June 30, 2008 and the Quarterly Investment Report for the same period. (Copies of these reports and a memo from Ms. Dean dated August 8, 2008 and titled "Financial Statements for the Year Ended June 30, 2008" are in the Minute File.)

13. Ordinance #08-22: An Ordinance Amending Chapter 7, Schedule X of the Pinehurst Municipal Code As It Pertains to Regulating Traffic On Certain Roads Within the Village of Pinehurst, North Carolina. (Speed Limits In Village Acres & On Lake Hills Road)

The Manager explained the need for the Ordinance #08-22. Upon the motion of Councilmember Fallon, seconded by Councilmember Thurman, Ordinance #08-22 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

14. Ordinance #08-23: An Ordinance Amending Chapter 7, Schedule VIII of the Pinehurst Municipal Code As It Pertains to Regulating Traffic On Certain Roads Within the Village of Pinehurst, North Carolina. (Quail Run Stop Signs)

The Manager explained the need for Ordinance #08-23 and explained that the Clarendon Gardens Homeowners' Association provided some incorrect information that resulted in a mistake in the wording of the ordinance. The paragraph should read, "STOP signs shall be installed on Quail Run at

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its intersection with the northern end of Wild Turkey Run, in both directions, establishing a 3-way stop at this intersection.” Councilmember Fallon moved to adopt the corrected ordinance. The motion was seconded by Councilmember Tweed; Ordinance #08-23 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

15. Preview of Regular Meeting Agenda.

The Council previewed the Regular Meeting Agenda for August 26, 2008 and made no changes.

16. Other Business.

➤ **NewCore Plan Updates and Subsequent Text Amendments.**

The Council discussed with Director of Planning and Inspections Andrea Correll the proposed changes to be made to the NewCore Plan to carry out the newly identified goals of the Council. In order to make these changes, Council must amend the NewCore Plan and adopt text amendments to the Pinehurst Development Ordinance to regulate the NewCore area in accordance with the newly adopted plan. (Copy of a memo from Director of Planning and Inspections Andrea Correll and Senior Planner Bruce Gould detailing the proposed changes to the NewCore Plan is in the Minute File.)

Mayor Lane stated that he feels the name of the area should be changed. He suggested a contest of some kind to select a name.

17. Comments from Attendees.

Tom Burton-

-encouraged Council to adopt a 25 mph speed limit for all streets in Pinehurst. **Mayor Lane** replied that Council had discussed this possibility before and had received many communications opposing the idea. He said this would be made a part of the Comprehensive Long Range Plan Review.

-urged changing garbage pick up to once a week and recycling to once every week. If staff has free time due to the change, reassign them to keeping up the right-of-ways and cul-d-sacs.


-asked Council to request that Moore County move in the direction that Broward County Florida has to convert garbage to energy and sell it to the local energy company.

-requested that Council to revisit the golf cart ordinance. He objected to requiring police officers to read minds to determine the intent of a trip in a golf cart. How can a police officer know if we are on our way to or from a golf course?

18. Adjournment.

Councilmember Tweed moved to adjourn the Work Session. The motion was seconded by Councilmember Thurman and carried unanimously. The meeting adjourned at 6:55 p.m.

Respectfully Submitted,


Linda S. Brown, CMC
Village Clerk