



**VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF SEPTEMBER 14, 2021
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM**

The Pinehurst Village Council held a Regular Meeting at 4:30 p.m., Tuesday, September 14, 2021 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following attended:

Mr. John C. Strickland, Mayor
Ms. Judy Davis, Mayor Pro Tem
Ms. Lydia Boesch, Councilmember
Mr. Kevin Drum, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Kelly Chance, Village Clerk

In addition, approximately 20 attendees, including 10 staff and 1 press.

1. Call to Order.

Mayor Strickland called the Village Council meeting to order.

2. Reports:

Village Manager – Jeff Sanborn

- Introduced the new Assistant Village Manager of Administration, Doug Willardson and Performance Director, Matthew McKirahan

Village Council

- Mayor Strickland stated Covid-19 remains a concern for our Village and he encourages our community to remain safe. He provided a reminder of the Neighborhood Advisory Committee meeting on Monday, September 20th at 3 p.m.
- Mayor Pro Tem Davis stated she attended the First Annual BBQ Festival and it was wonderful and hopes to see them back next year.
- Councilmember Drum stated he attended a North Carolina CEO meeting at the Pinehurst Resort, which he stated was an incredible opportunity to expose CEO's of NC to the Pinehurst story.
- Councilmember Boesch stated she is happy to see the crossing lights on Ritter and Highway 5 showing some usage among the residents.
- Councilmember Hogeman stated the Beautification Committee met and are looking into more golf cart parking as well as continuing discussions on sand and clay paths on Magnolia Road.

3. 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.

- Approval of Village Council Meeting Minutes

- August 10, 2021 Regular Meeting
- August 10, 2021 Work Session
- Consider Resolution 21-19 Reappointing Mark Wagner to the Bicycle and Pedestrian Advisory Committee

End of Consent Agenda.

Upon a motion by Councilmember Hogeman, seconded by Councilmember Boesch, Council unanimously approved the Consent agenda by a vote of 5-0.

4. Discuss Consider Resolution 21-18 Approving Town of Taylortown Fire Suppression Contract

Village Manager Sanborn noted we provide fire services to the Town of Taylortown, and this item is for renewal, with minor changes, to the contract. He noted the Taylortown Council has approved the contract

Village of Pinehurst Finance Director, Brook Hunter, stated the current contract has expired and since the Pinehurst Fire Department has continued to provide fire protection services to the Town of Taylortown on an ongoing basis, the attached contract is dated July 1, 2021. She stated the recommended Resolution 21-18 includes language indicating Council's intent to ratify the contract and make it valid as of July 1, 2021. Ms. Hunter further noted the functional terms and provisions of the contract remain the same, including the basis of the rate charged. However, she stated this contract includes an automatic annual renewal instead of expiring after five years. Ms. Hunter stated, the contract, drafted by Financial Services, has been reviewed and approved by our Fire Chief and the Village Attorney.

Upon a motion by Councilmember Drum, seconded by Mayor Pro Tem Davis, Council unanimously approved Resolution 21-18, authorizing the Mayor to execute the renewal of the Town of Taylortown Fire Suppression Contract with a ratified effective date of July 1, 2021 by a vote of 5-0.

5. Discuss and Consider Awarding FY2022 Resurfacing Contract to Barnhill Contracting Company

Mike Apke, Public Services Director, stated this item is to award the Village's annual road resurfacing contract to Barnhill Contracting Company from Fayetteville, North Carolina. He stated three contractors submitted unit pricing on an initial list of approximately four miles of roads on August 31, 2021. He stated utilizing the Village's estimated quantities of items within the project, Barnhill Contracting Company submitted the low bid in the amount of \$1,116,231.50.

Mr. Apke noted the Village's Powell Bill budget for FY22 is \$1.2 million. To be consistent with previous years, the Village's plan is to award an original contract to Barnhill Contracting Company in the amount of \$1,116,231.50 via motion and request that the motion include the authorization for the Village Manager to execute change orders to add additional quantities at the original unit pricing with the overall amount not to exceed \$1.2 million in sum total.

Mr. Apke stated that Council was provided a street listing and map showing the proposed 4 miles to be resurfaced, which was included in the bid package. He noted the actual contract was not attached as the Contractor typically does not obtain performance bonds or payment bonds that go with the contract until after Council authorizes the execution.

Councilmember Hogeman stated that Magnolia road in front of the firehouse needs fixed. Mayor Pro Tem Davis noted that some areas only use their Powell Bill dollars and if the Village did not supplement the annual paving cost, we would also be only able to provide less mileage. Mr. Apke stated that was correct; we would only be able to do 2 miles versus the 4 miles. He further stated that dependent upon the weather, the plan is to get as much done as possible before the Christmas holidays, with a proposed start in November.

Upon a motion by Councilmember Boesch, seconded by Councilmember Hogeman, Council unanimously approved to authorize the Mayor or his designee to execute a contract with Barnhill Contracting Company, for the Fiscal Year 2021 annual road-resurfacing project in the amount of \$1,116,231.50 and request that the Village Manager is authorized to execute change orders to add additional miles at the original unit pricing with the overall annual amount not to exceed \$1.2 million in sum total by a vote of 5-0.

6. Discuss and Consider Contract Approval for Given Library Transfer of Assets

Village Manager Sanborn stated this item is for discussion and consideration for approval of the Asset and Service Transfer Agreement between the Village of Pinehurst and the Given Memorial Library Inc. He stated the Term sheet lays out the fundamental details of how the Corporation will transfer and convey ownership of the transferred assets, other than the excluded assets, to the Village. Manager Sanborn stated the Village will have a due diligence period through October 15, 2021 to inspect the transferred assets and that prior to completion of this due diligence period, the Village has approved, adopted, and presented to the Corporation Resolution #21-10, adopted by the Village Council on June 8, 2021, whereby the Village committed \$1 million of the Village's fund balance to paying the cost of enhancement of the facilities, library services, and premises. He noted the transfer of ownership will take place on April 15th of 2022.

Mr. Sanborn stated the agreement also includes the assumption, by the Village, of the lease for the Old Post Office Building located at 95 Cherokee Road, Pinehurst, and continuance of the sublease for the Roast Office concurrent with the 10-year lease that expires in 2025. He stated the Corporation will operate the Given Book Shop located therein for as long as both the Corporation and the Village agree that it is necessary or beneficial, and any profits from the book shop will be given to the Village to support the Library and Archives.

Mayor Strickland stated the interworking between the organizations has been very well done and noted Mr. Stuart Mills is present to represent the Given Library and sign the contract upon approval of the Village Council.

Councilmember Boesch stated she recalled several years ago there was an initial discussion about this proposed agreement and Council brought a consultant in, with Council ultimately looking at several options, including whether to potentially build a new library. Councilmember Boesch stated that many hours have been spent, both by this Council and past Council, on this project, and she feels very confident with where we are.

Councilmember Hogeman stated the Council has covered a lot of territory but the agreement that has been put together should be released to the public to go over before we vote on it. She stated she would prefer to vote on this at the next meeting to allow the community an opportunity to look over the contract and term sheet and ask any questions they may have for transparency purposes.

Mayor Pro Tem Davis stated the Council has been working on this for years and the terms of the contract have been in the making for years and she feels we have taken into account already the community's input. She stated she feels Council should move forward.

Mayor Strickland stated throughout the process, the Village Manager has kept Council updated on all the specifics on the contract and he feels comfortable with moving forward. Councilmember Drum stated he feels we are ready to move forward, and he feels comforted by the allowable due diligence period. Mayor Strickland stated it appears to be Council's consensus to approve the contract tonight and asked Mr. Mills if there was anything he would like Council to add before voting.

Mr. Stuart Mills stated he acknowledges they did not get everything they wanted but he feels confident that the Village has worked very diligently and with good faith to see that this partnership will be successful. He stated he feels confident the Village will be good stewards of the upkeep of the library and he shared his appreciation of Council's work.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Boesch, Council unanimously approved to authorize the Mayor to execute the Asset and Service Transfer Agreement among Given Memorial Library Inc., and the Village of Pinehurst by a vote of 5-0.

7. Other Business.

No other business was discussed.

8. Comments from Attendees.

- John Webster addressed the Council about his concerns with the proposed West Pinehurst Park. He requested that the Council delay taking any decision on the initiative until: all costs are made explicit and quantified, including a projected overall

cost of the masterplan implementation and of its periodic running expenses; a rethink of a number of expense items is made, including asphalt parking instead of gravel, a \$45,000 lawn to prevent visitors avoiding the "nuisance of sand spurs and weed," \$300,000 lighting, a well, and a septic discussion; and assurance the VOP taxpayers are made aware of the real size of this project and a statistically valid survey of Pinehurst (not Moore County) residents be done.

- Audrey Moriarty, Library representative stated she appreciates all the work Council and others have put forth in making the agreement between the Village of Pinehurst and the Given Library come to fruition.
- Debbie Lalor, followed up on Mr. John Webster's comments, stating her concerns about the parking, cost, and detrimental effect on the ambiance of the Old Town feel of Pinehurst. She also stated her continued concerns on the issue of parking downtown, especially during festivals.

9. Motion to Adjourn.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Hogeman, Council unanimously approved to adjourn the regular meeting by a vote of 5-0 at 5:33 p.m.

Respectfully Submitted,



Kelly Chance,
Village Clerk

A videotape of this meeting is located on the Village website: www.vopnc.org

Vision: The Village of Pinehurst is a charming, vibrant community, which reflects our rich history and traditions.

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.

Values: Service, Initiative, Teamwork, and Improvement



**VILLAGE COUNCIL
AGENDA FOR SPECIAL MEETING OF SEPTEMBER 20, 2021
COUNCIL CONFERENCE ROOM IN VILLAGE HALL
395 MAGNOLIA RD.
PINEHURST, NORTH CAROLINA**

5:45 P.M.

1. Call to Order.
2. Motion to Recess the Special Meeting and Enter a Closed Session.

3. Closed Session

Pursuant to NCGS §143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee: or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

4. Motion to Adjourn the Closed Session and Re-Enter the Special Meeting.
5. Adjournment.

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