



**VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF AUGUST 8, 2017
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, August 8, 2017 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Ms. Claire L. Berggren, Councilmember
Mr. Clark H. Campbell, Councilmember
Mr. John R. Cashion, Mayor Pro-Tem
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Lauren M. Craig, Village Clerk

Excused absence: Mr. John Bouldry, Treasurer

And approximately 28 attendees, including 6 staff and 1 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo called the meeting to order.

2. Invocation and Pledge of Allegiance.

Pastor Jim Ewing from Community Presbyterian Church led the invocation and Mayor Fiorillo led everyone in the Pledge of Allegiance.

3. Reports:

Manager

- Jeff Sanborn reported the VOP has hired a new Planning and Inspections Director, Stephen Wensman, who will be relocating from Lake Elmo, MN and starting on September 5.

Council

- None

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.

- A. Consider a resolution honoring Carol Henry for her service on the BOA and P&Z.
- B. Public Safety Reports.
 - Police Department
 - Fire Department
- C. Approval of Draft Village Council Meeting Minutes.
 - July 11 Work Session
 - July 25 Regular Meeting

End of Consent Agenda.

Upon a motion by Councilmember Cashion, seconded by Councilmember Berggren, Council unanimously approved the Consent

Agenda by a vote of 4-0.

5. Discuss Pinehurst Brewery right-of-way dedication and stormwater plan.

Assistant Village Manager Jeff Batton explained the Pinehurst Brewery (steam plant project) is proposing to build and dedicate a road and right-of-way to the Village in front of the Brewery. He said staff is seeking direction as to whether to proceed with necessary documents to eventually accept the road and associated on-street parking after construction by the Brewery. Bruce Gould, Principal Planner, explained it is advantageous to construct the thoroughfare for this location and the impervious surface for watershed does create a few issues if the right of way is not designated to the public. Council held a discussion about this request and formed a consensus to accept this road being dedicated to the Village. Mr. Batton explained the stormwater flow changes that will also occur with this proposal and the request for the Village to partner on a 50/50 basis to collect the water and take it down Magnolia. The estimated cost of \$55,000 total which would be split if the Council agreed to this partnership with the Resort. Councilmember Campbell suggested also considering to improve the stormwater basin across the street from the one being proposed on Magnolia to also make improvements to that area now with the new development. Council formed a consensus to partner with the Resort on their request for the stormwater improvements.

6. Motion to Recess the Regular Meeting and Enter into a Public Hearing.

Upon a motion by Councilmember Campbell, seconded by Councilmember Cashion, Council approved to recess the regular meeting and enter into a public hearing by a vote of 4-0.

7. Public Hearing No. 1

The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment would rezone two parcels of land consisting of approximately 28 acres. These properties are located between 224 Foxfire Road and 376 Foxfire Road. These properties are further defined as being Moore County LRK #'s 00020369 and 00020354. The properties are currently zoned R-210 Residential District (low density residential). This proposed map amendment would change the zoning of the properties to R-30-CD (R-30- Conditional District Medium Density Residential). The properties are currently vacant. The proposed use of the property is a 28 lot single family subdivision. The applicant is Ken Bass and the owners of the properties are David P. Hunt, Robert F. Hunt and Claudia L. McKenzie.

Bruce Gould, Principal Planner, explained the purpose of the public hearing is to consider an Official Zoning Map amendment. The applicant requests a conditional district rezoning of +/- 28 acres currently zoned R-210 (Low Density Residential),) R-30-CD (Residential Medium Density-Conditional District). The property is defined as being Moore County LRK #'s 00020369 and 00020354. The applicant is Ken Bass (GWB Construction) and owners of the properties are David Hunt, Robert Hunt and Claudia McKenzie. He explained the Planning and Zoning Board voted unanimously to recommend to the Village Council that the rezoning be approved with the following conditions:

1. Waiver from section 3.02a of the Engineering Standards to allow the installation of ditch section roadways.
2. The development will petition for annexation into the Village of Pinehurst.
3. Minimum heated house square footage: 2,400 sq. ft.
4. Maximum heated house square footage: 3,599 sq. ft.
5. A landscape easement shall be provided along the rear of proposed lots adjoining properties to the subdivision as shown. The landscape easement shall be 10' wide and shall remain as undisturbed.
6. Open space lots along Foxfire Road (labeled as 'OS'), shall remain undisturbed except for installation of required infrastructure.
7. Irrigation wells shall not be allowed within the subdivision.

The engineer on record for the applicant, Tucker McKenzie, explained the rezoning request is in compliance with the Comprehensive Long Range Plan and there is existing infrastructure for the project. Mr. McKenzie explained the efforts taken for the plans for this development. Council held a discussion about irrigation wells.

Audience members for the public hearing:

- Kim Geddes lives in the ETJ and voiced her opposition to the parcels being considered. She said the PDO states development in this district is restricted due to watershed restrictions and utilities. She said this does not ensure protection of the water shed or agricultural land. She explained she has witness limited water capacity in this area and this could adversely impact the water in the area. She asked about the capacity and if it could handle the proposed changes. She quoted water availability from the Village's comp plan. She stated there has not been a comprehensive analysis how county land use could be best managed and she is concerned about infrastructure handling the increase of traffic scheduled for this neighborhood. She said new residential development should allow a significant amount of land set aside as open space. She urges the Council to vote no on this potential rezoning. Mayor Fiorillo assured Ms. Geddes about the current availability of water supply that has changed since the 2010 comp plan.
- George Lucas has property on Foxfire Road directly across from this proposed development. He said the issue is water. He said across from the property is pump 21 and this pump has had problems in the past where it has drawn

down the water table and people's wells have gone dry. He said he owns a farm with animals and he said the family who owns the mobile home park across the street have also had an issue with water. He said this development will be drawing water from the system. He said there are 19 farms within 2500 feet of this development and they fertilize their fields with chicken manure twice a year and he said this will be an issue due to the smell.

- Jason Kaufman said looking at the application it did not contain page 57 of the long range plan and he quoted this. He said he is concerned this speaks to the credibility of the long range plan and the lack of willingness to stick to it but also speaks to the credibility of the future long range plans that the Village may adopt. He said this is an encroachment to the ETJ.
- Lynn Goldhammer asked Mr. Bass where his business is located and he stated Pinehurst.
- Joseph Cameron of Murdocksville Road, although out of turn on the agenda, he was given permission to speak and he asked for a walkway along the road and he said he has worked with Mark Wagner on this. He said a lot of families on this street would like this on the street.
- Kim Gilley said she has had to replace a water pump. She said since the land was Zoned R-210 then live within the means and don't rezone it.
- Judy Davis asked about the annexation of the property under Pinehurst and Bruce Gould explained the process for this as a voluntary annexation petition which is ultimately the decision of the Village Council.
- Tom Campbell said when we looked at the land use plan a few weeks ago, we read about density and managing growth and Bruce Gould explained some of the information for how the PDO was developed over time.
- Lynn Goldhammer asked for clarification on the exactly jurisdiction this property belong to.

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

Upon a motion by Councilmember Cashion, seconded by Councilmember Berggren, Council approved to adjourn the public hearing and re-enter the regular meeting by a vote of 4-0.

9. Discuss and consider an ordinance amending the Official Pinehurst Zoning Map as it pertains to the rezoning of certain land located between 224 Foxfire Road and 376 Foxfire Road.

Council explained they have the opportunity to make a decision on this matter tonight or they can postpone until their next meeting. Ken Bass, the applicant, said he understands this is not a given that Council will be in favor of this but they have gone through the process for the Village and as of now there is no water problem. He said Council should decide if they want the neighborhood or not. Council formed a consensus to make a final decision at the work session in September.

10. Discuss and consider changes to the Position Classification and Pay Plan.

Angie Kantor, Director of Human Resources, explained HR evaluates at least 33% of Village positions each year using market data from NCLM Salary Survey and comparable towns to compare the selected positions. Ms. Kantor shared several recommendations to be made for FY 2018 including increasing all pay ranges by 1.6% based on the CPI through June 2017 and several pay grade changes for certain positions. Upon a motion by Councilmember Berggren, seconded by Councilmember Cashion, Council approved Resolution 17-23 amending the policy on administration of the Position Classification and Pay Plan for the Village of Pinehurst by a vote of 4-0.

11. Other Business.

Council did not have any other business.

12. Comments from Attendees.

- None.

13. Motion to go into Closed Session pursuant to NCGS §143-318.11(a)(5)(i) 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 (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. Specifically, the Council will discuss a potential real estate transaction.

Upon a motion by Councilmember Berggren, seconded by Councilmember Cashion Council approved going into Closed Session pursuant to NCGS §143-318.11(a)(5)(i) 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 (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. Specifically, the Council will discuss a potential real estate transaction by a vote of 4-0.

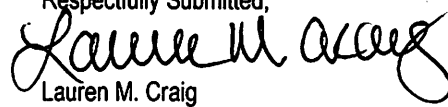
14. Motion to adjourn the Closed Session and re-enter the Regular Meeting.

Upon a motion by Councilmember Campbell, seconded by Councilmember Cashion, Council approved to adjourn the Closed Session and re-enter the Regular Meeting by a vote of 4-0.

15. Motion to Adjourn.

Upon a motion by Councilmember Campbell, seconded by Councilmember Berggren, Council approved to adjourn the Regular

Meeting by a vote of 4-0 at 6:30pm.

Respectfully Submitted,

Lauren M. Craig
Village Clerk

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.