

PINEHURST
VILLAGE COUNCIL
WORK SESSION AGENDA
OCTOBER 9, 2007
5:30 P.M.
CONFERENCE ROOM
VILLAGE HALL
PINEHURST, NORTH CAROLINA

1. Call to Order.
2. Reports –
 - Manager
 - Council
3. Discussion with Chairman of County Commissioners concerning long-term water needs for Pinehurst area.
4. Ordinance #07-35: An Ordinance Amending the budget of the Village of Pinehurst.
(Eliminate Transfer of Excess Fund Balance)
5. Ordinance #07-36: An Ordinance Amending the budget of the Village of Pinehurst.
(Reclassify salaries of Summer Day Camp Counselors)
6. Ordinance #07-37: An Ordinance Amending the budget of the Village of Pinehurst.
(Vehicle repairs)
7. Ordinance #07-38: An Ordinance Amending the budget of the Village of Pinehurst.
(Reclassify video programming sales tax)
8. Motion authorizing the Mayor to execute a contract for the services of a Village Attorney.
9. Preview of Regular Meeting Agenda and Public Hearing items.
10. Other business.
11. Comments from attendees.

12. 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.

13. 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, October 9, 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
Ms. Lorraine A. Tweed, Councilmember
Mr. Andrew M. Wilkison, Village Manager
Ms. Linda S. Brown, Village Clerk
And approximately 20 attendees, including 4 staff and 2 press.

Excused tardy- Mr. Douglas A. Lapins, Councilmember- arrived at 5:55 pm as agenda item # 3 was being completed and was present for all votes.

1. Call to Order.

Mayor Steven J. Smith called the meeting to order.

2. Reports:

- Manager

- Water Consumption

The Manager reported that Pinehurst water consumption levels have been below the goal for the past five days.

- Piggyback Bid on Regular Meeting Agenda.

The Manager reported that Director of Financial Services John Frye has completed the process of "piggybacking" a bid for a new automated solid waste vehicle with a bid from the City of Virginia Beach, Virginia. By using this process, the Village could affect a savings of nearly \$12,000. Information will be provided to Council for action at the October 23, 2007 Regular Meeting.

- Major Subdivision.

The Manager reported that information concerning a major subdivision in the Country Club of North Carolina could be coming to Council as early as their next meeting.

- Council

- Mayor Pro-Tem Hillier

-expressed thanks for the erecting of directional signs at the roundabout on Diamondhead. Drivers seem to be traveling around it in the proper direction now.

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-noted a sharp increase in sign ordinance violations, especially by realtors. He suggested complete enforcement of violators, including assessment of fines. Village Manger Andy Wilkison added that the sharp increase is perhaps due to more stringent enforcement rather than an increase in number of violations.

- **Councilmember Tweed**

-asked if the roundabout on NC 2 and the lane improvements on NC 5 are together as one project or are they two separate projects. Answer- yes, they are one project. We don't get one with out the other.

-praised Code Enforcement Officer Angel Smith's notification to propane dealers that customers need a permit. This will head off dealers failing to notify the homeowner that a permit is needed.

-requested that the next newsletter include an article concerning litter and pet droppings on public property and private property around ponds 1 and 2. Answer- yes, we can include one in the December newsletter.

3. Discussion with Chairman of County Commissioners concerning long-term water needs of Pinehurst area.

Chairman of the Moore County Commissioners Colin McKenzie, Vice-Chairmen of the Moore County Commissioners Larry Caddell and Director of Moore County Public Utilities Dennis Brobst discussed with Council the long-term water needs of the Pinehurst area.

As of October 2, 2007 Moore County was listed by the North Carolina Drought Management Advisory Council as being in the highest level of drought- D4 Exceptional. We are very dependent on wells and must have them recharged from rain, which is not happening.

We are not limited in our ability to pump water from the aquifer, but the water level in the aquifer is dropping in feet, not inches. We implemented the stage 3 severe mandatory water restrictions to prevent this drop from continuing.

The answer is to make connections to buy water from outside Moore County. We have begun projects to connect to and purchase water from Harnett County, but these projects may not be completed until September 2008. A project to connect to and purchase water from Montgomery County has been discussed, but it has not yet been approved or funded.

Changes in state regulations have made it much more difficult to effect an inter-basin transfer of water, and Moore County lies within three river basins: Deep River, Cape Fear River and the Lumber River. It is a numbers game to stay within the new guidelines.

Preliminary plans are being made to conduct a meeting before the end of the year of all affected municipalities to hear the results of the Water Source Study. Working cooperatively is the plan.

Council requested that Moore County officials send a letter to Pinehurst stating support for enactment of a moratorium on the issuance of irrigation well development permits within the Pinehurst zoning jurisdiction. Council charged Village Manager Andy Wilkison to set a Public Hearing on this moratorium for the October 23, 2007 Regular Meeting and to investigate the possibility of enacting a building moratorium due to the water situation.

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4. **Ordinance #07-35: An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinhurst Regarding Revenues and Expenditures of the General Fund and Capital Reserve Fund for the Village of Pinhurst, North Carolina. (Eliminate transfer of excess fund balance)**

Assistant Manager of Finance and Administration Natalie Dean explained the need for the Ordinance #07-35. Upon the motion of Councilmember Hillier, seconded by Councilmember Tweed, Ordinance #07-35 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. **Ordinance #07-36: An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinhurst Regarding Revenues and Expenditures of the General Fund for the Village of Pinhurst, North Carolina (reclassify recreation salaries).**

Assistant Manager of Finance and Administration Natalie Dean explained the need for the Ordinance #07-36. Upon the motion of Councilmember Lapins, seconded by Councilmember Tweed, Ordinance #07-36 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

6. **Ordinance #07-37: An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinhurst Regarding Revenues and Expenditures of the General Fund for the Village of Pinhurst, North Carolina (vehicle repairs).**

Assistant Manager of Finance and Administration Natalie Dean explained the need for the Ordinance #07-37. Upon the motion of Councilmember Fallon, seconded by Councilmember Tweed, Ordinance #07-37 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

7. **Ordinance #07-38: An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinhurst Regarding Revenues and Expenditures of the General Fund for the Village of Pinhurst, North Carolina (reclassify video programming sales tax).**

Assistant Manager of Finance and Administration Natalie Dean explained the need for the Ordinance #07-38. Upon the motion of Councilmember Tweed, seconded by Councilmember Fallon, Ordinance #07-38 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

8. **Motion authorizing the Mayor to execute a contract for the services of a Village Attorney.**

Councilmember Lapins moved that the Council authorize the Mayor to execute an Agreement for Legal Services with Michael J. Newman of Van Camp, Meacham and Newman, PLLC for the period July 1, 2007 to June 30, 2008. Councilmember Fallon seconded the motion which was unanimously approved by a vote of 5-0. (Copy of the Agreement for Legal Services is in the Minute File.)

9. **Preview of Regular Meeting Agenda.**

The Council previewed the Regular Meeting Agenda for October 23, 2007 and added another Public Hearing concerning a moratorium on new irrigation wells and consideration of a contract to purchase a new sanitation vehicle.

10. **Other Business.**

There was none.

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11. Comments from Attendees.

Tom Campbell expressed thanks to the Council for their support of the Greenway construction project. He reported that construction of the water line out Donald Ross Drive to the Linden Clos subdivision has been delayed. Construction of the Greenway has begun again out Donald Ross Drive. The Linden Clos developer will be required to repair or pay for repair of any damage to the Greenway done when the water line is eventually run.

Doug Middaugh-

-reported that the next Police Report will show a spike in disappearance of political signs as each disappearance at a specific location requires a separate report.

-noted a good crowd at the xeriscape garden meeting recently and asked if the Pinehurst Development Ordinance could reference xeriscape plants or at least reference Appendix A. Answer- the Village is currently involved in litigation concerning landscaping requirements. There will be no changes to any wording or requirements until the case is settled.

-pointed out that the Moore County website has the scrolling feature that Mayor Smith had asked about on local television and suggested that the feature be investigated for the new edition of the Village website currently in development.

An unidentified citizen stated that she favors a moratorium on irrigation wells and also on new construction. **Mayor Smith** explained that a Public Hearing will be on the agenda for October 23, 2007 to receive citizen input concerning a moratorium on new irrigation wells, and the Manager is investigating the possibility of a moratorium on new construction. He warned that there are specific laws regarding moratoriums. There must be a specific reason stated and a specific time period given, and if circumstances change, the moratorium must be lifted. The building moratorium for the NewCore area was extended quite a few times, but there was no opposition to the extensions. That certainly would not be the case for a moratorium on new construction in the entire Village.

12. Closed Session.

Councilmember Lapins 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. The motion was seconded by Councilmember Hillier and carried unanimously.

GENERAL ACCOUNT

The Council and the Village Manager discussed the potential purchase of real property by the Village of Pinehurst, which if acquired will be used for a public purpose.

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.

11. Adjournment.

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Councilmember Lapins moved to adjourn the Work Session. The motion was seconded by Councilmember Tweed and carried unanimously. The meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Linda S. Brown

Linda S. Brown, CMC
Village Clerk