

PINEHURST
VILLAGE COUNCIL
WORK SESSION AGENDA
DECEMBER 15, 2009
9:00 A.M.
CONFERENCE ROOM
VILLAGE HALL
PINEHURST, NORTH CAROLINA

1. Call to Order.

Reports –

- Manager
- Council

2. Consideration of changes to Historic District Standards and Guidelines.

3. Progress report on addressing changes.

4. Resolution #09-33: Approval of 457 Deferred Compensation Plan.

5. Approval of 401 (k) plan document.

6. Resolution #09-34: Making appointment to Comprehensive Long Range Plan Review Committee.

7. Resolution #09-35: Making an appointment to the Triangle Area Regional Planning Organization.

8. Resolution #09-36: Making an appointment to the Moore County Transportation Advisory Committee.

9. Resolution #09-37: A Resolution Adopting Policies and Procedures for the 2009 Community Development Block Grant Program.

10. Resolution #09-38: Village of Pinehurst Fair Housing Resolution.

11. Ordinance #09-46: An Ordinance Adopting the Village of Pinehurst CDBG-R Grant Project Budget Ordinance. (Jackson Hamlet Sewer Extension Phase 2)

12. Resolution #09-39: Authorizing banking signatures.

13. Resolution #09-40: A Resolution Adopting Changes to the Fees and Charges Schedule of the Village of Pinehurst.
14. Ordinance #09-47: An Ordinance Amending the Budget of the Village of Pinehurst (Police Vehicle replaced by insurance proceeds).
15. Presentation on Results Based Management Program.
16. Preview of Regular Meeting Agenda and Public Hearing items.
17. Other business.
18. Comments from attendees.
19. 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.
20. Adjournment.

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
WORK SESSION
December 15, 2009**

**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, December 15, 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. Virginia F. Fallon, Mayor Pro-Tem
Ms. Nancy Roy Fiorillo, Councilmember
Mr. Douglas A. Lapins, Councilmember
Ms. Joan M. Thurman, Councilmember
Mr. Andrew M. Wilkison, Village Manager
Ms. Linda S. Brown, Village Clerk
And approximately 30 attendees, including 7 staff and 1 press.

1. Call to Order.

Mayor George P. Lane called the meeting to order and welcomed Ms. Sara Bigley and half of the 5th Grade Student Council from Pinehurst Elementary School. The other half of the group will attend a meeting in January.

Reports:

– Council

Councilmember Thurman asked who instituted and paid for a traffic study. Answer- the Village does a study once each year of 8 of 17 intersections. The next year we study the other 9 intersections. The one Council received is the synopsis of this year's study which shows traffic is moving more smoothly on NC 5, which is perhaps causing delays on cross streets.

Councilmember Fiorillo reported that she completed the Essentials of Municipal Government at Chapel Hill the first part of December. It was an excellent class, and she fulfilled her ethics requirement.

Mayor Pro-Tem Fallon reported that she had attended the joint Pinehurst /Fayetteville reception for state legislators.

Mayor Lane reported that he had received a letter from a teacher at Pinecrest High School requesting that rent for use of the Fair Barn for school functions be rent free or at least a reduced rental fee. Council discussed the issue. Consensus of Council was to table this and have staff study and submit a recommendation to the Council.

2. Consideration of changes to Historic District Standards and Guidelines.

Village Planner Molly Russell presented proposed changes to the Historic District Standards and Guidelines. Councilmember Thurman moved to approve the proposed amendments to the Standards and guidelines for the Village of Pinehurst Local Historic District, as described in the memorandum prepared by Village Planner Molly Russell dated December 2, 2009 and detailed in an attachment to

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
WORK SESSION
December 15, 2009**

that memo. Councilmember Fallon seconded the motion which was unanimously approved by a vote of 5-0. (Copy of the Memo and attachment presented by Ms. Russell are in the Minute File.)

3. Progress report on addressing changes.

Village Planner Molly Russell discussed the Addressing Verification Project with Council. (Copy of a status report on the Addressing Verification Project from Village Senior Planner Molly Russell dated December 2, 2009 is in the Minute File.)

4. Resolution #09-33: A Resolution Adopting the North Carolina Public Employees Deferred Compensation Plan for the Village of Pinehurst.

Human Resources Director Angie Kantor explained the need for Resolution #09-33. Upon the motion of Councilmember Fallon, seconded by Councilmember Lapins, Resolution # 09-33 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

5. Approval of 401- (K) plan document.

Human Resources Director Angie Kantor discussed the 401 (k) Plan Document with the Council. Councilmember Fiorillo moved that Council authorize the Mayor and Village Clerk to execute the Supplemental Retirement Income Plan of North Carolina Employer- Third Party Administrator Agreement. Councilmember Fallon seconded the motion which was unanimously adopted by a vote of 5-0.

6. Resolution #09-34: A Resolution Amending the Membership of the Pinehurst Comprehensive Long-Range Village Plan Review Committee for the Village of Pinehurst.

The Manager explained the need for Resolution #09-34. Upon the motion of Councilmember Fallon, seconded by Councilmember Lapins, Resolution # 09-34 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

7. Resolution #09-35: A Resolution Appointing a New Representative of the Village of Pinehurst to the Triangle Area Rural Transportation Planning Organization.

The Manager explained the need for Resolution #09-35. Upon the motion of Councilmember Fallon, seconded by Councilmember Fiorillo, Resolution # 09-35 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

8. Resolution #09-36: A Resolution Appointing a New Representative of the Village of Pinehurst to the Moore County Transportation Advisory Committee.

The Manager explained the need for Resolution #09-36. Upon the motion of Councilmember Fiorillo, seconded by Councilmember Lapins, Resolution # 09-36 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

9. Resolution #09-37: A Resolution Adopting Policies and Procedures for the 2009 Community Development Block Grant Program.

The Manager explained the need for Resolution #09-37. Upon the motion of Councilmember Fallon, seconded by Councilmember Thurman, Resolution # 09-37 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
WORK SESSION
December 15, 2009**

10. Resolution #09-38: A Resolution Concerning Fair Housing in the Village of Pinehurst, North Carolina.

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

11. Ordinance #09-46: An Ordinance Adopting a Grant Project Fund for the 2009 Jackson Hamlet Phase 2 Sewer CDBG-R Project for the Village of Pinehurst, North Carolina.

This ordinance was withdrawn. An identical ordinance had already been adopted by the Council.

12. Resolution #09-39: A Resolution Authorizing Representatives for the Village of Pinehurst Official Depository.

The Manager explained the need for Resolution #09-39. Upon the motion of Councilmember Fallon, seconded by Councilmember Fiorillo, Resolution # 0939 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

13. Resolution #09-40: A Resolution Amending the Village of Pinehurst Fees and Charges Schedule.

The Manager explained the need for Resolution #09-40. Upon the motion of Councilmember Fallon, seconded by Councilmember Lapins, Resolution # 09-40 was unanimously approved by a vote of 5-0. (Copy of resolution is found in the Resolution Book and in the Minute File.)

14. Ordinance #09-47: An Ordinance Amending the Ordinance Appropriating Funds for Operations of the Village of Pinehurst Regarding Revenues and Expenditures of the General Fund for the Village of Pinehurst, North Carolina (Police Vehicle Replaced by Insurance Proceeds).

The Manager explained the need for the Ordinance #09-47. Upon the motion of Councilmember Fallon, seconded by Councilmember Thurman, Ordinance #09-47 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

15. Presentation on Results Based Management Program.

Assistant Manager Natalie Dean presented the Results Based Management Report for Fiscal Year 2009. (Copy of a memo from Ms. Dean dated December 11, 2009 and a copy of her PowerPoint presentation are in the Minute File.)

16. Preview of Regular Meeting Agenda.

The Council previewed the Regular Meeting Agenda for January 22, 2009 and made no changes.

17. Other Business.

➤ **Contract with Stephen Austin.**

The Manager explained the need for this contract. Councilmember Thurman moved to authorize the Village Manager and Village clerk to execute a contract with Stephen F. Austin for administrative services pertaining to the 2009 Jackson Hamlet Neighborhood Phase 2 Infrastructure Community Development Block Grant Recovery program.

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
WORK SESSION
December 15, 2009**

Councilmember Fallon seconded the motion which was adopted unanimously by a vote of 5-0. (Copy of the contract is in the Minute File.)

18. Comments from Attendees.

Tim Gold suggested the Village supply residents with a recycling tub as a method to encourage recycling. He also suggested that the Village Parks and Recreation Department take over the July 4th Parade, charge a fee for bands to participate and use those funds toward the rental fee for the fair Barn.

Tom Campbell asked if Southern Pines had jurisdiction over the intersection of US 15-501 and Morganton Road. Answer- yes. Mr. Campbell stated that he felt speeding traffic on US 15-501 was a problem and a greater police presence there was needed.

Mayor Pro-Tem Fallon noted that Mr. Lapins had stated that the Pinehurst Police have been overextending themselves writing speeding tickets. She requested that he bring specific examples and share the information with Council.

Tim Gold reported that there seems to be a new shortcut to avoid the traffic circle: from NC 211 at Olmsted Village, turn on to NC 5, then turn left at NC 2 and continue in the outside lane toward Aberdeen. Mr. Gold stated that speeding traffic along this route was also a problem, and he felt additional police presence there was needed.

Councilmember Lapins asked if we have a well field study. Answer- yes, one will be presented to Council at the January Work Session. He asked if Council could get a copy before that meeting. Answer- yes. He asked if we are still of the mind set not to go forward with a feasibility study until we have heard from Scotland County. Answer- yes. We have sent RFQ to firms for a feasibility study, but that is all that has been done. He stated that we need to zoom into specifics and have a strategy.

Mayor Lane stated that according to The Pilot, we don't even know who the players will be.

Village Manager Andy Wilkison replied that we may have a clearer understanding by the end of this week, after Mayor Lane and Mr. Lapins meet with two of the Moore County Commissioners.

Robert Thrush noted that the state legislature is studying inter-basin transfers and is looking to make the process more difficult.

Councilmember Fiorillo added that the state is looking at "capacity use" within a water basin and what everyone's share might be.

19. Motion to go into Closed Session.

Councilmember Fallon 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 Lapins and carried unanimously.

GENERAL ACCOUNT

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. .

**VILLAGE OF PINEHURST
VILLAGE COUNCIL
WORK SESSION
December 15, 2009**

20. Motion to adjourn the Closed Session.

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

21. Additional business.

Councilmember Lapins presented to the rest of the Council statistics that he felt showed that the Pinehurst Police Department was overly aggressive in the enforcement of traffic laws. Council took no action on the matter.

22. Adjournment.

Councilmember Thurman moved to adjourn the Work Session. The motion was seconded by Councilmember Fallon and carried unanimously. The meeting adjourned at 11:45 a.m.

Respectfully Submitted,

Linda S. Brown

Linda S. Brown, CMC
Village Clerk