VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF JUNE 24, 2014
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM

1. Call to Order.

2. Invocation and Pledge of Allegiance.

3. Presentation of resolutions honoring service on Council boards/commissions: Howard Warren (HPC), Ginsey Fallon (Water Committee), Bob Farren (Water Committee), Jerry Townley (Water Committee), and Charles Holbrook (Water Committee).

4. Reports:
   - Manager
   - Council

5. 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. Resolution honoring member of the Board of Adjustment and Chairman on the Planning and Zoning Board (Hardt)

   B. Motion to Receive Budget Amendments Report to Council for the Period May 16-June 15, 2014

   C. Approval of Draft Village Council Meeting Minutes

      May 6 Special Meeting
      May 7 Special Meeting
      May 13 Regular Meeting
      May 14 Special Meeting
      May 16 Special Meeting
      May 21 Special Meeting
      May 27 Regular Meeting
      May 27 Closed Session
      May 28 Special Meeting

   End of Consent Agenda.

6. Consideration of resolution appointing member to the Planning and Zoning Board/Board of Adjustment (Larsen)

7. Consideration of resolution appointing new Chairman of the Planning and Zoning Board (Engelfried).

8. Badge and Service Sidearm Request

9. Town of Taylortown-Fire Suppression Contract

10. CCNC Garbage Contract

11. Contract Renewal - On-call Engineering Services
12. Budget Ordinance to Consolidate U.S. Open Expenses
13. Other Business.
14. Comments from Attendees.
15. Motion to Adjourn.

1895

VILLAGE OF

PINEHURST

History, Charm, & Southern Hospitality.

Vision

The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions, enhanced by a unique combination of cultural arts and recreational activities.

Mission

Preserve and enhance the community's character and ambience by guiding growth, managing change, and providing services in a financially responsible manner.

Values

Competent
Courteous
Professional
Responsive

RESOLUTION HONORING MEMBER OF THE BOARD OF ADJUSTMENT AND CHAIRMAN ON THE PLANNING AND ZONING BOARD (HARDT)

ADDITIONAL AGENDA DETAILS:

FROM:
Lauren Craig, Village Clerk

CC:
Andy Wilkison, Village Manager

DATE OF MEMO:
6/18/2014

MEMO DETAILS:
Please see the attached resolution honoring Kevin Hardt for his service on the Planning and Zoning Board and the Board of Adjustment for the Village of Pinehurst.

ATTACHMENTS:

	Description
🗋	Resolution 14-39

RESOLUTION 14-39:

A RESOLUTION HONORING THE SERVICE OF MR. KEVIN HARDT TO THE VILLAGE OF PINEHURST PLANNING AND ZONING BOARD AND BOARD OF ADJUSTMENT

THAT WHEREAS, the Village Council of Pinehurst, North Carolina, wishes to acknowledge and express its appreciation to Mr. Kevin Hardt for his dedicated service to the citizens of Pinehurst as a member of the Board of Adjustment and Chairman of the Pinehurst Planning and Zoning Board; and

WHEREAS, Mr. Hardt was appointed to the Planning and Zoning Board on January 22, 2014 and served continuously and faithfully from that time; and

WHEREAS, Mr. Hardt was instrumental in the efficient operation of the Planning and Zoning Board always conducting the Village's business in a courteous, professional manner; and

WHEREAS, Mr. Hardt was involved in numerous reviews of significant development in Pinehurst and its extraterritorial jurisdiction in which he always ensured that the Planning and Zoning Board fully examined all of the aspects of the proposed development and provided the best possible recommendation to the Village Council concerning each development or land use request; and

WHEREAS, Mr. Hardt was an influential member of the Pinehurst Development Ordinance re-write committee and he provided essential advice and opinion to the rest of the committee, consultants, staff and Village Council on this important project for the Village of Pinehurst.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of Pinehurst, North Carolina, in a regular meeting assembled this 24th day of June, 2014 as follows:

SECTION 1. That the Village Council hereby expresses on behalf of the citizens of Pinehurst, deep appreciation and gratitude for the gifts of time, ability, and determination given as a member of the Board of Adjustment and Chairman of the Pinehurst Planning and Zoning Board.

SECTION 2. That the Village Manager is hereby directed to have a copy of this Resolution presented to Mr. Hardt as a token of our gratitude.

THIS RESOLUTION passed and adopted this 24th day of June, 2014.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: ______________________________
John R. Cashion, Mayor Pro Tem

Attest:

____
Lauren M. Craig, Village Clerk

Approved as to Form:

____
Michael J. Newman, Village Attorney

MOTION TO RECEIVE BUDGET AMENDMENTS REPORT TO COUNCIL FOR THE PERIOD MAY 16-JUNE 15, 2014

ADDITIONAL AGENDA DETAILS:

FROM:
John Frye

CC:
Andy Wilkison & Natalie Dean

DATE OF MEMO:
6/18/2014

MEMO DETAILS:
Attached is the monthly budget amendment report outlining budget amendments approved by the Budget Officer for the period of May 16-June 15, 2014.

ATTACHMENTS:

	Description
🗋	Budget Amendments Report-06/15/14

VILLAGE OF PINEHURST
BUDGET AMENDMENTS APPROVED BY BUDGET OFFICER
FOR THE PERIOD MAY 16 - JUNE 15, 2014

Under Village of Pinehurst Ordinance #13-27, 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 2013-2014 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.

	ACCOUNT NUMBER	DESCRIPTION	DEBIT	CREDIT	APPROVED DATE
1	10-40-720-7200	Capital Outlay: Buildings	$ 9,000		6/11/2014
	10-00-990-9999	General Contingency		$ 9,000	
		(Additional funds needed for restroom design ($5,500) and Welcome Center renovations ($3,500) in the Theater Building.)			
2	10-10-320-5903	Fleet Maintenance: ISF Charges	$ 10,000		6/11/2014
	10-30-510-5903	Fleet Maintenance: ISF Charges		$ 10,000	
		(Adjust Fleet allocations to align budgeted funds with actual expenditures. Fire has experienced more vehicle related repairs than expected this fiscal year.)			
3	10-20-420-5903	Fleet Maintenance: ISF Charges	$ 9,000		6/11/2014
	10-10-330-5903	Fleet Maintenance: ISF Charges		$ 3,500	
	10-80-620-5903	Fleet Maintenance: ISF Charges		$ 5,500	
		(Adjust Fleet allocations to align budgeted funds with actual expenditures. Streets & Grounds has experienced more vehicle related repairs than expected this fiscal year.)			
4	10-80-610-4000	Salaries & Wages: Recreation	$ 10,000		6/11/2014
	10-80-640-4000	Salaries & Wages: Fair Barn		$ 10,000	
		(Transfer unused funds from the Fair Barn budget to cover additional part-time staffing			

)

APPROVAL OF DRAFT VILLAGE COUNCIL MEETING MINUTES

ADDITIONAL AGENDA DETAILS:

May 6 Special Meeting
May 7 Special Meeting
May 13 Regular Meeting
May 14 Special Meeting
May 16 Special Meeting
May 21 Special Meeting
May 27 Regular Meeting
May 27 Closed Session
May 28 Special Meeting

FROM:
Lauren Craig, Village Clerk

CC:
Andy Wilkison, Village Manager

DATE OF MEMO:
6/16/2014

MEMO DETAILS:
See attachments for draft minutes.

ATTACHMENTS:

	Description
🗋	May 6 Special Meeting
🗋	May 7 Special Meeting
🗋	May 13 Regular Meeting
🗋	May 14 Special Meeting
🗋	May 16 Special Meeting
🗋	May 21 Special Meeting
🗋	May 27 Regular Meeting
🗋	May 27 Closed Session
🗋	May 28 Special Meeitng

MINUTES OF
VILLAGE COUNCIL SPECIAL MEETING
MAY 6, 2014

395 MAGNOLIA ROAD
COUNCIL CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
4:30 P.M.

The Pinehurst Village Council reconvened the Special Meeting at 4:30 P.M. on Tuesday, May 6, 2014 in the Council Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. John R. Cashion, Mayor Pro-Tem
Mr. Clark H. Campbell, Councilmember
Ms. Claire L. Phillips, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Andy Wilkison, Village Manager
Ms. Angie Kantor, Director of Human Resources
Ms. Lauren Craig, Village Clerk

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

1. Call to Order.

Mayor Nancy Roy Fiorillo called the meeting to order.

2. Discussion of Manager Profile Development Process with Ellis Hankins from The Mercer Group, Inc.

Ellis Hankins from The Mercer Group, Inc. gave an introduction on his involvement with the process of creating a profile for the Village Manager. Mr. Hankins explained that he met with each Councilmembers today and tomorrow will meet with Department Heads and Assistant Department Heads to pull together a position profile.

Qualifications, experience, personal and professional characteristics will be outlined for the Council to use in their search for the Village Manager position and Mr. Hankins shared several common attributes that came out of today's individual meetings with Councilmembers. Mr. Hankins discussed the importance of confidentiality in the process with the Council. He noted the importance of getting feedback from the public on general advice for these qualifications and ultimately it is the decision of the Village Council. Councilmember Strickland suggested that we may have strong candidates to consider of backgrounds other than local government. Once applications are received, Mr. Hankins suggested they be narrowed down to 8-12 strong candidates to continue researching further. He then suggested the Council select five people to interview in closed session and potential formats for this interview including communication evaluations. He encouraged a consensus and ideally a unanimous vote on a leader who would be qualified and a best fit for the community.

Audience member Jean Casinella asked if Ellis Hankins keeps an active list of Village Manager who may be seeking a new position. Mr. Hankins responded that the NC League of Municipalities does not keep a list such as this but he and others have a lot of background knowledge about managers who are seeking.

Doug Middaugh asked if the profile will be divided between required traits and desirable traits and this was confirmed. He also asked about the need for the Manager to live in or out of town. He asked about the contract length. Mr. Hankins never suggests terms or tenures since the statute gives the ultimate authority. Mr. Middaugh asked about the "final compensation" terms and what would be considered excessive.

Audience member Jean Casinella cautioned the issue of giving a “golden parachute” to the Manager for the fear of ever firing that person which is what has been done in other states.

Ellis Hankins gave a summary of his involvement and process with the Cumberland County search for their County Manager.

Audience member Dick Bisby suggested we start this process for finding the top leader of 120 people and asked for estimate of time this will take. Mr. Hankins answered that it will be close to the time that Andy retires once the full process is completed.

Council agreed to use Ellis Hankin’s firm for assistance throughout the process as needed.

3. Adjournment.

At approximately 5:20pm Councilmember Cashion moved to adjourn the meeting. The motion was seconded by Councilmember Campbell and passed unanimously with a vote of 5-0.

Respectfully Submitted,

Lauren Craig,
Village Clerk

MINUTES OF
VILLAGE COUNCIL SPECIAL MEETING
MAY 7, 2014

395 MAGNOLIA ROAD
COUNCIL CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
5:00 P.M.

The Pinehurst Village Council reconvened the Special Meeting at 5:00 P.M. on Wednesday, May 7, 2014 in the Council Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. John R. Cashion, Mayor Pro-Tem
Mr. Clark H. Campbell, Councilmember
Ms. Claire L. Phillips, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Andy Wilkison, Village Manager
Ms. Lauren Craig, Village Clerk
Mr. Bruce Gould, Senior Planner

And approximately 5 attendees, including 2 staff and 0 press.

1. **Call to Order and Reconvened the Special Meeting from April 30, 2014.**
Mayor Nancy Roy Fiorillo called the meeting to order and reconvened the Special Meeting from April 30.

2. **Draft Pinehurst Development Ordinance Discussion Chapter 9.**
Bruce Gould, Senior Planner led a discussion of the changes that are being proposed to the Pinehurst Development Ordinance. Mr. Gould covered additional information specifically on the cost for propane tanks that was collected by staff with local gas companies (McNeil Oil, Eastwood Propane, Sandhills Propane, VanDerVeer's/Amerigas and Ferrellgas). Upon discussion, Council determined that all tanks greater than 125 gallons must be buried. If a tank is 125 gallons or less, it can be above ground with opaque fencing.

Bruce Gould and Council discussed a question raised about downtown merchants setting up display tables and/or tents during the US Opens and Council determined to maintain the current regulations in the development ordinance.

Council discussed Fee in Lieu of Sidewalks and the Trotter Hills property was discussed as an example of potential issues with sidewalk requirements. Councilmember Campbell noted concern of impact fees and that the General Statutes do not give this authority. Upon discussion, Council determined to leave this new section out of the PDO for now and reevaluate the need to include fee in lieu of sidewalks at a later time. Next week Council will continue discussing Chapter 9 of the proposed Pinehurst Development Ordinance.

3. **Adjournment.**
At approximately 6:40 pm Councilmember Campbell moved to recess the Special Meeting until 5:00 pm on May 14th in the Council Conference Room. The motion was seconded by Councilmember Cashion and passed unanimously with a vote of 5-0.

Respectfully Submitted,

Lauren Craig,
Village Clerk

MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
MAY 13, 2014

395 MAGNOLIA ROAD
ASSEMBLY HALL
PINEHURST, NORTH CAROLINA
4:30 P.M.

The Pinehurst Village Council held a Regular Meeting at 4:30 p.m., Tuesday, May 13, 2014 in the Assembly Hall of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. Clark H. Campbell, Councilmember
Mr. John R. Cashion, Mayor Pro-Tem
Ms. Claire L. Phillips, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Andrew M. Wilkison, Village Manager
Ms. Lauren M. Craig, Village Clerk

And approximately 21 attendees, including 8 staff and 2 press.

1. Call to Order.
Mayor Nancy Roy Fiorillo called the meeting to order.

2. Reports

Manager

- The Manager gave an update on the small roundabout at Carolina Vista and Highway 2 explaining this is a partnership with the resort and approved by the NCDOT. Robert Hayter prepared a complimentary design with brick pavers that will be set in stone. The pavers are being donated, the resort is completing the excavation, and the Village will have the pavers installed.
- The Manager discussed the June 10 Village Council meeting and due to U.S. Open Experience conflicts Council determined to schedule a special meeting earlier in the afternoon. Council will email availability to move this meeting earlier and Lauren will distribute notifications.

Council

- None.

3. Motion to Approve Consent Agenda.

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

A. Public Safety Reports
Police Department
Fire Department

B. Resolutions honoring members on the Historic Preservation Commission (Duffy and Warren)

C. Resolutions honoring members on the Water Committee (Bennett, Bozarth, Fallon, Farren, Holbrook, Townley)

End of Consent Agenda.

Councilmember Cashion moved to approve the Consent Agenda. The motion was seconded by Councilmember Phillips and passed unanimously with a vote of 5-0.

4. State Treasurer's Award and Presentation
The Manager introduced Sara Shippee, Assistant Director of Fiscal Management with the State Treasurer's State and Local Government Finance Division, for the award presentation of the 2014 State Treasurer's Governmental Award for Excellence in Accounting and Financial Management. The Village received this award for the implementation of our strategic planning model and balanced scorecard.

5. Presentation of March 31, 2014 Quarterly Financial Statements
John Frye, Director of Financial Services presented the March 31, 2014 Quarterly Financial Statements to the Village Council. Mr. Frye noted that most economic indicators are positive but actual revenue growth is still modest and the retail sales sector has recovered to historical growth averages and the housing market is showing modest signs of improvement. Councilmember Strickland inquired about the economic impact of the U.S. Opens coming to town.

6. Bicycle and Pedestrian Master Plan Consultant Contract
Mark Wagner, Director of Parks and Recreation briefed the Council on the steering committee's process for the bicycle and pedestrian master plan. The committee completed interviews of three firms and selected McGill and Associates to complete the plans. The NCDOT gave the official notice to proceed and Council would need to approve the two contracts for the bicycle plan and the pedestrian plan next.

Upon a motion by Councilmember Strickland, seconded by Councilmember Phillips Council unanimously authorized the Mayor or her designee to enter into a contract with McGill and Associates for comprehensive pedestrian planning services for the cost of $17,500 by a vote of 5-0. Upon a motion by Councilmember Strickland, seconded by Councilmember Phillips Council unanimously authorized the Mayor or her designee to enter into a contract with McGill and Associates for comprehensive bicycle planning services for the cost of $65,000 in total, with $45,000 being reimbursed by NCDOT by a vote of 5-0.

7. Street Lights for Magnolia Road
Mark Wagner, Director of Parks and Recreation shared ideas with the Council for adding additional street lights to Magnolia Road from the Village Hall down to McCaskill Road according to the right-of-way policy of the Village Council. Council formed a consensus to proceed with these plans.

8. Consideration of appointments to the Historic Preservation Commission (Gwinn and McChesney)
The Manager explained the need to consider the appointments of Molly Gwinn and Jim McChesney to the Historic Preservation Commission. Upon a motion by Councilmember Campbell, seconded by Councilmember Cashion, Resolution 14-28 appointing Molly Gwinn and Jim McChesney to the Historic Preservation Commission was approved by a vote of 5-0. (A copy of this resolution can be found in the Resolution Book.)

9. Discussion with Village Heritage Foundation Board regarding Joyce Franke Memorial Plan.
Jim Lewis from the Village Heritage Foundation Board, presented ideas to honor Joyce Franke. The Foundation Board would like to name the meadow "Joyce's Meadow" due to the significant and long lasting contributions that Joyce Franke made to this village during her lifetime, including the Arboretum and the Fair Barn. Upon a motion by Councilmember Strickland, seconded by Councilmember Phillips, the Council unanimously approved the request of the Village Heritage Foundation to name the meadow in the Arboretum "Joyce's Meadow" and that the Director of Finance and Village Manager are authorized and directed to appropriate $5,000.00 to the establishment of an appropriate plaque and monument in cooperation with the Village Heritage Foundation by a vote of 5-0.

10. Consideration of naming of the flowering tree garden in the Arboretum

Jim Lewis from the Village Heritage Foundation Board, presented the concept of the flowering tree garden along McCaskill Road including the planting of 70 trees. Due to a significant contribution by the Russo and Kraffert families, the Village Heritage Foundation is seeking approval for the plaque requested. Upon a motion by Councilmember Strickland, seconded by Councilmember Campbell, the Council unanimously approved the naming of the Flowering Tree Garden along McCaskill Road in the Arboretum as requested by the Village Heritage Foundation and the Kraffert/Russo Families, and the establishment of an appropriate plaque signifying such naming by a vote of 5-0.

Mr. Lewis noted that the flowering tree garden is the last piece of the project from the Village Heritage Foundation and this will be a good time to transition the entire geography to the Village after this is completed.

11. Presentation of the 2015 Strategic Operating Plan

The Manager presented the 2015 Strategic Operating Plan to the Village Council which includes the annual budget and the 5 year Capital Improvements Plan. Andy Wilkison walked through an overview of the key components of the Strategic Operating Plan. He explained the Council strategies and priorities and how the process identified the key initiatives. Wilkison briefed the Council on the FY 2015 general fund overview and the FY 2015-2019 Capital Improvement Plan. The Manager noted two budget work sessions that have been scheduled for Friday, May 16 at 9:00am and Monday, May 19 at 1:00pm both in the Council Conference Room, along with a public hearing on Tuesday, May 27 at 4:30pm in Assembly Hall.

12. Other Business

A. Proposed budget amendment for U.S. Open Experience expenses.

Natalie Dean, Assistant Village Manager, Pat Corso, and Peter Stilwell represented the U.S. Open events committee and explained the need for Council to consider the proposed budget amendment for the U.S. Open Experience expenses and the Pinehurst Ambassadors. Pat Corso explained how the U.S. Open Experience and the Ambassadors plans came about. Councilmember Phillips inquired about the amount and timing of the fee the Village is receiving from the USGA for hosting the tournaments. The Manager confirmed the fee is $700,000 which will be received in full by the end of the month.

Audience member Doug Middaugh inquired about the absence of overtime for the police department, who would be providing the overnight security, and is the Village certain there will not be another invoice from the USGA that will further erode this remaining fund?

Jean Casinella asked how we justify paying for our Ambassadors' uniforms when the volunteers for the USGA have to pay $150 for their uniforms.

Upon a motion by Councilmember Campbell, seconded by Councilmember Cashion, Council approved Ordinance 14-18 amending the budget for the U.S. Open Experience and Ambassador Funding by a vote of 4-1 with the dissenting vote cast by Councilmember Phillips. (A copy of this ordinance can be found in the Ordinance Book.)

B. Annexation of Cotswold Update

Council and Village Manager Andy Wilkison reviewed an updated version of the draft local bill that Representative Jamie Boles will be sponsoring on the Cotswold Annexation. Council agreed that this updated version would be okay as long as the Village Attorney also agreed.

13. Comments from attendees.

- None.

14. Motion to Adjourn.

Councilmember Campbell moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Strickland and carried unanimously. The Regular Meeting adjourned at 5:58 p.m.

Respectfully Submitted,

Lauren M. Craig,
Village Clerk

MINUTES OF
VILLAGE COUNCIL SPECIAL MEETING
MAY 14, 2014

395 MAGNOLIA ROAD
COUNCIL CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
5:00 P.M.

The Pinehurst Village Council reconvened the Special Meeting at 5:00 P.M. on Wednesday, May 14, 2014 in the Council Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. John R. Cashion, Mayor Pro-Tem
Mr. Clark H. Campbell, Councilmember
Ms. Claire L. Phillips, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Andy Wilkison, Village Manager
Ms. Lauren Craig, Village Clerk
Mr. Bruce Gould, Senior Planner

And approximately 2 attendees, including 1 staff and 0 press.

1. Call to Order and Reconvened the Special Meeting from May 7, 2014.
Mayor Nancy Roy Fiorillo called the meeting to order and reconvened the Special Meeting from May 7. Jeff Batton, Assistant Village Manager shared a hand drawn plan for the planting bed at the flag pole outside of Village Hall shared by the Garden Club. Council formed a consensus to move forward with these plans.

2. Draft Pinehurst Development Ordinance Discussion Chapter 9.
Councilmember Strickland suggested for Council to set a goal to complete the PDO review by June 18. Bruce Gould, Senior Planner led a discussion of the changes that are being proposed to the Pinehurst Development Ordinance. Mr. Gould covered changes in the Table of Dimensional Requirements. Council determined to change the accessory structure setback to 10’ side and 10’ rear in R-10 and R-8 zoning districts. Council discussed maximum lot covered by impervious surface and maximum lot coverage by buildings. It was noted that Section 9.17.1.11a for dimensional standards is applicable only to Residential Subdivisions in R-210, R-30, R-20, R-15, R-10 or R-8 districts, meeting the required open space regulations. Council also discussed Village Districts Design Standards. Next week Council will pick up at off street parking.

3. Adjournment.
At approximately 6:30 pm Councilmember Campbell moved to recess the Special Meeting until 5:00 pm on May 21st in the Council Conference Room. The motion was seconded by Councilmember Cashion and passed unanimously with a vote of 5-0.

Respectfully Submitted,

Lauren Craig,
Village Clerk

MINUTES OF
VILLAGE COUNCIL SPECIAL MEETING
MAY 16, 2014

395 MAGNOLIA ROAD
COUNCIL CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
9:00 A.M.

The Pinehurst Village Council reconvened the Special Meeting at 9:00 A.M. on Friday, May 16, 2014 in the Council Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. John R. Cashion, Mayor Pro-Tem
Mr. Clark H. Campbell, Councilmember
Ms. Claire L. Phillips, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Andy Wilkison, Village Manager
Ms. Lauren Craig, Village Clerk
Ms. Natalie Dean, Assistant Village Manager
Mr. John Frye, Director of Financial Services

And approximately 5 attendees, including 4 staff and 0 press.

1. Call to Order.
Mayor Nancy Roy Fiorillo called the meeting to order.

2. Review of the FY 2015 Proposed Strategic Operating Plan
The Manager introduced the discussion on the FY 2015 Proposed Strategic Operating Plan.

I. Strategic Planning Process Overview
Assistant Village Manager, Natalie Dean gave an overview of the Strategic Planning Process including the Council retreat, the setting of target levels for the balanced scorecard, staff developing departmental dashboards, and strategic operating plan leading up to the presentation of the proposed plan to Council at the end of last week.

II. Areas of Focus for FY 2015 Strategic Operating Plan
Assistant Village Manager, Natalie Dean noted the areas of focus for FY 2015 are to preserve the character and ambiance of the Village, promote economic opportunity, provide and promote safe traffic and pedestrian mobility, and provide a variety of cultural and recreational opportunities.

III. Council Goals and Strategic Initiatives Overview
Assistant Village Manager, Natalie Dean explained that Council determined goals (short term and long term) and staff identified strategic initiatives to address these goals. Four significant BIRDIE processes initiatives were shared, along with others such as oversee the annexation of Cotswold, extend sidewalk and walkway system, improve the adequacy of street lighting in neighborhoods, incrementally expand the Village Center, implement single day collection system with automated yard debris, and other key initiatives. All are listed in the proposed strategic operating plan.

Councilmember Strickland suggested a quarterly report on the status of initiatives and what has been accomplished. On the topic of the volunteer boards/commissions, Council briefly discussed the role for the Village Center Enhancement Committee.

IV. Overview of Proposed FY 2015 General Fund Budget

Assistant Village Manager, Natalie Dean provided an overview of the general fund and explained that the 54 strategic initiatives are budgeted at $1.6 million out of a $17.7 million budget.

V. General Fund Revenues ($17,756,000)

John Frye, Director of Financial Services explained the breakdown of General Fund Revenues. He noted the tax rate remains at $0.28, operating revenues are down 3.7%, and noted major revenue sources: property tax, sales tax, and unrestricted intergovernmental revenues, restricted intergovernmental revenues, permits and fees, sales and services, and other revenues due to the sale of Old Fire Station and ABC revenue. Mr. Frye explained that the fund balance appropriated is 37%.

VI. General Fund Expenditures

John Frye, Director of Financial Services explained the breakdown of the general fund expenditures.

a. Staffing- Mr. Frye noted that one position increased from 30-40 hours per week at the Harness Track and shared the personnel classification schedule. It was noted that the merit raises for employees are recommended at 0-2%. It is budgeted for a 10% increase in group insurance costs and workers' compensation is down 22%.
b. Operating Expenditures- Mr. Frye noted this includes all expenditures other than salaries and wages and noted these major expenditures. Council noted the need to have a conversation with the Given Memorial Library about commitments.
c. Capital & Debt Service Expenditures for FY 2015- Mr. Frye noted that Capital spending for FY 2015 is 11.2% of expenditures and noted these areas.
d. Five-Year Capital Improvement Plan (CIP)- Mr. Frye explained the proposed five year CIP to include the replacement of vehicles and equipment per the Village's replacement schedule, small drainage projects, Fair Barn parking lot improvements, Wicker Park splash pad, greenways/bike paths, and Wicker Park soccer field lighting.

VII. Other Funds

John Frye, Director of Financial Services updated Council on the Land Dedication fund and the Jackson Hamlet CDBG Phase III Sewer Extension Project which should be completed by 2015.

Councilmember Phillips inquired about land the Village owns that could be sold in the future and the process for doing this for future development. Council determined these are important conversations to have and determined that they would hold further discussions on this prior to and at the annual retreat.

Councilmember Strickland would like to evaluate the lots and property owned by the Village and Councilmember Strickland and Councilmember Campbell agreed to work on this. Councilmember Cashion would like to evaluate the opportunity to make incremental changes on the plans for the proposed public services facility Juniper Lake Road.

Councilmember Strickland noted there is no increase in staff but would like to be sure that we are adequately staffed and not understaffed to accomplish everything. Andy Wilkison noted that the 132 FTE's may not be sustainable over the next 5 years but this is being evaluated to make sure we are planning as needed.

Staff has noted a few areas to edit in the document and these pages will be replaced in the binders of Council and online. Council determined not to hold the budget work session scheduled on Monday, May 19 and instead to take this to the public hearing on Tuesday, May 27 next.

3. Adjournment.

At approximately 11:15 am Councilmember Cashion moved to adjourn the meeting. The motion was seconded by Councilmember Phillips and passed unanimously with a vote of 5-0.

Respectfully Submitted,

Lauren Craig,
Village Clerk

MINUTES OF
VILLAGE COUNCIL SPECIAL MEETING
MAY 16, 2014

395 MAGNOLIA ROAD
COUNCIL CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
9:00 A.M.

The Pinehurst Village Council reconvened the Special Meeting at 9:00 A.M. on Friday, May 16, 2014 in the Council Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. John R. Cashion, Mayor Pro-Tem
Mr. Clark H. Campbell, Councilmember
Ms. Claire L. Phillips, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Andy Wilkison, Village Manager
Ms. Lauren Craig, Village Clerk
Ms. Natalie Dean, Assistant Village Manager
Mr. John Frye, Director of Financial Services

And approximately 5 attendees, including 4 staff and 0 press.

1. Call to Order.
Mayor Nancy Roy Fiorillo called the meeting to order.

2. Review of the FY 2015 Proposed Strategic Operating Plan
The Manager introduced the discussion on the FY 2015 Proposed Strategic Operating Plan.

I. Strategic Planning Process Overview
Assistant Village Manager, Natalie Dean gave an overview of the Strategic Planning Process including the Council retreat, the setting of target levels for the balanced scorecard, staff developing departmental dashboards, and strategic operating plan leading up to the presentation of the proposed plan to Council at the end of last week.

II. Areas of Focus for FY 2015 Strategic Operating Plan
Assistant Village Manager, Natalie Dean noted the areas of focus for FY 2015 are to preserve the character and ambiance of the Village, promote economic opportunity, provide and promote safe traffic and pedestrian mobility, and provide a variety of cultural and recreational opportunities.

III. Council Goals and Strategic Initiatives Overview
Assistant Village Manager, Natalie Dean explained that Council determined goals (short term and long term) and staff identified strategic initiatives to address these goals. Four significant BIRDIE processes initiatives were shared, along with others such as oversee the annexation of Cotswold, extend sidewalk and walkway system, improve the adequacy of street lighting in neighborhoods, incrementally expand the Village Center, implement single day collection system with automated yard debris, and other key initiatives. All are listed in the proposed strategic operating plan.

Councilmember Strickland suggested a quarterly report on the status of initiatives and what has been accomplished. On the topic of the volunteer boards/commissions, Council briefly discussed the role for the Village Center Enhancement Committee.

IV. Overview of Proposed FY 2015 General Fund Budget

Assistant Village Manager, Natalie Dean provided an overview of the general fund and explained that the 54 strategic initiatives are budgeted at $1.6 million out of a $17.7 million budget.

V. General Fund Revenues ($17,756,000)

John Frye, Director of Financial Services explained the breakdown of General Fund Revenues. He noted the tax rate remains at $0.28, operating revenues are down 3.7%, and noted major revenue sources: property tax, sales tax, and unrestricted intergovernmental revenues, restricted intergovernmental revenues, permits and fees, sales and services, and other revenues due to the sale of Old Fire Station and ABC revenue. Mr. Frye explained that the fund balance appropriated is 37%.

VI. General Fund Expenditures

John Frye, Director of Financial Services explained the breakdown of the general fund expenditures.

a. Staffing- Mr. Frye noted that one position increased from 30-40 hours per week at the Harness Track and shared the personnel classification schedule. It was noted that the merit raises for employees are recommended at 0-2%. It is budgeted for a 10% increase in group insurance costs and workers' compensation is down 22%.
b. Operating Expenditures- Mr. Frye noted this includes all expenditures other than salaries and wages and noted these major expenditures. Council noted the need to have a conversation with the Given Memorial Library about commitments.
c. Capital & Debt Service Expenditures for FY 2015- Mr. Frye noted that Capital spending for FY 2015 is 11.2% of expenditures and noted these areas.
d. Five-Year Capital Improvement Plan (CIP)- Mr. Frye explained the proposed five year CIP to include the replacement of vehicles and equipment per the Village's replacement schedule, small drainage projects, Fair Barn parking lot improvements, Wicker Park splash pad, greenways/bike paths, and Wicker Park soccer field lighting.

VII. Other Funds

John Frye, Director of Financial Services updated Council on the Land Dedication fund and the Jackson Hamlet CDBG Phase III Sewer Extension Project which should be completed by 2015.

Councilmember Phillips inquired about land the Village owns that could be sold in the future and the process for doing this for future development. Council determined these are important conversations to have and determined that they would hold further discussions on this prior to and at the annual retreat.

Councilmember Strickland would like to evaluate the lots and property owned by the Village and Councilmember Strickland and Councilmember Campbell agreed to work on this. Councilmember Cashion would like to evaluate the opportunity to make incremental changes on the plans for the proposed public services facility Juniper Lake Road.

Councilmember Strickland noted there is no increase in staff but would like to be sure that we are adequately staffed and not understaffed to accomplish everything. Andy Wilkison noted that the 132 FTE's may not be sustainable over the next 5 years but this is being evaluated to make sure we are planning as needed.

Staff has noted a few areas to edit in the document and these pages will be replaced in the binders of Council and online. Council determined not to hold the budget work session scheduled on Monday, May 19 and instead to take this to the public hearing on Tuesday, May 27 next.

3. Adjournment.

At approximately 11:15 am Councilmember Cashion moved to adjourn the meeting. The motion was seconded by Councilmember Phillips and passed unanimously with a vote of 5-0.

Respectfully Submitted,

Lauren Craig,
Village Clerk

MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
MAY 27, 2014

395 MAGNOLIA ROAD
ASSEMBLY HALL
PINEHURST, NORTH CAROLINA
4:30 P.M.

The Pinehurst Village Council held a Regular Meeting at 4:30 p.m., Tuesday, May 27, 2014 in the Assembly Hall of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. Clark H. Campbell, Councilmember
Mr. John R. Cashion, Mayor Pro-Tem
Ms. Claire L. Phillips, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Andrew M. Wilkison, Village Manager
Ms. Lauren M. Craig, Village Clerk

And approximately 27 attendees, including 9 staff and 2 press.

1. Call to Order.
Mayor Nancy Roy Fiorillo called the meeting to order.

2. Invocation and Pledge of Allegiance
Andrew M. Wilkison, Village Manager offered the invocation and led everyone in the Pledge of Allegiance.

3. Reports
Mayor Fiorillo introduced Mary Robinson and Lindsey Robinson and Terry Kilarski early on the agenda to discuss the intersection at Hwy5 and McCaskill Road, Barrett Road, and McKenzie Road. Over the past year, residents have heard the crash of 20 accidents and would like a solution for this safety hazard. Ms. Robinson proposed that McKenzie Rd West could become a one-way. The Robinsons and several neighbors support changes to be made before something tragic happens. Council will discuss with staff options for a permanent solution for these intersections in July.

Manager

- The Cotswold Annexation bill has been filed and referred to the government committee.
- Staff executed contract today with the Momentum Group in partnership with the Village to put on the U.S. Open Experience.
- The modifications to the roundabout were completed last week.

Council

- Councilmember Strickland enjoyed the Memorial Day service this weekend.
- Councilmember Cashion noted he could see tracks on the roundabout concrete already.

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. Approval of Draft Village Council Meeting Minutes
April 2 Special Meeting
April 8 Regular Meeting
April 9 Special Meeting

April 10 Special Meeting
April 16 Special Meeting
April 22 Regular Meeting
April 23 Special Meeting
April 30 Special Meeting

B. Budget Amendments Report to Council for the Period April 16 - May 15, 2014.
C. Budget Amendment for Moore County Emergency Responders Memorial
D. Budget Amendment-Vehicle Insurance Proceeds
E. Resolution reappointing members to the Village Center Enhancement Committee (Barry, Boxell, Miller)
F. Resolution reappointing a member of the Beautification Committee (Blackwell)
G. Resolutions honoring members on the Historic Preservation Commission (Smith and Thigpen)

End of Consent Agenda.

Councilmember Cashion moved to approve the Consent Agenda. The motion was seconded by Councilmember Strickland and passed unanimously with a vote of 5-0.

5. **Request from Community Presbyterian Church for approval of a parking concession**
The Manager introduced Pastor Rod Stone of Community Presbyterian Church who requested Council approve the church operating a parking concession during the 2014 U.S. Open week similar to the request of the Village Chapel. Council formed a consensus to allow this during the week of the men's tournament as requested.

6. **Motion to Recess the Regular Meeting and Enter into a Public Hearing for the Village of Pinehurst**
Upon a motion by Councilmember Strickland, seconded by Councilmember Cashion, Council recessed the Regular Meeting to enter into a Public Hearing by a vote of 5-0.

7. **Public Hearing No. 1**
The purpose of the public hearing is to consider a voluntary annexation petition from the Citadel Development Group, LLC, for ±3.2 acres located along Midland Rd. The properties to be annexed are also defined as being Moore County LRK #'s 20090101 and 00035897 and are a part of the Walker Station Subdivision.
Bruce Gould, Senior Planner introduced the need for Council to consider the public hearing regarding a voluntary annexation petition from the Citadel Development Group, LLC. He noted this is a contiguous annexation and it is a necessary annexation for the services of the Walker Station Subdivision. The effective date would be June 30, 2014 for tax purposes.

There were no audience comments.

8. **Public Hearing No. 2**
The purpose of the public hearing is to discuss the proposed 2014-2015 Fiscal Year Strategic Operating Plan and Budget for the Village of Pinehurst.
The Manager explained the FY 2015 balanced budget has been submitted to Council along with the strategic operating plan (SOP). The Manager gave a brief presentation on the process staff and Council has taken to develop this document. Andy Wilkison noted the Council's key initiatives included in the FY 2015 SOP and explained there are 55 strategic initiatives at $1.6 million. The Manager covered a summary of the General Fund and the FY 2015-2019 Capital Improvement Program.

Audience member Tom Campbell inquired about the prediction of a lower tax rate in the future.

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

Upon a motion by Councilmember Cashion, seconded by Councilmember Campbell, Council adjourned the Public Hearing and Re-entered the Regular Meeting by a vote of 5-0.

10. Resolution Adopting a Policy on Village Construction

Jeff Batton introduced the need for Council to consider a policy on vertical construction initiated by the Village of Pinehurst, similar to the right of way policy. This would require that all items as defined would be brought to Council first. Upon a motion by Councilmember Strickland, seconded by Councilmember Campbell, Council unanimously adopted Resolution 14-29 establishing a policy for construction to be reviewed by the Village Council that may occur on Village owned property or non-Village owned property if being done for Village use by a vote of 5-0. (A copy of this resolution can be found in the Resolution Book.)

11. Budget Amendment - Garbage Truck

Jeff Batton introduced a budget amendment appropriating $175,000 to expedite the order of the automated garbage truck that is scheduled for the FY 2015 budget. This would allow the delivery of the truck to be January 2015 as was scheduled during the yard debris study. Upon a motion by Councilmember Cashion, seconded by Councilmember Campbell, Council unanimously approved Ordinance 14-21 amending the budget for the automated arm solid waste vehicle by a vote of 5-0. (A copy of this ordinance can be found in the Ordinance Book.)

12. Municipal Code Amendment to Prohibit Mobile Vendors

Bruce Gould, Senior Planner introduced the agenda item to consider a text amendment to the municipal code to prohibit mobile vendors within the Village of Pinehurst. This will allow for additional enforcement authority than is currently provided within the development ordinance. He noted these provisions will only apply within the Village limits. Natalie Dean, Assistant Village Manager, reminded Council that the USGA has decided not to sell beer or wine on Tufts Park and that local permitted establishments have requested fulfilling this need for the two weeks. It was clarified that merchants could sell beer or wine in closed containers from inside their establishments that can then be consumed off the premises but within the area where the Council has authorized open containers.

Upon a motion by Councilmember Strickland, seconded by Councilmember Phillips, Council unanimously approved Ordinance 14-24 amending the Pinehurst Municipal Code adding Chapter 120 to prohibit mobile vendors within the Village of Pinehurst by a vote of 5-0. (A copy of this ordinance can be found in the Ordinance Book.)

13. Municipal Code Amendment regarding Unmanned Aircraft Systems

The Manager introduced the agenda item regarding concerns over the possible use of unmanned aircraft systems (commonly called drones) in an unsafe or criminal manner during the upcoming U.S. Opens. Due to the inability of the state to regulate this quickly, they have encouraged the Village of Pinehurst to pass a local ordinance to enforce this for the two weeks of the U.S. Open Championships. Chief Earl Phipps said the district attorney is in favor of enforcing this ordinance and a protocol is in place. Upon a motion by Councilmember Cashion, seconded by Councilmember Campbell, Council unanimously approved Ordinance 14-22 amending section 130 of the Pinehurst Municipal Code as it pertains to unmanned aircraft systems by a vote of 5-0. (A copy of this ordinance can be found in the Ordinance Book.)

14. Discussion regarding the deer population in Pinehurst and possible options to consider.

Councilmember Strickland introduced the conversation regarding the deer population options and noted that Rock Creek Park had a culling program in Washington D.C. to help control the deer population. Councilmember Strickland suggests a task force be formed after the U.S. Opens along with state authorities, our police department, and interested citizens. The Council agreed with the idea of continuing to look into this issue.

15. Other Business

A. Ordinance 14-23 An Ordinance to Extend the Corporate Limits of the Village of Pinehurst, North Carolina (A Portion of Walker Station)

Upon a motion by Councilmember Strickland, seconded by Councilmember Cashion, Council approved Ordinance 14-23 extending the corporate limits of the Village of Pinehurst for the portion of Walker Station Subdivision owned by the Citadel Development Group, LLC as of June 30, 2014 by a vote of 4-0. Councilmember Campbell abstained from voting due to his professional conflict of interest. (A copy of this ordinance can be found in the Ordinance Book.)

B. Ordinance 14-25 Budget Ordinance FY2015

Upon a motion by Councilmember Phillips, seconded by Councilmember Cashion, Council unanimously approved Ordinance 14-25 appropriating funds for Operations of the Village of Pinehurst for fiscal year 2015 and adopting the 2015-2019 Capital Improvement Plan by a vote of 5-0. (A copy of this ordinance can be found in the Ordinance Book.)

16. Comments from attendees.

- No comments.

17. Motion to go into Closed Session 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 the Village Attorney will discuss depositions taken regarding the litigation between the Estate of Ronald H. Armstrong, plaintiff v. The Village of Pinehurst; et al., defendants (Case No. 1:13 CV 407) and a settlement agreement and release of claims with Align Development LLC, Julie Sutton, Lizzie Covington, and Marian Baker.

Upon a motion by Councilmember Strickland, seconded by Councilmember Cashion, Council unanimously approved to go into Closed Session 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 to discuss depositions taken regarding the litigation between the Estate of Ronald H. Armstrong, plaintiff v. The Village of Pinehurst; et al., defendants and a settlement agreement and release of claims with Align Development LLC, Julie Sutton, Lizzie Covington, and Marian Baker by a vote of 5-0.

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

Upon a motion by Councilmember Cashion, seconded by Councilmember Strickland, Council unanimously approved to adjourn the Closed Session and re-enter the Regular Meeting by a vote of 5-0.

19. Motion to Adjourn.

Councilmember Campbell moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Phillips and carried unanimously. The Regular Meeting adjourned at 6:00 p.m.

Respectfully Submitted,

Lauren M. Craig
Village Clerk

MINUTES OF
VILLAGE COUNCIL SPECIAL MEETING
MAY 28, 2014

395 MAGNOLIA ROAD
COUNCIL CONFERENCE ROOM
PINEHURST, NORTH CAROLINA
5:00 P.M.

The Pinehurst Village Council reconvened the Special Meeting at 5:00 P.M. on Wednesday, May 28, 2014 in the Council Conference Room of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Mr. John R. Cashion, Mayor Pro-Tem
Mr. Clark H. Campbell, Councilmember
Ms. Claire L. Phillips, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Andy Wilkison, Village Manager
Ms. Lauren Craig, Village Clerk
Mr. Bruce Gould, Senior Planner

Excused absence: Ms. Nancy Roy Fiorillo, Mayor

And approximately 3 attendees, including 1 staff and 0 press.

1. **Call to Order and Reconvened the Special Meeting from May 21, 2014.**
   Mayor Nancy Roy Fiorillo called the meeting to order and reconvened the Special Meeting from May 21, 2014.

2. **Draft Pinehurst Development Ordinance Discussion Chapter 9.**
   Bruce Gould, Senior Planner led a discussion of the changes that are being proposed to the Pinehurst Development Ordinance. Mr. Gould covered the topic of landscaping including tree standards for understory trees and suggested the language of two understory trees, one of which is to be an evergreen other than a pine. He also covered parking area landscaping additions and Council discussed the option of allowing a brick or stone wall to be substituted for the requirements of shrubs. Council determined to table this item until the CAC attends to discuss fencing. Council discussed adding street trees to the requirements for site plans such as large canopy trees per 40 linear foot of roadway. It was noted that a large portion of the former Tree and Ecosystem Protection section was removed for the proposed PDO. Council also discussed the section on signs and Bruce Gould noted that nothing major has changed for these standards. Council held a discussion about the temporary signs and the need to regulate these. Staff noted no major changes to exterior lighting standards or the water and sewer requirements. The section regarding Flood Damage Prevention Standards was discussed. Next week Council will pick up at fences, walls, and columns.

3. **Adjournment.**
   At approximately 6:25 pm Councilmember Campbell moved to recess the Special Meeting until 5:00 pm on June 4th in the Council Conference Room. The motion was seconded by Councilmember Phillips and passed unanimously with a vote of 4-0.

Respectfully Submitted,

Lauren Craig,
Village Clerk

CONSIDERATION OF RESOLUTION APPOINTING MEMBER TO THE PLANNING AND ZONING BOARD/BOARD OF ADJUSTMENT (LARSEN)

ADDITIONAL AGENDA DETAILS:

FROM:
Andy Wilkison

CC:
Bruce Gould

DATE OF MEMO:
6/18/2014

MEMO DETAILS:
With the ending of Kevin Hardt's current term on the Planning and Zoning Board/Board of Adjustment, he is no longer eligible to continue serving on those Boards. As Council is aware, staff and the Planning and Zoning Board Chairman interviewed David Kelly (recently appointed) and Myles Larsen for the vacant or soon to be vacant seats.

ATTACHMENTS:

	Description
🗋	Resolution 14-38

RESOLUTION #14-38:

A RESOLUTION REGARDING AN APPOINTMENT TO THE PINEHURST PLANNING AND ZONING BOARD AND BOARD OF ADJUSTMENT.

THAT WHEREAS, the Village of Pinehurst has established a Planning and Zoning Board and a Board of Adjustment as required by its Development Ordinance and authorized by North Carolina General Statutes 160A-361 and 160A-388; and

WHEREAS, on the 13th day of March, 2012, the Pinehurst Village Council adopted Ordinance 12-10 to amend chapter 31 of the Pinehurst Municipal Code to combine the Planning and Zoning Board and the Board of Adjustment; and

WHEREAS, there is a need to fill a vacancy on the boards; and

WHEREAS, Mr. Myles Larsen and the Village Council of Pinehurst are desirous of Mr. Larsen serving as a member of the Board of Adjustment and the Planning and Zoning Board;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 24th day of June, 2014, as follows:

SECTION 1. That the following appointment is hereby made to the Board of Adjustment and the Planning and Zoning Board for the term indicated:

Mr. Myles Larsen is appointed as a member of the Board of Adjustment and the Planning and Zoning Board, effective June 24, 2014, said term expiring on June 30, 2017.

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

THIS RESOLUTION passed and adopted this 24th day of June, 2014.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: ______________________________
John R. Cashion, Mayor Pro Tem

Attest:

____
Lauren M. Craig, Village Clerk

Approved as to Form:

____
Michael J. Newman, Village Attorney

CONSIDERATION OF RESOLUTION APPOINTING NEW CHAIRMAN OF THE PLANNING AND ZONING BOARD (ENGELFRIED).

ADDITIONAL AGENDA DETAILS:

FROM:
Andy Wilkison, Village Manager

DATE OF MEMO:
6/18/2014

ATTACHMENTS:

	Description
	Resolution 14-37

RESOLUTION #14-37:

A RESOLUTION APPOINTING A CHAIRMAN FOR THE VILLAGE OF PINEHURST PLANNING AND ZONING BOARD (ENGELFRIED).

THAT WHEREAS, the Village of Pinehurst has established a Planning and Zoning Board as required by its Zoning Ordinance and allowed under authority of North Carolina General Statutes 160A-361; and

WHEREAS, on the 13th day of March, 2012, the Pinehurst Village Council adopted Ordinance #12-10 to amend Chapter 31 of the Pinehurst Municipal Code to combine the Planning and Zoning Board and the Board of Adjustment; and

WHEREAS, the term of current Planning and Zoning Board Chairman Kevin Hardt expired on May 31, 2014; and

WHEREAS, the Village Council of the Village of Pinehurst is desirous of making an appointment to fill the vacant seat of Chairman of the Planning and Zoning Board;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 24th day of June, 2014, as follows:

SECTION 1. That the following appointment is hereby made to the Pinehurst Planning and Zoning Board for the term indicated:

Mr. Fred Engelfried shall be appointed as Chairman of the Pinehurst Planning and Zoning Board, to serve at the pleasure of the Council until the end of his term on October 31, 2015.

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

THIS RESOLUTION passed and adopted this 24th day of June, 2014.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: ______________________________
John R. Cashion, Mayor Pro Tem

Attest:

____
Lauren M. Craig, Village Clerk

Approved as to Form:

____
Michael J. Newman, Village Attorney

BADGE AND SERVICE SIDEARM REQUEST

ADDITIONAL AGENDA DETAILS:

FROM:
Angie Kantor

CC:
Andy Wilkison

DATE OF MEMO:
6/17/2014

MEMO DETAILS:
Sgt. Tina Sheppard will be retiring from the Police Department on June 27, 2014. She has requested to purchase her badge and service sidearm for $400 as stated in the Retirement Recognitions and Gifts policy. NCGS 20-187.2 authorizes the Village Council to award Sgt. Sheppard her badge and service sidearm at a price determined by the governing body.

Thank you for your consideration.

ATTACHMENTS:

	Description
🗋	Request from Tina Sheppard
🗋	Retirement and Gifts Policy

EARL PHIPPS
Chief of Police

June 17, 2014

Police:910-295-3141
Fax: 910-295-5924

ADMINISTRATIVE
MEMORANDUM TO:

THROUGH: Sgt. Sheppard

To: Andy Wilkison
From: Sgt. Tina Sheppard

Reference: Duty Weapon

Dear Andy,

I have a special request. Could I please receive my duty weapon. I know I have not completed twenty years of service. But I would love to have the opportunity of receiving my duty weapon that I carried. I am in good standing with the North Carolina General Statues to own a fire arm. I would deeply appreciate your concideration in this matter. My retirement date setforth with the State of North Carolina is July 1, 2014.

Sincerely,

Tina Sheppard

Sgt. Tina Sheppard
Pinehurst Police Department
420 Magnolia Road
Pinehurst, NC 28374
910-295-3141
910-783-9333

	VILLAGE OF PINEHURST **STANDARD PROCEDURE**

SUBJECT: **Retirement Recognitions and Gifts**	Effective Date: 05/08/12
Department: Human Resources	Policy No.: HR-116
Prepared by: Human Resources	Revised:
Approved by: Andrew Wilkison & Village Council	# of Pages: 2

I. **POLICY**:

The Village of Pinehurst recognizes the importance of honoring employees who retire from public service. The purpose of this policy is to recognize and celebrate the dedication and hard work of those employees retiring from the Village of Pinehurst.

II. **ELIGIBILITY**:

Employees must be eligible and apply for retirement benefits under the North Carolina Retirement System and have at least five consecutive years of full-time service with the Village of Pinehurst, not including sick time. Qualifying years of service must be immediately prior to retirement.

III. **PROCEDURE**:

Department Directors will notify Human Resources of an employee's pending retirement. Human Resources will work with the Department Director and the retiring employee to coordinate an appropriate celebration and the appropriate gift.

Eligible employees will receive a taxable monetary gift according to the following schedule. These amounts have been increased by 30% to cover estimated taxes.

- 5 years but less than 15 years $650
- 15 years or more $1300

Eligible employees with at least 10 years of service will also receive a Village-sponsored, celebratory meal at a Village facility coordinated through Human Resources. Village employees, Council and the retiring employee's immediate family will be invited. Additional people may be invited at the discretion of Human Resources.

Eligible employees with 5 years of service, but less than 10 years will receive a Village-sponsored reception coordinated through Human Resources.

Additional celebrations or gifts, departmental or otherwise, cannot be paid for with Village funds.

IV. **PUBLIC SAFETY**:

The Village of Pinehurst recognizes the bravery and dedication of the public safety employees serving in the Pinehurst Police Department and Pinehurst Fire Department. In addition to the retirement gifts listed above, public safety employees may be awarded the gifts listed below.

NCGS 20-187.2 authorizes the Village Council to award, upon request, a retiring law enforcement officer, or a surviving relative of an officer, the service side arm and badge of the officer at a price to be determined by the governing body. This policy sets the price for qualifying awards of side arms to retiring law enforcement officers at one dollar. The law enforcement officer must have at least 20 years of service with the Village of Pinehurst to be eligible for this benefit. If the retiring officer has at least 10 years of service, but less than 20 years, the officer will have the option to purchase the service side arm for $400. The retiring employee must follow all provisions of the statute and other applicable laws.

NCGS 160A-294.1 authorizes the Village Council to award, upon request, a retiring firefighter or a surviving relative of the firefighter, the fire helmet of the firefighter at a price determined by the governing body. This policy sets the price for qualifying awards of fire helmets to retiring firefighters at one dollar. The firefighter must have at least 10 years of service with the Village of Pinehurst to be eligible for this benefit.

Approved by:

______________________	May 8, 2012
Andrew Wilkison, Village Manager	Date

Resolution 12-31

______________________	May 8, 2012
Village Council, Resolution	Date

TOWN OF TAYLORTOWN-FIRE SUPPRESSION CONTRACT

ADDITIONAL AGENDA DETAILS:

FROM:
John Frye

CC:
Andy Wilkison, Natalie Dean & Carlton Cole

DATE OF MEMO:
6/16/2014

MEMO DETAILS:
As you are aware, the Village provides fire protection services to the Town of Taylortown on a contractual basis. The current contract will expire on June 30, 2014. The proposed contract attached contains the same terms and provisions as the previous contract that has been in place for the past five years. The contract, drafted by Financial Services, has been reviewed and approved by our Fire Chief and the Village Attorney.

I have also provided a copy of the draft contract to the Town of Taylortown for consideration at their June 24 meeting.

If you have any questions regarding the proposed contract, please let me know.

ATTACHMENTS:

	Description
🗋	2014-15 Taylortown Fire Suppression Contract

Contract: Taylortown Fire Suppression
Fiscal Year 2014-2015

STATE OF NORTH CAROLINA

COUNTY OF MOORE

THIS CONTRACT FOR FIRE PROTECTION SERVICES, made and entered into this 1st day of July, A.D., 2014, by and between the Town of Taylortown, a duly chartered municipal corporation in the County of Moore, State of North Carolina, and a body corporate and politic, (hereinafter sometimes referred to as "Town"), party of the first part; and the Village of Pinehurst, a duly chartered municipal corporation in the County of Moore, State of North Carolina, and a body corporate and politic, (hereinafter sometimes referred to as "Village"), party of the second part;

W I T N E S S E T H:

THAT WHEREAS, the Town of Taylortown, North Carolina, is a neighboring municipality in the State of North Carolina, having been chartered by act of the 1987 Session of the General Assembly of North Carolina, and is obligated to furnish, as a governmental function, fire protection services to its citizens and residents; and

WHEREAS, the said Town of Taylortown has not organized a fire department, nor availed itself of fire protection services from another municipality or a county fire district, and has, therefore, requested the Village of Pinehurst to furnish such services to the Town on a contractual basis, from year to year; and

WHEREAS, the Village has agreed to furnish said services to the Town, based upon a formula of 8.4 Cents Per One Hundred Dollars tax valuation of the property within the corporate limits of the Town based on the valuations of property for tax purposes by Moore County as of January 1, 2014; and

WHEREAS, the Village Council has determined that it can furnish this service to the Town of Taylortown without in any way impairing its ability to serve the Village of Pinehurst and the areas surrounding the Village to which it is committed to serve under fire district arrangements, and has agreed to enter into this contract for the purpose of establishing the basis upon which the Village of Pinehurst will furnish such services and the Town of Taylortown will pay for such services, with the understanding that the fire protection services of the Village of Pinehurst to the Town of Taylortown will include: Fire Suppression, annual hydrant flow testing, and any pre-fire planning activities as may be necessary for effective and safe fire ground operations, based upon the understanding that the County Fire Marshal will furnish to the Town of Taylortown Fire Education, Fire Inspections and the Fire Prevention Programs as may be appropriate or requested.

NOW, THEREFORE, for and in consideration of the payment of 8.4 Cents per One Hundred Dollars valuation on an annual basis, by the Town to the Village, the

Contract: Taylortown Fire Suppression
Fiscal Year 2014-2015

Village hereby agrees to furnish the described Fire Protection services for the term and upon the conditions and provisions as hereinafter set forth:

1. The Village of Pinehurst hereby covenants and agrees with the Town of Taylortown to furnish to the citizens, residents and property owners in said Town Fire Protection services, which shall include the Village Fire Department answering calls of citizens, residents and property owners in the Town of Taylortown, and to use so much of the fire fighting equipment of the Village as may be necessary and available at the particular time of any call, to promptly suppress the fire to which it is called, in accordance with the best fire fighting standards available.

2. That the Town hereby agrees to pay to the Village for such Fire Protection services during the fiscal year July 1, 2014 to June 30, 2015 the sum of 8.4 Cents per One Hundred Dollars valuation of property taxable by the Town within the corporate limits of the Town, and for the period July 1, 2014 to June 30, 2015 said payment shall be based upon the valuations of property in Taylortown as of January 1, 2014, and on the value established by the Moore County Tax Office as of the beginning of each calendar year for all subsequent years so long as this contract remains in effect by extensions from year to year, as herein provided; and the Council for the Town shall furnish to the Finance Officer of the Village a copy of the County Evaluations each year, for property in the Town.

3. That the Taylortown Council shall direct all town employees to render their cooperation with the Pinehurst Fire Department in the pre-planning, fire suppression and fire cause investigation. Any resource or assistance required or deemed necessary by the Pinehurst Fire Department that requires formal request by Taylortown officials shall be made in a prompt and timely manner. Such resources may include but are not limited to the Moore County Sheriff's Department, the Moore County Fire Marshal's Office, the State Bureau of Investigation (SBI), the Federal Bureau of Alcohol, Tobacco and Firearms (ATF) and any other state of federal agency deemed necessary by the Chief of the Pinehurst Fire Department to complete a thorough and professional investigation of the cause and origin of any fire or explosion.

4. That the Town Council of the Town of Taylortown hereby agrees to indemnify and hold harmless the Village of Pinehurst, and particularly, its Fire Department and all of the members thereof and the Village itself and all of the governing body and the members thereof against any and all claims that may arise from either the rendering of the service called for in this contract to any resident, citizen or property owner in the Town of Taylortown or for the failure of the Village Fire Department to respond, or

for any methods of operation or other claims that might arise in connection with the offering and rendering of their Fire Protection services.

5. That it is hereby mutually understood and agreed between the parties hereto that this contract will be confined to the corporate limits of the Town of Taylortown and will not extend to any outside properties.

6. That it is hereby mutually understood and agreed between the parties hereto that in the event a fire should occur in the corporate limits of the Town of Taylortown at a time when all of the fire fighting equipment and personnel of the Village of Pinehurst is occupied in fighting a fire within the corporate limits of the Village of Pinehurst or the area in the adjoining fire district which it is required to serve, then and in such event, if no equipment from Pinehurst is available to be diverted to the Taylortown fire, the proper officials will be so notified and assistance will be offered by the Village of Pinehurst to get other fire fighting equipment to answer to the Taylortown call, but failure to get such equipment shall not give rise to any liability or claim for damages against the Village of Pinehurst, under those circumstances.

7. That the Village of Pinehurst covenants and agrees it will make every effort to furnish the best Fire Protection services under this contract as can be furnished, and commits its equipment and personnel to that end, and the Chief of the Fire Department shall be directed to become acquainted, and have his assistants and personnel become acquainted, with the Town of Taylortown to the point that fire calls may be answered without delay and such equipment as is deemed necessary in the judgement of the Village Fire Department shall be dispatched to the scene and used as effectively as possible in suppressing fires as they occur.

8. This contract may be renewed for four additional fiscal years. The contract will be automatically renewed for one fiscal year if (1) the Town does not give the Village written 60-day notice of intent **not** to renew prior to the expiration of the contract, and (2) the Village elects to renew. The Pinehurst Fire District Tax Rate as levied by the Moore County Board of Commissioners shall be applied to the contract for the additional fiscal year on the basis set forth in Section 2. above. With the exception of the tax rate, any extension shall be on the same terms, covenants, and provisions as the original contract, unless changes are mutually agreed upon and reduced to writing as an addendum to this contract.

9. The Town hereby covenants and agrees to pay to the Village for the services covered by this contract, each quarter, based upon statements that will be sent by the Village to the Town on or about the 15th day of March,

June, September and December of each year so long as this contract shall be and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused their respective municipal corporate names to be hereto affixed by their

Mayors, and have caused their municipal corporate seals to be hereon impressed by their municipal clerks, each of whom shall attest to the execution by their municipalities, all in accordance with the authority duly given by the governing bodies of the municipalities on this day and year first above written.

Town of Taylortown

(Municipal Seal)

By:______________________
Ulysses S. Barrett, Jr., Mayor

Attest:

____
Carolyn Mitchell, Town Clerk

THIS INSTRUMENT HAS BEEN PRE-AUDITED IN THE MANNER REQUIRED BY THE LOCAL GOVERNMENT BUDGT AND FISCAL CONTROL ACT.

_____________________________ _____________
Finance Officer Date

Village of Pinehurst

(Municipal Seal)

By: ________________________
Nancy Roy Fiorillo, Mayor

Attest:

____
Lauren M. Craig, Village Clerk

CCNC GARBAGE CONTRACT

ADDITIONAL AGENDA DETAILS:

FROM:
Jeff Batton

DATE OF MEMO:
6/13/2014

MEMO DETAILS:

As you are likely aware, the Village of Pinehurst contracts with private solid waste companies to provide collection services to the residents of Country Club of North Carolina. Three providers serve this community and contract renewal is due each July 1.

One contract is of an annual amount that exceeds the authority of the Village Manager to execute without Council authorization. Lofton Garbage Services, a long time service provider, has a majority of the customers within CCNC and his estimated annual billing is approximately $80,000. The other two contracts for service are well below the $25,000 threshold and thus the Manager is authorized to execute those.

I will be present at the June 24 Council work session to address any questions or feel free to contact me in advance.

Thanks

ATTACHMENTS:

Description

Lofton's Garbage Service Contract

LOFTON SANITATION CONTRACT for CCNC

STATE OF NORTH CAROLINA

COUNTY OF MOORE

THIS CONTRACT, made and entered into this **1st** day of **July, A. D. 2014** by and between **Lofton Garbage Service** of the County of Moore, State of North Carolina, Party of the First Part (hereinafter sometimes referred to as "Contractor"); and the VILLAGE OF PINEHURST, a duly chartered municipal corporation and body corporate and politic of the County of Moore, State of North Carolina, Party of the Second Part (hereinafter sometimes referred to as "the Village");

W I T N E S S E T H:

THAT WHEREAS, the Contractor is engaged in the business of collecting garbage, refuse and trash, as an independent contractor; and

WHEREAS, the Village has the responsibility for the collection and removal of such garbage, refuse and trash within the Village of Pinehurst, as a part of its governmental functions; and

WHEREAS, the Village does not wish to collect and remove garbage, trash and refuse within the area known as the Country Club of North Carolina, at the present time, and the Contractor does now and wishes to continue to provide such service in the aforementioned area, and it has been determined by the Village Council of the Village of Pinehurst that it would be in the best interest of the Village and its citizens and residents to enter into this agreement with the Contractor for the purpose of engaging his/her services for a period of one (1) year.

NOW, THEREFORE, for and in consideration of the charges, and the terms, covenants, promises and conditions hereinafter set forth, the Village engages the services of the Contractor for the purpose of collecting garbage, refuse, and certain items of trash from residential property, and the Contractor agrees to perform said services in the Country Club of North Carolina, Pinehurst, North Carolina, in accordance with this contract.

The terms, covenants, promises and conditions of this agreement and contract are as follows:

1. The term of this contract shall be for a period of one (1) year from **July 1, 2014,** through **June 30, 2015**, unless sooner terminated as hereinafter provided or for good cause.
2. The Village covenants and agrees with the Contractor that the Contractor will collect garbage, recycling, and yard debris, each one time per week, from residential properties, at a location adjacent to the house, in the Country Club of North Carolina, If the frequency of collection is altered by the Village during the term of the contract, whether increased or decreased, the contract may be re-negotiated by the parties.
3. The Village covenants and agrees with the Contractor that the Village will pay to the contractor for the collections listed in #1 and #2 above in accordance with the attached Schedule A, which may be amended during the year as new homes are constructed.

   Residences listed on Schedule A as “Full” or “Rental” = $22.24 per month for trash, recycling and garbage.

Residences listed on Schedule A as "Partial" = $16.61 per month for trash, recycling and garbage.

Fuel Surcharge: Fuel surcharge will be established quarterly on July 1, 2014, October 1, 2014, January 1, 2015, and April 1, 2015, based on the price of fuel at the Hess Station located on Highway #5 and paid in accordance with the chart below.

Fuel Price Range	Adjustment Per Home
Up to $2.749	**$0.00**
$2.75 - $3.249	**$.25**
$3.25 - $ 3.499	**$.50**
$3.50 – 3.749	**$.75**
3.75+	**$1.00**

4. All payments to the Contractor will be made by the 15th day of the month following the pick-ups. Failure to provide an invoice by the 5th of the month may slow the payment to the Contractor.
5. The Contractor agrees to submit a monthly accounting of the number of households receiving his/her service each month. This count must accompany the Contractor's monthly invoice. Any changes to his/her accounting of any new households that are being added or dropped must be reported within 72 hours.
6. A monthly count of all homes, where recycling is picked up, must accompany the Contractor's invoice.
7. Contractor must provide all tickets, or copy of tickets, for solid waste and yard debris, obtained from disposal location. These tickets must accompany the Contractor's monthly invoice.
9. Contractor will be required to dispose of all recyclables at the Pinehurst Public Services Recycling bins located at 600 McCaskill Road, Pinehurst unless the Public Services Director provides written approval of an alternate method of disposal.
10. Contractor agrees that he/she will furnish all of the necessary labor and equipment to provide residents of the Country Club of North Carolina with once weekly removal of garbage, refuse and yard debris from residential property at times and frequencies set forth above.
11. The Contractor further covenants and agrees that he/she will include in his/her services the removal of all refuse of any nature placed in the containers; and a reasonable and normal amount of cartons, newspapers and the like, and that he/she will include in his/her services the removal of a reasonable amount of grass cuttings or other yard rakings and debris, which must be bagged or bundled in accordance with Village policy, and it is mutually understood and agreed that the disposal and removal of cartons, boxes and waste generated when a resident moves into a dwelling within the aforementioned area shall be the Contractor's responsibility.
12. Contractor further covenants and agrees that he/she will dispose of all garbage, refuse, and the like collected by them per this contract in a lined, sub-title D landfill, or in a transfer station that disposes in a lined, sub-title D landfill.

13. Contractor further covenants and agrees that he/she, his/her employees, assistants or agents will refrain from crossing a homeowner's property in front or back of a house to make any pickups, unless expressly permitted by the homeowner on either side and that normal procedure provides that the contractor, his/her employees, agents or assistants will proceed to the location on each property owner's premises where the garbage is stored and will remove the same directly back to the street where the collection vehicle is located without crossing the property of any adjacent or nearby property owner.
14. Contractor further covenants and agrees that collections will be made each week throughout the aforementioned area and should any holiday or external event interfere with this normal routine, Contractor will utilize any off-duty time to complete the regular collections each week; and it is understood and agreed that equipment failures shall be no reason for Contractor to avoid his/her responsibility for the collections required, and that it will be incumbent upon him/her to have available stand-by equipment to take care of such contingency.
15. Contractor covenants and agrees with the Village that in the event a pickup should be missed at any time, for reasons not the responsibility of the Village, or he/she should fail to remove all the trash and garbage available for pickup, the sum of five ($5.00) dollars per home collection missed will be deducted from that month's payment by the Village, as liquidated damages, forfeited by the Contractor. A five dollar ($5.00) penalty per home for recyclable material collection missed will also be levied by the Village in the form of a deduction from the monthly payment for each recyclable material collection missed.
16. It is understood and agreed that the Contractor shall be responsible for all worker's compensation and other types of insurance necessary to protect themselves and the Village from any liability whatsoever and the Contractor will provide the Village with a copy of each Policy (see attached insurance memorandum of understanding that is hereby made a part of this contract by reference). Contractor shall pay all taxes and other expenses required in his/her business, and it is clearly understood and agreed that the Contractor is an independent contractor operating strictly on his/her own and in no sense is he/she to be considered as an employee of the Village of Pinehurst.
17. In the event that landfill disposal fees at the Moore County landfill or any landfill succeeding the Moore County landfill increase above the annual C.P.I. amount (measured from the date one year prior to the effective date of this contract), the cost per home shall be adjusted in a manner agreeable to both parties of the contract so that the increased cost above the annual C.P.I. amount realized by the contractor as a result of this and only this occurrence can be passed on to the Village.
18. Contractor must comply with all OSHA standards and requirements, where applicable. Contractor must comply with all applicable federal, state, and local laws, rules and regulations.
19. Inasmuch as the Village Council of the Village of Pinehurst has the responsibility, as a governmental function, to collect and dispose of refuse, garbage and trash accumulated by the citizens, residents and property owners of the Village; and because of its responsibility to protect the health, safety, morals and general welfare of the citizens, residents and property owners of the Village, it is necessary that the Village Council see to it that this contract is performed by the contractor in an efficient and effective manner; and in the event, the Contractor should fail to so perform said contract, then, and in such event, the Contractor agrees that the Village Council shall have full and complete authority to terminate this

contract, summarily, and to engage another contractor to carry out the governmental function of garbage, refuse and trash collection within the aforementioned area, or to perform such service with Village employees; and upon such termination, the contractor shall be paid only through the time services have been performed hereunder.

In order to reduce processing costs and to maintain security over financial transactions, all payments made under this contract shall be made electronically. Upon execution of the contract, both parties will work to establish banking relations to enable direct deposit of funds due and payable under this contract.

IN WITNESS WHEREOF, the Village of Pinehurst has caused this contract to be executed in duplicate originals, one of which is retained by each of the parties and has caused its municipal corporate name to be hereto affixed by the Mayor of the Village of Pinehurst, attested by the Village Clerk, and has caused its corporate seal to be hereon impressed, all by authority of the Village Council duly given; and **Jockquinn Lofton**, as Contractor, has hereunto set his hand and seal, all on the day and year first above written.

VILLAGE OF PINEHURST

(Corporate Seal)

By: ___________________________
Nancy Roy Fiorillo, Mayor
Pinehurst, NC

Attest:

____
Lauren M. Craig, Village Clerk

____
Jockquinn Lofton, Contractor

Federal ID# _______________
Social Security # __________

This instrument has been pre-audited
in the manner required by the
Local Government and Fiscal Control Act.

____
John Frye, Director of Financial Services
Village of Pinehurst

LOFTON SANITATION CONTRACT for CCNC

MEMORANDUM OF UNDERSTANDING

Through the course of a year, the Village of Pinehurst contracts for various construction projects. The Village finds it necessary to impose certain minimum insurance and hold harmless requirements upon contractors performing the work. The insurance requirements are beneficial to both the village and the contractors.

In order to be considered an "eligible contractor" to complete projects as called upon, the contractor agrees with the village to the following requirements. (Those checked apply to this contractor/vendor.)

General Provision

A. Workers' Compensation: Insurance covering all employees meeting statutory limits in compliance with the applicable state and federal laws. The coverage must include employers' liability with a limit of $500,000.00 for each accident, $500,000.00 bodily injury by disease, each employee; and $500,000.00 bodily injury by disease, policy limit.

B. Commercial General Liability: Coverage shall have minimum limits of 1,000,000.00 general aggregate, products/completed operations aggregate, personal and advertising injury and each occurrence. This shall include premises and operations, independent contractors, products and completed operations, broad form property damage, XCU coverage and contractual liability. The coverage shall be written on an occurrence basis.

C. Business Auto Liability: Coverage shall have minimum limit of $100,000.00 per occurrence, combined single limit for bodily injury liability and property damage liability. This shall include owned vehicles, hired and non-owned vehicles and employee non-ownership.

D. Umbrella/Excess Liability: At the option of the contractor, the limits of the primary general liability, auto liability and employers' liability may be less than stipulated herein, with an excess policy providing the additional limits needed. This form of coverage must be approved by the municipality and will only be acceptable when both the primary and excess policies include the coverage and endorsements required herein.

Special Requirements

A. Current, valid insurance policies meeting the requirements herein identified shall be maintained to be considered an "eligible contractor". Renewal certificates shall be sent to the village 30 days prior to any expiration date. There shall also be a 30 day notification to the village in the event of cancellation or modification of any stipulated insurance coverage. Certificates of insurance meeting the required insurance provisions shall be forwarded to the Village of Pinehurst. Wording on the certificate which states that no liability shall be imposed upon the company for failure to provide such notice is not acceptable.

B. It shall be the responsibility of the contractor to insure that all subcontractors comply with the same insurance requirements that he is required to meet.

Hold Harmless

The contractor agrees to protect, defend, indemnify and hold the Village of Pinehurst and its officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings or causes of action of every kind and character in connection with or arising directly or indirectly out of this agreement and/or the performance hereof and caused by the negligence of the contractors. The contractor further agrees to investigate, handle, respond to, provide defense for and defend any such claims, etc., at his sole expense and agrees to bear all other costs and expenses related thereto.

Signed:

____________________________ _________________________

Signature Date

____

Title

____

Print Name

____

Name of Business

CONTRACT RENEWAL - ON-CALL ENGINEERING SERVICES

ADDITIONAL AGENDA DETAILS:

FROM:
Jeff Batton

DATE OF MEMO:
6/18/2014

MEMO DETAILS:

As you know, we have a Master Services Contract with McGill Associates that pre-qualifies them to perform engineering services for the Village. McGill Associates has performed on-call engineering services for the Village in a highly professional and responsible manner for the last several years and thus, I recommend we continue to contract with them to provide our on-call services.

Attached is Task Order #19 which would authorize on-call services beginning July 1, 2014 and running through June 30, 2015. The Village Manager is authorized to execute service contracts up to $25,000 without Council approval however; I estimate the value of the services for the fiscal year to be approximately $75,000. As such, I request Council consider authorizing the Mayor or her designee to enter into Task Order #19 at the June 24th Council work session. This would ensure that we remain in compliance with our policy on contract execution and would maintain continuity in engineering services.

I will be available at the Council work session to answer any questions or you may contact me in advance if necessary.

Thanks.

ATTACHMENTS:

	Description
🗋	Task Order #19

TASK ORDER NO. 19

This **TASK ORDER NO. 19** is a supplement to the **MASTER SERVICES AGREEMENT** between The Village of Pinehurst, North Carolina, (the "Owner") and McGill Associates, P.A. (the "Engineer") dated August 16, 2007. The purpose of Task Order No. 19 (the "Task Order") is to authorize the Engineer, (including subcontractors and/or subconsultants employed and duly authorized by the Engineer to act on the Engineer's behalf), to provide services generally described as:

On-Call Engineering Assistance

The project generally consists of engineering assistance on various projects on an as-needed basis as further described in Article 1 of this agreement.

ARTICLE 1. SCOPE OF SERVICES

The Engineer shall provide all professional engineering services (the "Services") to the Owner on an "on-call" basis. Requests for services may be provided by the Village's Infrastructure Superintendent and/or Planning Director, but final direction on services shall be provided by the Village Manager or Assistant Village Manager.

Specific tasks may include but are not limited to:

1. Engineering, bidding, and construction phase assistance with Village-funded street resurfacing and drainage projects.

2. Review of design plans, specifications, and calculations completed by other engineers for projects located within the Village's jurisdiction to confirm compliance with Village engineering standards.

3. Assistance with issues or problems that arise on construction projects occurring within the Village's jurisdiction as necessary.

4. Consultation with Village staff on other matters as necessary requiring engineering assistance.

ARTICLE 2. COMPENSATION

The Owner shall pay the Engineer for services outlined in Task Order No. 19 on an hourly basis in accordance with the Basic Fee Schedule dated August 2013 (attached hereto as Exhibit A).

ARTICLE 3. MISCELLANEOUS

Except as otherwise provided herein, this Task Order supersedes all prior written or oral understanding of the parties and may only be changed by a written amendment executed by both parties.

The term of this Task Order No. 19 shall be from July 1, 2014 through June 30, 2015.

IN WITNESS WHEREOF, the parties execute below this Task Order No. 19 in duplicate originals:

EXECUTED this ________day of _________________, 2014

McGill Associates, P.A.

Michael S. Apke

Michael S. Apke, P.E.
Pinehurst Office Manager

Village of Pinehurst

____
Nancy Roy Fiorillo, Mayor
Village of Pinehurst, North Carolina

McGill ASSOCIATES

EXHIBIT "A"

BASIC FEE SCHEDULE

August 2013

1984 2014 ENGINEERING & LANDSCAPE ARCHITECTURE

PROFESSIONAL FEES	Hourly Rate
Firm Principal	$180.00
Program Services Manager I	$140.00
Program Services Manager II	$155.00
Senior Project Manager I	$155.00
Senior Project Manager II	$165.00
Project Manager I	$130.00
Project Manager II	$140.00
Project Engineer I	$100.00
Project Engineer II	$110.00
Project Engineer III	$120.00
Engineering Associate I	$ 80.00
Engineering Associate II	$ 85.00
Engineering Technician I	$ 75.00
Engineering Technician II	$ 85.00
Engineering Technician III	$ 95.00
Electrical Engineer I	$100.00
Electrical Engineer II	$110.00
Electrical Engineer III	$120.00
Electrical Engineering Associate I	$ 80.00
Electrical Engineering Associate II	$ 85.00
Electrical Engineering Technician I	$ 75.00
Electrical Engineering Technician II	$ 85.00
Electrical Engineering Technician III	$ 95.00
CADD Operator I	$ 70.00
CADD Operator II	$ 75.00
CADD Operator III	$ 80.00
Construction Services Manager I	$110.00
Construction Services Manager II	$120.00
Construction Administrator I	$ 85.00
Construction Administrator II	$ 95.00
Construction Administrator III	$105.00
Construction Field Representative I	$ 70.00
Construction Field Representative II	$ 75.00
Construction Field Representative III	$ 80.00

5 Regional Circle, Suite A
Pinehurst, North Carolina 28374

ph: 910.295.3159
f: 910.295.3647

www.mcgillengineers.com

Planner I	$ 85.00
Planner II	$ 95.00
Planner III	$105.00
Surveyor I	$ 85.00
Surveyor II	$ 95.00
Surveying Associate I	$ 70.00
Surveying Associate II	$ 75.00
Survey Technician I	$ 55.00
Survey Technician II	$ 60.00
Survey Technician III	$ 65.00
Administrative Assistant (I-III)	$ 60.00
Accounting Assistant (I-II)	$ 75.00

1. **EXPENSES**

   a. Mileage - $0.65/mile
   b. Robotics/GPS Equipment - $25/hr.
   c. Telephone, reproduction, postage, lodging, and other incidentals shall be a direct charge per receipt.

2. **ASSOCIATED SERVICES -**

   a. Associated services required by the project such as soil analysis, materials testing, etc., shall be at cost plus ten (10) percent.

BUDGET ORDINANCE TO CONSOLIDATE U.S. OPEN EXPENSES

ADDITIONAL AGENDA DETAILS:

FROM:
Natalie Dean

CC:
John Frye

DATE OF MEMO:
6/17/2014

MEMO DETAILS:

When Council originally adopted the FY 2014 budget, there was $25,000 appropriated in Community Development for U.S. Open special events. Since then, additional funds have been budgeted for the U.S. Open Experience in the Parks and Recreation (P&R) Department. The $25,000 previously budgeted was accounted for in the calculation of funding needed for the U.S. Open Experience. However, it remained in a separate line item.

The proposed budget amendment is to simply consolidate the budget for the U.S. Open related costs into the one special events line item in the P&R Department. No additional funds are being requested at this time, as this is simply a transfer of existing budgeted funds.

ATTACHMENTS:

Description

- Ordinance #14-26: BA to Consolidate U.S. Open Expenses

ORDINANCE #14-26:

AN ORDINANCE AMENDING THE ORDINANCE APPROPRIATING FUNDS FOR OPERATIONS OF THE VILLAGE OF PINEHURST FOR FISCAL YEAR 2014, REGARDING REVENUES AND EXPENDITURES OF THE GENERAL FUND (CONSOLIDATION OF U.S. OPEN EXPERIENCE FUNDING).

THAT WHEREAS, the Village of Pinehurst is partnering with the United States Golf Association (USGA) on the U.S. Open Experience at Tufts Park from June 10th – 22nd, 2014; and

WHEREAS, the FY 2013-2014 General Fund Budget when adopted contained an appropriation of $25,000 in Community Development to promote U.S. Open related events; and

WHEREAS, the adoption of Ordinance #14-18 provided additional funding for the U.S. Open Experience in the Recreation Department; and

WHEREAS, it is most appropriate that these funds and the related expenditures be consolidated in the Recreation Department;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 24th day of June 2014, as follows:

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

Account No.	Account Name	Debit	Credit
10-80-610-5470	U.S. Open Experience-Recreation	$ 25,000	
10-40-720-5000	Advertising-Comm. Development		$ 25,000

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

THIS ORDINANCE passed and adopted this 24th day of June 2014.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: ______________________________
John R. Cashion, Mayor Pro Tem

Attest:

____
Lauren M. Craig, Village Clerk

Approved as to Form:

____
Michael J. Newman, Village Attorney