

PINEHURST
VILLAGE COUNCIL
WORK SESSION AGENDA
AUGUST 14, 2007
5:30 P.M.
CONFERENCE ROOM
VILLAGE HALL
PINEHURST, NORTH CAROLINA

1. Call to Order.
2. Reports –
 - Manager
 - Council
3. Discussion with Community Appearance Chairman Norm Brown concerning proposed Xeriscape garden.
4. Consideration of Agreements (Master Services Agreement and Task Order #1) for Engineering Services, Jackson Hamlet Sewer Extension.
5. Consideration of Phase 1 of design agreement for Cannon Park Recreational Center.
6. Resolution #07-30: A Resolution of Intent to annex non-contiguous property owned by the Village of Pinehurst.
7. Quarterly financial report.
8. Preview of Regular Meeting Agenda and Public Hearing items.
9. Other business.
10. Comments from attendees.
11. Closed session pursuant to NCGS 143.318.11 (a) (3); to consult with an attorney retained by the Village in order to preserve the attorney-client privilege, and to instruct the attorney regarding litigation between the Village of Pinehurst and Lakeview Condominium Association.
12. Adjournment.

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**395 MAGNOLIA ROAD
CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
5:30 P.M.**

The Pinehurst Village Council held a Work Session at 5:30 p.m., Tuesday, August 14, 2007 in the Conference Room 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 20 attendees, including 6 staff and 1 press.

1. Call to Order.

Mayor Steven J. Smith called the meeting to order.

2. Reports:

- Manager

- Water Usage.

The Manager reported that the rate of water usage is still a concern. Pinehurst is under a stage II moderate mandatory water restriction imposed by Moore County Public Utilities. Moore County sends a daily water consumption report to our Planning Department which we post on our website. Yesterday's consumption was 3.8 million gallons, and Moore County Public Utilities was in the 19 hour pumping range. Speculation is that residents do not understand the seriousness of the drought conditions. Pinehurst has offered usage of our Code Red system to get information out to residents.

Council asked if police were able to cite offenders. Answer- no, we can only make them aware of their offense. It is not clear if Moore County, the owner of the water system, can cite offenders. Village staff has done all they can do to inform the public of the restrictions.

- 2007 NCLM Annual Conference.

The Manager reminded Council that the North Carolina League of Municipalities Annual Conference will be held at the Crown Expo Center in Fayetteville on October 14-16, 2007. He asked Councilmembers who are interested in attending to notify him.

- Council

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- **Councilmember Tweed** asked if there are plans for a dedication ceremony for the new flag flying in the Village. Answer- no, the donor did not want any ceremony. Information about the donation has been given to The Pilot and the Sandhills Pulse.
- **Mayor Pro-Tem Hillier** noted that he has just returned from visiting six European countries. He saw and drove on roundabouts of all sizes and shapes, and they all work very well, even for trucks and busses.

3. Discussion with Community Appearance Commission Chairman Norm Brown concerning proposed Xeriscape Garden.

Council discussed the proposed xeriscape garden project with Community Appearance Commission Chairman Norm Brown and Chuck Butters, a member of the commission. (Copy of informational materials concerning the xeriscape garden project is in the Minute File.)

Councilmember Lapins moved to approve the Village moving forward with the concept of the xeriscaping garden and authorized staff and members of the Commission to plan for and advertise for bids for construction of the garden. Councilmember Tweed seconded the motion which carried unanimously by a vote of 5-0.

4. Consideration of Agreements (Master Services Agreement and Task Order #1) for Engineering Services, Jackson Hamlet Sewer Extension.

The Council discussed the Master Services Agreement and Task Order #1 with Village Engineer Jay Gibson and Mike Apke, the local representative for McGill Associates, P.A..

Councilmember Fallon moved that Village staff be authorized to enter into a Master Services Agreement with McGill Associates, P.A., for professional engineering services, and to execute Task Order #1, specifically for consulting engineering services associated with Phase I of the Jackson Hamlet CDBG Wastewater Collection System Improvements. Councilmember Hillier seconded the motion which was unanimously approved by a vote of 5-0. (Copy of the Master Services agreement and Task Order #1 is in the Minute File.)

Community Development Block Grant Administrator Steve Austin applauded the choice of McGill Associates noting that the company is very experienced, and we are happy to be working with them. Mr. Austin announced a meeting at the Jackson Hamlet Community Center on September 6, 2007 to update citizens on the progress of the project.

5. Consideration of Phase I of design agreement for Cannon Park Recreation Center.

Council discussed the design agreement for the Cannon Park Recreation Center with Director of Parks and Recreation Mark Wagner.

Councilmember Hillier moved that the Mayor and Village staff be authorized to execute an Agreement with Oakley Collier Architects, P.A., for Phase I drawings and cost estimates only associated with the proposed Recreation Center for Cannon Park. The approved work is for the drawings and cost estimates only, and approval of subsequent design services shall be made only at the sole discretion of the Village Council. Councilmember Fallon seconded the motion which was approved by a vote of 4-1 with Councilmember Lapins dissenting. (Copy of the proposed Agreement with Oakley Collier Architects, P.A. is in the Minute File.)

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6. Resolution #07-30: A Resolution Stating the Intent of the Village of Pinhurst to Annex Property Owned by the Village of Pinhurst Which Is Not Contiguous to the Existing Municipal Boundaries (Public Services Land).

The Manager explained the need for Resolution #07-30. Upon the motion of Councilmember Fallon, seconded by Councilmember Tweed, Resolution # 07-30 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

7. Quarterly Financial Report.

Assistant Manager of Finance and Administration Natalie Dean presented the Financial Statements for the twelve months ended June 30, 2007 and the Quarterly Investment Report for the quarter ended June 30, 2007. (Copy of these reports and a memo from Ms. Dean dated August 14, 2007 and titled "Financial Statements for the Year Ended June 30, 2007 - un-audited" is in the Minute File.)

Ms. Dean also explained to the Council a new auditing standard that will be applicable to the Village for the fiscal year ending June 30, 2008. (Copy of a memo from Ms. Dean dated August 9, 2007 and titled "New Auditing Standard" is in the Minute File.)

8. Preview of Regular Meeting Agenda.

The Council previewed the Regular Meeting Agenda and Public Hearing items for August 28, 2007 and made no changes.

9. Other Business.

➤ **Informal Meeting with Developers.**

Councilmember Lapins read a prepared statement expressing his opinion that informal meetings by pairs of Councilmembers with developers concerning possible projects to be undertaken in the Village of Pinhurst are inappropriate and should be discontinued. He stated that the meetings are legal and are not unethical, but having these meetings creates the wrong perception of how we are conducting our business. (Copy of the statement prepared by Councilmember Lapins dated August 14, 2007 and titled "NewCore Statement" is in the Minute File.)

In the discussion which followed, Councilmembers expressed their disagreement with the position taken by Councilmember Lapins noting that such informal discussions are a method to give informal guidance to mitigate the expenses of detailed architectural drawings which may or may not be approved by the Council as a whole when a project is formally presented.

➤ **License Agreement with Pinhurst, LLC for the U.S. Amateur Golf Championship.**

The Manager announced that the Village has entered into a license agreement with Pinhurst, LLC for use of several Village properties for parking for the 2008 U.S. Amateur Golf Championship. This agreement is similar to other contracts for use of facilities at the Harness Track. There are no horse shows or other events scheduled for August 2008, so the agreement will not negatively impact the Village.

10. Comments from Attendees.

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Tom Campbell reported on the progress of the greenway extension out Linden Road. A water line will be run from Donald Ross Drive to Linden Clos. The greenway construction will not continue until that line is run.

Mr. Campbell reported that permission has finally been received from the railroad for the greenway to cross the railroad tracks. Another problem is being addressed- use of motorized vehicles on the greenway paths. A large number of residents drive their golf carts on the Linden Road section of the greenway. Police officers will patrol this section of the trail more closely and may issue citations.

Doug Middaugh suggested that consideration be given to holding one of the two planned informational meetings concerning the recreation center at night for the benefit of families who are not available during usual working hours.

11. Closed Session.

Councilmember Lapins moved to recess the Work Session and enter a Closed Session pursuant to NCGS 143-318.11 (a) (3): To consult with an attorney retained by the Village in order to protect the attorney-client privilege, and to instruct the attorney regarding litigation between the Village of Pinehurst and Lakeview Condominium Association. The motion was seconded by Councilmember Tweed and carried unanimously.

GENERAL ACCOUNT

The Council, the Village Manager, and Assistant Village Manager Jeff Batton discussed the status of the litigation between Lakeview Condominium Association and the Village of Pinehurst.

Upon the conclusion of the Closed Session, Councilmember Hillier moved to adjourn the Closed Session and re-enter the Work Session. The motion was seconded by Councilmember Tweed and carried unanimously.

11. Adjournment.

Councilmember Hillier moved to adjourn the Work Session. The motion was seconded by Councilmember Tweed and carried unanimously. The meeting adjourned at 8:20 p.m.

Respectfully Submitted,



Linda S. Brown, CMC
Village Clerk