



**VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF JUNE 25, 2019
ASSEMBLY HALL
395 MAGNOLIA RD.
PINEHURST, NORTH CAROLINA
4:30 PM**

1. Call to Order.
2. Moment of Silence to Honor Barbra Thompson, Invocation and Pledge of Allegiance.
3. Reports:
 Manager
 Council
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. Public Safety Reports for May, 2019
 Fire Department Report
 Police Department Report (1)
 Police Department Report (2)
- B. Approval of Draft Village Council Meeting Minutes.
 June 11, 2019 Regular Meeting
 June 11, 2019 Closed Session (not public)
- C. Budget Amendments Report

End of Consent Agenda.

5. Discuss Rezoning Request for Fairwoods Estates Planned Unit Development.
6. Request for Sponsorship/Waiver of Fees at Fair Barn.
7. Request for Event Sponsorship - Holly Arts Festival
8. Other Business.
9. Comments from Attendees.
10. 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

- ▣ 2019 Key Partners and Collaborators



Council Member to Report	Partners & Collaborators
Nancy Fiorillo	Neighborhood Advisory Committee
	Moore County Schools
	Pinehurst Resort
John Bouldry	First Health
	NCDOT/MCTC/TARPO
	Triangle J. COG
	Moore County
Judy Davis	Pinehurst Business Partners
	Beautification Committee
	Given Memorial Library Working Group
Kevin Drum	Tri-Cities Work Group (Pinehurst, So. Pines, Aberdeen)
	Partners in Progress
Jack Farrell	Bicycle and Pedestrian Advisory Committee
	Convention and Visitors Bureau



PUBLIC SAFETY REPORTS FOR MAY, 2019
ADDITIONAL AGENDA DETAILS:

Fire Department Report
Police Department Report (1)
Police Department Report (2)

FROM:

Beth Dunn

CC:

Jeff Sanborn

DATE OF MEMO:

5/15/2019

MEMO DETAILS:

Attached are the public safety reports for May 2019.

ATTACHMENTS:

Description

- ☐ Fire Report
- ☐ Police Report (1)
- ☐ Police Report (2)



HISTORY, CHARM, AND SOUTHERN HOSPITALITY

SUMMARY FOR THE MONTH OF MAY 2019

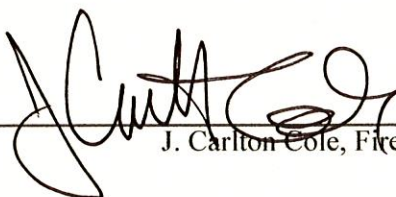
SUMMARY OF INCIDENT CALLS

TYPE OF INCIDENT	NUMBER THIS MONTH	NUMBER FYTD	NUMBER THIS MONTH LAST YEAR	NUMBER FYTD LAST YEAR	PERCENTAGE YTD
Fire	5	41	5	67	-39%
Overpressure Rupture, Explosion, Overheat - no fire	0	2	1	6	-67%
Rescue & EMS Incidents	60	520	36	472	10%
Hazardous Conditions - no fire	22	171	13	143	20%
Service Call	29	293	24	246	19%
Good Intent Call	26	288	24	308	-6%
False Alarm & False Call	25	338	18	266	27%
Severe Weather & Natural Disaster	1	95	2	12	692%
Special Incident Type	0	0	0	0	0%
TOTAL INCIDENTS	168	1748	123	1520	15%

SUMMARY OF INSPECTION

TYPE OF INSPECTIONS	NUMBER THIS MONTH	NUMBER FYTD	NUMBER THIS MONTH LAST YEAR	NUMBER FYTD LAST YEAR	PERCENTAGE YTD
Residential	11	101	11	103	-2%
Residential New Systems	0	0	0	0	0%
Residential Fire Sprinkler	1	11	7	7	1000%
Commercial	28	189	33	245	-23%
Plan Review/Site Inspections	4	46	1	29	59%
Reinspection	6	174	38	176	-1%
Occupancy Certificates	0	1	0	0	100%
TOTAL INSPECTIONS	50	522	90	560	-7%
Violations Found:	69	469	34	375	25%
YTD Violations to be Corrected:		409		341	
YTD Violations Corrected:		374		258	
Correction Percentage:		91%		76%	

June 10, 2019


J. Carlton Cole, Fire Chief

FIRE DEPARTMENT

395 Magnolia Road • Pinhurst, NC 28374 • Telephone (910) 295-5575 • Fax (910) 295-4861 • www.vopnc.org



PINEHURST FIRE DEPARTMENT

By The Numbers - May 2019



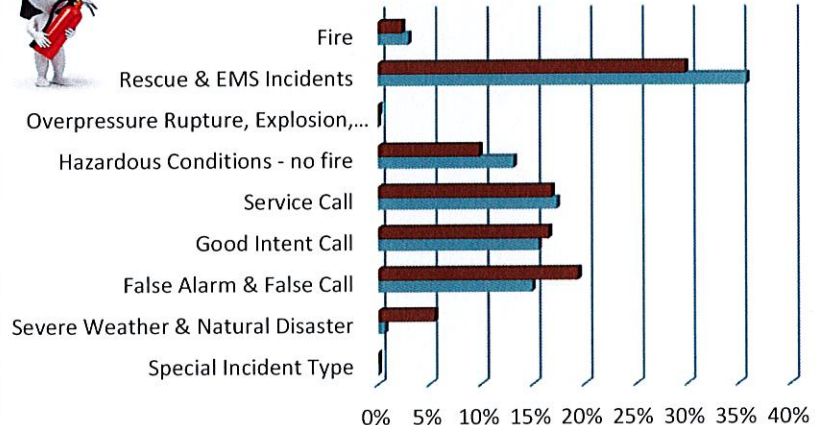
Month

Calls for Service **168**
 % Overlapping Incidents **8.93%**
 Busiest Day of Week **WED**
 Busiest Hour of Day **5pm**
 # of Times Staff Recalled **2**

Year

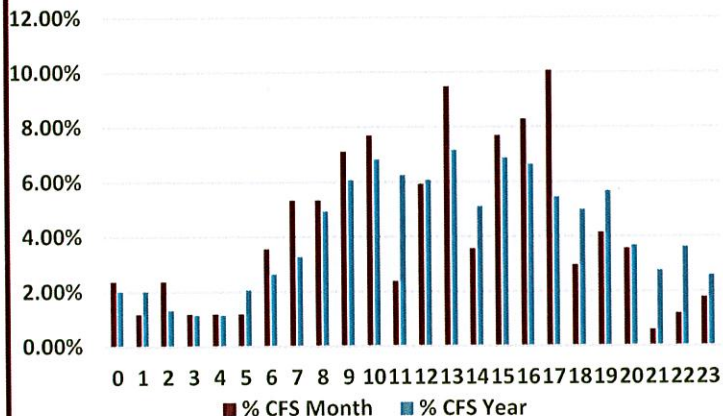
Calls for Service **1748**
 % Overlapping Incidents **12.08%**
 Busiest day of Week **FRI**
 Busiest Hour of Day **1pm**
 # of Times Staff Recalled **17**

% of Calls for Service (CFS)

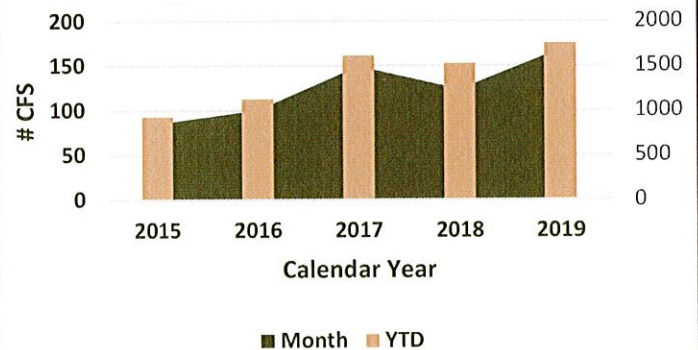


■ Year to Date % ■ Month %

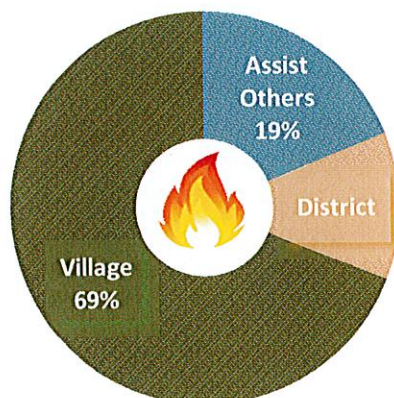
% CFS BY HOUR OF DAY



5 Year Comparison Through this Month of Year



LOCATION OF CFS FOR FY19



Inspections Completed this

MONTH **50**
 YEAR **522**

Code Violations Found this

MONTH **69**
 YEAR **469**

Percentage of Violations

Corrected YTD **91%**



Days Since Last Lost Time Accident in FD **687**

YTD Training Hours

IN HOUSE **6230**
 OUTSIDE **1022.5**



Public Awareness Contacts



MONTH **1,745**
 YTD **28,612**

Incident Crime Summary Year To Year Comparison

Pinehurst Police Department

January - May

Offense	2018	2018 Unfounded	2019	2019 Unfounded	% Change
Homicides					
Murder and Non-negligent Manslaughter	0	0	0	0	--
Negligent Manslaughter	0	0	0	0	--
Justifiable Homicide	0	0	0	0	--
Total Homicides	0	0	0	0	--
Kidnapping/Abduction	1	0	1	0	0.0%
Sex Offenses					
Rape	0	0	1	0	--
Sodomy	0	0	0	0	--
Sexual Assault with an Object	0	0	1	0	--
Fondling	0	0	1	0	--
Total Sex Offenses	0	0	3	0	--
Robbery	0	0	0	0	--
Assaults					
Aggravated Assault	0	0	1	1	--
Simple Assault	6	4	18	1	200.0%
Intimidation	0	0	1	0	--
Total Assaults	6	4	20	2	233.3%
Arson	0	0	0	0	--
Extortion/Blackmail	1	0	0	0	-100.0%
Burglary/Breaking and Entering	3	0	7	0	133.3%
Larceny/Theft					
Pocket-Picking	0	0	0	0	--
Purse-Snatching	0	0	0	0	--
Shoplifting	1	0	2	0	100.0%
Theft of Motor Vehicle Parts	0	0	0	0	--
Theft from Motor Vehicle	10	0	10	0	0.0%
Theft from Coin-Operated Machine or Device	0	0	0	0	--
Theft from Building	9	0	12	0	33.3%
All Other Larceny	14	2	14	0	0.0%
Total Larceny/Theft Offenses	34	2	38	0	11.8%
Motor Vehicle Theft	0	0	4	0	--
Counterfeiting/Forgery	1	0	4	0	300.0%

Incident Crime Summary Year To Year Comparison

Pinehurst Police Department

Offense	January - May				% Change
	2018	2018 Unfounded	2019	2019 Unfounded	
Fraud					
False Pretenses/Swindle/Confidence Game	7	2	10	2	42.9%
Credit Card/Automatic Teller Machine Fraud	2	0	3	0	50.0%
Impersonation	0	0	4	0	--
Welfare Fraud	0	0	0	0	--
Wire Fraud	0	1	0	0	--
Identity Theft	0	0	6	0	--
Hacking/Computer Invasion	0	0	0	0	--
Total Fraud Offenses	9	3	23	2	155.6%
Embezzlement	0	0	0	0	--
Stolen Property	1	0	1	0	0.0%
Destruction/Damage/Vandalism of Property	14	1	8	0	-42.9%
Drug/Narcotic Offenses					
Drug/Narcotic Violations	70	0	73	0	4.3%
Drug Equipment Violations	28	0	44	0	57.1%
Total Drug/Narcotic Offenses	98	0	117	0	19.4%
Sex Offenses, Nonforcible					
Incest	0	0	0	0	--
Statutory Rape	1	0	0	0	-100.0%
Total Sex Offenses, Nonforcible	1	0	0	0	-100.0%
Pornography/Obscene Material	1	0	2	0	100.0%
Gambling					
Betting/Wagering	0	0	0	0	--
Operating/Promoting/Assisting Gambling	0	0	0	0	--
Gambling Equipment Violations	0	0	0	0	--
Sports Tampering	0	0	0	0	--
Total Gambling Offenses	0	0	0	0	--
Prostitution					
Prostitution	0	0	0	0	--
Assisting or Promoting Prostitution	0	0	0	0	--
Purchasing Prostitution	0	0	0	0	--
Total Prostitution Offenses	0	0	0	0	--
Bribery	0	0	0	0	--
Weapon Law Violations	2	0	10	0	400.0%

Incident Crime Summary Year To Year Comparison

Pinehurst Police Department

Offense	January - May				% Change
	2018	2018 Unfounded	2019	2019 Unfounded	
Human Trafficking					
Commercial Sex Acts	0	0	0	0	--
Involuntary Servitude	0	0	0	0	--
Total Human Trafficking Offenses	0	0	0	0	--
Animal Cruelty	0	0	0	0	--
Grand Total	172	10	238	4	38.4%

Activity Detail Summary (by Category)

Pinehurst Police Department

(05/01/2019 - 05/31/2019)

Incident\Investigations

13B - Simple Assault	4
220 - Burglary/Breaking & Entering	1
23C - Shoplifting	1
23D - Theft From Building	1
23H - All Other Larceny	3
240 - Motor Vehicle Theft	1
250 - Counterfeiting/Forgery	1
26A - False Pretenses/Swindle/Confidence Game	4
26B - Credit Card/Automatic Teller Machine Fraud	2
26C - Impersonation	2
26F - Identity Theft	2
290 - Destruction/Damage/Vandalism of Property	1
35A - Drug/Narcotic Violations	24
35B - Drug Equipment Violations	11
520 - Weapon Law Violations	2
90D - Driving Under the Influence	6
90Z - All Other Offenses	23
Left of Center - Driving Left of Center	1
License - Driver's License Violations	1
Property Damage - Non-Criminal property damage due to accidents, acts of nature, etc.	1
Registration - Vehicle Registration Violations	1
Speeding - Speeding	2
Total Offenses	95
Total Incidents	54

Arrests

13B - Simple Assault	1
220 - Burglary/Breaking & Entering	1
23D - Theft From Building	1
23H - All Other Larceny	1

Activity Detail Summary (by Category)

Pinehurst Police Department

(05/01/2019 - 05/31/2019)

Arrests

240 - Motor Vehicle Theft	1
250 - Counterfeiting/Forgery	1
26A - False Pretenses/Swindle/Confidence Game	1
35A - Drug/Narcotic Violations	28
35B - Drug Equipment Violations	13
520 - Weapon Law Violations	1
90D - Driving Under the Influence	7
90Z - All Other Offenses	8
Total Charges	64
Total Arrests	32

Accidents

Total Accidents	0
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Citations

Driving While License Revoked	26
DWI	5
Expired Registration	45
Failure To Reduce Speed	3
Failure To Stop (Stop Sign/Flashing Red Light)	4
Inspection	1
No Insurance	7
No Operator License	20
Other (Infraction)	52
Passenger Seat Belt - Juvenile	1
Possess/Consume Alcohol - Passenger	3
Running Red Light	3
Speeding (Infraction)	117
Speeding (Misdemeanor)	1
Unsafe Movement	7
Secondary Charge	78

Activity Detail Summary (by Category)

Pinehurst Police Department

(05/01/2019 - 05/31/2019)

Citations

Total Charges	373
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Total Citations	295
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Warning Tickets

Total Charges	0
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Total Warning Tickets	0
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Ordinance Tickets

Total Ordinance Tickets	0
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Criminal Papers

Magistrates Order	6
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Warrant	6
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Total Criminal Papers Served	12
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Total Criminal Papers	12
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Civil Papers

Total Civil Papers Served	0
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Total Civil Papers	0
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**APPROVAL OF DRAFT VILLAGE COUNCIL MEETING MINUTES.
ADDITIONAL AGENDA DETAILS:**

June 11, 2019 Regular Meeting
June 11, 2019 Closed Session (not public)

FROM:
Beth Dunn

CC:
Jeff Sanborn

DATE OF MEMO:
5/16/2019

MEMO DETAILS:
Attached are the draft minutes from the Village Council regular meeting and closed session on June 11, 2019.

ATTACHMENTS:

Description

▣ June 11, 2019 Regular Meeting



**VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF JUNE 11, 2019
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, June 11, 2019 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. John Bouldry, Mayor Pro Tem
Ms. Judy Davis, Treasurer
Mr. Kevin Drum, Councilmember
Mr. Jack Farrell, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Beth Dunn, Village Clerk

And approximately 28 attendees, including 7 staff and 1 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo, called the meeting to order.

2. Reports:

Village Manager

- Introduced the new Planning and Inspections Director, Darryn Burich. He brings a wealth of knowledge and experience to the Village of Pinehurst with 25 years of experience.

Village Council

- Mayor Pro Tem Bouldry stated he sent an email to the North Carolina Department of Transportation (NCDOT) regarding the tragic accident between a car and a golf cart on Morganton Road. The NCDOT responded quickly and said they were already working on some options to make the area safer. On June 18th they will have a meeting with the NCDOT and Resort representatives to discuss options to make the area safer.
- Councilmember Davis reminded everyone that Shakespeare in the Pines is this happening weekend and the shows are free.

3. Motion to Approve Consent Agenda.

All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

- Approval of Draft Village Council Meeting Minutes.
 - May 23, 2019 Budget Work Session
 - May 28, 2019 Regular Meeting
 - May 28, 2019 Closed Session

End of Consent Agenda.

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

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

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

5. Public Hearing No. 1

Natalie Hawkins, Assistant Village Manager, explained public hearing No. 1 is to consider a voluntary annexation petition from Planet Development, LLC., for ±6.95 acres located in the vicinity of Laforet Lane and Laforet Court near the intersection of Foxfire Road and Linden Road. The property to be annexed is further identified as Moore County Parcel ID# 98000634. Ms. Hawkins explained that on February 26, 2019, Village Council approved a General Concept Plan for the LaForet 40-unit townhome project for the subject property. The property is not contiguous to the Village of Pinehurst corporate limits.

Councilmember Farrell asked the applicant if the selling point is to say they will be in the Village of Pinehurst when trying to market the development. Clark Campbell, Applicants Attorney, stated that he assumes the Pinehurst name would matter, however, the address wouldn't be Pinehurst, as with developments such as Murdocksville Road which has a West End address for the postal service. Mr. Campbell stated the voluntary petition was submitted to be in compliance with the Pinehurst Development Ordinance (PDO) to obtain a watershed allocation and he wasn't sure if it would be in the best interest of the Village or the applicant to be annexed. Councilmember Farrell inquired about plans for solid waste pick up for the development, if there was no annexation. Mayor Nancy Fiorillo stated there couldn't be a special intensity allocation if there wasn't an annexation. Mr. Campbell stated that the PDO reads that a petition for annexation must be on file to grant the allocation. Jeff Sanborn, Village Manager, stated that was correct, they are two separate items and the intensity allocation can be granted, once the final plans are in, as an application for annexation had been submitted. Councilmember Farrell stated that he is not a huge fan of non-contiguous annexations and that he did some calculations on the positive and negatives for the annexations. Mr. Sanborn stated that based on the land use physical analysis, conducted a couple years ago, that all of residential uses are profitable and multi-family had the highest net positive stream.

Public Comments:

- Lynn Goldhammer, 11 Salem Lane, asked for clarification as to why we are annexing this property when Council already approved the project, she thought it was already in Pinehurst. She also stated for solid waste, the development should look at sharing services with other towns.
 - Mayor Fiorillo explained the property is currently in the Village of Pinehurst ETJ and subject to all regulations.

6. Public Hearing No. 2

Alex Cameron, Senior Planner, explained this public hearing is to consider an Official Zoning Map Amendment. The map amendment includes three parcels of land consisting of approximately 1.6 acres further identified as Moore County PID #'s 20040078, 20040080 and 20040387. This amendment would zone the properties R-MF (Residential Multi-Family). The properties are currently zoned RD (Recreational Development) and R-MF (Residential Multi-Family). The property is part of the Fairwood Estates Planned Unit Development. The applicant and property owners are James O'Malley, David Shupp and Walter Hess. Mr. Cameron stated the Village Planning and Zoning Board held a public hearing on May 2, 2019 and recommended approval to Council.

Councilmember Davis asked why Moore County records list the property as zoned Multi-P. Mr. Cameron explained that is the designation they used for multiple because the property zoning splits the property. Mr. Cameron gave the history of the development of Fairwoods Estates and explained when the development was approved in 1986 the development ordinance, at that time, didn't allow a zero lot line for residential units which prompted them to use the multi-family designation to allow the property beyond the foundation of the home to belong to the Home Owners Association as a common open space. Councilmember Farrell stated his major concern is if they rezone these parcels to multi-family he couldn't find a reason why someone couldn't come in and build multiple town homes, even though he knows that is not the intent of the applicant.

Public Comments:

- Eric Eshelman, President of the Homeowners Association (HOA) for No. 7, stated they have an architectural review board which will not approve anything other than a single family home. He stated that they are in the process of making all the lots privately owned and doing away with the limited common areas, owned by the HOA.

- David Shupp, 7 Granger Rd., stated that his lot is actually zoned residential and the lot beside of him is half recreational and half
- Walt Hess, Granger Rd., stated don't think the lots are not being taxed because they certainly are.

7. Public Hearing No. 3

Alex Cameron, Senior Planner, explained this public hearing is to consider a request by Moore County Schools for a Major Site Plan Review to allow for the construction of a new elementary school for the property at 100 Dundee Road, further identified by Moore County PID # 00024884. This property is located within the R-10 (High Density Residential) Zoning District. Moore County Schools has received a Certificate of Appropriateness from the Historic Preservation Commission (HPC) for the demolition of the existing buildings on the site in October, 2018. Mr. Cameron stated that at their last meeting on May 23rd, the HPC also voted to unanimously issue a COA for the proposed building with the new construction. Mr. Cameron stated the Board of Adjustment issued a variance at their June 6th meeting for the impervious surface to exceed the required 40%. The Technical and Review Committee has reviewed the project and deemed it in compliance with all applicable codes. The Planning and Zoning Board recommended approval of the concept plan with 4 conditions. Following that meeting the applicant has addressed 3 of the 4 conditions recommended by the Planning and Zoning Board. Mr. Cameron stated that staff recommends approval with one condition that the applicant will provide a 25% enhanced landscaping along the property line abutting adjacent residential properties. John Birath, Moore County Schools Executive Officer of Operations, agreed this has been a challenging project due to the small site and thanked the Village for their willingness to work with the school system. Mayor Nancy Fiorillo stated she appreciates all of the hard work done to keep the Elementary School on the same site.

Renee Pfeifer, CHL Design, reviewed the site plan with the Council. Ms. Pfeifer explained the school is 120 parking spaces, sidewalk connectivity, and fire lane to rear of the building. There will be a 4 foot black ornamental fence along the perimeter, on the rear of the site, where the play areas are. Councilmember Davis inquired about the entrances to the building and how were they secured. Mr. Birath explained that in the mornings the only two doors will be open during drop off, after school starts all doors lock and you can only access the building from the front door which is monitored by cameras and automatically locking doors. The outside doors can only be opened with keyless fobs, which the teachers have. Councilmember Drum asked if the applicant was ok with the additional 25% buffer condition recommended by the Planning and Zoning Board. Ms. Pfeifer explained they are asking Council allow them to plant some of the required additional plantings outside of the 20 foot buffer requirement area, due to the large number of plants and trees in one area, this way the plant material will survive. Councilmember Davis asked how many trees would be removed. The Landscape Architect stated 135 trees on the interior of the site and 24 in the buffer area will be removed. She also stated that 208 long leaf pines, 105 understory trees and 698 shrubs will be planted back in the buffer area. As well as 28 pines or hardwood trees and 105 understory trees planted back in the parking areas.

Public Comments:

- John Hoffman, Everett Rd., asked where the entrance would be on Kelly Road. Mr. Hoffman stated he is concerned that construction will harm the sand walking path and buffer along the roadway
 - Mr. Birath stated they had no plans to disturb that area.
- Clark Campbell, resident, stated he doesn't think an extra 25% landscaping buffer is necessary as the area is already green and grown. Mr. Campbell also asked how they plan to keep strangers out of the play area.
 - Mr. Birath explained they nestled the play area in the back of the school for safety reason and they have safety cameras outside. Mr. Birath stated the fence chokes the area down to only 2 access points at the back of the school, which will be monitored. Brent Covington, Ratio Designs, noted that the design of the building was configured to have large straight line views of the property.
- Frank Pacitico, resident, asked if the fire lanes would meet the requirements for a hook and ladder trucks.
 - Ms. Pfeifer stated they have meet all the NC Fire Code requirements for fire apparatuses.
- Tom Campbell, resident, asked about the walking school bus program and if that would still be available at the new school.
 - Mr. Birath stated that was a school based leadership decision, however, all pathways will still be available for the program.
- Clark Campbell, resident, asked if roads have been designated for construction traffic.
 - Jeff Sanborn, Village Manger, stated that hasn't been coordinated yet.
- Lynn Goldhammer, 11 Salem Lane, stated she is glad the school is staying on the current site. She also asked if it was possible to

put in a 3rd lane for turning into the school on Dundee and Kelly. She stated she hopes the magnolia trees on Dundee are not cut down.

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

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

9. Discuss and Consider Ordinance 19-10 to Extend the Corporate Limits of the Village of Pinehurst (LaForet).

Upon a motion by Councilmember Drum, seconded by Councilmember Davis, Council approved Ordinance 19-10 extending the corporate limits of the Village of Pinehurst, NC by a vote of 3-1, with Councilmember Farrell voting No.

10. Discuss and Consider Ordinance 19-11 Amending the Official Pinehurst Zoning Map.

Councilmember Farrell explained he trusts the Home Owners Association and they plan to construct a single family home, he is concerned with future owners of the property. Mr. Cameron explained to Council that if a zoning application has been denied there is a 12 month waiting period. Mayor Pro Tem Bouldry stated he doesn't want the applicant to wait 12 months. Jeff Sanborn, Village Manager, stated to be fair to the applicant they would like to move the process as quickly as possible, if the decision is to deny the 12 month clock could start. Also, if they chose to continue to the next meeting they can always continue again to obtain the proper information.

Upon a motion by Councilmember Drum, seconded by Councilmember Farrell, Council unanimously continued the item to the next regular Council meeting on June 25th by a vote of 4-0.

11. Discuss and Consider a Request by Moore County Schools for a Major Site Plan Review to Allow for the Construction of a New Elementary School.

Councilmember Davis stated she is conflicted with clear cutting the parcel which is why she is voting against the plan. Councilmember Drum stated it is a tradeoff, for keeping the school. Councilmember Farrell stated he understands the concerns but tree cutting was necessary to construct the appropriate elementary school.

Upon a motion by Councilmember Drum, seconded by Councilmember Farrell, Council approved General Concept Plan for the new Pinehurst Elementary School located at 100 Dundee Road requested by Moore County Schools with the condition that the applicant must provide enhanced landscaping of 25% along the property line abutting adjacent residential properties by a vote of 3-1, with Councilmember Davis voting no.

12. Discuss and Consider Ordinance 19-12 Adopting the Fiscal Year 2020 Budget for the Village of Pinehurst.

Brooke Hunter, Financial Services Director, explained that budget ordinance 19-12 adopting the Village of Pinehurst FY 2020 Budget has been presented for Council's review and approval. The ordinance is based on the budget that was presented by the Village Manager on May 14, 2019 and no changes have been made to the budgeted amounts since that time.

Upon a motion by Councilmember Davis, seconded by Councilmember Farrell, Council unanimously approved Ordinance 19-12 adopting the Village of Pinehurst fiscal year 2020 budget by a vote of 4-0.

13. Discuss and Consider a Contract for Legal Services for Fiscal Year 2020.

Brooke Hunter, Financial Services Director, explained the proposed contract for legal services with Van Camp, Meacham, & Newman, PLLC for Fiscal Year (FY) 2020 has been presented for Council's review and consideration. The functional terms of the contract are unchanged from the previous year. Ms. Hunter stated the contract calls for a 2% cost increase, bringing the monthly rate to \$4,660. The annual contract totals \$55,920. Michael Newman's hourly rate is \$375 per hour, a minor \$25 increase from the previous year.

Upon a motion by Councilmember Drum, seconded by Councilmember Farrell, Council unanimously authorized the Mayor or her designee to execute a contract with Van Camp Meacham & Newman, PLLC for legal services for Fiscal Year 2020 by a vote of 4-0.

14. Discuss and Consider the Contract for the Examination of Local Governmental Employees' Retirement System Census Data.

Brooke Hunter, Financial Services Director, explained that the Village of Pinehurst was selected by the Office of State Auditor (OSA) to obtain a required census data examination for the calendar year ended 12/31/19. The Village is one of 53 government employer participants selected from both the Local Governmental Employees' Retirement System (LGERS) and Teachers' and State

Employees' Retirement System (TSERS). This is the third year of required testing, and units that were not selected this year will eventually be chosen as the State works through the sample pool, except very small units. The OSA is the auditor for the State of North Carolina's Comprehensive Annual Financial Report (CAFR), which includes the LGERS plan. Employee information and payroll data for the LGERS plan is entered into ORBIT (North Carolina's online retirement system portal) by each individual government unit. The engagement focuses on internal controls surrounding the ORBIT data gathering and input process, as well as several pieces of census data including: eligibility, compensation, gender, date of birth, date of enrollment in the plan with this employer, and termination date. Upon implementation of GASB Standards 67 and 68 regarding the reporting of pension assets and liabilities, the OSA began requiring a selection of government employer participants to obtain an examination of their census data each year. This allows the OSA to provide assurance that the census data used to produce the net pension liability and pension expense data is materially accurate.

Our current auditor, Dixon Hughes Goodman, LLP, is experienced in performing these examinations. Ms. Hunter stated that based on the professional service the Village has received, she recommends the Village Council approve the engagement letter with Dixon Hughes Goodman, LLP in the amount of \$7,000 to complete the state-required census data examination. The required census data examination will be completed in fiscal year (FY) 2020 and funds are available in the FY 2020 budget to cover these unexpected costs.

Upon a motion by Councilmember Drum, seconded by Councilmember Davis, Council unanimously authorized the Mayor or her designee to execute the engagement letter with Dixon Hughes Goodman, LLP for the completion of a state-required census data examination by a vote of 4-0.

15. Discuss and Consider Solid Waste Contract for Waste Management and Lofton Garbage Services for Fiscal Year 2020.

Jeff Batton, Assistant Village Manager, explained Waste Management of Carolinas, Inc. is the current provider of services within the Pinewild community and Lofton Garbage Services is a current provider of services for Country Club of North Carolina (CCNC).

Mr. Batton stated the proposed Waste Management contract extension would expire on June 30, 2021. Waste Management has agreed to a flat rate renewal for fiscal year (FY) 2020 and would not increase the current monthly fee until the beginning of FY 2021, which would be capped at the CPI rate for the previous 12 month period. The value of the FY 2020 contract is estimated at \$235,000. Also, the proposed Lofton Garbage Services contract renewal is for 12 months beginning on July 1, 2019 and expiring on July 2020. Mr. Batton explained this contract includes a CPI adjusted rate increase for FY 2020. The value of Lofton's contract is estimated at \$110,000. Councilmember Davis asked if either of the contractors are accepting glass for recycling. Mr. Batton stated that from his understanding Lofton has set up a glass only receptacle for residents in CCNC.

Upon a motion by Councilmember Davis, seconded by Councilmember Farrell, Council unanimously authorized the Mayor or her designee to execute a contract with Lofton Garbage Services for solid waste services to CCNC and Waste Management of Carolinas for solid waste services to Pinewild for fiscal year 2020 by a vote of 4-0.

16. Community Center Update & Discussion of Change Orders/Budget Amendment

Mark Wagoner, Parks and Recreation Director, stated since the last update, the site has seen significant progress. All of the interior and exterior walls are in place, wood trusses have been installed above the program and office area with plywood installation on the trusses approximately 30% complete. Steel trusses were delivered today for the gymnasium, and store front windows are on site and ready to be installed. The two underground storm water systems are being installed and the roof for the building and cupola should be completed by the end of the month. Upcoming items of significance in June and July should be the roof installation, rough in for plumbing, mechanical and fire sprinklers, and the beginning of site utility work such as the water and sewer line connections. The project does remain behind schedule by roughly 3 weeks, due primarily to the delay in receiving the steel trusses for the gymnasium. Mr. Wagoner stated the contractor hopes to make up some time once the building is under roof, and we hope that is the case, as the schedule is getting very tight. As it stands right now, anticipated move in would be the week of November 11th. Mr. Wagner shared photos of the construction progress with Council.

Mr. Wagoner explained expenditures for fiscal year (FY) 2019 to date on the project have totaled \$1,360,697, which includes \$131,850 paid to Oakley Collier Architects for design services and construction administration for the project. The remaining \$1,228,847 has been paid to H.M. Kern Corporation for construction. The total expenditures to date in the Capital Project Fund are \$1,518,439 which includes an additional \$157,742 paid to Oakley Collier for design services in the prior fiscal year.

Mr. Wagner stated the project has a couple of items that have arisen which require a change order for Council's approval and a Council-level budget amendment.

- \$19,000 to upsize the 4" sewer line to 6" from the building to the manhole in the right of way to match the size of the line coming from the building. Mr. Wagoner noted we may be able to offset some of this cost within the project itself, but this would be the maximum expense.
- \$1,500 for additional testing services related to the underground storm water systems. During inspections of the site for the systems, there were concerns about the compaction of the soils and infiltration rates of groundwater. We had to bring the engineers back to do additional testing to make sure the site and the system would work as designed. They were able to confirm the infiltration rates were appropriate and the bad soils were removed from the site.
- There is one additional item outstanding we are currently working with Moore County Public Utilities (MCPU) on that is unresolved as of this moment. MCPU right now is requiring us to install an RPZ and large 10' x 6' x 4' hot box in the right of way on the water line that feeds the new on-site fire hydrant and the building sprinkler system. This hot box would result in an additional cost of \$26,500. The building design currently has the RPZ unit inside the Community Center in the Riser Room for the sprinkler system. Consulting with our engineers and the Fire Chief, the RPZ by the road on the line serving the fire hydrant appears to go against the State Fire Code. Mr. Wagoner explained staff has come up with a solution to loop a 2 inch line back to the right of way which cut the price by a third.

Staff would also like to seek approval to move available funds from Contingency into the Capital Project Fund to allow the construction project to move forward in a timely manner as small change orders arise. This, in combination with the Village Manager being granted authority to approve the change orders, will prevent the project from being on-hold until the next Council meeting to approve any minor change orders. With the timeline becoming so tight for the project, staff feels this is critical to completing the building in time for the department to move into the facility and be ready to open for the upcoming basketball season the first week of December.

Mr. Wagoner explained the proposed ordinance for a budget amendment transfers \$165,000 of contingency funds from the General Fund to the Community Center Capital Project Fund for potential change orders during the construction process. The ordinance also delegates authority to the Village Manager to execute change orders to the Community Center construction contract up to the available amount that is appropriated in the Capital Project Fund budget. A report of any executed change orders will be provided to the Village Council at its next regular meeting.

Upon a motion by Councilmember Farrell, seconded by Councilmember Drum, Council unanimously approved Ordinance 19-13 transferring \$165,000 of contingency funds to the Community Center Capital Project Fund and delegating authority to the Village Manager to execute potential change orders to the Community Center construction contract up to the amount appropriated in the Capital Project Fund budget by a vote of 4-0.

17. Discuss Tri-Cities Highway Corridor Overlay Standards.

Natalie Hawkins, Assistant Village Manager, briefed the Council on the Tri-Cities group's evaluation of highway corridor overlay standards and sought Council's feedback on the preliminary recommendations of the Tri-Cities work group and Village staff. Ms. Hawkins stated Southern Pines is really the only town that has a standard for highway corridors, so they used their standards as a starting point. Mayor Pro Tem Bouldry asked if there was a liaison with the County regarding highway corridor overlays. Ms. Hawkins stated there wasn't, the County is not a member of the TriCities Group.

Ms. Hawkins reviewed the minimum standards agreed upon by the Tri-Cities group and the preliminary recommendations of Village staff for the US Highway 15-501 corridor. Ms. Hawkins explained the Tri-Cities group agreed to set minimum standards on highway corridors where our jurisdictional boundaries meet, but also agreed that each individual town could implement more restrictive standards if desired and appropriate. For example, the standards considered by Pinehurst for the US Highway 15-501 corridor may be more stringent than those considered by the Town of Aberdeen further south on US Highway 15-501. Councilmember Davis asked if impervious surface was included in the standards. Ms. Hawkins stated they decided they would not include impervious surface, they agreed that each individual jurisdiction would handle their own requirements.

18. Other Business.

Mayor Pro Tem Bouldry stated that 2020 would be the Village of Pinehurst's 125 anniversary. He hopes that either the Village or the Village and partners have a celebration event for the anniversary.

19. Comments from Attendees.

- Mr. Fisco asked for staff to look at the area by the Greens Apartments, as the tributary has been blocked and is creating a pond and will be a haven for mosquitos.
 - Mr. Batton stated the Village plans to put a pipe under the sidewalk to get the water flowing into the creek in the park.
- John Hoffman, Everett Rd., stated the Community Presbyterian Church are still continuing to violate the PDO in regards to

parking. He stated that they have reduced the number of services on Sunday's and now have only one, which has made parking violations even worse.

- Councilmember Davis stated it was time for the church to give us some feedback on their plans. Alex Cameron, Senior Planner, stated that they had received resubmittals and had provided comments on the plans.

20. Motion to Recess the Regular Meeting and Enter a Closed Session.

Upon a motion by Councilmember Drum, seconded by Davis, Council unanimously approved to recess the regular meeting and enter into a 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 and pursuant to NCGS 143-318.11(a)(3) to consult with the Village Attorney in order to preserve the attorney-client privilege between the Village Attorney and the Village Council, specifically, Council will discuss potential litigation for the recently approved Taylortown annexation by a vote of 4-0.

21. Closed Session.

1. 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.

2. Pursuant to NCGS 143-318.11(a)(3) to consult with the Village Attorney in order to preserve the attorney-client privilege between the Village Attorney and the Village Council. Specifically, Council will discuss potential litigation for the recently approved Taylortown annexation.

22. Motion to Adjourn the Closed Session and Re-enter the Regular Meeting.

Upon a motion by Councilmember Drum, seconded by Councilmember Davis, Council unanimously approved to adjourn the closed session and re-enter the regular meeting by a vote of 4-0.

23. Motion to Adjourn.

Upon a motion by Councilmember Davis, seconded by Farrell, Council unanimously approved to adjourn the regular meeting by a vote of 4-0 at 9:00 pm.

Respectfully Submitted,

Beth Dunn,
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



**BUDGET AMENDMENTS REPORT
ADDITIONAL AGENDA DETAILS:**

FROM:

Brooke Hunter

CC:

Jeff Sanborn & Natalie Hawkins

DATE OF MEMO:

6/18/2019

MEMO DETAILS:

Attached is the report of budget amendments approved by the Budget Officer as required for the current period.

ATTACHMENTS:

Description

- Budget Amendments Report - FY 2019



**VILLAGE OF PINEHURST
BUDGET AMENDMENTS APPROVED BY BUDGET OFFICER
FOR THE PERIOD JUNE 5 - JUNE 18, 2019**

Under Village of Pinehurst Ordinance #18-08, the Village Council grants the Budget Officer, or Village Manager, the ability to transfer appropriations under specific conditions. These conditions allow transfers of up to \$10,000 between departments (including contingency) of the same fund for the FY 2019 Budget. The Budget Officer may not transfer monies between funds at any time.

According to Section 159-15 of The Local Government Budget and Fiscal Control Act, "any such transfers shall be reported to the governing board at its next regular meeting and shall be entered in the minutes." Listed below are the amendments authorized by the Budget Officer for the period specified above.

Note: Since appropriations are made at the department level, line item adjustments within the same department may be made without limit and do not require a report since they do not actually amend the adopted budget ordinance.

	<u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>	<u>APPROVED DATE</u>
1	10-10-330-4000	Inspections - Salaries and Wages	\$ 4,000		6/7/2019
	10-10-330-4100	Inspections - Overtime	\$ 3,000		
	10-10-330-4200	Inspections - FICA Expense	\$ 500		
	10-10-330-4300	Inspections - Group Insurance	\$ 600		
	10-10-330-4500	Inspections - Retirement Expense	\$ 900		
	10-00-230-4000	Finance - Salaries and Wages		\$ 3,000	
	10-00-230-4300	Finance - Group Insurance		\$ 6,000	
		Transfer to Inspections salary accounts to cover expenditures for part-time Building Inspector assistance to address capacity demands. Funds transferred from available resources in Financial Services salaries and group insurance.			
2	10-80-620-6400	HT - Utilities	\$ 3,000		6/10/2019
	10-80-640-6400	FB - Utilities	\$ 2,000		
	10-80-610-6400	Recreation - Utilities		\$ 5,000	
		Adjust utilities budgets between departments to reflect actual usage for the fiscal year.			
3	10-20-410-4000	Public Services Admin - Salaries and Wages	\$ 2,000		6/11/2019
	10-20-410-4100	Public Services Admin - Overtime	\$ 1,500		
	10-20-410-4500	Public Services Admin - Retirement Expense	\$ 1,500		
	10-00-960-4000	Fleet - Salaries and Wages	\$ 3,000		
	10-00-960-3560	Charges to Other Departments		\$ 3,000	
	10-30-510-5903	Fleet ISF	\$ 3,000		
	10-10-310-4000	Police - Salaries & Wages		\$ 8,000	
		Transfer available funds from Police salaries to Public Services Administration and Fleet Maintenance salaries to cover actual expenditures. In 2019, COLA adjustments were implemented in addition to merit increases. Most departments were able to absorb the higher increases through lapsed salaries, but these two smaller departments required an amendment. The related Fleet allocation accounts have also been adjusted.			

4	10-40-710-4000	Planning - Salaries and Wages	\$	8,300		6/11/2019
	10-40-710-4200	Planning - FICA Expense	\$	600		
	10-40-710-4500	Planning - Retirement Expense	\$	900		
	10-40-720-9999	Comm Dev - Contingency			\$ 5,000	
	10-00-230-4000	Finance - Salaries and Wages			\$ 3,000	
	10-00-230-4300	Finance - Group Insurance			\$ 1,800	

Transfer from Community Development contingency and Financial Services salaries to cover the unfunded portion of Administrative Assistant's retirement payout.

5	10-40-710-5300	Planning - Contracted Services	\$	4,500		6/11/2019
	10-00-210-5800	Governing Body - Professional Services			\$ 4,500	

Transfer unused Governing Body professional services to Planning contracted services to cover contracted temporary staffing to enter pending permits into new Accela permitting software in preparation for launch on July 1.

6	10-00-220-5904	Admin - B&G Maintenance ISF Charges	\$	1,000		6/17/2019
	10-10-330-5904	Inspections - B&G Maintenance ISF Charges	\$	400		
	10-80-620-5904	HT - B&G Maintenance ISF Charges	\$	5,000		
	10-40-710-5904	Planning - B&G Maintenance ISF Charges	\$	2,500		
	10-80-640-5904	FB - B&G Maintenance ISF Charges			\$ 8,900	

Adjust B&G departmental allocation accounts to reflect actual operating expenditures for the fiscal year.

7	10-10-320-7420	Fire - Capital Outlay: B&G Equipment Charges	\$	8,000		6/17/2019
	10-00-220-7420	Admin - Capital Outlay: B&G Equipment Charges	\$	1,000		
	10-10-310-7420	Police - Capital Outlay: B&G Equipment Charges			\$ 9,000	

Transfer \$8,000 from Police to Fire to replace Fire Station 92 HVAC unit that is no longer functioning and \$1,000 from Police to Administration to cover the minor budget shortage from the HVAC replacement earlier this year.



**DISCUSS REZONING REQUEST FOR FAIRWOODS ESTATES PLANNED
UNIT DEVELOPMENT.
ADDITIONAL AGENDA DETAILS:**

FROM:

Darryn Burich

CC:

Jeff Sanborn & Natalie Hawkins

DATE OF MEMO:

6/20/2019

MEMO DETAILS:

This agenda item is to discuss the rezoning request for the Fairwood Estates Planned Unit Development, specifically three parcels consisting of approximately 1.6 acres further identified as Moore County PID #'s 20040078, 20040080 and 20040387. Council held a public hearing on this rezoning request on June 11, 2019 and did not take any action at that time.

After further research, Village staff believe the property is already zoned R-MF (Residential Multi-Family), but the subject properties are not shown as R-MF on the Village's Official Zoning Map due to a mapping error. The attached memo and supporting documents describe how staff reached this conclusion as well as the procedure for correcting the zoning map.

Therefore, there is no action needed by the Village Council on this item at this time.

ATTACHMENTS:

Description

- ☐ Staff Memo
- ☐ Certified Survey Map from 1991
- ☐ Preliminary Major Site Plan Review Letter to Developer
- ☐ Presubmittal Letter from Pinehurst Planning to Developer (1/19/96)
- ☐ Letter from Developer to Pinehurst on Development Proposal (1/30/96)
- ☐ Letter from Pinehurst to Developer on Major Site Plan Application (3/7/96)
- ☐ Major Site Plan Application (3/15/96)
- ☐ Minutes of 5/20/96 Council Meeting Approving Major Site Plan
- ☐ PDO Excerpt on Map Correction Process



To: Mayor Fiorillo and Village Council
From: Darryn Burich, Planning and Inspections Director
Cc: Jeff Sanborn, Village Manager
Natalie Hawkins, Assistant Village Manager
Alex Cameron, Senior Planner
Date: June 20, 2019
Subject: Zoning Map Correction for 3, 7, & 9 Granger Drive

On June 11th, Council held a public hearing on the Granger Drive rezone and after conducting an extensive review of the Village's records for approval of the Fairwoods development (5/20/1996), staff has determined that Council does not have to take action on the rezoning request per the following discussion. It is staff's opinion that the current split zoning situation is a result of an ongoing mapping error carried over from Moore County's maintenance of the Village's Zoning Map.

The following information was utilized to support the determination that this is a mapping error (with all information being included as part of this memo):

- 1) Certified Survey Map from 1991 indicating that the subject property was zoned MF.
- 2) Correspondence from Pinehurst Planning (undated) regarding the preliminary review to make an application for Major Site Plan review that details any potential development issues with no indication that the parcel was zoned incorrectly or needed to be changed from RD.
- 3) Correspondence from Pinehurst Planning and Zoning dated January 19, 1996 indicating that the subject property was zoned R-MF.
- 4) Correspondence from developer dated January 30, 1996 indicating that all units within the Major Site Plan will be detached single family townhouses of approximately 2,500 square feet.
- 5) Correspondence from Pinehurst Assistant City Manager dated March 7, 1996 indicating that the subject property was zoned R-MF.
- 6) Major Site Plan Application dated March 15, 1996 indicating that the subject property was zoned R-MF.
- 7) Minutes from the May 20th, 1996 Council meeting approving the Major Site Plan for the Fairwoods development which conditionally approved the project stating in particular that the "the Village reserves the right to reject any and all plans related to this application."

In all of the background material that has been researched, at no time during preliminary staff reviews or during Planning and Zoning Board or Village Council review and approval has there ever been an issue raised with respect to the zoning being incorrect. Furthermore, building permits have been issued for both 7 and 9 Granger Drive which both are shown with RD zoning. For those properties to have been able to obtain building permits the proper RMF zoning needed to be in place.

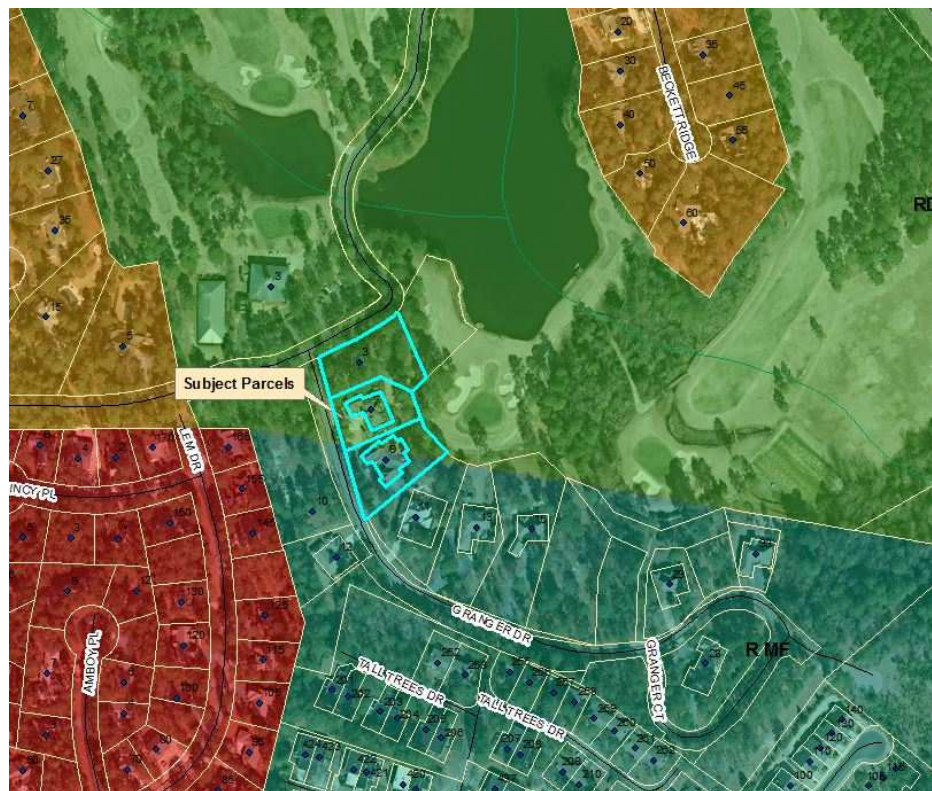


Staff's reviews for the Fairwoods development were based on the 1995 Official Zoning Map and as previously discussed at no time was it ever noted at any level (staff or Board) that split zoning was an issue for the development. Staff has also reviewed all of the zoning map amendments approved by the Village Council since 1995 and there is no indication that RD zoning was ever officially placed on the subject properties.

Per Chapter 8.1 E of the PDO, "Where other uncertainty exists, the Village Planner shall interpret the Official Zoning Map as to the location of such boundaries. This decision may be appealed to the Zoning Board of Adjustment." Staff is proposing to utilize this provision in the PDO to initiate an administrative zoning map amendment to correct this ongoing mapping error.

Correcting the mapping error will allow detached single family development to move forward under the previously approved Major Site Plan approval. Any changes that would include any proposal for "attached" single family units would require an amendment to the previously approved Major Site Plan for the Fairwoods development. This would require a public hearing and Village Council approval.

In conclusion, staff recommends making an administrative zoning map amendment, per Section 8.1E of the PDO and no Council action is needed at this time.



Area Zoning Map



HISTORY, CHARM, AND SOUTHERN HOSPITALITY_____

PLANNING & INSPECTIONS

395 Magnolia Road • Pinehurst, NC 28374 • Telephone (910) 295-2581 • Fax (910) 295-1396 • www.vopnc.org

PC 4. Slide 308
211 300900

"PINEHURST NUMBER 7 GOLF COURSE"
"CLUBHOUSE TRACT"

MRS. JUDITH M. A. LMS
REGISTER OF CL. 25
MOORE COUNTY, N.C.

RATIO OF PRECISION = 1/7500+
ACREAGE DETERMINED BY COORDINATE METHOD.

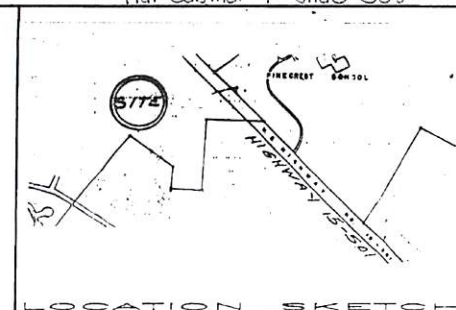
OWNER:
PINEHURST RESORTS COMPANY
P. O. BOX 6200
PINEHURST, NORTH CAROLINA
28374

THERE ARE NO NEW STREETS CREATED BY THIS PLAN.

REFERENCE:
DEED BOOK 79 PAGE 399
MOORE COUNTY REGISTRY

30N60P-3MF

Plat Cabinet 4 Slide 308



PINEHURST, INCORPORATED
PHASE ONE, UNIT 8-A

21.284 ACRES

MOORE COUNTY,
NORTH CAROLINA

1. C. H. BLUE, REGISTERED LAND SURVEYOR,
HEREBY CERTIFY THAT THIS PLAT WAS DRAWN
UNDER MY SUPERVISION FROM AN ACTUAL SURVEY
MADE UNDER MY SUPERVISION; THAT THIS PLAT
IS PREPARED IN ACCORDANCE WITH G.S. 47-30
AS AMENDED. WITNESS MY ORIGINAL SIGNATURE
REGISTRATION NUMBER AND SEAL THIS

11TH DAY OF MAY, 1990

R. L. S. NO. 642

I, STEPHEN K. SHWEEFIELD, A NOTARY PUBLIC OF
THE COUNTY AND STATE AFORESAID DO HEREBY
CERTIFY THAT C. H. BLUE, A REGISTERED LAND
SURVEYOR, PERSONALLY APPEARED BEFORE ME
THIS DAY AND ACKNOWLEDGED THE EXECUTION OF
THE FOREGOING INSTRUMENT. WITNESS MY HAND
AND OFFICIAL STAMP OR SEAL THIS 11th
DAY OF MAY, 1892.

MY COMMISSION EXPIRES: 2-10-71

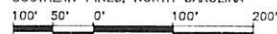
NOTARY PUBLIC

"MERRYWOOD"

SURVEY FOR PINEHURST RESORTS COMPANY, INC.
NEAR PINEHURST, NORTH CAROLINA
MINERAL SPRINGS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA

MAY 8, 1990 -*- SCALE 1"=100'

C. H. BLUE AND ASSOCIATES, P. A.
SOUTHERN PINES, NORTH CAROLINA



UNLESS OTHERWISE DENOTED,
 ● = EXISTING IRON STAKE
 ○ = SET IRON STAKE
 □ = SET CONCRETE MONUMENT
 ■ = EXISTING CONCRETE MONUMENT

VILLAGE OF PINEHURST
PLANNING DEPARTMENT
P. O. BOX 5589
PINEHURST, N. C. 28374
(910) 295-2581

Jeff Beran
Gouger, O'Neal and Saunders
P. O. Box 95
Pinehurst, N. C. 28374

Re: Review of Major Site Plan for Fairwood Estates.

Dear Sir:

This letter is to inform you of requirements needed to complete an application so that it may be reviewed by the Village Staff, Community Appearance Commission, and Planning and Zoning Board for recommendation to the Village Council.

Upon my pre-submittal review of your plat I noticed a few conceptual problems that need to be addressed:

1. Building Separation - Section 8.10.6 of the Pinehurst Development Code requires 35 feet building separation if either building wall contains a front entrance plus 5 feet for each story greater than one. There appears to be a problem with separation between units 1 and 3, 13 and 14, and between units 32 and 33.
2. Required Buffer - The road cuts into the buffer in front of units 8 and 9 and also at Dixie Gas Pipeline right-of-way.
3. Parking - No parking is provided for community swimming pool. Parking requirements for swimming pools are addressed in Table 12.1.2 of the Development Code. The only parking provided at each dwelling is inside garage. No parking is provided for guests and your design does not show a "turn-around" when exiting the garage. This design would require someone to back all the way to the road.
4. Streets - Not designed and located in regard to public convenience and safety. (See Section 15.1.6) Proposed street names and addresses must be shown on site plan.
5. Special Flood Hazard Areas - Your plat also does not reference any Special Flood Hazard Areas. FEMA Map number 37125C0165C effective date December 15, 1989 shows some areas to be located in or near a flood hazard area near the "creek" affecting units 27 through 33. This matter, if applicable, is addressed in Chapter 14, Part 3 of the Pinehurst Development Code.

6. Erosion Control Plan - Must be submitted to N. C. Department of Environment, Health and Natural Resources if over an acre is disturbed. Copy of plan and approval must be submitted to Village before Building Permit is issued.

7. Comprehensive Sign Plan - Must be submitted with Site Plan to be reviewed by Community Appearance Committee and Planning and Zoning Board to include its lighting.

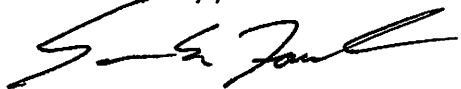
8. Sidewalks and Required Lighting - Location must be shown on Site Plan. Total amount of impervious areas proposed must be shown.

9. Real Estate/Model Home - Temporary Use Permit required. Additional parking required. Sign permit required.

10. Building Plans - Plans to include materials for roof, exterior walls and color schemes, will be needed at time of application for review and recommendation by the Community Appearance Commission.

Attached to this correspondence is an Appendix 6 of the Pinehurst Development Code and Application for a Major Site Plan. The items needed on this plat for application and review are listed in this Appendix; i.e. tree survey, utility easement plans, setbacks between structures, etc. There are numerous items missing on this plat and I recommend that another pre-submittal sketch plan meeting be scheduled. Application must be complete before it may be scheduled for review by the appropriate bodies. Additional information may be necessary to review the submitted site plan. If any further questions arise after review of the Site Plan Application or Appendix 6 please contact this office. The application fee for your major site plan is \$1,842.00; based on \$100.00 + \$2.00/1000 square feet of site.

Sincerely,



Sam E. Fowler
Interim Planner

SEF/pak

cc: Scott Dadson, Assistant Village Manager

VILLAGE OF PINEHURST
PLANNING AND INSPECTION DEPARTMENT
P. O. BOX 5589
PINEHURST, N. C. 28374
(910) 295-2581

January 19, 1996

Mr. Joel Schribberger
13 Aronomink
Pinehurst, N. C. 28374

ReP Fairwood Estates Pinehurst #7.

Dear Sir:

A review of your pre-submittal site plan indicates compliance with the Pinehurst Development Ordinance for the Residential Multi-Family District in which it is located. This site plan meets all dimensional requirements for this zoning district if no subdivision of land is required and the Condominium Act of North Carolina is used for deeding of the property. At the end of our meeting when Jeff Boreen brought up the townhouse proposal we were left unclear of what part of the Condominium Act was to be used for this property to allow the proposed owners to own land that the dwellings would be located on without a subdivision of land. If George Blonsky or your legal staff could please inform us on the Section of the North Carolina State Condominium Act to be used it would make it more understandable.

There are requirements of Dedication of Open Space and Recreation Land that must be satisfied that can be found in Sections 15.1.2 and 15.2.2(d) of the Development Ordinance. Appendix 6 from the Development Ordinance is attached to this correspondence and can be used as a check list for the additional requirement that will need to be added to your site plan submittal.

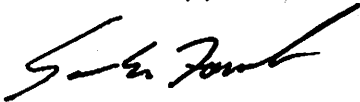
Prior to your first scheduled meeting with the Planning and Zoning Board the building elevations to include exterior colors and materials needs to be reviewed for recommendation by the Community Appearance Committee. Also, the CAC will review the Deeds and Covenants, landscaping, required buffers, landscaping screens, required open spaces, fencing materials to be used, comprehensive sign plan and any other aesthetic aspects. The proposed signs to be used at the model home is to be included in their review.

After your submittal I will have other Village Departments to include Police, Fire and Parks and Recreation review your plan for their recommendations. A letter from Moore Water and Sewer

Authority stating the development can be adequately served with water and sewer is needed. A copy of submittal for an Approved Erosion Control Plan to the State of North Carolina, Department of Environment, Health and Natural REsources needs to accompany the application. Also a Storm Drainage Plan is to be included.

An application for a Major Site Plan is included with this correspondence. If you have any questions or concerns after reviewing this letter and its attachments please contact Scott Dadson, Assistant Village Manager at 295-1900 or myself at 295-2581 between 8:30 A.M. and 5:00 P.M. Monday through Friday.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam E. Fowler", written in a cursive style.

Sam E. Fowler
Interim Planner

SEF/pak

cc: Scott Dadson

13 ARONIMINK
PINEHURST, NC 28374

Rec'd
2-2-96
TCL

January 30, 1996

Mr. Sam E. Fowler
Interim Planner
Village of Pinehurst
Post Office Box 5589
Pinehurst, NC 28374

RE: Fairwoods Estates in The Fairwoods on 7

Dear Mr. Fowler:

Thank you for meeting with us to review Fairwoods Estates, and for your letter of January 19, 1996.

The requirements of Paragraph (13), APPENDIX 6. REQUIREMENTS FOR A MAJOR SITE PLAN present a problem unique to this project. We would appreciate your insight and assistance to help us resolve our dilemma.

Paragraph (13) requires us to "submit drawings of building elevations showing the exterior building materials and colors, height of proposed building, number of stories, and grade of each story, including basement, height and location."

Our goal is to design and build an environment with a "village" atmosphere. Each townhouse will have a different exterior combination of style, building material and color. The specific exterior will be determined by the proximity to other townhouses of similar style, the particular building site, and the preference of the owner. One townhouse may be a French Country style with brick exterior, the next townhouse a Tudor style with stucco exterior, and the next townhouse to that something different, all blended into a harmonious village theme.

The floor plan will be substantially the same, with provisions for some individual preferences. The basic single-family detached townhouse is approximately 2,500 sf of heated living area. If the individual homesite permits, the owner may have the option of a lower-level walk-out bringing the size to about 3,850 sf.

With this goal in mind, you see our predicament in meeting the requirements of Paragraph (13). We do not want to build 34 identical townhouses. We want to build only 34 single family detached townhouses, less than one-third the allowed density, on property zoned for multi-family housing.

I respectfully request the Village to consider the following alternative to APPENDIX 6. REQUIREMENTS FOR A MAJOR SITE PLAN, Paragraph (13) for this project:

1. Village approval of the plan for the construction of 34 single family detached townhouses on the tract, without Village approval for construction of a specific townhouse.
2. Fairwoods Estates will be required to submit plans for Village approval for each townhouse prior to beginning construction of that particular building.
3. We reserve the right to submit plans for identical townhouses, in accordance with the zoning for the tract.

As part of The Fairwoods, we will submit each townhouse for approval by The Fairwoods Architectural Review Board and then to the Pinehurst Community Appearance Committee.

We welcome your suggestions on alternative solutions. I'll call you Friday.

Sincerely,



Joel P. Shriberg

CC: ✓ S. Frederick Dadson
George Blonsky

P. S. I've enclosed the June, 1994 issue of Life magazine. Our ideas (but not the floor plan) for the project are the result of the article beginning on page 82.



March 7, 1996

Mr. Joel Shriberg
13 Aronimink
Pinehurst, NC 28374

Re: Application Issues for Fairwoods Estates.

Dear Mr. Shriberg:

Thank you for taking the time with staff to discuss your proposed project. The deadline for a complete application is March 15, 1996 for review in April by the Planning and Zoning Board. With regards to our meeting on February 27, 1996, the following should serve to clarify those issues discussed.

The issue of the division of property must be addressed. Staff will be preparing a Zero Lot Line standard, which as of this writing, is not finished. It is recommended that you submit the plan as proposed. Staff will submit an amendment to the Development Ordinance that will create a zero lot line standard for the **R-MF District**.

The Utility Plans may be submitted on a Pre-Liminary Basis. The Village will reserve the right to reject any and all construction drawings for water, sewer, roads, and drainage. These plans must be submitted after any approvals for the project and prior to any actual work on the proposed development.

Please have as part of your submittal, your site calculations for "Payment in Lieu of." Staff will review your calculations.

A tree survey of the Buffer and the Landscape Areas must be included in your landscape plan. This Landscape Plan must be submitted with your application. This, along with your proposed deeds and covenants (specifically how the common area will be maintained, the review procedures for approval of the individual homes, and your architectural standards) will be reviewed by the Community Appearance Committee, which will forward any recommendations to the Planning and Zoning Board.

If you have any questions with regards to this matter,
please feel free to contact me at 295-1901.

Sincerely,

A handwritten signature in cursive script, appearing to read 'S. Dadson', with a long horizontal flourish extending to the right.

S. Frederick Dadson
Assistant Village Manager

attach.

Date: MARCH 15, 1996

Site Address: Fairwoods-On-Seven, Pinehurst, NC 28374

Zoning District: Res Multi-Family Overlay District: (Yes) ☒ (No)

In the space provided below, please give brief explanation of the proposed development.

Applicant: Fairwoods Estates (Joint Venture) Phone: 295-4828/295-1300

Address: 43 Devon Drive

Applicant Signature: Paul L. Larkin Date: 3/15/96

Owner: Pinehurst Acquisition Corp. Phone: 215-5600

Address: P.O. Box 545, Pinehurst, NC 28374

Owner Signature: George R. Consky Date: 3/15/96

On separate sheet list compliance with Appendix 6.

If simultaneous applications are being submitted, state nature of application(s):

OFFICE USE ONLY

Date Received _____ Received by _____

COMPLIANCE WITH APPENDIX 6

This submittal is in full compliance with Appendix 6 of The Pinehurst Development Ordinance dated October 23, 1995, with the following exceptions:

- (8) Will accompany each submittal for building permits of the individual homes
- (9) N/A
- (12) Erosion control plan addressed in Hobbs Upchurch and Associates' letter dated February 12, 1996.
- (13) Building drawings will be submitted individually as each structure will be basically different and not known until sales contract completed.
- (18) N/A
- (19) See Hobbs, Upchurch and Associates' letter dated February 12, 1996.
- (21) N/A
- (22) Buffer areas and common areas will be kept natural and additions cannot be determined until concept approval. Individual home landscaping will be submitted along with home designs on an individual basis.
- (24) See attached request for street name approval.
- (25) N/A



Hobbs, Upchurch & Associates, P.A.
Consulting Engineers

290 S.W. Broad Street • Post Office Box 1737 • Southern Pines, NC 28388

February 12, 1996

Mr. Sam E. Fowler, Interim Planner
Village of Pinehurst
Planning and Inspection Department
PO Box 5589
Pinehurst, NC 28374

RE: HUA No. PH9535

Dear Sam:

In response to your letter of January 19, 1996, "pre-submittal review", we request that the "copy of submittal for an approved Erosion Control Plan" "(23) final construction drawings" for water, sewer and streets be waived. We ask that this requirement be noted in the planning and zoning recommendations to the Board of Commissioners as a requirement prior to commencing any construction activities.

If you have any questions, please contact our office.

Sincerely,
HOBBS, UPCHURCH & ASSOCIATES, P.A.

Pat S. Willett, Project Manager

PSW:jh

cc: George Blonsky
Joel Shriberg
Jeff Beran

13 ARONIMINK
PINEHURST, NC 28374

January 30, 1996

Mr. Sam E. Fowler
Interim Planner
Village of Pinehurst
Post Office Box 5589
Pinehurst, NC 28374

RE: Fairwoods Estates in The Fairwoods on 7

Dear Mr. Fowler:

Thank you for meeting with us to review Fairwoods Estates, and for your letter of January 19, 1996.

The requirements of Paragraph (13), APPENDIX 6. REQUIREMENTS FOR A MAJOR SITE PLAN present a problem unique to this project. We would appreciate your insight and assistance to help us resolve our dilemma.

Paragraph (13) requires us to "submit drawings of building elevations showing the exterior building materials and colors, height of proposed building, number of stories, and grade of each story, including basement, height and location."

Our goal is to design and build an environment with a "village" atmosphere. Each home will have a different exterior combination of style, building material and color. The specific exterior will be determined by the proximity to other homes of similar style, the particular building site, and the preference of the owner, all blended into a harmonious village theme.

The floor plan will be substantially the same, with provisions for some individual preferences. The basic single-family detached home is approximately 2,500 sf of heated living area.

With this goal in mind, you see our predicament in meeting the requirements of Paragraph (13). We do not want to build 34 identical homes.

I respectfully request the Village to consider the following alternative to APPENDIX 6. REQUIREMENTS FOR A MAJOR SITE PLAN, Paragraph (13) for this project:

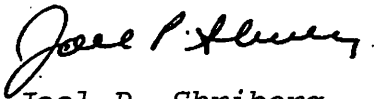
1. Village approval of the plan for the construction of 34 single family homes on the tract, without Village approval for construction of a specific home.

2. Fairwoods Estates will be required to submit plans for Village approval for each home prior to beginning construction of that particular home. Fairwoods Estates will submit an updated "site plan" each time we submit plans for Village approval of a building permit.
3. We reserve the right to submit plans for identical homes, in accordance with the zoning for the tract.

As part of The Fairwoods, we will submit each home to The Fairwoods Architectural Review Board and then to the Pinehurst Community Appearance Committee.

Thank you for your consideration.

Sincerely,



Joel P. Shriberg

CC: S. Frederick Dadson
George Blonsky



MOORE WATER AND SEWER AUTHORITY, INC.

February 27, 1996

RECEIVED FEB 28 1996

Mr. Scott Dadson
Assistant Manager
Village of Pinehurst
P. O. Box 5589
Pinehurst, NC 28374

Dear Scott:

RE: Fairwoods Estates at Pinehurst No. 7
Pinehurst, North Carolina
HUA NO. PH9535

The Moore Water and Sewer Authority's water and sanitary sewer pipeline systems that serve the referenced area were designed for and are capable of supplying the potable water requirements, and receiving the sanitary sewer effluent influx for the taps required to serve the 34 proposed three bedroom, single family units on approximately 21.28 acres at Pinehurst No. 7, as depicted on sheet 2 of the preliminary layout map titled "Planned Unit Layout", dated January 31, 1996 drawn by Hobbs, Upchurch & Associates.

Sincerely,

MOORE WATER AND SEWER AUTHORITY

James A. Tarnow, P.E.
Project Manager

cc: Pat S. Willett, Project Manager, Hobbs, Upchurch & Associates, P.A.
George Blonsky, K&S Development
David M. Harris, Executive Director
Mitch Coleman, General Manager
Steve Talbert, Maintenance Supervisor
Ben Vaughn, Water System Supervisor

Telephone: (910) 692-6461

Facsimile: (910) 692-8083

C. H. Blue & Associates, P.A.

*1271 Old Highway #1 South - P.O. Box 811
Southern Pines, NC 28387*

February 15, 1996

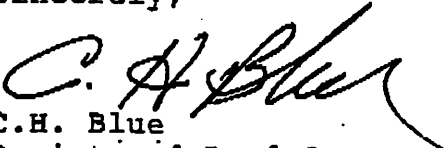
ClubCorp Realty
P.O. Box 545
105 Market Square
Pinehurst, N.C. 28374

RE: No. 7 Multi-Family Tract

Dear Shirley & George,

The 21.284 Acre Tract I surveyed for Pinehurst Resorts Company, Inc. and recorded in Plat Cabinet 4, Slide 308 of the Moore County Registry, was conveyed to Pinehurst Acquisition Corp. by deed dated May 14, 1990 and recorded in Deed Book 720 at Pages 428 through 431 in the Office of the Register of Deeds for Moore County, North Carolina.

Sincerely,


C.H. Blue
Registered Land Surveyor

CHB/sld

March 13, 1996

Mr. Sam Fowler
Interim Planner
Village of Pinehurst
P O Box 5589
Pinehurst, NC 28374

Re: Fairwoods Estates in Fairwoods On Seven

Dear Fowler:

Pursuant to Section 15.1.2 of the Village of Pinehurst Development Ordinance, I am requesting that instead of a dedication of land for public use, that Section 15.1.3 apply to Fairwoods Estates and that a payment of fees in lieu of dedication of land be made.

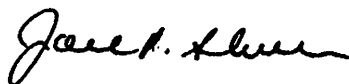
The following is the calculation of land to be dedicated and applicable fee.

<u>No. of Units</u>		<u>Ave Family Size</u>			<u>Variable Multiplier</u>		
34	X	1.7	X	0.01	X	.8	= 0.46

<u>Land to Be Dedicated</u>		<u>Tax Value of Land</u>		<u>Total Acres</u>	<u>Payment In Lieu</u>
0.46	X	\$ 74,500	$\div$	21.285	\$1,610.13

Thank you for your consideration in this matter.

Sincerely,



Joel P. Shriberg

13 ARONIMINK
PINEHURST, NC 28374

March 13, 1996

Mr. S. Frederick Dadson
Assistant Town Manager
Village of Pinehurst
Post Office Box 5589
Pinehurst, NC 28374

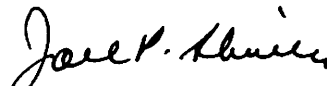
RE: Landscape Plan

Dear Mr. Dadson:

Thank you for reviewing The Village requirements for the Landscape Plan for our project. I appreciate your position that you will work with us to accept this letter as a starting point to the requirements of the Landscape Plan, rather than hold up the application. As you know, the practical situation with landscaping this project is identical to building the homes: until we know what each home will look like, we can't plan the landscaping around it. However, as we've agreed, we will be required to submit the building and landscape plans for each home to The Village for approval prior to construction.

Initially, we will leave the buffer zone and the common area in their natural state. At some undetermined time in the future, we will enhance the physical appearance of the buffer zone and the common area with landscaping. We understand that prior to beginning any landscape work we will be required to submit complete landscape plans to The Village and the Fairwoods Architectural Review Board for their approval. The landscape plans will show size, type and location of all plantings.

Sincerely,


Joel P. Shriberg

13 ARONIMINK
PINEHURST, NC 28374

March 13, 1996

Mr. Sam E. Fowler
Interim Planner
Village of Pinehurst
Post Office Box 5589
Pinehurst, NC 28374

RE: Landscape Protection Plan

Dear Mr. Fowler:

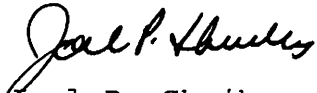
This Landscape Protection Plan is submitted to satisfy provisions of 14.2.3 of Part 2, Chapter 14, of The Village of Pinehurst Development Ordinance.

Specimen trees, as defined by 14.2.2 of Part 2, Chapter 14, have been identified on a copy of the proposed plan and marked tree survey. Nothing within the buffer area around the project will be disturbed. If at some point in the future we want to clear the underbrush, we will notify The Village of Pinehurst, the Fairwoods Architectural Review Board and the Community Appearance Committee, in writing, thirty (30) days prior to any clearing.

In addition we will plant screening as required by 14.1.1 Part 1, Chapter 14 of The Village Ordinance. As a minimum, these planting will comply with 14.1.2 (c) and Table 14.1.2 (d) for the buffer area.

Thank you for your continued cooperation with us on this unique project.

Sincerely,


Joel P. Shriberg

13 ARONIMINK
PINEHURST, NC 28374

March 13, 1996

Mr. Sam E. Fowler
Interim Planner
Village of Pinehurst
Post Office Box 5589
Pinehurst, NC 28374

RE: Fairwoods Estates in Fairwoods on #7

Dear Mr. Fowler:

This letter will serve as our Comprehensive Sign Plan for the referenced project. Photographs of the signs we propose to use are attached and will be the same as presently in place at Fairwoods on #7.

Street name signs will be located at the entrance and at the two intersections where Granger Circle meets Granger Drive.

Stop signs will be placed at the two entrances onto Granger Drive from Granger Circle. In addition a stop sign will be placed at the exit of Granger Drive where Fairwoods Estates exits to Fairwoods on #7.

Speed limit signs will be placed on the streets as required by law.

Sincerely,


Joel P. Shriberg

Fairwoods Estates
43 Devon Drive
Pinehurst, NC 28374

Village of Pinehurst
Planning Department
P O Box 5589
Pinehurst, NC 28374

Dear Mr. Fowler:

Request approval of the following street names for The Fairwoods Estates project adjacent to the Fairwoods-On-Seven development.

Main Road
Interior Road

Granger Drive
Granger Circle

On the map submitted for approval of this project, the word "Grainger" is merely a misspelling and we do desire the spelling to be **GRANGER**.

Sincerely,


Jeffrey L. Beran

ADJOINING PROPERTY OWNERS

R-10 SF Residential

Lot

Owner

653 Anne S McKenzie
P O Box 2198
Southern Pines, NC 28388

652 Richard & Marilyn Gordon
376 Hawkshead Way
Somerset, NJ 08873

651 Elizabeth H. Newhall
650 P O Box 1741
Pinehurst, NC 28374

649 Rose & Norman Hertzog
125 Salem Drive
Pinehurst, NC 28374

648 James & Deborah Darby
328 Woodland Road
Sewickley, PA 15143

647 James & Kathleen Lupini
1303 Walnut Street
Bloomsburg, PA 17815

MF - Residential - Merrywood

252 Lavonne D. Volly
2360 Averhill Drive
Akron, OH 44333

253 Patrick & Joanne Merren
110 Willow Drive
Park Forest, IL 60466

255 Dr. Edward Carey
P O Box 220
Nellysford, VA 22958

256 William Harris
244 Allenberry Circle
Pittsburgh, PA 15234

257 William Wetmore
3025 N Nottingham
Arlington, VA 22207

258 Dorothy Cobb
1600 Morganton Rd Apt G12
Pinehurst, NC 28374

259 Kathryn Hicks
211 Knollwood Village
Southern Pines, NC 28387

260 Brian & Nancy Evans
or Homes & Patricia Washburn
260 Tall Trees Drive
Pinehurst, NC 28374

261 James & Betty White
262 Tall Trees Drive
Pinehurst, NC 28374

Side
Piece Walter King
31 Barton Hills
Pinehurst, NC 28374

MF - Residential - O'Leary Division

1 Wylma Fisher
P O Box 2413
Pinehurst, NC 28374

8 Sara Chevalier
P O Box 759
Pinehurst, NC 28374

13 Donald & Susan Shuster
114 Wimbledon Drive
Pinehurst, NC 28374

18 Mary Gundry
143 Lawn & Tennis Club
Pinehurst, NC 28374

22 Arne Nelson
144 Deuce Drive
Pinehurst, NC 28374

26 Hugh & Peggy Murphee
3312 Northside Dr. Apt 307
Key West, FL 33040

Fairwoods- On - Seven Golf Course

Pinehurst Resort and Country Club
P O Box 4000
Pinehurst, NC 28374

Councilmember Fallon	Yes
Councilmember McKenzie	Yes
Councilmember Griffith	Yes
Councilmember Fredericks	Yes
Mayor Mangers	Yes

The motion was approved.

MOTION

MOTION ON A MAJOR SITE PLAN FOR THE FAIRWOODS ON SEVEN MULTI-FAMILY DEVELOPMENT.

Councilmember Griffith moved to approve the Major Site Plan for the Fairwoods on Seven Multi-Family Development, as unanimously recommended by the Planning and Zoning Board on April 11, 1996, contingent upon the following conditions upon applying for a building permit:

- [1] Revised deeds and covenants dated 4-10-96 are followed.
- [2] Letter dated 4-11-96 from Mr. Jeff Beran being followed as written.
- [3] Payment in lieu of land dedication being paid per memo dated 4-11-96.
- [4] Revised project schedule provided by Hobbs, Upchurch and Associates is utilized.
- [5] All subsequent material to be turned in per the construction schedule being met and are approved by the Village realizing that the Village reserves the right to reject any and all plans related to this application.

Councilmember Fallon seconded the motion.

Mayor Mangers asked the Clerk to poll the members of Council with votes cast as follows:

Councilmember Fallon	Yes
Councilmember McKenzie	Yes
Councilmember Griffith	Yes
Councilmember Fredericks	Yes
Mayor Mangers	Yes

The motion was carried.

MINUTES OF REGULAR MEETING OF THE PINEHURST VILLAGE COUNCIL

**MINUTES OF
VILLAGE OF PINEHURST
REGULAR MEETING OF MAY 20, 1996
PINEHURST VILLAGE HALL
4:00 P.M.**

A Regular Meeting of the Pinehurst Village Council was held at 4:00 P.M. on Monday, May 20, 1996 in the Meeting Room of the World Golf Hall of Fame Building, 5 PGA Boulevard, Pinehurst, North Carolina with the following in attendance:

Mr. Charles L. Mangers, Mayor
Mrs. Virginia F. Fallon, Mayor Pro-Tem
Mr. Colin W. McKenzie, Treasurer
Mr. Fred B. Griffith
Mr. Cecil C. Fredericks

Mr. Andrew M. Wilkison, Village Manager
Mr. S. Frederick Dadson, Assistant Village Manager
Ms. Geneva M. Parker, Deputy Clerk
and approximately 12 people in the audience.

Mayor Mangers called the Meeting to Order.

APPROVAL OF MINUTES

Councilmember Fallon moved to approve the Minutes of the regular Meeting and Public Hearings of April 15th, April 22nd and 23rd and the work sessions of April 1, 8, 15 and 30th as corrected.

The motion was seconded by Councilmember Griffith with each member of Council voting in the affirmative.

RECYCLING REPORT

Mr. Barry Baker, Administrative Specialist, presented the following recycling report for the month of April, 1996:

DIVISION II: REGULATORY PROVISIONS

CHAPTER 8. ZONING

Section 8.1 Rules Governing the Interpretation of Zoning District Boundaries

Where uncertainty exists as to the boundaries of zoning districts as shown on the Official Zoning Map, the following rules shall apply:

(A) Where district boundaries are indicated as approximately following either street, alley, railroad or highway lines or centerlines thereof, such lines shall be construed to be said boundaries;

(B) Where district boundaries are indicated, as approximately following lot lines, such lot lines shall be construed to be said boundaries. However, a surveyed plat prepared by a registered land surveyor may be submitted to the Village of Pinehurst as evidence that one or more properties along these boundaries do not lay within a specific zoning district;

(C) Where the zoning district boundaries lie at a scaled distance more than twenty-five (25) feet from any parallel lot line, the location of district boundaries shall be determined by use of a scale appearing on the Zoning Map;

(D) Where the zoning district boundaries lie at a scaled distance of twenty-five (25) feet or less from any parallel lot line, the location of zoning district boundaries shall be construed to be the lot line;

(E) Where other uncertainty exists, the Village Planner shall interpret the Official Zoning Map as to the location of such boundaries. This decision may be appealed to the Zoning Board of Adjustment.

(Ord. 14-35, passed 09-24-2014)

Section 8.2 General Use Zoning Districts

General Use Zoning Districts are created to provide comprehensive land use regulations throughout the jurisdiction of this Ordinance. There are nineteen (19) General Use Zoning Districts that provide for a variety of uses that are appropriate to the character of the individual districts throughout the jurisdiction of this Ordinance.

8.2.1 (PC) Public Conservation District

(A) The Public Conservation District is established as a district in which the primary use of the land is reserved for the general public for recreation, parks, natural or man-made bodies of water, forests and other similar open space uses, and other government uses that provide public services to the residents of Pinehurst. This district is intended to preserve and protect environmentally sensitive lands (e.g. floodways, wetlands) and/or properties otherwise restricted for public recreational use.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2 a

(D) See Design/Development Standards Chapter 9

8.2.2 (RD) Recreation Development District

(A) The Recreational Development District is 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 man-made bodies of water, resort complexes and other similar uses. This district is intended to preserve and protect environmentally sensitive lands (e.g. floodways, wetlands) and/or properties otherwise restricted for private recreational use.

(B) See Table of Permitted and Special Uses - Section 8.5

(C) See Table of Dimensional Requirements - Section 9.2 a



**REQUEST FOR SPONSORSHIP/WAIVER OF FEES AT FAIR BARN.
ADDITIONAL AGENDA DETAILS:**

FROM:

Mark Wagner

CC:

Jeff Sanborn, Jeff Batton, Brooke Hunter

DATE OF MEMO:

6/19/2019

MEMO DETAILS:

Staff received a request from Clare Ruggles with the Northern Moore Family Resources Center (NMFRC) regarding use of the Fair Barn for an event on April 17, 2020.

The NMFRC is a nonprofit organization serving children and families in northern Moore County and will be celebrating its 25th anniversary in 2020. They plan to host a fundraising event for up to 500 attendees which will include a dinner, silent auction and live auction and are requesting that the Village waive the rental fees for their event.

Should Council consider approving this request, the estimated revenues that would be waived for the event would be approximately \$2,600. The waiver of any fees does not include the mandatory deposit of \$750 or the \$150 Kitchen Cleaning/Trash Removal fee that NMFRC would be required to pay. The deposit is also refundable at the conclusion of the event assuming there is no damage to the facility.

This request does fall under the Village's Sponsorship Policy and would be a Category "C" for events coordinated by a non-profit that is attempting to raise funds. In this case, sponsorship may be approved by the Council in public for the first event of its type.

Clare Ruggles and other members of her Board of Directors will be in attendance should there be any questions about this request.

Thank you.

ATTACHMENTS:

Description

- ☐ Sponsorship Policy
- ☐ Letter of Request

RESOLUTION #15-38:

**A RESOLUTION ADOPTING A POLICY REGARDING STANDARDIZED
PROCESSING OF REQUESTS FOR VILLAGE SPONSORSHIP OF EVENTS
COORDINATED BY OTHER ENTITIES.**

THAT WHEREAS, many events occur in the Village of Pinehurst for which the event coordinator(s) request Village Sponsorship each year; and

WHEREAS, sponsorship may be in cash or in kind whereby the Village extends the use of Village facilities or staff for free or at a reduced rate; and

WHEREAS, it is important that the Village only extend sponsorship to the extent that it promotes the welfare, well-being and quality of life for our residents; and

WHEREAS, it is also important that sponsorship resources do not inappropriately augment the income or fund-raising of event coordinators;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled on the 22nd day of September, 2015, as follows:

SECTION 1. It shall be the Policy of the Village of Pinehurst that sponsorship requests be handled in accordance with the following criteria:

- a. For events coordinated by a non-profit for the apparent sole purpose of benefitting the community, sponsorship can be approved by the Village Manager after a careful review of the event, the event coordinator's status and all potential beneficiaries of the event.
- b. For events coordinated by a commercial entity for at least the partial purpose of earning profit, sponsorship for the first event of its type (subsequent to the passage of this resolution) may be approved in public by the Village Council. Sponsorship for subsequent similar events coordinated by the same entity may be approved in public by the Village Council after a review by the Village's Director of Financial Services of a full, financial accounting of the previous event.
- c. For events coordinated by either a commercial entity who has no clear financial gain at stake or by a non-profit that is attempting to raise funds, sponsorship may be approved by the Council in public for the first event of its type. For subsequent events, staff acts on Council approval of previous events unless/until the staff or the Council thinks something has changed that warrants re-consideration by the Council.

SECTION 2. That this Resolution shall be and remain in full force and effect from the date of its adoption.

Adopted this 22nd day of September, 2015.



Attest:

Lauren M. Craig
Lauren M. Craig, Village Clerk

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: Nancy Roy Fiorillo
Nancy Roy Fiorillo, Mayor

Approved as to Form:

Michael J. Newman
Michael J. Newman, Village Attorney



Northern Moore Family Resource Center

May 8, 2019

Mr. Mark Wagner
Parks and Recreation Director
Village of Pinehurst
395 Magnolia Drive
Pinehurst, NC 28374

Dear Mark,

In 2020, the Northern Moore Family Resource Center (NMFRC) will celebrate its 25th anniversary as a nonprofit organization serving children and families in northern Moore County. To celebrate this milestone, NMFRC wishes to have a fundraising event on April 17, 2020 at the Fair Barn. Proceeds from the fundraiser will support NMFRC programs.

We anticipate that the event will include dinner and a silent and/or live auction. We will serve wine and beer, as well as soft drinks with the dinner. We hope that 500 people will attend (probably wishful thinking ☺)!

We respectfully request that the Village Council waive the rental fees (building, tables, and chairs) for this fundraising event in support of NMFRC programs.

I am a resident of Pinehurst, as are the following members of our Board of Directors: Christine Dandeneau, Carla Neal, Christina Powers (residence and dental practice), Helen Probst Mills, Elizabeth Sugg, and Lorraine Tweed.

The mission of NMFRC is to encourage the development of strong families, healthy children, and caring communities in northern Moore County. Towards this end, NMFRC has two main areas of focus: supporting children in their education and working to improve economic and community conditions in the Robbins area. Beginning four years ago, we opened a preschool to increase access to early-childhood education. We also offer a free summer program for children from preschool age up to rising 8th graders.

Our organization is housed in the former Robbins fire and rescue squad building, which we renovated in phases and completed last summer. In addition to renovating the building, we have created a community green space with a stage and half basketball court in partnership with the Town of Robbins. Both projects have improved economic and community conditions in the area.

Should you have any questions, or should you need additional information, do not hesitate to contact me.

With gratitude,

Clare Ruggles

P.O. Box 190, Robbins, NC 27325 • (910) 948-4324, nmfrc@embarqmail.com





REQUEST FOR EVENT SPONSORSHIP - HOLLY ARTS FESTIVAL ADDITIONAL AGENDA DETAILS:

FROM:

Mark Wagner

CC:

Jeff Sanborn, Jeff Batton, Brooke Hunter

DATE OF MEMO:

6/19/2019

MEMO DETAILS:

Staff has been in discussions with the Pinehurst Business Partners (PBP) about a partnership for the annual Holly Arts & Crafts Festival held downtown in the Village each October.

We are proposing that the Village become a co-sponsor of the event where we could assist with marketing and promotion of the Festival while also assisting with event planning as needed. Staff feels this would be a good collaborative effort between the Village and the Pinehurst Business Partners on what is likely the largest event held in the downtown Village each year. The Village logo would be placed on the Exhibitor Application and any promotions going forward for the Festival.

As part of the sponsorship, our recommendation is that the Village would waive a majority of the fees that PBP would typically pay for the event. Last year for the Holly Arts & Crafts Festival PBP paid a total of \$890 in Temporary Use Permit fees and Park Rental fees. They also separately paid for Police Department staffing during the event.

Under the proposed sponsorship agreement, PBP would be responsible only for the \$290 which would cover their deposit for Tufts Park (which is refundable), post event cleaning and on-site staffing handling trash. They would still be responsible for Police Department staffing during the event.

Staff is available to answer any questions related to this request and Katrin Franklin, President of the Pinehurst Business Partners may also be in attendance as well.

Thank you.

ATTACHMENTS:

Description

☐ Exhibitor Application



Pinehurst Business Partners

Proudly Presents the

41st Annual Holly Arts & Crafts Festival

You are invited to exhibit
Saturday, October 19, 2019
In the Village of Pinehurst, North Carolina

SUBMISSION GUIDELINES

Please read the following information and rules carefully before completing the application.

ELIGIBLE MEDIA:

**All art/craft items displayed and sold must be made by the exhibitor.
No Buy-Sell Items. No imports. No dealers. No sales representatives.**

APPLYING:

1. **ALL** applicants wishing to exhibit must submit (3) color photos, two (2) of the work to be exhibited and one (1) of your display, along with a list of items that will be sold and price range. You must restrict booth display only to the products stated in the application. **If you plan to sell jewelry made from your media, you must state this in the application and indicate the percentage of your product that will be jewelry.** Photos will be returned *if* you provide adequate postage and SASE. Item list will be retained with application.
2. Provide a brief description of how you create your work. If using manufactured parts for assembly or printing original designs on ready-made clothing (ex. t-shirts), please indicate in description.
3. Complete and return application with **money order or check** payable to Pinehurst Business Partners.

Juried selection of 2019 applicants will be made by the Holly Arts & Crafts Committee. Due to the increased number of applications, returning artisans from previous years can no longer be granted automatic acceptance to the festival.

DISPLAY SPACE:

1. Booth space size is 10ft x 10ft and is located on the paved streets of the Village.
2. All exhibitors must furnish their own display equipment and provide any necessary protection for the elements.

2019 FEES POLICY:

\$75.00 Exhibitor fee per display space PLUS \$25.00 non-refundable application fee.

Maximum of two (2) adjoining spaces per exhibitor.

\$5.00 for electric power, in applicable areas.

\$25.00 Insufficient Check fee

\$20.00 Processing Fee on cancellations received prior to September 1, 2018.

EXHIBITOR FEE IS NON-REFUNDABLE AFTER CANCELLATION DATE.

THERE IS NO REFUND IN CASE OF RAIN. THERE IS NO RAIN DATE.

Please submit two (2) checks. The non-refundable application fee will be deposited upon receipt of application. The Exhibitor fee will be deposited prior to notice of acceptance or returned if not accepted.

CALENDAR:

March 31	Entry Deadline
May 15	Notification of Committee decision
September 1	Cancellation Date – last day to receive refunds
October 7	Information packet, space assignment & street map mailed to exhibitors
October 19	HOLLY ARTS & CRAFTS FESTIVAL

HOLLY ARTS & CRAFTS FESTIVAL

October 19, 2019

VENDOR APPLICATION

Return with money order or check payable to Pinehurst Business Partners,
Attn: Holly Arts & Crafts Festival, PO Box 64, Pinehurst, NC 28370

Festival Coordinator: Susan Harrison, 910-315-6508, sbharrison@earthlink.net

PLEASE PRINT LEGIBLY

Contact Name: _____ Phone: () _____

Business Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Email: _____

Website: _____

Applicants who are submitting under a medium category must restrict their booth display only to the product stated in the application. If you plan to sell jewelry from your medium, please state this in the application. See below.

Please check appropriate category:

☐ Basketry	☐ Glass (jewelry)	☐ Paper
☐ Fine Arts/Graphics	☐ Jewelry	☐ Photography
☐ Fiber (non-wearable)	☐ Leather	☐ Pottery
☐ Fiber (wearable)	☐ Metal	☐ Wood
☐ Glass (decorative)	☐ Mixed Media	☐ Other: _____

Briefly describe method of production and how your work is created _____

_____ Non-jewelry categories only: I will display and sell jewelry crafted in my medium. The percentage of my display that will be jewelry is _____. I understand that I may be asked to limit the amount of jewelry I display.

spaces _____ @ \$75 per space: _____

Electricity \$5 (if available): _____

Total Amount for Space Enclosed: _____

\$25 Application fee (separate check): _____

_____ I understand and agree to abide by the Submission Guidelines.

_____ I understand and agree to NOT create a Social Media (Facebook, etc) event and to solely use official Pinehurst Business Partners materials ONLY when marketing the festival. www.pinehurstbusinesspartners.com | @pinehurstbusinesspartners

_____ I understand it is the right of the Holly Arts & Crafts Festival Committee to deny any applicant, event if they have previously participated in the Festival.

_____ I understand my signature constitutes release of Pinehurst Business Partners and the Holly Arts & Crafts Festival Committee and all sponsors from liability for loss or injury.

Signed _____ Date _____

FESTIVAL HOURS: Set-up time: 7:00AM to 9:00AM on the day of the show

Show hours: 10:00AM to 4:00PM.

All vehicles must be **removed** from the streets by 9:00AM.

Breakdown will **not** be permitted until the close of the show at 4:00PM.