

PINEHURST VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF December 14, 2010
395 MAGNOLIA ROAD
ASSEMBLY HALL
PINEHURST, NORTH CAROLINA
1:00 P.M.

1. Call to Order.
2. Invocation and Pledge of Allegiance.
3. **Action:** Motion to Approve 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 Session of November 16, 2010
 - Regular Meeting of November 16, 2010
 - Special Meeting of November 30, 2010
 - Closed Session of November 16, 2010
- B. Public Safety Reports:
 - Police Department
 - Fire Department
- C. Scheduling of Regular Meeting for Tuesday, January 25, 2011 at 1:00 p.m.

End of Consent Agenda.

4. **Action:** Motion to Receive Budget Amendments Report to Council for the Period November 13, 2010 to December 10, 2010.
5. **Action:** Motion to Recess Regular Meeting and Enter Into a Public Hearing.
6. **Public Hearing #1:** Official text amendment to the Pinehurst Development Ordinance Section 2.2 Definitions. This proposed amendment is to modify the definition of Agriculture, Livestock to exclude bees from this definition. The applicant is Sanford Toole.
7. **Public Hearing #2:** Official text amendment to the Pinehurst Development Ordinance Section 10.2.1.3 Special Requirements to the Table of Permitted Uses. This amendment will add SR-18(p) Beekeeping as an accessory use. SR-18(p) would allow for the keeping of honey bees on properties within the Village of Pinehurst and it's ETJ with associated regulations for the keeping of honey bees. The applicant is Sanford Toole.
8. **Public Hearing #3:** Official text amendment to the Pinehurst Development Ordinance Section 10.2.1 Table of Permitted and Special Uses. This amendment will allow restaurants in the VC (village commercial) and NC (neighborhood commercial) zoning districts as a use by right. Restaurants are currently allowed as major special uses within these zoning districts. The applicant is the Village of Pinehurst.
9. **Public Hearing #4:** Official text amendment to the Pinehurst Development Ordinance Section 4.3(f) Planning and Zoning Board, Section 10.2.5.2 (a) Approval Requirements of Signage and Section 10.2.5.7 (c) Comprehensive Sign Plans. This amendment will no longer require signage to be approved by the Planning and Zoning Board but would delegate these approvals to staff. The applicant is the Village of Pinehurst.
10. **Action:** Motion to Adjourn Public Hearing and Re-Enter Regular Meeting.
11. Other Business.
12. Comments from Attendees.
13. **Action:** Motion to Adjourn.

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
DECEMBER 14, 2010**

**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, December 14, 2010, 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 Virginia F. Fallon, Mayor
The Honorable Joan M. Thurman, Mayor Pro-Tem
The Honorable Nancy Roy Fiorillo
The Honorable Nancy Roy Fiorillo
The Honorable Douglas A. Lapins
The Honorable Mark W. Parson
Mr. Andrew M. Wilkison, Village Manager
Ms. Linda S. Brown, Village Clerk
And approximately 30 persons in the audience.

1. CALL TO ORDER.

Mayor Virginia F. Fallon called the meeting to order.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

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

3. 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 Session of November 16, 2010
Regular Meeting of November 16, 2010
Special Meeting of November 30, 2010
Closed Session of November 16, 2010

B. Public Safety Reports- Police and Fire Departments.

C. Scheduling of Regular Meeting for Tuesday, January 25, 2011 at 1:00 p.m.

End of Consent Agenda.

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

4. BUDGET AMENDMENTS REPORT TO COUNCIL.

No amendments were made, thus there was no Budget Amendments Report to Council for the period November 13, 2010 to December 10, 2010.

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

Councilmember Fiorillo 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 Lapins and carried unanimously.

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VILLAGE COUNCIL REGULAR MEETING
DECEMBER 14, 2010**

6. **PUBLIC HEARING #1: Official text amendment to the Pinehurst Development Ordinance Section 2.2 Definitions. This proposed amendment is to modify the definition of Agriculture, Livestock to exclude bees from this definition. The applicant is Sanford Toole.**

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 in Public Hearings # 1 and 2 are consistent with the 2010 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated December 14, 2010 is in the Minute File.)

Sanford Toole, Pinehurst, beekeeper for 16 years and certified master beekeeper, emphasized to the Council that honey bees are not a threat to sting. Honey bees are bred to be non-aggressive.

He noted that honey bees are kept at the N.C. Governor's Mansion, at the White House and in many N.C. cities. Beekeepers teach children how to interact with honey bees- the photo given to the Council shows a child petting a honey bee.

Doug Middaugh, Pinehurst, declared that the Village must have a reservation about bees since that are not to be allowed on property adjacent to golf courses and the hospital. He also asked if the Council approves the amendment and a bee stings someone, is the Council liable?

Director of Planning and Inspections Andrea Correll stated that the Planning and Zoning Board wrote the proposed amendment.

Village Senior Planner Bruce Gould explained that the restriction mentioned by Mr. Middaugh is to protect the bees from activities in those areas, not to protect people from the bees.

Jan Wylie, Pinehurst, a neighbor of Mr. Toole, stated that she thoroughly enjoys the bees, enjoys watching them.

Sally Larsen, Eagle Springs, a beekeeper and an Eagle Springs business owner, stated that honey bees often visit her water feature and she has had no problems.

Councilmember Lapins asked if this is standard wording for such an ordinance.

Mr. Toole replied that the language was taken from a Florida ordinance and is fairly standard.

Councilmember Fiorillo asked how bees are bred to be non-aggressive.

Mr. Toole replied that the beekeepers look for the non-aggressive bees and use them for breeding. This continues the non-aggressive trait.

Mrs. Thurman asked how native honey bees help with "killer bees."

Mr. Toole answered that the so called "killer bees" act entirely differently than native bees. Beekeepers keep a close watch on their hives and report any bees that are not their own.

7. **PUBLIC HEARING #2: Official text amendment to the Pinehurst Development Ordinance Section 10.2.1.3 Special Requirements to the Table of Permitted Uses. This amendment will add SR-18(p) Beekeeping as an accessory use. SR-18(p) would allow for the keeping of honey bees on properties within the Village of Pinehurst and it's ETJ with associated regulations for the keeping of honey bees. The applicant is Sanford Toole.**

Comments:

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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 in Public Hearings # 1 and 2 are consistent with the 2010 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated December 14, 2010 is in the Minute File.)

8. **PUBLIC HEARING #3: Official text amendment to the Pinehurst Development Ordinance** Section 10.2.1 Table of Permitted and Special Uses. This amendment will allow restaurants in the VC (village commercial) and NC (neighborhood commercial) zoning districts as a use by right. Restaurants are currently allowed as major special uses within these zoning districts. The applicant is the Village of Pinehurst.

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 in Public Hearing #3 are consistent with the 2010 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated December 14, 2010 is in the Minute File.)

9. **PUBLIC HEARING #4: Official text amendment to the Pinehurst Development Ordinance** Section 4.3(f) Planning and Zoning Board, Section 10.2.5.2 (a) Approval Requirements of Signage and Section 10.2.5.7 (c) Comprehensive Sign Plans. This amendment will no longer require signage to be approved by the Planning and Zoning Board but would delegate these approvals to staff. The applicant is the Village of Pinehurst.

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 in Public Hearing #4 are consistent with the 2010 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated December 14, 2010 is in the Minute File.)

10. **ADJOURN PUBLIC HEARING AND RE-ENTER REGULAR MEETING.**

Councilmember Parson moved to adjourn the Public Hearing and re-enter the Regular Meeting. Councilmember Lapins seconded the motion, and it carried unanimously.

11. **OTHER BUSINESS.**

- **MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL- ORDINANCE #10-66 IS CONSISTENT WITH THE 2010 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Fiorillo moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll, and dated December 14, 2010 as the Council statement that draft ordinance #10-66 is consistent with the Village of Pinehurst's 2010 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.)

- **ORDINANCE #10-66: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 2.2 DEFINITIONS AND SECTION 10.2.1.3 SPECIAL REQUIREMENTS TO THE TABLE OF PERMITTED USES.**

**MINUTES OF
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The Manager explained the need for Ordinance #10-66. Upon the motion of Councilmember Thurman, seconded by Councilmember Parson, Ordinance #10-66 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

- **MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL- ORDINANCE #10-67 IS CONSISTENT WITH THE 2010 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Lapins moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll, and dated December 14, 2010 as the Council statement that draft ordinance #10-67 is consistent with the Village of Pinehurst's 2010 Comprehensive Long-Range Plan. Councilmember Fiorillo seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

- **ORDINANCE #10-67: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.1 THE TABLE OF PERMITTED USES.**

The Manager explained the need for Ordinance #10-67. Upon the motion of Councilmember Parson, seconded by Councilmember Lapins, Ordinance #10-67 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

- **MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL- ORDINANCE #10-68 IS CONSISTENT WITH THE 2010 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Fiorillo moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll, and dated December 14, 2010 as the Council statement that draft ordinance #10-68 is consistent with the Village of Pinehurst's 2010 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.)

- **ORDINANCE #10-68: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTIONS 4.3 (f), 10.2.5.2 (a) AND 10.2.5.7 (c) SIGNAGE APPROVAL.**

The Manager explained the need for Ordinance #10-68. Upon the motion of Councilmember Thurman, seconded by Councilmember Lapins, Ordinance #10-68 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

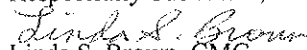
12. COMMENTS FROM ATTENDEES.

There were none.

13. ADJOURNMENT.

Councilmember Lapins moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Parson and carried unanimously. The Regular Meeting adjourned at 1:40 p.m.

Respectfully Submitted,


Linda S. Brown, CMC
Village Clerk