

**PINEHURST VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF NOVEMBER 17, 2009
395 MAGNOLIA ROAD
ASSEMBLY HALL
PINEHURST, NORTH CAROLINA
1:00 P.M.**

1. Call to Order.
2. Invocation and Pledge of Allegiance.
3. Presentations.
4. Approval of Consent Agenda.

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

- A. Approval of Draft Minutes:
Work Sessions of October 13 and 28, 2009
Special Meetings of October 13 and 22, 2009
Special Joint Meeting of October 13, 2009
Regular Meeting of October 28, 2009
Closed Sessions of October 13 and 28, 2009
- B. Public Safety Reports:
Police Department
Fire Department
- C. Scheduling of Regular Meeting for Tuesday, December 15, 2009 at 1:00 p.m.

End of Consent Agenda.

5. Budget Amendments Report to Council.
6. Recess Regular Meeting and Enter Into a Public Hearing.
7. **Public Hearing #1:** Request for Major Site Plan Approval in order to construct a Hospitality House at 20 First Village Drive. This property is in the HD (Hospital District) Zoning District, further identified by Moore County Tax Reference as LRK # 23475. This portion of the hospital campus is currently vacant and will consist of 3.78 acres of land.
8. **Public Hearing #2:** Request to amend the Village of Pinehurst Official Zoning Map to include LRK #'s 35897, 31863, and 32232 in its Extraterritorial Jurisdiction (ETJ) as part of an ETJ Land Swap with the Town of Southern Pines. These properties are zoned R-30 (single family residential) and located along Midland Road. This ETJ Land Swap is also proposed to remove from the Pinehurst ETJ LRK # 36902 which is located along Airport Road.
9. Adjourn Public Hearing and Re-enter Regular Meeting.

10. Memo- Director of Planning and Inspections Andrea Correll- dated October 28, 2009- Ordinance #09-39 Is Consistent With the 2003 Comprehensive Long-Range Plan.
11. Ordinance #09-39: An Ordinance Amending the Pinehurst Development Ordinance As It Pertains to Section 12.2 Pinehurst South Business Overlay District.
12. Memo- Director of Planning and Inspections Andrea Correll- dated October 28, 2009- Ordinance #09-40 Is Consistent With the 2003 Comprehensive Long-Range Plan.
13. Ordinance #09-40: An Ordinance Amending the Pinehurst Zoning Map As It Pertains to the Adoption of a Pinehurst South Business Overlay District in the Village of Pinehurst, North Carolina.
14. Memo- Director of Planning and Inspections Andrea Correll- dated October 28, 2009- Ordinance #09-41 Is Consistent With the 2003 Comprehensive Long-Range Plan.
15. Ordinance #09-41: An Ordinance Amending the Pinehurst Development Ordinance As It Pertains to Section 10.2.4.4 (a) Landscape Screens.
16. Memo- Director of Planning and Inspections Andrea Correll- dated October 28, 2009- Ordinance #09-42 Is Consistent With the 2003 Comprehensive Long-Range Plan.
17. Ordinance #09-42: An Ordinance Amending the Pinehurst Development Ordinance As It Pertains to Sections 2.2; 10.2.5.3 (h) and (m); 10.2.5.9; and 10.2.5.9 (k) Regarding Business Signs.
18. Motion to Accept the Certified Abstract of Votes Cast In the Municipal Election Held On November 3, 2009.
19. Comments from Attendees.
20. Invocation- Rev. Dr. Larry Ellis, D. MIN. Associate Minister, Village Chapel.
21. Swearing-In of New Village Councilmembers- The Honorable Jayrene R. Maness, District Court Judge for District 19-B.
22. Organizational Meeting of New Village Council.
23. Other business.
24. Adjournment.

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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 Regular Meeting on Tuesday, November 17, 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. Andrew M. Wilkison, Village Manager
Ms. Linda S. Brown, Village Clerk
And approximately 50 persons in the audience.

1. CALL TO ORDER.

Mayor George P. Lane called the meeting to order.

2. PLEDGE OF ALLEGIANCE AND INVOCATION.

Village Manager Andy Wilkison led in an invocation followed by the Pledge of Allegiance to the American flag led by Mayor Lane.

3. PRESENTATION.

Mayor Pro-Tem Tweed presented a Resolution and a paperweight bearing the emblem of the Pinehurst Centennial to Mr. Robert T. Hughes honoring his service as a member of the Planning and Zoning Board. (Copy of Resolution #09-25 is in the 2009 Resolution Book.)

4. APPROVAL OF CONSENT AGENDA.

All items listed below were considered routine or had been discussed at length in previous meetings and were enacted by one motion. No separate discussion was held except on request by a member of the Village Council.

A. Approval of Minutes of:

Work Sessions of October 13 and 28, 2009
Special Meetings of October 13 and 22, 2009
Special Joint Meeting of October 13, 2009
Regular Meeting of October 28, 2009
Closed Sessions of October 13 and 28, 2009

B. Public Safety Reports- Police and Fire Departments.

C. Scheduling of Regular Meeting for Tuesday, December 15,, 2009 at 1:00 p.m.

End of Consent Agenda.

Councilmember Fallon moved to approve all the items listed and considered routine on the Consent Agenda. The motion was seconded by Councilmember Tweed and the Consent Agenda was unanimously approved.

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5. BUDGET AMENDMENTS REPORT TO COUNCIL.

Council noted that there were no budget amendments processed for the period October 15, 2009-November 15, 2009, and thus there is no Budget Amendment Report.

6. RECESS REGULAR MEETING AND ENTER INTO A PUBLIC HEARING.

Councilmember Thurman moved to recess the Regular Meeting and enter into a Public Hearing on Planning and Zoning and Other Matters. The motion was seconded by Councilmember Fallon and carried unanimously.

7. PUBLIC HEARING #1: Request for Major Site Plan Approval in order to construct a Hospitality House at 20 First Village Drive. This property is in the HD (Hospital District) Zoning District, further identified by Moore County Tax Reference as LRK # 23475. This portion of the hospital campus is currently vacant and will consist of 3.78 acres of land.

Comments:

Director of Planning and Inspections Andrea Correll introduced the Public Hearing by reading portions of the staff report concerning this request. (Copy of the staff report is in the Minute File.)

Ms. Vivian Harrington of FirstHealth explained that a hospitality house is a home that helps and heals, similar to a Ronald McDonald House. This hospitality house is planned for use by families of patients at Moore Regional Hospital. It is not a bed and breakfast; families cook there and clean their own rooms. Moore Regional Hospital has patients coming from ten surrounding counties, and finding and paying for local accommodations for families is sometimes very difficult to impossible. This hospitality house will fill that need.

Mr. Perry Harrison of The Hayter Firm explained that this project is part of First Village. He explained the plans for the building and surrounding grounds. There will be screenings behind the building plus a planned garden in that area will provide more separation and noise abatement.

Mark Reece of Rabun Architects of Atlanta showed drawings of the proposed building and explained that there will be 8 guest rooms plus 2 suites which can be separated for a maximum of 12 rooms. The building is L-shaped with a courtyard; there is a garden at the back of the lot. The building looks like a large house; it has living rooms and cooking areas downstairs with guest rooms on the second floor. He has met with the neighbors and has not received any negative responses.

Councilmember Fallon asked about the cost for guests. Ms. Harrington replied that the house is funded by donations. There will be a minimal charge to guests, perhaps \$25.00, but the cost will be determined by their ability to pay.

8. PUBLIC HEARING #2: Request to amend the Village of Pinehurst Official Zoning Map to include LRK #'s 35897, 31863, and 32232 in its Extraterritorial Jurisdiction (ETJ) as part of an ETJ Land Swap with the Town of Southern Pines. These properties are zoned R-30 (single family residential) and located along Midland Road. This ETJ Land Swap is also proposed to remove from the Pinehurst ETJ LRK # 36902 which is located along Airport Road.

Comments:

Director of Planning and Inspections Andrea Correll introduced the Public Hearing and entered into the record a statement that the proposed amendments to the Pinehurst Development Ordinance are

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consistent with the 2003 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated November 18, 2008 is in the Minute File.)

Phillip Hinsley voiced his objection to the annexation agreement because his property will be split in half. He thinks Pinehurst would want all four lots on Knoll Road.

9. ADJOURN PUBLIC HEARING AND RE-ENTER REGULAR MEETING.

There being no further discussion, Councilmember Dawson moved to adjourn the Public Hearing and re-enter the Regular Meeting. Councilmember Fallon seconded the motion and it carried unanimously.

10. MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL-DATED OCTOBER 28, 2009- ORDINANCE #09-39 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.

Councilmember Tweed moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll, and dated October 28, 2009 as the Council statement that draft Ordinance #09-39 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Dawson seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

11. ORDINANCE #09-39: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 12.2 PINEHURST SOUTH BUSINESS OVERLAY DISTRICT.

The Manager explained the need for the Ordinance #09-39. Upon the motion of Councilmember Dawson, seconded by Councilmember Tweed, Ordinance #09-39 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. MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL-DATED OCTOBER 28, 2009- ORDINANCE #09-40 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.

Councilmember Thurman moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll, and dated October 28, 2009 as the Council statement that draft Ordinance #09-40 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Tweed seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

13. ORDINANCE #09-40: AN ORDINANCE AMENDING THE PINEHURST ZONING MAP AS IT PERTAINS TO THE ADOPTION OF A PINEHURST SOUTH BUSINESS OVERLAY DISTRICT IN THE VILLAGE OF PINEHURST, NORTH CAROLINA.

The Manager explained the need for the Ordinance #09-40. Upon the motion of Councilmember Fallon, seconded by Councilmember Thurman, Ordinance #09-40 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. MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL-DATED OCTOBER 28, 2009- ORDINANCE #09-39 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.

Councilmember Tweed moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll, and dated October 28, 2009 as the Council statement that draft

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Ordinance #09-41 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Thurman seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

- 15. ORDINANCE #09-41: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.4.4 (A) LANDSCAPE SCREENS.**

The Manager explained the need for the Ordinance #09-41. Upon the motion of Councilmember Thurman, seconded by Councilmember Dawson, Ordinance #09-41 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

- 16. MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL- DATED OCTOBER 28, 2009- ORDINANCE #09-42 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Dawson moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll, and dated October 28, 2009 as the Council statement that draft Ordinance #09-42 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Fallon seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

- 17. ORDINANCE #09-42: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTIONS 2.2; 10.2.5.3 (H) AND (M); 10.2.5.9; AND 10.2.5.9 (K) REGARDING BUSINESS SIGNS.**

The Manager explained the need for the Ordinance #09-42. Upon the motion of Councilmember Fallon, seconded by Councilmember Tweed, Ordinance #09-42 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

- 18. MOTION TO ACCEPT THE CERTIFIED ABSTRACT OF VOTES CAST IN THE MUNICIPAL ELECTION HELD ON NOVEMBER 3, 2009.**

Councilmember Tweed moved to accept the Certified Abstract of Votes Cast in the Municipal Election Held on November 3, 2009. Councilmember Fallon seconded the motion which carried unanimously by a vote of 5-0. (Copy of the Certified Abstract of Votes Cast in the Municipal election Held on November 3, 2009 is in the Minute File.)

- 19. COMMENTS FROM ATTENDEES.**

There were none.

- 20. INVOCATION.**

Mr. Andrew M. Wilkison, Village Manager:

“Good afternoon, I'd like to again welcome the audience, and thank you for attending today's meeting. The purposes of today's meeting are the administering of oath of office to newly elected Councilmembers and the holding of the Organizational Meeting of the Village Council. I am especially delighted this afternoon to welcome Dr. Larry Ellis, who will give an invocation.”

The Rev. Dr. Larry H. Ellis, D. MIN., Senior Minister of the Village Chapel, provided the invocation.

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21. SWEARING IN OF NEW VILLAGE COUNCILMEMBERS.

Mr. Andrew M. Wilkison, Village Manager:

“We are honored to have with us this afternoon The Honorable Jayrene R. Maness, District Court Judge for District 19-B, who has graciously agreed to administer the oath of office to the newly-elected Councilmembers. I’d like for her to come forward at this time with the assistance of the Village Clerk, for the administering of the oath of office to Mrs. Nancy Roy Fiorillo and Mr. Douglas Lapins.”

Judge Maness swore in the Councilmembers individually. (Copies of Oaths of Office are filed in the Clerk’s office.)

22. ORGANIZATIONAL MEETING OF NEW VILLAGE COUNCIL.

Mr. Andrew M. Wilkison, Village Manager:

“Now we will proceed with the Organizational Meeting of the Village Council. We will proceed first with the election of the Mayor Pro-Tem from within the Village Council.

“To keep things orderly and avoid disruptions, I request that if you do not wish to serve in an office for which you are nominated, that you make that known immediately so that the person making the nomination can withdraw it.

“Also, in the event there are more than two nominees for an office, and in the voting none of the nominees receives a majority of the Councils’ votes, there will be subsequent elections for the office until a nominee receives three votes (a majority of the Council).

“I’ll now open the floor for nominations from the Council for the office of Mayor Pro-Tem – seconds are not required for a nomination.”

Councilmember Fiorillo nominated Councilmember Virginia Fallon.

Andrew M. Wilkison, Village Manager:

“If there are no further nominations, I will ask for a motion and second to close nominations.”

Councilmember Fiorillo moved to close nominations, and Councilmember Fallon seconded the motion. A voice vote closed nominations.

Andrew M. Wilkison, Village Manager:

“Nominations are now closed.”

Councilmember Lapins asked for a poll of the Council on the question of electing Virginia Fallon Mayor Pro-Tem.

Andrew M. Wilkison:

Mayor Lane- yes
Mrs. Fallon- yes
Mrs. Fiorillo- yes
Mr. Lapins- no
Mrs. Thurman- no.

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Councilmember Fallon was elected Mayor Pro-Tem by a vote of 3-2.

Andrew M. Wilkison, Village Manager:

“Congratulations to Mayor Pro-Tem Fallon.

“The floor is now open for nominations for Treasurer. Councilmembers are reminded that no second is necessary and notification should be given immediately if the nominee is unwilling to serve.”

Councilmember Thurman nominated Councilmember Douglas A. Lapins.

Andrew M. Wilkison, Village Manager:

“If there are no further nominations, I will ask for a motion and second to close nominations.”

Councilmember Lapins moved to close nominations, and Councilmember Fallon seconded the motion. A voice vote closed nominations.

Andrew M. Wilkison, Village Manager:

“Nominations are now closed.”

A voice vote resulted in unanimous approval. Councilmember Douglas Lapins was elected Treasurer.

Andrew M. Wilkison, Village Manager:

“Congratulations to Treasurer Lapins.

“May I now present the new Village Council.

“Mayor Lane the rest of this afternoon’s meeting is yours to conduct.”

23. OTHER BUSINESS.

- **RESOLUTION #09-29: A RESOLUTION HONORING THE SERVICE OF MRS. LORRAINE A. TWEED AS A COUNCILMEMBER AND AS MAYOR PRO-TEM OF PINEHURST, NORTH CAROLINA.**

The Manager explained the need for Resolution #09-29. Upon the motion of Councilmember Fallon, seconded by Councilmember Lapins, Resolution # 09-29 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

- **RESOLUTION #09-30: A RESOLUTION HONORING THE SERVICE OF MR. JEFFREY P. DAWSON AS TREASURER AND A MEMBER OF THE VILLAGE COUNCIL, PINEHURST, NORTH CAROLINA.**

The Manager explained the need for Resolution #09-30. Upon the motion of Councilmember Fallon, seconded by Councilmember Lapins, Resolution # 09-30 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

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24. ADJOURNMENT.

Councilmember Fallon moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Lapins and carried unanimously. The Regular Meeting adjourned at 1:45 p.m.

Respectfully Submitted,

Linda S. Brown
Linda S. Brown, CMC
Village Clerk