

PINEHURST
VILLAGE COUNCIL
WORK SESSION AGENDA
OCTOBER 28, 2009
9:00 A.M.
CONFERENCE ROOM
VILLAGE HALL
PINEHURST, NORTH CAROLINA

1. Call to Order.

Reports –
 - Manager
 - Council
2. Quarterly Financial Report.
3. Resolution #09-27: A Resolution regarding financing of purchase of Fire Truck.
4. Consideration of Report and Recommendation from Risk Management Committee regarding Employee Insurance Benefits.
5. Ordinance #09-38: Amending Municipal Code with regard to duties of the Community Appearance Commission (quorum, Beautification Grants, Appeals).
6. Motion to approve 2010 Village Council Meeting Schedule.
7. Preview of Regular Meeting Agenda and Public Hearing items.
8. Other business.
9. Comments from attendees.
10. 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.
11. Adjournment.

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**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., Wednesday, October 28, 2009 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 15 attendees, including 4 staff and 1 press.

1. Call to Order.

Mayor George P. Lane called the meeting to order.

Reports:

– Manager

- Planning Memo Regarding Proposed PDO Amendments.

The Manager reminded Council that they had received a memo from the Planning Staff regarding the meeting with selected citizens on October 22nd. He asked Council to study the memo and determine if it correctly reflects Council's intentions.

- Candidate for Appointment to the P&Z Board.

The Manager announced that Mr. Percy Bennett, a candidate for appointment to the Planning and Zoning Board, would meet with Council after the Closed Session today.

– Council

- Mayor Lane thanked staff for making the arrangements for Council to attend the North Carolina League of Municipalities Conference in Greenville this week.

- Councilmember Dawson thanked the Planning Staff for making all the arrangements for the October 22nd meeting with selected citizens to discuss the developmental review process and asked the staff to send thank-you notes to all who participated. He noted that another meeting should be scheduled to discuss the results of the October 22nd meeting.

- Mayor Pro-Tem Tweed-

-noted an announcement of the 2009 Christmas Decorating Contest. (Copy of the announcement is in the Minute File.)

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-asked for clarification about the publication dispensers at Coldwell Banker. Director of Planning and Inspections Andrea Correll replied that the item was heard by the Historic Preservation Commission. Coldwell Banker was putting in new ones and wanted to make sure they met the new standards.

- **Councilmember Fallon** noted that the Christmas wreaths are selling well. Orders were taken at the art show at the Woman's Exchange over the weekend; folks can stop by Village Hall to place an order. Profits from the sale go to the Downtown Beautification Committee.
- asked if we could mow the grass on the foreclosed property on Bridle Path and then bill the property owner. **Director of Planning and Inspections Andrea Correll** announced that her department is getting together with the property owner to decide what to do. **Councilmember Fallon** stated that she would like to be able to address the problem on other properties, not just this one. **Ms. Correll** replied that if we change our code, this property would be "grandfathered" as would many others. Council asked Ms. Correll to bring a recommendation to their November meeting.

2. Quarterly Financial Report and Quarterly Investment Report.

Assistant Manager Natalie Dean presented the Quarterly Financial Report and the Quarterly Investment Report for the Quarter ended September 30, 2009. (Copies of these reports and a memo prepared by Assistant Manager Natalie Dean dated October 21, 2009 are in the Minute File.)

3. Resolution #09-27: A Resolution Authorizing the Execution and Delivery of an Installment Financing Contract in the Amount of \$500,000.00 with RBC Bank (USA) to Finance the Acquisition of Certain Equipment for Use by the Village of Pinehurst, Authorizing the Execution and Delivery of Related Instruments, and Determining Other Matters in Connection Therewith.

Assistant Manager Natalie Dean explained the need for Resolution #09-02. Upon the motion of Councilmember Fallon, seconded by Councilmember Thurman, Resolution # 09-02 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

4. Consideration of Report and Recommendation from Risk Management Committee regarding Employee Insurance Benefits.

Assistant Village Manager Jeff Batton discussed the proposed Employee Insurance Benefits for 2010 with Council. Councilmember Fallon moved to authorize the Mayor, or his designee, and the Village Clerk to execute all agreements and contracts with Blue Cross/Blue Shield of North Carolina for provision of employee medical and vision insurance, life and accidental death and dismemberment and long term disability benefits for calendar year 2010. Councilmember Tweed seconded the motion which carried unanimously by a vote of 5-0. (Copy of the memo from Jeff Batton dated October 10, 2009 is in the Minute File.)

5. Ordinance #09-38: An Ordinance Amending Section 2-12 of the Pinehurst Municipal Code.

The Manager explained the need for the Ordinance #09-38. Upon the motion of Councilmember Fallon, seconded by Councilmember Dawson, Ordinance #09-38 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

6. Motion to Approve 2010 Village Council Meeting Schedule.

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Councilmember Thurman moved to adopt the 2010 Village Council Meeting Schedule as presented. Councilmember Dawson seconded the motion which carried unanimously by a vote of 5-0. Councilmember (Copy of the 2010 Village Council Meeting Schedule is in the Minute File.)

7. Preview of Regular Meeting Agenda.

The Council previewed the Regular Meeting Agenda for October 28, 2009 and made no changes.

8. Other Business.

➤ **Meeting with potential appointee to the Planning and Zoning Board.**

Council met with Mr. Percy Bennett, a potential appointee to the Pinehurst Planning and Zoning Board. Council interviewed Mr. Bennett.

After the candidate had been dismissed, Councilmember Fallon moved to appoint Mr. Percy Bennett to the Pinehurst Planning and Zoning Board said term to expire October 31, 2011. The motion was seconded by Councilmember Tweed and passed unanimously by a vote of 5-0.

Councilmember Thurman inquired about a letter Joyce Franke had delivered to Council. Have the issues been addressed? Village Manager Andy Wilkison replied that he would address the issues with the North Carolina Department of Transportation.

9. Comments from Attendees.

Doug Middaugh-

-asked for budget numbers for due diligence on the Wagram water issue. **Assistant Manager Jeff Batton** will email those to him.

-asked that if the Wagram contract amount is \$100,000 for the down payment, where will that money come from in the budget. **Assistant Manager Natalie Dean** stated that she would email the line item to Mr. Middaugh.

-asked if the Village intends to issue a Request for Proposals for due diligence on the Wagram system. **Assistant Manager Jeff Batton** replied that a Request for Qualifications was sent, not a Request for Proposals. A few replies have been received and are being considered.

Tom Campbell asked if something could be done about the overflowing trash can in front of the deli downtown. **Assistant Manager Jeff Batton** said he would look into the problem.

10. 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 Project Limited Partnership, *et al.* v. Village of Pinehurst. The motion was seconded by Councilmember Tweed and carried unanimously.

GENERAL ACCOUNT

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

11. Motion to adjourn the Closed Session.

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

12. Adjournment.

Councilmember Dawson moved to adjourn the Work Session. The motion was seconded by Councilmember Fallon and carried unanimously. The meeting adjourned at 11:55 a.m.

Respectfully Submitted,



Linda S. Brown, CMC
Village Clerk