



**VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF AUGUST 10, 2021
ASSEMBLY HALL
395 MAGONOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM**

1. Call to Order.

2. Reports:

Manager

Council

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.

A. Approval of Village Council Meeting Minutes

July 27, 2021 Regular Meeting

July 27, 2021 Work Session

July 27, 2021 Closed Session

B. Public Safety Reports

Bi-Annual 2021 Fire Report

Bi-Annual 2021 Police Report

End of Consent Agenda.

4. Consider Resolution 21-15 Reappointing Tom Campbell to the Bicycle & Pedestrian Advisory Committee

5. Consider Resolution 21-16 Reappointing Richard Vincent to the Historic Preservation Commission

6. Discuss and Consider a Budget Amendment Reappropriating Funds from FY 2021 to FY 2022.

7. Discuss and Consider a Resolution Authorizing the Sale of Surplus Capital Assets.

8. Update on the Status of the FY 2021 Strategic Operating Plan Implementation.

9. SIA Intensity Allocation- 95 Trotter Hills Circle

This agenda item is a request for Council to approve a watershed Special Intensity Allocation (SIA) for an approximate 1.04 acre property at 95 Trotter Hills Circle. The property is located within the WS-II Watershed Protection District.

Council may approve the SIA request by motion.

10. Other Business.

11. Comments from Attendees.
12. Motion to Adjourn.

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.



**COUNCIL
ADDITIONAL AGENDA DETAILS:**

ATTACHMENTS:

Description

- ▣ 2021 Key Partner List



Council Member to Report	Partners & Collaborators
John Strickland	Moore County Transportation Committee
	Neighborhood Advisory Committee
	Pinehurst Resort
Judy Davis	Tri-Cities Work Group (Pinehurst, So. Pines, Aberdeen)
	FirstHealth
	Moore County
Lydia Boesch	Convention and Visitors Bureau
	Bicycle and Pedestrian Advisory Committee
Kevin Drum	Triangle J. COG
	Partners in Progress
	NCDOT/TARPO
Jane Hogeman	Beautification Committee
	Moore County Schools
	Pinehurst Business Partners



APPROVAL OF VILLAGE COUNCIL MEETING MINUTES
ADDITIONAL AGENDA DETAILS:

July 27, 2021 Regular Meeting
July 27, 2021 Work Session
July 27, 2021 Closed Session

FROM:

Kelly Chance

CC:

Jeff Sanborn

DATE OF MEMO:

8/2/2021

MEMO DETAILS:

Attached are the draft minutes from the July 27th Regular meeting, Work session, and Closed Session.

ATTACHMENTS:

Description

- ☐ July 27, 2021 Work Session Minutes
- ☐ July 27, 2021 Regular Meeting Minutes



**VILLAGE COUNCIL
MINUTES FOR WORK SESSION OF JULY 27, 2021
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA**

IMMEDIATELY FOLLOWING THE REGULAR MEETING

The Pinehurst Village Council held a work session at 8:37 p.m. Tuesday, July 27, 2021, in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The meeting was streamed in real time on the Village's website.

The following were in attendance in Assembly Hall:

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 Sanborn, Village Manager
Ms. Kelly Chance, Village Clerk

And approximately 7 attendees, including 5 staff and 0 press.

1. Call to Order.

Mayor John Strickland called the Council work session to order.

2. Discuss Potential Future Agenda Items.

- None

3. Discuss Proposed Buffer Development Ordinance

Jeff Sanborn, Village Manager stated the purpose of this discussion item is to discuss the proposed buffer development ordinance and updates to the ordinance based upon previous Council feedback.

Alex Cameron, Planning Supervisor, discussed amendment to Ordinance #21-06 which created various provisions within the Pinehurst Development Ordinance pertaining to development buffer requirements for residential, nonresidential, and undeveloped properties. He stated staff had taken a fresh look at the ordinance and are ready to receive further Council feedback, with the hopes of moving the ordinance forward towards a vote. It was noted that the Ordinance uploaded was not the correct version as it lacked red underlining and strikethroughs of recent changes. Mr. Cameron stated he will upload the correct version and provide Council an opportunity at the August 10th work session to review it.

Councilmember Boesch stated she is against the ordinance and finds it comes too close to infringing on the private communities existing covenants and guidelines, such as CCNC and Pinewild. She stated she received emails from the Architectural Board of Pinewild and a representative of CCNC expressing opposition to the proposed ordinance. Councilmember Boesch further noted that the General Assembly stated that if we pass this ordinance, they will react to counter it. She stated she is afraid of the legal issues that could ensue from Council passing the proposed ordinance. Councilmember Boesch remarked she has seen this ordinance as a red flag from the beginning and has taken the time, beginning with the guiding principles, and reviewed the entire ordinance. She stated she will share her collection of information with Councilmembers via email.

Mr. Cameron stated he and Darryn Burich continue to speak with those in the community, providing clarification on any questions or misunderstandings of what the proposed ordinance will require. He also ensured Council that staff will do whatever Council wants, offer only legislatively allowed requirements, and will work to avoid any negative impact on the community. Mr. Cameron stated that until the Village enacts the ordinance and applies it, staff will not have a true feel for how the community will feel about it. Councilmember Drum stated he feels more comfortable with the ordinance now that there is more of a buffering feel.

Mayor Strickland asked if there was anything that appeared to be in violation of state allowances, of which Mr. Cameron stated there was not. Councilmember Boesch noted that Paula Nash, community resident, was concerned that she was not alerted to this discussion being added to the agenda, of which Mr. Cameron stated he will reach out to her and answer any questions she has.

Mayor Strickland deferred the continuation of the discussion to the August 10th work session to give staff time to upload the correct draft document for Council review. Councilmember Boesch noted she will circulate her compiled information to all Council, Village Management, and Planning Staff via email. Councilmember Hogeman stated she felt the proposed ordinance was good as it currently stands and countered that she had spoken with the Pinewild PPOA and it was relayed to her that there was not a concern about the proposed ordinance. Mr. Cameron stated that if staff needed to meet with the PPOA, they would. Councilmember Boesch suggested that Council consider exempting private communities who already have their own covenants in place and Mr. Cameron said that is something that could be done. Councilmember Drum stated he wants to support this ordinance because he does not want to see another incident like Murdocksville Road. Councilmember Hogeman agreed.

4. Discuss 211 Zoning – Reconsideration Letter

Councilmember Hogeman stated we received a request to look at the focus area 5 of Pinewild, which runs parallel to Highway 211. She noted that there is new interest arising in this area and the Village does not have standards in place that comply with the 2019 Comprehensive Plan. She noted she would like to see this zoned as a low density and office use area, with lots of green space. Councilmember Hogeman stated the Village needs to make some text amendments to the OP zone to increase the landscaping requirements and reduce the lighting allowed. She stated the zone is a strip of narrow land – 300 feet wide – and in the middle is a strip about 800 feet that is a hole with a stream. Councilmember Hogeman stated the Pinewild housing along 211 abuts and overlooks this area and down into that hole and will see what buildings go there. She noted that there are other properties as well that might be impacted by this. She said this strip of land is in the ETJ so it must have the same zoning as another OP zone in the Village. Councilmember Hogeman stated she knows doing the text amendments would be tedious, but she would gladly volunteer to help.

Village Manager Sanborn stated that an alternative to be considered would be an overlay zone and Councilmember Hogeman agreed if this focus area 5 would be an overlay zone that encompass all the area surrounding the spot. She stated another alternative would be to pull together a “Turnberry Woods” in Pinehurst South and develop a model for that which could become the needed alternate OP zone of which the Area 5 would mirror.

Councilmember Hogeman requested that since all three of these options will take a while to do, Council should put a moratorium in place for the area while the Village does its work. She noted another alternative to a moratorium would be a special intensity allocation, which she noted, this area is in a protected watershed area that requires a special intensity allocation. Village Manager Sanborn noted there are parts of our ETJ that are in our jurisdiction that we cannot legally annex. He also noted that Council had approved some areas of concentration they felt needed priority. These Mr. Sanborn are intense and time-consuming projects Planning staff are currently working on and if the focus is going to change to other areas, than this must be considered.

Mayor Strickland noted one of the suggestions was to do something in Pinehurst South that could be duplicated so he requested Planning staff take these suggestions and come back to Council with a proposal. He stated he is concerned, and that the Village does need to do something about the issue. Mayor Pro Tem Davis stated, we need to look at the bigger picture and continue to rely on staff to let us know what of these problems can be solved.

5. Other Work Session Business.

- None

6. Motion to Recess the Work Session and Enter a Closed Session

Upon a motion by Councilmember Drum, seconded by Mayor Pro Tem Davis, Council unanimously approved to recess the work session and enter a closed session, by a vote of 5-0, at 9:31 p.m.

7. Closed Session

Council held a closed session pursuant to NCGS §143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a

contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

8. Motion to Adjourn the Closed Session and Re-Enter the Work Session

Upon a motion by Councilmember Drum, seconded by Councilmember Boesch, Council unanimously approved to adjourn the closed session and re-enter the work session, by a vote of 5-0, at 9:58 p.m.

9. Motion to Adjourn.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Hogeman, Council unanimously approved to adjourn the work session, by a vote 5-0, at 10:01 p.m.

Respectfully Submitted,

Kelly Chance,
Village Clerk

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

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**VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF JULY 27, 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, July 27, 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 27 attendees, including 6 staff and 1 press.

1. Call to Order.

Mayor Strickland called the Village Council meeting to order.

2. Invocation and Pledge of Allegiance.

John Kinyon, Sr. Pastor of Redeemer Church, Southern Pine, NC, offered the invocation and Mayor Strickland led in the Pledge of Allegiance.

3. Reports:

Village Manager – Jeff Sanborn

- Reported he, Carlton Cole, and Derrick Clouston, Village Fire Department, went in front of the panel for accreditation and thanks to a lot of hard work, the panel renewed the Village Fire Department's Accreditation.
- Reminded folks COVID-19 is still out there and we are seeing spikes, which fortunately have not been as deadly. He noted the Village has had two cases this week involving a staff member and a family transmission.

Village Council

- Mayor Strickland echoed Mr. Sanborn's caution about COVID-19 and reminded the community to continue to take precautions. He noted he is proud that Pinehurst is home of American golf and soon to be the 2nd home of USGA and we have really seen an increase in volunteers. He stated the U.S. Kid's golf festivities are occurring the same time as the Council meeting and unfortunately prohibits Council from being there.
- Mayor Pro Tem Davis thanked the representative from USGA for the tremendous coverage on tv of the kid's amateur golf tournaments. She reported that she, Manager Sanborn, and Councilmember Drum, with the Tri City group, went to the airport for a presentation today. She stated it was a very impressive facility and great business to have in our community.
- Councilmember Drum stated he and Mayor Strickland met with NC DOT representatives and had a productive meeting. He stated they also met the new representative for our area and are planning a follow-up meeting with him. He further echoed Mayor Pro Tem Davis's comments about the airport and said he was pleased with their success.

- Councilmember Hogeman had nothing to report.
- Councilmember Boesch reminded the community to use the MYVOP app to help us become aware of any issues and continue to make the Village better.

4. 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.
 - o July 13, 2021 Regular Meeting
 - o July 13, 2021 Work Session
 - o July 13, 2021 Closed Session

End of Consent Agenda.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Drum, Council unanimously approved the Consent agenda by a vote of 5-0.

5. Motion to Recess Regular Meeting and Enter Public Hearing.

Upon a motion by Councilmember Boesch, seconded by Councilmember Hogeman, Council unanimously approved to recess the regular meeting and enter into a public hearing by a vote of 5-0.

6. Public Hearing No. 1 Conditional Zoning – USGA Facilities.

Alex Cameron, Planning Supervisor, stated the purpose of the hearing is to ask Council to consider and approve an Official Zoning Map Amendment for approximately 6.29 acres of Moore County PID# 00025800. This proposed map amendment would zone the property from RD – Recreation Development District, OP – and H – Hotel District to VMU-CD – Village Mixed Use Conditional District. The proposed rezoning and associated General Concept Plan would allow for development of a second headquarter for the United States Golf Association (USGA) which includes two structures totaling approximately 40,500 square feet along with associated site features. The structures will house a welcome center, museum, offices, and a testing center. He stated the property owner is the Resorts of Pinehurst Inc. and the applicant is the USGA with Bob Koontz from Koontz Jones Design. representing.

Mr. Cameron reported the current zoning and land use is Recreation Development District (RD), established as a district in which the primary use of the land is predominantly reserved for privately owned recreation, clubhouses, and support structures, natural or manmade bodies of water, resort complexes and other similar uses. The Hotel District (H) was established as a district in which the principal use of land is for hotels and their associated villas or cottages, intended to provide lodging facilities for visitors while minimizing any adverse impact on neighboring residential areas.

Mr. Cameron stated the Village Mixed Use – Conditional District (VMU-CD) is established as a pedestrian-scaled district which caters to the everyday needs of nearby neighborhoods. This district allows a mixture of primary land uses within the same building and development site and emphasizes accessibility by automobiles, bicycles, and pedestrians.

Mr. Cameron stated a General Concept Plan is required as part of a Conditional District rezoning application and if approved, the plan then becomes a site-specific zoning plan and a condition of the rezoning. Any substantial changes to an approved General Concept Plan as stated in Section 6.2.3 (B) of the Pinehurst Development Ordinance (PDO) shall be reviewed by the Planning and Zoning Board and approved or denied by the Village Council. All other changes to an approved General Concept Plan that are not substantial and do not alter the basic development concept may be approved by the Village Planner.

Mr. Cameron stated the proposed conditional district map amendment would still allow accommodation of all the existing uses on the property as it would only apply the proposed zoning classification to this specific area to allow for the proposed facilities and uses as indicated on the submitted material. Included with this conditional district rezoning request are an application, project narrative, General Concept Plan including a parking and circulation plan and conceptual utilities plan, architectural character elevations and renderings, neighborhood meeting summary, trip generation, parking assessment and a biological assessment for red-cockaded woodpecker impacts from the United States Fish and Wildlife Service.

Mr. Cameron stated the applicant is requesting several conditions to implement the General Concept Plan which table of conditions are included at the end of this memo. Conditions 1-3 relate to adding specific uses that are not currently defined in the PDO or listed in the table of uses within the VMU District. Condition 4 relates to allowing deviations from the minimum/maximum setbacks, which within the VMU district the setbacks have been established to create building frontage along the street. Condition 5 is a request increase in allowable signage by 50% and is limited to signage as depicted on GCP Sheet L 2.0 Exhibits A, B & C. Condition 6 is a request not to install the required sidewalk along the Cherokee Road frontage at this time. Conditions 7A, B, & C relate to parking requirements the most significant request being 7C to not park for the testing center use. Condition 8 is a request to utilize alternative paving materials for the parking lot surface other than asphalt or concrete. Condition 9 relates to permitting the location only of the proposed greenhouse structure depicted on the GCP.

Mr. Cameron reported Staff does not have any significant issues with the conditions as proposed. With respect to the sidewalk condition, the USGA supports installation of a walkway along the Cherokee Road frontage but would like to preserve the mature trees in that area and to potentially allow the sidewalk to meander along the frontage versus installing along the edge of the right-of-way. As such they are willing to provide a financial agreement in lieu of sidewalk construction at this time and work with the Village to construct the sidewalk in the future.

Mr. Cameron stated Condition 7C regarding not parking for the testing center is reasonable given the applicant's explanation that that the employees working in the testing center will have offices in the administrative area for which parking space requirements will be applied. Should the use change of the testing center to permanent offices parking spaces would be required to be installed at that time due to that change in use.

Mr. Cameron noted Condition 8 is being requested to allow use of alternative paving materials for the parking surface for materials such as permeable asphalt or porous pavers or similar materials to create a more sustainable surface and increase the stormwater design from 10 year to 25 year as proposed.

Mr. Cameron stated Staff is recommending approval of the zone change with conditions as recommended by the Planning and Zoning Board. Staff has noted a concern by some wishing to narrow the possibility of a range of uses that could be permitted in a base VMU zoned area. The conditional district does not permit change of uses beyond that which is approved in the General Concept Plan; however, the applicant is willing to narrow the set of approved uses to that which is only being proposed by the USGA. He stated to more narrowly tailor the set of approved uses the following is recommended:

- A. Modify condition # 2 to "Professional Golf Offices" and add a definition such as "limited to professional, administrative, and technical services and activities related to the golf industry".
- B. Modify condition # 3 to add and create Golf Museum/Welcome Center.
- C. Add Condition # 10 the only uses permitted within the district are "Golf Equipment, Research, Development and Testing as identified in Condition # 1; Professional Golf Offices as identified in Condition # 2; a Golf Museum/Welcome Center as identified in Condition 3.

Mr. Cameron stated that Guiding Principle #5: Taking Care of Business in the 2019 Comprehensive Plan states that that the Village should support the golf, tourism and healthcare industries that make up the economic backbone of the community by encouraging entrepreneurship, supporting diverse and innovative businesses, and developing a thriving arts, culture, and entertainment market. It also states that the Village should encourage a variety of shopping, dining, and cultural opportunities for residents and visitors alike. He stated page 176 of the 2019 Comprehensive Plan states that golf and tourism are two of the most important industries in Pinehurst in terms of employment, land use and reputation. It is important to support the Resort and other businesses that cater to these industries to maintain Pinehurst's identity as a premiere golf and hospitality destination.

Mr. Cameron stated there are opportunities to diversify the types of attractions, businesses, and amenities available to golf enthusiasts and in or order to stay attractive to the industry, He noted Pinehurst will need to adapt to meet the needs and desires of players and fans of golf. One of the recommendations in Implementation Strategy 5.11 on page 176 suggests a golf museum could further activate the Village Core and other nodes.

Mr. Cameron stated staff finds the proposal is part of a commitment of Pinehurst Resort to the United States Golf Association (USGA) to bring future USGA championship events to Pinehurst. This request would allow Pinehurst Resort to adapt to meet the changing desires of players and fans of golf and support the industry to help maintain Pinehurst's identity as a premiere golf and hospitality destination. Mr. Cameron provided Council and the public with a brief overview of the eight requested conditions listed as Conditions 1, 2, 3, 4, 5, 6, 7A, 7B & 7C, 8, 9, and 10. There were no council questions, so Mayor Strickland thanked staff for their work and turned the comments over to the applicant.

John May, Attorney, Bob Koontz, Principal with Koontz-Jones Design, and representatives of USGA thanked the Council for their word and expressed their excitement about expanding their facilities to Pinehurst. The design team stressed their vision and design was centered around the character of the community, the pine grove, historical buildings, and walkways and shared a PowerPoint with views from the roundabout, educational garden area, rear, and traffic circle.

Bob Koontz discussed the village mixed use conditional district zoning and compared the existing site to the proposed building location, highlighting the 6.29 acres that the zoning changes would apply to as a switch to VMU-CD. He showed slides of the existing conditions as it relates to topography, utility lines, sewer lines servicing, storm drainage from the Women's Exchange and further noted the proposed building would be right on the current tennis courts and the museum would be where the current employee parking is. He stressed parking was designed to be unobtrusive to the garden views. And will be connected for sharing with the resort.

Tim carpenter, LKC engineering discussed utilities, storm drainage and sewer flows and noted in a recent conversation with Randy Gould, PE of MCPU, it was indicated there was no concern of capacity to serve these new facilities with water and sewer, subject to detail site design review. He stated they want to mitigate the current flooding issues that happen at the railroad trestle.

Bob Koontz, reviewed the building site information, building square footage, setbacks, maximum building height, trip generation study, which recommended no improvements, and no environmental threats. He stated there are a few alterations to the conditions in which they wanted to change the wording.

Mayor Strickland opened the floor to public comments and having none, he asked for a motion to adjourn the Public Hearing in order to re-enter the regular meeting to go ahead and discuss the proposed ordinance as outlined in item 9 of the agenda.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Drum, Council unanimously approved to adjourn the public hearing and re-enter the regular meeting by a vote of 5-0.

Mayor Strickland asked for a description on what will occur in the testing center and for a description of materials, processes, or pollution problems. USGA representative said it is a function that goes back to the early 1900s. It is about reserving the nature of the game – golf club and golf ball testing for conformance to golf requirements – meeting section regulations on equipment in the Golf Industry. It was noted that manufacturers are required to submit golf balls each year and clubs annually to be tested for size, weight, velocity, symmetry, and full distance a golf ball can travel. No manufacturing happens on the facility, only testing of the products in a clean and safe lab setting, and an ISO certification safe environment. Mayor Strickland asked if the public will be able to view the process and it was stated that there may be some weekly tours of only areas no breaching product confidentiality clauses.

Councilmembers asked the applicant for more clarity on multiple assets of the conditions, including parking facilities, need for additional parking for special events, shared parking with the resort, lighting, storm-water access, signage, pathways, timed event management, waste management's impact on the Women's Exchange building, parking surface materials, screenings, and connectivity to the Village's current and future walkability plans. Bob Koontz stated they are committing to the 5-foot brick walkway the Historical Preservation Commission asked for and will work along with the Village as they complete the Village walkability plan.

Councilmembers, staff, and the Applicant and team reached agreed upon condition wordings and Mayor Strickland asked Council if they wanted to proceed with a motion to approve with the amended conditions as agreed upon. There was a consensus among the Council to proceed with a vote.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Drum, Council unanimously moved to approve ordinance 21-11, USGA Conditional Rezoning and the General Concept Plan, amending the official zoning map for a conditional district

zoning of a portion of a parcel of land currently zoned RD (Recreation Development District) and H (Hotel District) to VMU-CD (Village Mixed Use – Conditional District), with the following additions; Condition 2 - Table of Uses - Add Golf Offices as an allowed use within the VMU-CD. This use is defined as "limited to professional, administrative, research, educational, philanthropic and technical services, activities and special events, each of which is related to the golf industry.; Condition 6 Sidewalk - In lieu of installing a sidewalk along the frontage of Cherokee Road, the applicant (i) will provide a 5' wide sidewalk easement the terms of which shall allow for compliance with the current sidewalk requirements of the PDO and (ii), on or before the date of issuance of the first certificate of occupancy for the USGA Golf House, make a payment to the Village of Pinehurst in the amount of 125% of engineer's estimate of construction costs in lieu of construction of the sidewalk; Condition 11 Stormwater Management - Post-development runoff shall not exceed pre-development runoff for a 25-year storm event; and further moved that the proposed zoning map amendment is consistent with the future land use map and goals outlined in the 2019 Comprehensive Plan as referenced in the memorandum dated July 22, 2021 from Darryn Burich, Planning and Inspection Director and this amendment is considered reasonable and in the best interest of the public as it supports the golf and tourism industry and helps maintain Pinehurst's identity as a premiere golf and hospitality destination, by a vote of 5-0.

Mayor Strickland called for a break from 8:01 to 8:10 p.m.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Boesch, Council unanimously approved to recess the regular meeting and enter into a public hearing by a vote of 5-0

7. Public Hearing No. 2 NCGS 160D Text Amendments.

Alex Cameron stated the purpose of this hearing is to discuss text amendments to the Pinehurst Development Ordinance (PDO) to ensure consistency of the PDO with North Carolina General Statutes Chapter 160D statutory revisions. He stated these proposed amendments would affect the following sections of the PDO Chapters:

- 1 General Provisions
- 3 Decision Making and Administrative Bodies
- 4 Public Hearings, Permits and Approvals
- 5 Variances and Administrative Appeals
- 6 Text Amendments and Rezoning's
- 8 Zoning
- 9 Design Development Standards and Processes
- 10 Definitions.

Mr. Cameron stated in 2019, the North Carolina Legislature adopted Chapter 160D, which was drafted by the North Carolina Bar Association with the intent of accomplishing the following:

1. Consolidate city and county enabling statutes.
2. Provide logical coherent organization to the text.
3. Provide for clarifying amendments and reforms.

Mr. Cameron noted local governments were directed to amend relevant ordinances to achieve consistency with the new statute by July of this year. Effective July 1st the new statute controls regardless of whether or not the amendments are in effect. He said staff has developed the proposed amendments to align the Pinehurst Development Ordinance (PDO) with NCGS 160D.

Mr. Cameron reviewed the summary of changes with Council as outlined in the Summary provided to Council as part of the Council Agenda packet. Mayor Strickland asked what staff felt will be the most difficult to handle in dealing with the changes for which Mr. Cameron stated, vesting rights, because if there is stall in a process after 5 years for example, lawyers can get involved. He stated permit choice is important to pay attention to for staff and we are ahead of the curb on a lot of this already and this just gives us the language.

Councilmember Boesch asked how much time this took staff to do. Mr. Cameron said the cross-referencing has been the most time extensive and so we have been working on it for quite some time. Village Manager Sanborn said the hard part has been just getting it done. Mayor Strickland said maybe we need to work on the Vesting in a work session and with Planning & Zoning and Mr. Cameron agreed and said it could not hurt from an education standpoint, but it will be staff working with the actual processes.

Mr. Cameron stated the Planning and Zoning Board held a public hearing at their regular meeting on July 1st and after the hearing the Planning and Zoning Board unanimously recommended approval of the proposed amendments to Village Council and adopted the statement of consistency with the 2019 Comprehensive Plan, provided to Council. He noted that as these amendments bring the PDO into compliance and provide consistency with the new statute, staff recommends Village Council adopt the proposed text amendments and adopt a statement of consistency with the 2019 Comprehensive Plan. Mr. Cameron stated following this public

hearing, Village Council may take action on the proposed amendments.

Mayor Strickland opened the comments to the public.

Bill Comer, 34 Pomeroy Drive, Pinehurst stated he has spent time reading the changes and looking at the old PDO. He noted management and land use is an important job of the Village and is one of the most important jobs for a municipality. He has concerns that these changes are taking the power from the municipal government and putting it into the hands of the developer such as the vesting. He stated he felt it is also a conflict of interest because it prohibits any member of Council or Board, from voting if there is a financial impact. This could lead to those with the most knowledge being emitted from making decisions. Also, some issues can be held by quasi-judicial or such as a public hearing, but now according to this more is being pushed into the quasi-judicial realm. He just wanted to note that it has made the villages job more difficult when it comes to work on development.

Village Manager Sanborn said the standard is the same, but it just places more specifics now. He stated it sets a higher bar to get over to vote on an issue. Mr. Cameron said it would preclude only one board member not the entire board or council to vote on the issue if there is an issue.

No other public members wished to speak.

8. Motion to Adjourn Public Hearing and Re-Enter Regular Meeting.

Upon a motion by Councilmember Boesch, seconded by Councilmember Hogeman, Council unanimously approved to adjourn the public hearing and re-enter the regular meeting by a vote of 5-0.

9. Discuss and Consider Ordinance 21-11 USGA Conditional Rezoning and Concept Plan.

This item was moved to, discussed, considered, and voted on following Agenda Item 6.

10. Discuss and Consider Ordinance 21-12 NCGS Chapter 160D Amendments to the Pinehurst Development Ordinance.

Mayor Strickland asked for any discussion from Council or the Public and hearing none asked Council if there was a motion on the table.

Upon a motion to approve by Mayor Pro Tem Davis, seconded by Councilmember Boesch, Council unanimously approved ordinance 21-12, NCGS Chapter 160-D, amending the Pinehurst Development Ordinance (PDO) with a further movement that the proposed amendments are consistent with the 2019 Comprehensive plan by providing consistency and compliance with NC General Statute Chapter 160-D, by a vote of 5-0.

11. Other Business.

Councilmember Drum provided a letter to Village Manager Sanborn from an organization that gives out a Volunteer of the Year award annually. He suggested the Village may want to consider submitting its volunteer of the year recipient as a nominee. Village Manager Sanborn stated he will check into the organization and opportunity.

12. Comments from Attendees.

- No Comments

13. Motion to Adjourn.

Upon a motion by Councilmember Drum, seconded by Mayor Pro Tem Davis, Council unanimously approved to adjourn the regular meeting by a vote of 5-0 at 8:37 p.m.

Respectfully Submitted,

Kelly Chance,
Village Clerk

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

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**PUBLIC SAFETY REPORTS
ADDITIONAL AGENDA DETAILS:**

Bi-Annual 2021 Fire Report
Bi-Annual 2021 Police Report

FROM:

Kelly Chance

CC:

Jeff Sanborn

DATE OF MEMO:

8/2/2021

MEMO DETAILS:

Attached are the bi-annual, 2021 Public Safety Reports for the months January through July 2021

ATTACHMENTS:

Description

- ☐ Fire Report Bi-annual 2021
- ☐ Police Report Bi-annual 2021



PINEHURST FIRE DEPARTMENT

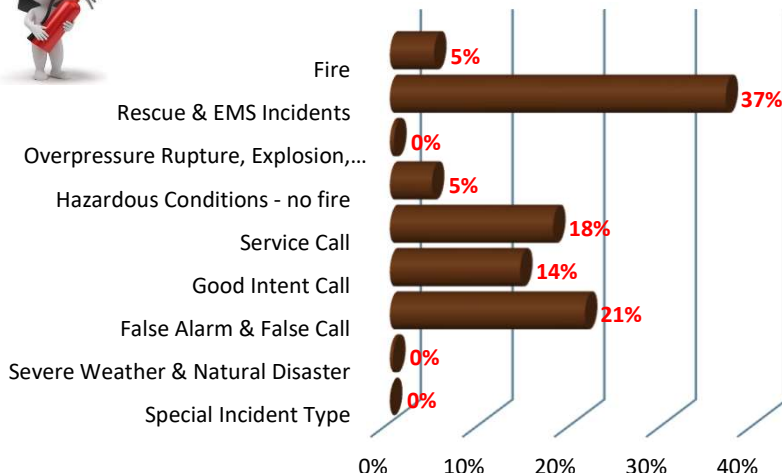
By The Numbers - FY 2021



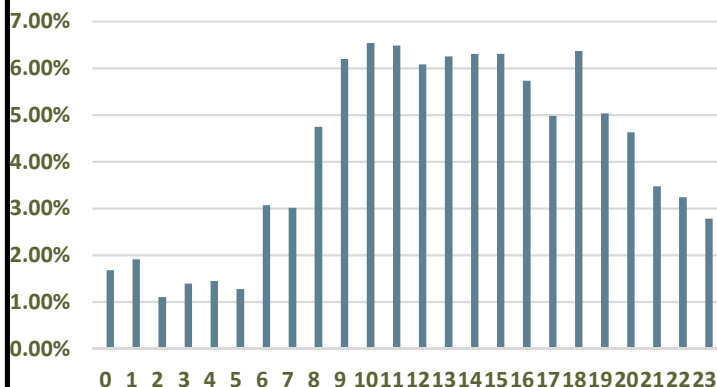
Calls for Service **1906**
 % Overlapping Incidents **17.10%**
 Busiest day of Week **WED**
 Busiest Hour of Day **10AM**
 # of Times Staff Recalled **21**



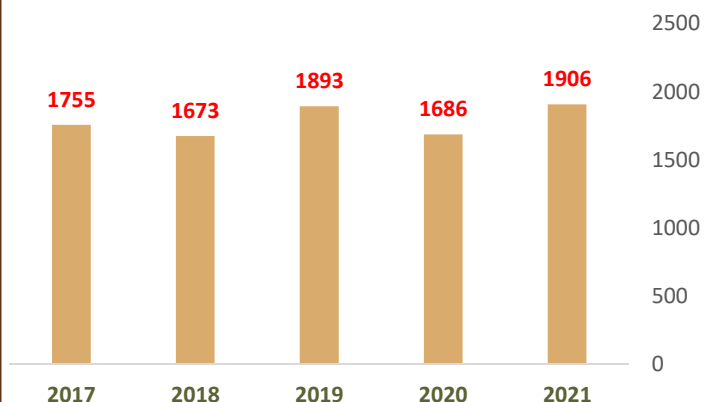
% of Calls for Service (CFS)



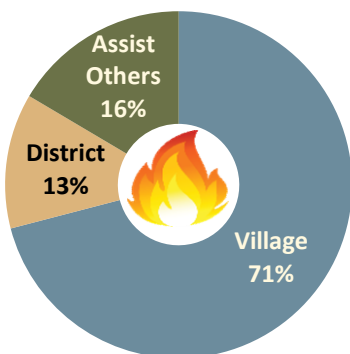
% CFS BY HOUR OF DAY



5 Year Comparison



LOCATION OF CFS



Inspections
Completed

1162

Code Violations Found

520

Percentage of Violations
Corrected

97%



Days Since Last Lost Time

Accident in FD **503**

YTD Training Hours

IN HOUSE **7080**

OUTSIDE **2772**



Public Awareness Contacts



200,963

Police Department Bi-Annual Report to Council August 2021

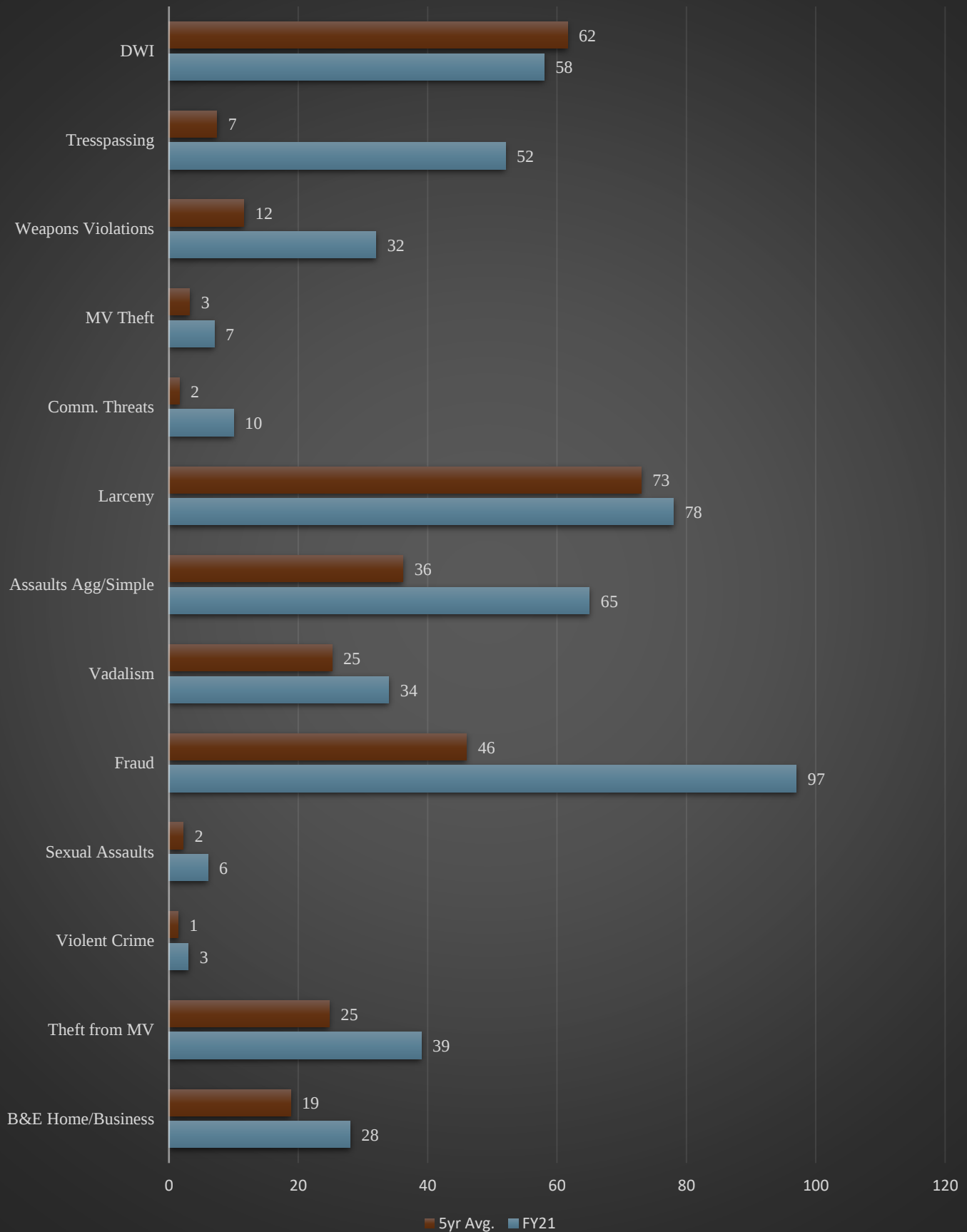


Prepared by
Chief Glen Webb

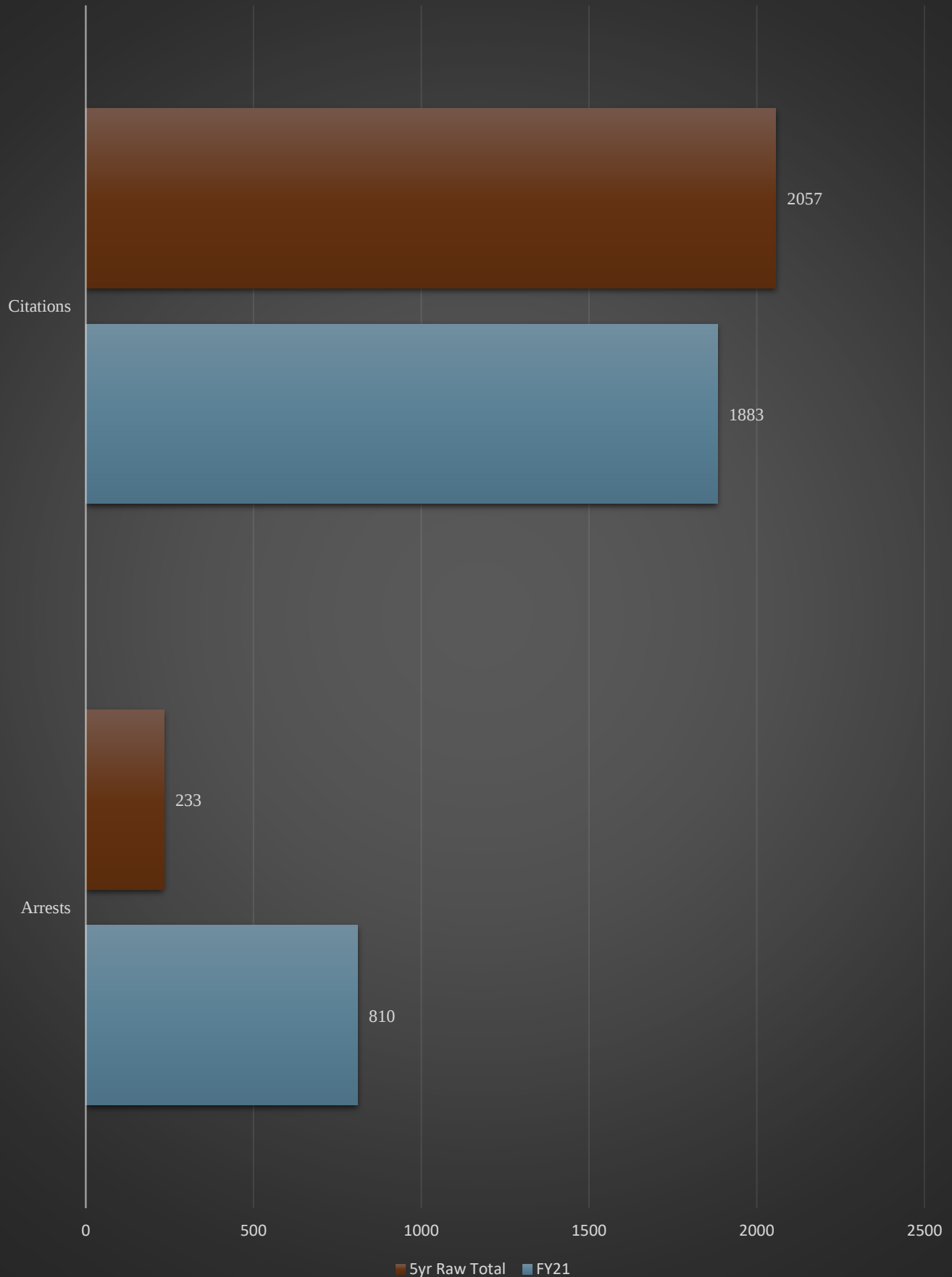
8.10.2021

Bi-Annual Report August 2021 (With Previous 5 Year Avg.)

Quality of Life Crime FY21



Arrest/Citations FY21



Notes

Trespassing: NIBRs makes this a messy category. This can include vehicles that were entered or attempted to be entered, attempts to break into a building, or what you would traditionally think of as trespassing. An example would be someone at a residence refusing to leave. Until we get a full 5 years of NIBRs data this category will be skewed on the high side.

Theft from MV: This will more accurately capture actual victims of vehicle breaking and entering where they experienced a loss of property. This was also reported under UCR so even though we use NIBRs this is an apples to apples comparison.

Citations/Arrests/Weapons Violations: Reflects good proactive work by our officers as most all of these are generated by officer initiative.



**CONSIDER RESOLUTION 21-15 REAPPOINTING TOM CAMPBELL TO
THE BICYCLE & PEDESTRIAN ADVISORY COMMITTEE
ADDITIONAL AGENDA DETAILS:**

FROM:

Kelly Chance

CC:

Jeff Sanborn

DATE OF MEMO:

8/1/2021

MEMO DETAILS:

Attached is draft resolution 21-15 for Council to consider reappointing Tom Campbell to the Bicycle & Pedestrian Advisory Committee for another 3 year term, expiring on August 31, 2024. No term limit policy applies.

ATTACHMENTS:

Description

- ☐ Draft Resolution 21-15 Reappoint Campbell
- ☐ BPAC Terms

RESOLUTION #21-15:

A RESOLUTION REGARDING A RE-APPOINTMENT TO THE BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE FOR THE VILLAGE OF PINEHURST.

THAT WHEREAS, the Village of Pinehurst has established a Bicycle and Pedestrian Advisory Committee by Resolution; and

WHEREAS, the term of Mr. Tom Campbell expired on August 31, 2021; and

WHEREAS, Mr. Campbell and the Village Council of Pinehurst are desirous of his continuing to serve as a member of the Bicycle and Pedestrian Advisory Committee for an additional term.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 10th day of August, 2021 as follows:

SECTION 1. That the following appointment is hereby made to the Bicycle and Pedestrian Advisory Committee for the term indicated:

Mr. Campbell is re-appointed as a member of the Bicycle and Pedestrian Advisory Committee, effective August 31, 2021, said term expiring on August 31, 2024.

SECTION 2. That this appointee shall continue serving until a replacement is appointed and qualified.

THIS RESOLUTION passed and adopted this 10th day of August, 2021.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: _____
John C. Strickland , Mayor

Attest:

Approved as to Form:

Kelly Chance, Village Clerk

Michael J. Newman, Village Attorney



VILLAGE OF PINEHURST
BPAC MEMBERS

TITLE	LAST NAME	CURRENT APPOINTMENT	TERM EXPIRATION
TOM	CAMPBELL	9/1/2018	8/31/2021
MELISSA	WATFORD	9/1/2020	8/31/2023
PAUL	SALE	9/1/2020	8/31/2023
MARK	WAGNER	9/1/2018	8/31/2021
DARRYN	BURICH	6/9/2020	8/31/2022
MELODY	JENSEN	11/1/2020	8/31/2022

* INITIAL TERM OF 2 YEARS AND SUBSEQUENT TERM OF 3 YEARS

*ALL TERMS EXPIRE AUGUST 31ST OF YEAR OF EXPIRATION

*NO TERM LIMIT POLICY APPLIES



**CONSIDER RESOLUTION 21-16 REAPPOINTING RICHARD VINCENT TO
THE HISTORIC PRESERVATION COMMISSION
ADDITIONAL AGENDA DETAILS:**

FROM:

Kelly Chance

CC:

Jeff Sanborn

DATE OF MEMO:

8/1/2021

MEMO DETAILS:

Attached is draft resolution 21-16 for Council to consider reappointing Richard Vincent to the Historic Preservation Commission for a second term. His new term would be effective August 1, 2021 and expire July 31, 2023. HPC members may serve up to 3 terms, for a total of 6 years.

ATTACHMENTS:

Description

- ☐ Draft Resolution 21-16 Reappoint Vincent
- ☐ HPC Terms

RESOLUTION #21-16:

**A RESOLUTION REGARDING RE-APPOINTMENT TO THE PINEHURST
HISTORIC PRESERVATION COMMISSION.**

WHEREAS, the Village of Pinehurst has established an Historic Preservation Commission as authorized by North Carolina General Statutes, Chapter 160A, Article 19; and

WHEREAS, the terms of Mr. Richard Vincent expire on July 31, 2021; and

WHEREAS, Mr. Vincent and the Village Council of Pinehurst are both desirous of him continuing to serve as a member of the Historic Preservation Commission.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 10th day of August, 2021, as follows:

SECTION 1. That the following re-appointment is hereby made to the Historic Preservation Commission for the term indicated:

Mr. Richard Vincent is re-appointed as a member of the Historic Preservation Commission, effective August 1, 2021, said term to expire July 31, 2023.

SECTION 2. That the appointee shall continue serving until a replacement is appointed and qualified.

THIS RESOLUTION passed and adopted this the 10th day of August, 2021.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: _____
John C. Strickland, Mayor

Attest:

Approved as to Form:

Kelly Chance, Village Clerk

Michael J. Newman, Village Attorney



VILLAGE OF PINEHURST
HPC MEMBERS
AS OF: 1/1/2021

FIRST NAME	LAST NAME	INITIAL APPOINTMENT	CURRENT APPOINTMENT	TERM EXPIRATION
ERIC	VON SALZEN	1/1/2019	1/1/2021	12/31/2023
THOMAS	SCHROEDER	1/10/2017	2/01/2021	1/31/2023*
TERRY	LURTZ	2/1/2019	2/1/2021	1/31/2023
RICHARD	VINCENT	8/1/2019	8/1/2019	7/31/2021
JOHN	TAYLOR	2/1/2018	2/1/2020	1/31/2022
DAVID	HERRING	6/1/2020	06/01/2020	5/31/2022
ANNE	LUCEY	6/1/2020	06/01/2020	5/31/2022

*FINAL TERM

ERIC VONSALZEN - CHAIR TERM: 6/1/2020 TO 5/31/2022 (2 YEARS)



**DISCUSS AND CONSIDER A BUDGET AMENDMENT REAPPROPRIATING
FUNDS FROM FY 2021 TO FY 2022.
ADDITIONAL AGENDA DETAILS:**

FROM:

Brooke Hunter

CC:

Jeff Sanborn

DATE OF MEMO:

7/30/2021

MEMO DETAILS:

This agenda item represents the annual re-appropriation of funds from the FY 2021 Budget that staff requests be rolled forward to the FY 2022 Budget. Please see the attached memo for details.

ATTACHMENTS:

Description

- ▣ Reappropriation Memo for FY 2022
- ▣ Ordinance 21-13 Reappropriation Amendment FY 2022

Brooke Hunter, CPA
Village of Pinehurst
395 Magnolia Road
Pinehurst, NC 28374
Phone: 910-295-8646
Fax: 910-295-4434
e-mail: bhunter@vopnc.org

Village of Pinehurst

Memo

To: Village Council
From: Brooke Hunter
CC: Jeff Sanborn
Date: July 23, 2021
Re: Budget amendment re-appropriating funds to complete projects from FY 2021

As you are aware, the Village had several projects underway at June 30, 2021 that need to be carried over to the next fiscal year. Per NCGS, the appropriations for these projects lapse at the close of the fiscal year and the funds are added to the Village's fund balance. In order for these projects to be completed, funds must be reappropriated in the current fiscal year. The attached ordinance is the budget amendment required to amend the FY 2022 General Fund Budget for these projects, as these amounts were not included in the original budget adopted by Council on June 8, 2021.

I have included a summary below that indicates which projects are included in the budget ordinance:

Police	Unspent restricted funds	\$ 2,855
Police	Unspent newly donated funds	2,208
Police	Controlled substance taxes	222
Police	Unspent equitable sharing funds	39,674
Police	Dispatch renovations	2,056
Fire	Fire engine and equipment - in production	625,000
Fire	Fire engine small equipment	25,000
Fire	SCBA air packs	34,000
Fire	Fire hose roller	8,500
Fire	SCBA bottles – delivery delayed	4,140
Fire	Lockers – delivery delayed	4,000
Fire	Unspent restricted funds	819
Fire	Unspent newly donated funds	950
Streets & Grounds	Magnolia Streetscape project	115,000
Streets & Grounds	Rattlesnake Trail/Woods Road sidewalk project	160,000
Streets & Grounds	Memorial flag donations	620
Recreation	Cannon Park parking lot	160,000
Recreation	Cannon Park shelter improvements	20,500
Recreation	Picnic tables for events – delivery delayed	20,306
Recreation	West Pinehurst Park master plan	14,011
Recreation	Unspent donated funds-Rec	713
Recreation	Unspent donated funds-GWH	5,415
Harness Track	Paint barns	15,000
Harness Track	Sewer connections	45,000
Harness Track	Track clubhouse repairs	19,000
Harness Track	Replace Barn 2 siding	40,000
Harness Track	Remodel bathrooms in barns	7,500
Planning	Small Area Plans contract	41,188
Information Technology	Server replacement	7,000
Total		<u>\$1,420,677</u>

The items listed include projects for which funds were donated and were not spent in the previous year. These include the Police, Fire, Streets & Grounds, Recreation, and Greenway Wildlife Habitat donations. Police controlled substance taxes and Police equitable sharing funds also carry use restrictions.

The other items listed are projects funded in the previous fiscal year that were not started and/or completed by June 30. Described below are the more significant items included in the reappropriation amendment this year.

In Fire, funding related to the replacement fire engine that is on order must be reappropriated, along with funds to purchase equipment for the engine when it arrives. It is expected to arrive in early 2022. The Fire Department has also requested to carry over funds for the purchase of SCBA air packs that comply with new regulations. The Village applied for a federal grant to replace all of our SCBA air packs, with award announcements expected by September 2021. If awarded the grant, the Village will use these reappropriated funds as the local match portion. However, if not awarded, these funds will be used to purchase air packs to begin the process of replacing older models.

In Streets & Grounds, unspent funds related to the Magnolia Streetscape project are being carried into FY 2022 since the project was not complete as of June 30. Also, funding to complete the Rattlesnake Trail/Woods Road sidewalk project to connect the Cannon Park Community Center to Pinehurst Elementary School is being carried over.

In Recreation, funding to provide structured parking at Cannon Park is being carried over. Also, funding to complete improvements to the Cannon Park picnic shelter is requested to be carried over. The shelter improvements will match the existing Community Center color scheme and materials. Picnic tables to use for Village events were ordered before year-end, but due to delivery delays and material shortages, they did not arrive by June 30. Funding to cover this purchase is requested to be rolled forward.

At the Harness Track, funding is requested to complete several projects originally planned for FY 2021. These include painting barns, sewer connections, track clubhouse repairs, Barn 2 siding replacement, and barn bathrooms remodels. These delays are partially attributed to contractor availability to complete the projects within our limited window of opportunity when horses are not on site. Price increases for materials as a result of the pandemic was another reason for the delays. These projects were not started by year-end, but are planned to be completed in FY 2022.

Lastly, in Planning, the remaining funds to complete the Small Area Plans contract are being reappropriated.

Thank you for your consideration of these items. Should you have any questions, please do not hesitate to contact me.

ORDINANCE #21-13:

AN ORDINANCE AMENDING THE ORDINANCE APPROPRIATING FUNDS FOR OPERATIONS OF THE VILLAGE OF PINEHURST FOR FISCAL YEAR 2022, REGARDING REVENUES AND EXPENDITURES OF THE GENERAL FUND (RE-APPROPRIATE FY 2021 FUNDS IN FY 2022).

THAT WHEREAS, funds that were restricted to specific uses were received by the Village in the fiscal year ending June 30, 2021 that were not expended but are expected to be expended in the fiscal year ending June 30, 2022 including Police donations, Fire donations, Streets & Grounds donations, Recreation donations, greenway wildlife habitat donations, Police controlled substance taxes, and Police equitable sharing funds; and

WHEREAS, the Village budgeted for expenditures in the fiscal year ending June 30, 2021 for various other projects that were not incurred, but are expected to be incurred in the fiscal year ending June 30, 2022; and

WHEREAS, the Village did not appropriate these funds in the original budget adopted for the year ended June 30, 2022;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 10th day of August 2021, as follows:

SECTION 1. To amend the General Fund with regard to revenues and expenditures, the revenue and expenditure accounts are to be changed as follows:

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-10-310-5402	Departmental Supplies – Restricted	\$ 5,285	
10-10-310-6803	Equitable Sharing Expenditures	39,674	
10-10-310-7220	Capital Outlay: B&G Buildings	2,056	
10-00-970-3560	Charges to Other Departments		\$ 2,056
10-00-970-7200	Capital Outlay: Buildings	2,056	
10-10-320-7510	Capital Outlay: Fleet Vehicles	625,000	
10-00-960-3560	Charges to Other Departments		625,000
10-00-960-7500	Capital Outlay: Vehicles	625,000	
10-10-320-5400	Departmental Supplies	33,140	
10-10-320-7400	Capital Outlay: Equipment	42,500	
10-10-320-5402	Departmental Supplies – Restricted	1,769	
10-20-420-7100	Capital Outlay: Land	115,000	
10-20-420-7700	Infrastructure	160,000	
10-20-420-5400	Departmental Supplies	620	
10-80-610-7120	Capital Outlay: B&G Land	160,000	
10-00-970-3560	Charges to Other Departments		160,000
10-00-970-7100	Capital Outlay: Land	160,000	

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-80-610-7220	Capital Outlay: B&G Buildings	\$ 20,500	
10-00-970-3560	Charges to Other Departments		\$ 20,500
10-00-970-7200	Capital Outlay: Buildings	20,500	
10-80-610-5460	Events/Shows	20,306	
10-80-610-5800	Professional Services	14,011	
10-80-610-5400	Departmental Supplies	713	
10-80-610-6532	Greenways Wildlife Habitat	5,415	
10-80-620-5904	B&G Maintenance Charges	15,000	
10-00-970-3560	Charges to Other Departments		15,000
10-00-970-5900	B&G Repairs & Maintenance	15,000	
10-80-620-7120	Capital Outlay: B&G Land	45,000	
10-00-970-3560	Charges to Other Departments		45,000
10-00-970-7100	Capital Outlay: Land	45,000	
10-80-620-7220	Capital Outlay: B&G Buildings	66,500	
10-00-970-3560	Charges to Other Departments		66,500
10-00-970-7200	Capital Outlay: Buildings	66,500	
10-40-710-5800	Professional Services	41,188	
10-00-980-7400	Capital Outlay: Equipment	7,000	
10-00-980-3560	Charges to Other Departments		7,000
10-00-220-7430	Capital Outlay: IT Equipment	1,400	
10-10-310-7430	Capital Outlay: IT Equipment	1,960	
10-10-320-7430	Capital Outlay: IT Equipment	1,680	
10-20-410-7430	Capital Outlay: IT Equipment	630	
10-80-610-7430	Capital Outlay: IT Equipment	630	
10-40-710-7430	Capital Outlay: IT Equipment	700	
10-00-190-3905	Fund Balance Appropriated		1,420,677

SECTION 2. Copies of this budget amendment shall be furnished to the Village Clerk, Village Manager and to the Financial Services Director for their direction and implementation.

THIS ORDINANCE passed and adopted this 10th day of August 2021.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
John C. Strickland, Mayor

Attest:

Approved as to Form:

Kelly Chance, Village Clerk

Michael J. Newman, Village Attorney



**DISCUSS AND CONSIDER A RESOLUTION AUTHORIZING THE SALE OF
SURPLUS CAPITAL ASSETS.
ADDITIONAL AGENDA DETAILS:**

FROM:

Brooke Hunter

CC:

Jeff Sanborn

DATE OF MEMO:

8/3/2021

MEMO DETAILS:

Village Ordinance #17-02 authorizes the Village Manager to sell surplus assets with an estimated market value of less than \$10,000. The item listed on the attached resolution could potentially bring over \$10,000 at auction. This item is a 2006 International 4300 garbage truck.

We are requesting that the Council adopt the attached resolution authorizing the sale of the listed asset. This item will be listed on the Village's GovDeals electronic auction website.

Thank you for your consideration. Please let me know if you have any questions.

ATTACHMENTS:

Description

- Resolution 21-17
- Ordinance 17-02 Authorizing Disposal of Assets Less than \$10,000

RESOLUTION #21-17:

A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO DISPOSE OF CERTAIN SURPLUS CAPITAL ASSETS.

THAT WHEREAS, Village Ordinance #17-02 authorizes the Village Manager to sell surplus assets with an estimated market value of less than \$10,000; and

WHEREAS, the Village desires to dispose of the following asset that may exceed an estimated value of \$10,000:

2006 International 4300 Garbage Truck VIN #: 1HTMNAAL16H321902; and

WHEREAS, pursuant to North Carolina General Statutes 160A-266(a), the Village Manager may dispose of the personal property, as approved by the governing body, subject to certain limitations, by any of the following methods:

Private negotiation and sale,
Advertisement for sealed bids,
Negotiated offer, advertisement, and upset bid,
Public auction (including electronic auction), or
Exchange; and

WHEREAS, the Village is required to publish the contents of this resolution after its adoption and no sale shall be consummated thereunder until 10 days after its publication;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 10th day of August, 2021 as follows:

SECTION 1. The Village Manager is authorized to sell the surplus capital asset listed above using any of the means approved by NCGS 160A-266(a).

SECTION 2. Copies of this resolution shall be furnished to the Village Clerk, Village Manager, and Financial Services Director for their direction and implementation.

THIS RESOLUTION passed and adopted this 10th day of August, 2021.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: _____
John C. Strickland, Mayor

Attest:

Approved as to Form:

Kelly Chance, Village Clerk

Michael J. Newman, Village Attorney

ORDINANCE #17-02:

AN ORDINANCE PRESCRIBING PROCEDURES FOR DISPOSING OF PERSONAL PROPERTY VALUED AT LESS THAN \$10,000

THAT WHEREAS, the Village of Pinehurst from time to time has personal property which is no longer needed or required; and

WHEREAS, North Carolina General Statute 160A-266 authorizes Village Council to adopt procedures for the disposal or exchange of personal property valued at less than \$30,000 for any one item or group of items; and

WHEREAS, North Carolina General Statute 160A-270 provides that the Village Council may conduct electronic auctions of the Village's personal property by authorizing the establishment of an electronic auction procedure or by authorizing the use of existing private or public electronic auction services; and

WHEREAS, Village Council desires to adopt procedures for the disposal and exchange of surplus personal property valued at less than \$10,000 for any one item or group of items, including but not limited to disposal and exchange by electronic means;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of Pinehurst, North Carolina, in a regular meeting assembled this 28th day of February, 2017 as follows:

SECTION 1. Property That Can be Disposed of Under this Ordinance. The Village Manager is hereby authorized to declare surplus and dispose of any personal property owned by the Village of Pinehurst when, in his or her judgment, each of the following three criteria are met:

- a) the item or group of items to be disposed of has a fair market value of less than ten thousand dollars (\$10,000.00);
- b) the property is no longer necessary for the conduct of Village business; and,
- c) sound property management principles and financial considerations indicate that the interests of the Village of Pinehurst would be best served by disposing of the property.

Personal property that, in the judgment of the Village Manager, meets these three criteria is referred to in this Ordinance as "Surplus Property."

SECTION 2. Methods of Disposition. The Village Manager may dispose of Surplus Property by any means which he or she judges reasonably calculated to secure for the Village the fair market value in money or other consideration and to accomplish the disposal efficiently and economically, including but not limited to the methods of sale provided in Article 12 of North Carolina General Statutes, Chapter 160A-266 and 160A-270. Such sale may be public or private, and with or without notice and minimum waiting period.

SECTION 3. Sale by Electronic Auction. As one of several means of disposing of Surplus Property, the Village Manager is specifically authorized to dispose of Surplus Property by electronic means. The Village Manager is authorized to establish procedures for disposing of Surplus Property by electronic means, and is further authorized to use existing public or private electronic auction services to dispose of Surplus Property. Notwithstanding the requirements of North Carolina General Statute 160A-270, the Village shall not be required to provide advance notice of electronic auctions of such Surplus Property.

SECTION 4. Terms of Disposition. The Surplus Property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to the Village of Pinehurst if greater value may be obtained in that manner, and the Village Manager is hereby authorized to execute and deliver any applicable title documents necessary or appropriate to consummate such sale. If no offers are received within a reasonable time, the Village Manager may retain the property for the Village, obtain any reasonably available salvage value, or cause it to be disposed of as waste material. No Surplus Property may be donated except by resolution of the Village Council.

SECTION 5. Records and Reports. The Village's Financial Services Director shall keep a record of all property sold under the authority of this Ordinance and that record shall describe the property sold or exchanged, to whom it was sold, or with whom it was exchanged, and the amount of money or other consideration received for each sale or exchange.

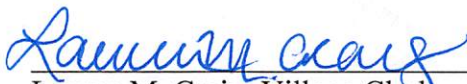
SECTION 6. Delegation. The Village Manager is authorized to delegate any or all of the authority granted or responsibilities assigned under this Ordinance to the Financial Services Director.

SECTION 7. This Ordinance is adopted pursuant to the provisions of North Carolina General Statutes 160A-266 and 160A-270.

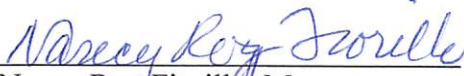
THIS ORDINANCE passed and adopted this 28th day of February, 2017.



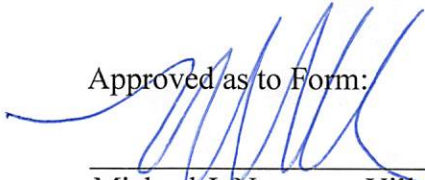
Attest:


Lauren M. Craig, Village Clerk

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: 
Nancy Roy Fiorillo, Mayor

Approved as to Form:


Michael J. Newman, Village Attorney



**UPDATE ON THE STATUS OF THE FY 2021 STRATEGIC OPERATING
PLAN IMPLEMENTATION.
ADDITIONAL AGENDA DETAILS:**

FROM:

Jill Lazusky

CC:

Jeff Sanborn

DATE OF MEMO:

8/2/2021

MEMO DETAILS:

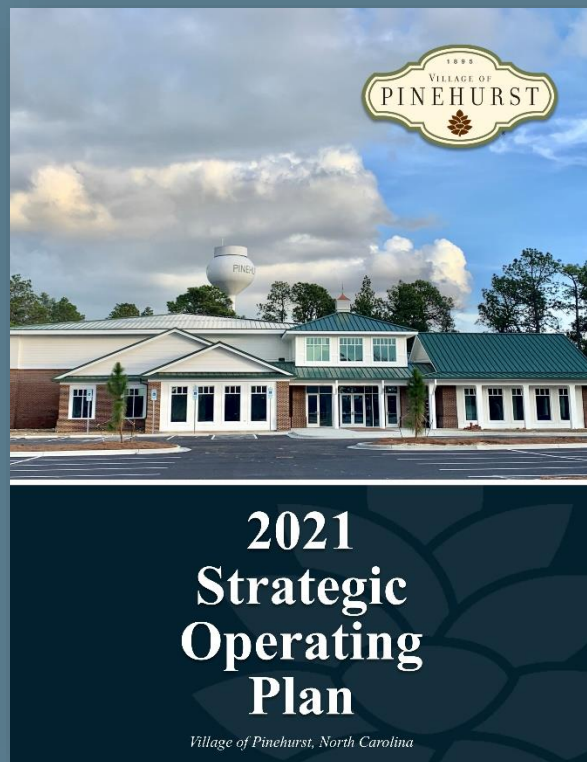
This agenda item is to review the update on the status of implementing the FY 2021 Strategic Operating Plan. Staff will provide the Council with an update on the implementation of the FY 2021 Initiative Action Plans (IAPs) through June 30, 2021.

ATTACHMENTS:

Description

📎 FY 2021 Year End SOP Update

Village of Pinehurst Strategic Operating Plan Update FY 2021



VILLAGE OF PINEHURST | www.vopnc.org



FY 2021 Strategic Operating Plan Overview

Village Council

Each year, the Pinehurst Village Council adopts a Strategic Operating Plan, which indicates the Village's plans to achieve our vision and mission. The Strategic Operating Plan covers the fiscal year that begins on July 1 and includes a five-year financial plan.

Vision, Mission, and Values

The vision is what the Village intends to be and the mission is what the Village must do to achieve that vision. The Village's core values are the guiding principles and behaviors that embody how Village employees and volunteers are expected to operate as they provide services.



Balanced Scorecard

The Village uses a Balanced Scorecard (BSC) to integrate strategic planning and resource allocation. The BSC contains goals, objectives, and key performance indicators in four perspectives to ensure a balanced approach to evaluating the achievement of organizational strategy:

1. Customer
2. Internal
3. Workforce
4. Financial

FY 2021 Balanced Scorecard

FY 2021 Goals

The FY 2021 Balanced Scorecard contains 9 strategic goals in the four perspectives.



FY 2021 Areas of Focus

Each balanced scorecard goal has one or more strategic objectives. Strategic objectives indicate how we will achieve the Village goals. In FY 2021, the Village Council identified three strategic objectives as Areas of Focus AOF:

1. Manage development and enforce codes and ordinances,
2. Provide a safe and effective multi-modal transportation system; and
3. Manage stormwater systems.

FY 2021-2025 Strategic Opportunities

We define strategic opportunities as prospects for new or changed services or processes. The Village Council prioritizes the list of strategic opportunities identified in the annual Strategic Planning Retreat. Below is a list of OFIs addressing strategic opportunities included in the five-year financial forecast (FY 2021-2025).

FY 2021 OFIs that address Strat. Opportunities	OFI	Years	Notes
Update the Pinehurst Development Ordinance	IAP	FY21-25	In progress
Small Area Plan for the Village Place/Rattlesnake Trail Corridor and Pinehurst South/Hwy5 Commercial Area	IAP	FY21	In progress
Prepare a comprehensive stormwater master plan	IAP	FY21-23	In progress
Implement the GIS strategic plan	IAP	FY21	Completed
Evaluate, identify, and purchase land for a future third fire station	Project	FY21	Completed
Pursue regulatory authority around our borders through ETJ extensions, annexation agreements, and amending the water/wastewater agreement with Moore County	Project	FY21	In progress; working on the existing conditions analysis; will carry over into FY 22
Consolidate and align multi-modal transportation planning/engineering by budgeting for a Transportation Planner	Project	FY21-25	Completed
Identify alternative locations for the Public Services Complex	Project	FY21-22	In progress and will continue into FY22
Implement elements of the 2015 Comprehensive Pedestrian Plan and Bicycle Plan	Project	FY21-25	In progress with Rattlesnake Trail and Woods Road walkway project
Create a master plan to develop West Pinehurst Park	Project	FY21	In progress reviewing concept plans and phasing; anticipate bringing forth to Council Q1 FY22
Future Year OFIs that address Strat. Opportunities			
Develop a comprehensive plan for mitigating future traffic on Highway 5	Project	FY22	
Update the Comprehensive Parks & Recreation Master Plan while considering neighborhood open spaces and amenities	Project	FY23	
Expand street lighting	Project	FY23-25	
Prepare a consolidated multi-modal transportation plan	IAP	FY24	
Partner with others to bring high speed internet and mobile services to the Village	Project	FY26+	

FY 2021 Initiative Action Plans (IAPs)

Status of FY 2021 Initiative Action Plans at June 30, 2021

The FY 2021 Strategic Operating Plan includes 7 Initiative Action Plans (IAPs). As of June 30, 2021, 2 IAPs have been completed, 1 is in progress and on schedule, and 4 are in progress but not on schedule. Please see the attached report for more information.

IAP Status at 6/30/21		# of IAPs	% of IAPs
In progress; NOT on schedule		4	57%
In progress; on schedule		1	14%
Completed		2	29%
TOTAL		7	100%

The three IAPs not completed as planned were:

- The Small Area Plans for Village Place and Hwy 5 are in progress with the consultant just beginning Phase 3 of the contract.
- P&I process Improvements should be completed this fall with the execution of the GIS training by IT and Council approval of a PDO amendment related to the new P&I software.
- Workforce Learning & Development will be carried over into FY22 as it has experienced delays due to COVID protocols and a focus on heavy recruiting requirements this past quarter.

Status of FY 2021 Initiative Action Plan Metrics at June 30, 2021

The IAPs include metrics to track how effective the Village is at accomplishing targeted results. As of June 30, 2021, the Village achieved projected performance for 4, or 57%, of the 7 IAPs tracking metrics for year ending in Q4.

Metrics Projections Met at 6/30/21		# of IAPs	% of IAPs
Achieved projected performance		4	57%
Did not achieve targeted results		3	43%
TOTAL		7	100%

The complete status of the FY 2021 IAPs and an indication if metric projections were achieved in Q4 are indicated in the table attached to this report. The IAPs with metrics not achieving targeted results were:

- PDO Update - no amendments were drafted and presented to Council
- Small Area Plan – fell 5% short of participants attending meetings or viewing info on Engage Pinehurst
- P&I Process Improvements – was less than a day over projected performance for average # of days to issue single family permits

Village of Pinehurst
Initiative Action Plans (IAPs) Quarterly Report
FY 2021



	Goal	IAP Name	IAP Description	FY	Q4 FY 2021 IAP Status				
					IAP Status	Q4 Comments	IAP Metrics	YTD Actual	YTD Goal
Customer	Promote high quality development and appearance	Update the Pinehurst Development Ordinance	Update the Pinehurst Development Ordinance to reflect priorities of the 2019 Comprehensive Plan and changes required by 160d legislation.	FY21-FY25		Discussed highway corridor standards and potential amendments with P&Z in April. Held a P&Z work session in June to review amendment proosed to confirm to 160-D regulations.	# of PDO text amendments drafted and presented to Village Council	0	3
		Small Area Plan for the Village Place/Rattlesnake Trail Corridor and Pinehurst South/Hwy5 Commercial Area	Engage a consultant and develop small area plans for 2 Focus Areas identified in the 2019 Comp Plan. This represents and update and expansion of the previously adopted 2008 New Core Master Plan and a new plan for the Pinehurst South Focus Area 2.	FY21		Phase II plans have been developed and are now in revisions stage for final draft. Consultant has commenced Phase III work.	# of participants who attended meetings or viewed information on Engage Pinehurst	714	750
	Protect the environment	Develop a comprehensive storm water master plan	Develop a plan and strategy to address stormwater issues and concerns within the community.	FY21-FY23		The RFQ for Engineering Services was sent out on June 25.	# of MyVOP stormwater requests	170	200
Internal	Professionally manage a high performing organization	P&I Process Improvements (carryforward)	Implement recommendations to improve the efficiency and effectiveness of our permit and inspection processes as identified, recommended, and approved as a result of the BIRDIE evaluation.	FY21		Planning and building files have been organized in the basement. GIS training for P&I staff has not yet been conducted - IT will begin this training in the fall of 2021. P&Z approved PDO amendment for processes changes related to new software and will be taken to Council in Q1 FY22.	Average # of days to issue single family permits for new construction and additions/alterations	11.83	11
		Build Baldrige Framework Systems & Culture	Continue to use the leading business model, the Baldrige Framework for Performance Excellence, to ensure systematic processes that deliver exceptional results and conduct a site visit for the National Malcolm Baldrige Quality award.	FY21		Staff has completed this initiative action plan by incorporating key opportunities for improvement from the Malcolm Baldrige National Quality Award feedback report into the FY 2022 Strategic Operating Plan. Staff will begin implementing these improvements in the new fiscal year.	% of site visit preparation plan completed	100%	100%
		Expand GIS Capabilities	Continue implementing the GIS Strategic Plan for the Village.	FY21		Training plan consisting of creating a GIS user group has been created and is set to begin in the fall of 2021.	# of online interactive GIS maps	15	12

	Goal	IAP Name	IAP Description	FY	Q4 FY 2021 IAP Status				
					IAP Status	Q4 Comments	IAP Metrics	YTD Actual	YTD Goal
Workforce	Attract & retain an engaged workforce	Workforce Learning and Development	Expand the Village's succession planning process and enhance the workforce learning and development system.	FY21		Modified task deadlines to work around COVID protocols. FY22 evaluation is complete but was created in early July 2021.	% of vacancies filled with internal candidates	47%	35%
IAPs listed in red are FY 2021 Village Council Areas of Focus.									

Key for IAP Status	
	In progress; NOT on schedule
	In progress; on schedule
	Completed
	Starts in the future
	Removed IAP and metric
Key for Metrics	
	Did not achieve projected performance
	Achieved projected performance



SIA INTENSITY ALLOCATION- 95 TROTTER HILLS CIRCLE ADDITIONAL AGENDA DETAILS:

This agenda item is a request for Council to approve a watershed Special Intensity Allocation (SIA) for an approximate 1.04 acre property at 95 Trotter Hills Circle. The property is located within the WS-II Watershed Protection District.

Council may approve the SIA request by motion.

FROM:

Darryn Burich & Alex Cameron

CC:

Jeff Sanborn

DATE OF MEMO:

8/5/2021

MEMO DETAILS:

Approval of the SIA would permit development of an approximate 8,800 square foot single story office building and related surface parking. SIA allocations require use of stormwater Best Management Practices (BMP's) and are proposed to be incorporated into the proposed site development through a dry stormwater detention basin.

There is currently a balance of 752.074 acres of intensity allocation remaining within this watershed district. If approved, the Village will have allocated approximately 68.803 acres since 1993 leaving a balance of 751.034 acres of intensity allocation remaining for other future projects in the WS-II BW Watershed.

Please see the attached staff memo and proposed site plans for more information.

ATTACHMENTS:

Description

- ▣ Staff Memo
- ▣ Proposed Site Development Plan



PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To: Mayor Strickland and Village Council
From: Darryn Burich, Planning & Inspections Director
CC: Jeff Sanborn, Village Manager
Date: August 4, 2021
Subject: Request for Special Intensity Allocation of 1.04 acres (45,244 square feet) for the NC Child Development Services office at 95 Trotter Hills Circle.

Background

Council is being asked to approve a Special Intensity Allocation (SIA) of 1.04 acres involving 1 parcel of undeveloped land within the Trotter Hills business park in the Pinehurst South area. The property is zoned OP Office Professional which permits up to 70% impervious area or 31,671 square feet. The parcels are also located within the WS II Drowning Creek – Lumber River Balance of Watershed, which limits non-residential development to 12% built upon area unless a Special Intensity Allocation (SIA) is granted by the Village Council pursuant to Section 8.3.3.5(B) of the Pinehurst Development Ordinance (PDO).

If the SIA is granted, it would permit construction of an 8,700 square foot single story office building with associated surface parking. The proposed impervious area is 53.5% (24,206 square feet) and under the impervious limitation of 70% maximum in the OP district.

Section 8.3.3.5(B)(2) of the PDO states that up to ten (10%) percent of the balance of the watershed may be developed for nonresidential and multi-family uses, allowing up to seventy (70%) percent built-upon area on a project by project basis. The Technical Review Committee is currently reviewing the proposed improvements as a Minor Site Plan and this SIA allocation needs to be granted prior to issuing building and development permits for construction. The SIA allocation is the remaining issue before construction can commence.

Property Owner	Property Location	Moore County PID#	Project Area
Bobby Jones	95 Trotter Hills Circle	96000381	1.04

Zoning and Proposed Use

Current Zoning	OP-Office Professional
Watershed Protection District	WS II Drowning Creek-Lumber River BW
Within Corporate Limits	Yes
Existing Use	Vacant Lot
Proposed Use	Commercial with related surface improvements.
Proposed Imperious Area	24,206 square feet or approximately 53.5% (up to 70% permitted)

Project Analysis

The proposed office development appears to meet all PDO and ESSM requirements. A total of 35 parking spaces are proposed and 30 required. Stormwater will be managed through a dry detention basin constructed southwest side of the property and is a required Best Management Practice (BMP).

This SIA would grant relief from the WS-II BW Watershed Protection District maximum impervious built upon area of twelve percent (12%) identified in Section 8.3.3.5(B)(1) of the PDO, which is permitted up to 70% impervious coverage for non-residential uses. Per Section 8.3.3.5(B)(2)(a) the total acreage of the tract involved in the request will be counted in the SIA which also includes pervious surfaces, which totals **1.04** acres in this case.

In accordance with Section 8.3.3.5(B)(2) of the PDO, ten percent (10%) of the WS-II BW Watershed Protection District can be granted a Special Intensity Allocation (SIA). This yields a total area of 819.84 acres eligible to receive a Special Intensity Allocation in the WS-II BW Watershed Protection District. **If approved, the Village will have allocated approximately 68.803 acres since 1993 leaving 751.034 acres of intensity allocation remaining for other future projects in the WS-II BW Watershed.**

The property is located within the corporate limits of the Village of Pinehurst and complies with the Village Council's Watershed Intensity Allocation Policy contained in Resolution 13-13 that states, "It shall be the policy of the Village of Pinehurst to only allocate special intensity allocations to properties that are located within the corporate limits of Pinehurst or to properties which have an active voluntary annexation petition to the Village of Pinehurst."

The table below outlines activity in the WS-II Watershed Protection District since 1996.

Date of Council Action	Project	Area Approved by Council for SIA (Acres)	Balance of WS-II (Acres)
6/21/1993	Creation of WS-II (Drowning Creek)	N/A	198.300
12/16/1996	MOWASA (Moore County Water and Sewer Authority)	0.150	198.150
1/21/1997	Love Grove Freewill Baptist Church	0.060	198.090
2/17/1997	Moore County Landfill	2.580	195.510
6/16/1997	Quail Haven Village	6.700	188.810
7/21/1997	Deep Creek Baptist Church	0.260	188.550
7/21/1997	Pinehurst Resort Parking Lot	0.500	188.050
8/18/1997	Boles Funeral Home	0.690	187.360
3/16/1998	Quail Haven	0.000	187.360
6/15/1998	Quail Haven	0.006	187.354
8/17/1998	Golf Course #1 Restrooms	0.017	187.337
10/26/1998	Congregational Church	0.870	186.467
10/26/1998	Pinehurst Resort Improvements	12.830	173.637
10/26/1998	Pinehurst Resort Golf Learning Center	1.860	171.777
10/26/1998	Moore County Landfill	0.150	171.627
3/15/1999	Congregational Church	0.023	171.604
3/15/1999	Harness Track	2.290	169.314
4/19/1999	Pinehurst Track Restaurant	0.010	169.304
6/21/1999	Quail Haven Village	0.010	169.294
5/30/2000	Pinehurst Resort Green House	0.870	168.424
1/23/2001	The Pinehurst Company	0.020	168.404
1/23/2001	The Pinehurst Company	0.590	167.814
1/23/2001	Bretton Woods Pool Pavillion	0.598	167.216
5/22/2001	Quail Haven Village	0.022	167.194
7/24/2001	Trotter Hills Development	1.560	165.634
10/8/2001	Pinehurst Hardware	0.350	165.284
1/16/2004	Moore County ABC Store	0.377	164.907
8/2/2004	Rudd Office Building	0.340	164.567
12/16/2008	Community One Bank	1.440	163.127
5/5/2011	Village Chapel	1.440	161.687
1/10/2012	Quality Care Pharmacy	1.440	160.247
6/12/2012	Moore County Transfer of WS-II Acreage	+ 621.537	781.784

1/8/2013	Village Green	6.630	775.154
11/18/2013	Terry Riney Office	1.140	774.014
9/8/2015	Sandhills Alliance Church	1.540	772.474
6/28/2016	Kirkpatrick Office Building	1.000	771.474
8/13/2019	LaForet Townhomes	6.950	764.524
8/13/2019	Pinehurst Coin Exchange	1.440	763.084
1/14/2020	Pinehurst Resort Beach Club Improvements	5.810	757.274
9/8/2020	Huntley Office Building	1.000	756.274
4/27/2021	Hwy 5 Retail Development *	0.850	755.424
4/27/2021	Vieta Dermatology*	3.350	752.074
8/10/21	95 Trotter Hills NC Child Development Services	1.04	751.034

* Tentative until approved by Village Council

Associated Approvals

The proposed project is currently undergoing Minor Site Plan review through the Technical Review Committee as 95 Trotter Hills NC Child Development. Section 8.3.3.5 (C)(2)(c) of the PDO requires the use of Best Management Practices (BMP) to minimize water quality impacts which in this case the development will be utilizing a dry detention stormwater basin that will serve the lots involved in the SIA.

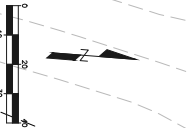
Staff Recommendation

Village staff recommends approval of the SIA from the WS-II Watershed Protection District of 1.04 acres as proposed, which Council can approve by motion. Approval of this SIA as requested would leave approximately 751.034 acres of special intensity allocation remaining in the WS-II BW Watershed Protection District for other future SIAs.

Vicinity Map



implementing details and specifications on this plan sheet will result in the construction activity being considered compliant with the Ground Stabilization and Materials Handling sections of the NCOG Construction General Permit (Sections 3 and 9, respectively). The permittee shall comply with the Erosion and Sediment Control plan approved by the designated authority having jurisdiction. All details and specifications shown on this sheet may not apply depending on site conditions and the designated authority having jurisdiction.

[illegible]DISTURBED AREA: 43,099 SH

INFRASTRUCTURE INSPECTION NOTICE TO CONTRACTOR

1. Evaluate the importance of the problem. Determine the nature of the problem and its potential consequences. Consider the scope, scale, and complexity of the problem.
2. Identify and define the problem. Clearly define the problem and its boundaries. Identify the key stakeholders and their interests. Determine the specific objectives and goals of the project.
3. Analyze the problem. Gather relevant data and information. Identify the causes and contributing factors of the problem. Analyze the problem from different perspectives and angles.
4. Generate and compare alternative solutions. Brainstorm and generate a range of potential solutions. Evaluate the pros and cons of each solution. Compare the solutions against the objectives and goals of the project.
5. Implement and monitor the solution. Select the most appropriate solution and implement it. Monitor the progress and outcomes of the solution. Make adjustments as needed.
6. Evaluate the results. Assess the effectiveness of the solution. Measure the impact and outcomes of the solution. Reflect on the process and learn from the experience.