

PINEHURST  
VILLAGE COUNCIL  
WORK SESSION AGENDA  
SEPTEMBER 25, 2007  
9:00 A.M.  
CONFERENCE ROOM  
VILLAGE HALL  
PINEHURST, NORTH CAROLINA

1. Call to Order.
2. Reports –
  - Manager
  - Council
3. Resolution #07-33: A Resolution Establishing the Date for the Organizational Meeting of the Village Council Pursuant to the Election Held November 6, 2007.
4. Resolution #07-34: A Resolution Honoring the Service of Mrs. Betty S. Hurst to the Village of Pinehurst Community Appearance Commission.
5. Preview of Regular Meeting Agenda and Public Hearing items.
6. Other business.
7. Comments from attendees.
8. Closed session pursuant to NCGS 143.318.11 (a) (5); to instruct the Village's staff concerning the position to be taken on behalf of the Village in negotiating the price and other material terms of a proposed contract for the acquisition of real property; and NCGS 143.318.11 (a) (3); to consult with an attorney retained by the Village in order to preserve the attorney-client privilege.
9. Recess until immediately after the 1:00 pm Regular Meeting of the Village Council.
10. Discussion with staff concerning comments heard during the public hearing portion of the Regular Meeting.
11. Adjournment.

**VILLAGE OF PINEHURST  
VILLAGE COUNCIL  
WORK SESSION  
September 25, 2007**

**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, September 25, 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  
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 12 attendees, including 1 staff and 2 press.

Excused Absence- Mr. George E. Hillier, Mayor Pro-Tem

**1. Call to Order.**

Mayor Steven J. Smith called the meeting to order.

**2. Reports:**

**- Manager**

**- County Officials and Staff Meeting with Council.**

The Manager reported that Chairman of the Moore County Commissioners Colin W. McKenzie, Vice Chairman of the Moore County Commissioners Larry R. Caddell and Director of Moore County Public Utilities Dennis Brobst will attend the October 9, 2007 Pinehurst Village Council Work Session to discuss the long-term water needs for southern Moore County.

**- Water Usage Update.**

The Manager reported that water usage in Pinehurst has been good for the last eight days; the number of gallons used is below the target. Pump usage time has also decreased.

**- Land Transfer Tax Committee.**

The Manager reported that the Land Transfer Fee Committee, a subcommittee of the Moore County Summit, will meet in the Assembly Hall of Pinehurst Village Hall tomorrow from 8:30 am to 10:30 am. Discussion will include ways to get the message out regarding the ballot question. All elected officials are invited.

**- Council**

- **Councilmember Tweed** noted having received a letter from Ms. Belch regarding the 25 mph speed limit on Lake Hills Road. The Village has had the speed monitoring trailer in

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place. Ms. Tweed noted that the Village should keep an eye on this and suggested a greater police presence on the road and moving the speed monitoring trailer toward the mid point of the road length.

**3. Resolution #07-33: A Resolution Establishing the Date for the Organizational Meeting of the Village Council Pursuant to the Election Held November 6, 2007.**

The Manager explained the need for Resolution #07-33. Upon the motion of Councilmember Tweed, seconded by Councilmember Fallon, Resolution # 07-33 was unanimously approved by a vote of 4-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

**4. Resolution #07-34: A Resolution Honoring the Service of Mrs. Betty Hurst to the Village of Pinehurst Community Appearance Commission.**

The Manager explained the need for Resolution #07-34. Upon the motion of Councilmember Lapins, seconded by Councilmember Fallon, Resolution # 07-34 was unanimously approved by a vote of 4-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

**5. Preview of Regular Meeting Agenda and Public Hearing Items.**

The Council previewed the Regular Meeting Agenda and Public Hearing items for September 25, 2007 and made no changes.

**6. Other Business.**

There was none.

**7. Comments from Attendees.**

**Dick Bisbe** read a prepared statement noting that letters and responses to letters in the Pilot have resulted in a mix of fact and opinion concerning the roundabout. Some expressed opinions run far afield from a cost effective workable traffic plan, a tunnel being the best example. Mr. Bisbe asked if the Village could use the media to get correct information out to citizens.

**Village Manager Andy Wilkison** replied that there is not a plan to do that at this point. If we were to do something, the Pilot would be the fastest method, the newsletter the slowest.

**Mayor Smith** stated that the roundabout is a campaign issue, and the Village does not have a responsibility to use Village funds to address a campaign issue. He also emphatically stated that he does not want the public comment portion of Village Council meetings to become a forum for campaign issues.

**Gus DeMarco** asked to have the correct information concerning the cancelled Board of Adjustment meeting.

**Mayor Smith** replied that the Board of Adjustment meets on the 3<sup>rd</sup> Thursday of every month, and that the meetings must be noticed in the newspaper. If someone wants to be on the agenda, he must submit an application at least four weeks prior to the scheduled meeting date. This allows time for staff to meet legal requirements for advertising. The application from the Concerned Citizens was not received in time to be scheduled on the September Board of Adjustment's agenda; it will appear on the October agenda. The scheduled September meeting had no agenda items and thus was cancelled. Council has nothing to do with cancelling advisory board meetings.

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**Tom Campbell** brought to Council's attention two points that were made at the Planning and Zoning Board meeting when the Lundberg rezoning application was being discussed: 1) the Lundbergs have been paying residential taxes on the property all the years that they have owned it, and 2) the property is down from the dam and has very limited line of sight, especially nearer the dam, which would impact location of driveways.

**Doug Middaugh-**

-asked about the purchase of property that was discussed at the Closed Session on September 11, 2007. What is the planned use for the property? Answer- Village uses.

-asked if the police cannot patrol to identify repeat violators of the water restrictions. Answer- It is the duty of the Moore County Director of Public Utilities to investigate violations of the water restrictions. The Village Code Enforcement Officer often meets with citizens, but she can only "suggest" since she has no authority in the enforcement.

**Tom Campbell** quoted Moore County Director of Public Utilities Dennis Brobst, "we have no authority over private wells." Many of the violators we see are citizens who have private irrigation wells. We can only appeal to them that they are competing for the water in the aquifer used for drinking.

**Gus DeMarco** noted that the present Village administration has developed a good relationship with the resort, and wondered if that good relationship would continue if some of the folks who are running for office get elected.

**Mayor Smith** thanked Mr. DeMarco for the compliment to the Council and repeated that this is not the forum for political discourse.

**Doug Middaugh**, addressing the Board of Adjustment meeting cancellation, stated that the group making the application was aware of the state statutes.

**8. Closed Session.**

Councilmember Fallon moved to recess the Work Session and enter a Closed Session pursuant to NCGS 143-318.11 (a) (5): To instruct the Village's staff concerning the position to be taken on behalf of the Village in negotiating the price and other material terms of a proposed contract for the acquisition of real property; and NCGS 143-318.11 (a) (3): To consult with an attorney retained by the Village in order to protect the attorney-client privilege. The motion was seconded by Councilmember Tweed and carried unanimously.

**GENERAL ACCOUNT**

The Council, the Village Manager and the Village Attorney discussed the status of the litigation between Quality Built Homes and the Moore County Homebuilders Association and the Village of Pinehurst. The Council also gave direction to the Village Manager regarding the potential acquisition of certain real property for public, village use.

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

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**9. Recess until immediately after the 1:00 pm Regular Meeting of the Village Council.**

Mayor Smith called the Work Session back to order.

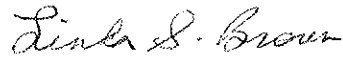
**10. Discussion with staff concerning comments received during public hearings held during the Regular Meeting.**

Council discussed the comments expressed at the just completed Public Hearing with Director of Planning and Inspections Andrea Correll and Senior Planner Bruce Gould.

**11. Adjournment.**

Councilmember Fallon moved to adjourn the Work Session. The motion was seconded by Councilmember Tweed and carried unanimously. The meeting adjourned at 1:50 p.m.

Respectfully Submitted,

  
Linda S. Brown, CMC  
Village Clerk