RESOLUTION #23-19:

A RESOLUTION TO ADOPT AND AMEND THE CAPITAL ASSETS POLICY, A FINANCIAL POLICY OF THE VILLAGE OF PINEHURST.

THAT WHEREAS, Chapter 160A, Article 7 of the General Statutes of North Carolina outlines the powers and duties of the Village Manager and Village Council; and

WHEREAS, the Village Council has deemed it necessary and in the best interests of its employees and citizens to formulate and revise administrative policies; and

WHEREAS, the Village Council, by Resolution #10-03, established that "All financial policies of the Village shall be approved by the Village Council"; and

WHEREAS, as the operational needs of the Village change, the Village Council has, from time to time, adopted and amended previously adopted financial policies for the Village of Pinehurst; and

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in regular meeting assembled this 13th day of June 2023, as follows:

SECTION 1. The Capital Assets Policy recommended by the Village's Financial Services Director, which has been reviewed by the Village Manager, is hereby amended and approved by the Village Council.

SECTION 2. The Financial Services Director is hereby instructed to inform all employees of the updated policy in a timely manner.

SECTION 3. This policy shall be effective upon adoption and supersede all previously adopted Capital Asset policies of the Village of Pinehurst.

THIS RESOLUTION passed and adopted this 13th day of June, 2023.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: ______________________________
John C. Strickland, Mayor

Attest:

____
Kelly Chance, Village Clerk

Approved as to Form:

____
Michael J. Newman, Village Attorney

ORDINANCE #23-14

VILLAGE OF PINEHURST
Budget Ordinance
Fiscal Year 2024

BE IT ORDAINED AND ESTABLISHED by the Village Council of Pinehurst, North Carolina, in the Regular Meeting assembled this 13th day of June 2023 as follows:

SECTION 1. The following amounts are hereby appropriated in the General Fund for the operation of Village government and its activities for the fiscal year beginning July 1, 2023 and ending June 30, 2024, in accordance with the chart of accounts heretofore established for this Village:

EXPENDITURES:	
Governing Body	$ 253,000
Administration	1,767,285
Financial Services	903,920
Human Resources	706,560
Police	4,745,547
Fire	4,151,224
Inspections	437,620
Public Services Administration	694,968
Streets & Grounds	3,097,790
Powell Bill	1,500,100
Solid Waste	2,695,710
Planning	1,284,290
Community Development	166,820
Recreation	2,439,553
Library	635,435
Harness Track	869,953
Fair Barn	482,525
Debt Service	19,100
Other Financing Uses	80,000
TOTAL EXPENDITURES	$ 26,931,400

SECTION 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2023 and ending June 30, 2024:

REVENUES:

Ad Valorem Tax Revenue	$ 13,639,000
Other Taxes and Licenses	4,500
Unrestricted Intergovernmental Revenue	8,762,900
Restricted Intergovernmental Revenue	599,500
Permits and Fees	1,290,300
Sales and Services	853,100
Other Revenues	516,800
Investment Income	640,100
Other Financing Sources	25,100
Fund Balance Appropriated	600,100
TOTAL REVENUES	$ 26,931,400

SECTION 3. There is hereby levied a tax at the rate of twenty-three cents ($0.23) per one hundred dollars ($100) valuation of property as listed for taxes as of January 1, 2023, for the purpose of raising revenue in the General Fund in Section 2 of this ordinance. This rate is based on a total valuation of property for the purposes of taxation of $5,937,000,000 and an estimated collection rate of 99.9% for real and personal property and 100.0% for motor vehicles.

SECTION 4. The Village Manager is hereby authorized to transfer appropriations as contained herein under the following conditions:

a. He may transfer amounts between line-item expenditures within a department without limitation and without a report being required.

b. He may transfer amounts between departments, including contingency appropriations, within the same fund to increase an appropriation up to $25,000 in a single budget amendment. He must make an official report on such transfers at the next regular meeting of the Village Council. In the event a State of Emergency is declared by the Mayor or designee, unlimited budget amendment authority within the same fund is granted for expenditures directly related to the emergency. He must make an official report on any such transfers authorized under a State of Emergency at the next regular meeting of the Village Council.

c. He may not transfer any amounts between funds, except as approved by the Village Council in the Budget Ordinance as amended.

SECTION 5. The Village Manager or his designee is hereby authorized to execute the necessary agreements within funds included in the Budget Ordinance for the following purposes:

a. Purchase of apparatus, supplies, and materials where formal bids are not required by law;

b. Leases of normal and routine business equipment;

c. Construction or repair work where formal bids are not required by law;

d. Consultant services, professional services, contracted services, or maintenance service agreements up to an anticipated contract amount of $50,000. In the event a State of Emergency is declared by the Mayor or designee, unlimited contracting authority is granted for services directly related to the emergency. The Village Manager must report to the Village Council any executed contracts exceeding $50,000 during the State of Emergency declaration;

e. Agreements for acceptance of State and Federal grant funds; and

f. Grant agreements with public and non-profit agencies.

SECTION 6. Copies of this Budget Ordinance shall be furnished to the Village Clerk, Village Manager, and Financial Services Director for their direction and implementation.

THIS ORDINANCE passed and adopted this 13th day of June, 2023.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By:

____
John C. Strickland, Mayor

Attest:

____
Kelly Chance, Village Clerk

Approved as to Form:

____
Michael J. Newman, Village Attorney

	VILLAGE OF PINEHURST **STANDARD PROCEDURE**
SUBJECT: **Capital Assets Policy**	Effective Date: 10/10/2004
Department: Financial Services	
Prepared by: Financial Services Director, Dana Van Nostrand	Policy No.: FIN-503.1
	Revised: 02/28/2017 06/28/2022 6/13/2023
Approved by: Village Council Resolution #23-19	# of Pages: 7

PROCEDURE PURPOSE:

To establish and maintain complete and accurate capital asset records.

POLICY:

The Village of Pinehurst adheres to the rules and regulations established by the Governmental Accounting Standards Board (GASB) and North Carolina general statutes for the recording and accounting of capital assets. Local governments are required by G.S. 159-26(b)(8) to maintain "a ledger or group of accounts in which to record the details relating to the general capital assets of the unit."

Capital asset records are required under Generally Accepted Accounting Principles (GAAP) and are necessary for the local government's auditor to render an unqualified audit opinion on its financial statements. Also, capital asset information is required for an Annual Comprehensive Financial Report to qualify for the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting.

OVERVIEW:

Capital assets are assets that are tangible in nature and have a useful life longer than one year. They are classified as land, infrastructure, buildings, furniture & fixtures, equipment, vehicles, and construction in progress. Capital assets can be both movable and immovable. Capital assets also include assets that are intangible in nature, such as software and right-to-use lease and subscription assets. The Village capitalizes assets that have a per unit cost of **$5,000** or more. Items of insignificant value, while they may meet the above criteria, are normally expensed instead of being considered capital assets.

A capital asset is considered a capitalized purchase subject to depreciation if it meets the following conditions:

- The item meets the dollar and life criteria and is designed to stand alone in its normal function, or
- The item enhances, upgrades, expands, or increases the life of an existing capitalized item. A major repair would qualify to be capitalized if it <u>does</u> extend the life, **and** enhances the value of a capital asset, or
- Multiple identical or related items are purchased for the same purpose at or near the same time which meet the life criteria that individually are less than the capitalization threshold but whose cost is significant in the aggregate. Examples are bulk purchases of computers, office furniture, and library books. These items should be considered for capitalization if the aggregate cost is $100,000 or more. The Financial Services Director will determine whether the aggregate cost is significant and the items should be capitalized as a bulk purchase.

Items that are <u>not</u> capitalized are those that function alone but do not meet the dollar and life criteria. These items must be charged as expenditures in the year of acquisition. The following conditions provide further definition of items that are <u>not</u> capitalized.

- Individually purchased component items costing less than $5,000.
- A replacement item that replaces part of a system but does not significantly enhance the life of the system. If an item is purchased as replacement for a system component or repair part, it is not a capital expenditure, regardless of the cost. Examples are a replacement dump body for a truck or a replacement part for routine maintenance of an existing HVAC system.

Capital assets containing separate physical parts (i.e. CPU, monitor and keyboard or a tractor and front end loader attachment) that can function independently or that can be interchanged and used with other assets are not considered one asset having one or more component parts. Each separate physical part is considered to be a separate asset and is individually evaluated to determine if capitalization criteria are met.

CONTROL:

Capital Assets are added to the Financial Services Departments asset inventory list by the Financial Services Department. Upon payment of the invoice, the Finance Technician will add the Capital Asset to the inventory list.

It is the responsibility of each Department Head to accurately maintain an Asset Inventory list for their respective departments and to maintain secure control of their assets. Individual departments are also responsible for maintaining non-capitalized assets under their control. The Financial Services Department is responsible for maintaining the computerized reports of capital assets owned by the Village.

The Financial Services Department will maintain a comprehensive Asset Inventory List for each Department. Semi-annually, a copy of the asset inventory will be given to the Department Heads for their review. Each Department Head will check their inventory of capital assets semi-annually to verify the accuracy of the list provided by the Financial Services Department and report any discrepancies to the Finance Technician.

Throughout the year, Department Heads should notify the appropriate department when a capitalized asset is no longer of use to the department by completing the Capital Asset Inventory Control Form. The Personal Property Disposition Policy (Policy No.: FIN-504.1) will be followed to dispose, transfer or donate any capitalized asset that is declared surplus. Those assets meeting the capital asset criteria and included on the Department's Asset Inventory List or those assets included on the Department's non-depreciable inventory list need to be reported.

Department Directors are responsible for conducting a full physical inventory of all capital assets at the end of each fiscal year and reconciling the physical inventory to the Asset Inventory List. The Financial Services department will conduct a bi-annual physical inventory of all current capital assets, identifying assets in use, and noting any assets that have been scrapped, sold, or transferred to other departments. This bi-annual physical inventory is typically performed the last week in May.

Intangible assets, such as software and right-to-use lease and subscription assets, will be monitored by the Financial Services Department annually to ensure they are still in use by the Village since they cannot be physically inventoried.

CLASSIFICATIONS AND COST BASIS:

All capital assets meeting the criteria described herein that are owned by the Village of Pinehurst are recorded in the accounting records. Accounting classifications of capital assets and the criteria used to determine the cost basis of the Village's capital assets are as follows:

Land – A capital asset account that reflects the acquisition value of land and the rights to land owned by the Village of Pinehurst. It includes all land held in fee simple and all rights to land that have no termination date.

If the land is purchased, the valuation includes such costs as purchase price, legal fees, filling and excavation, and other costs directly related to the acquisition of the land and its preparation for use. If land is acquired by a gift, the valuation recorded should be the acquisition value at the time of receipt. Acquisition value is the price that would be paid to acquire an asset with equivalent service potential in an orderly market transaction at the acquisition date, or the amount at which a liability could be liquidated with the counterparty at the acquisition date. Proceeds from the salvaging of any assets removed from the land reduce the land's cost (i.e. funds received from the sale of the components of an existing building on the land).

Right-of-Ways – A capital asset account that reflects the strip of land acquired for use as a public street. Street construction assets are recorded as infrastructure.

If the right-of-way is purchased, the valuation includes such costs as purchase price and legal fees. If a right-of-way is acquired through a gift, the valuation is recorded at the acquisition value at the time of receipt.

Infrastructure – A capital asset account that reflects the acquisition value of permanent improvements (other than buildings) that add value to the land or improve the use of the land, and recording of infrastructure type assets. Examples of such improvements are: fences, retaining walls, drainage systems, sidewalks, parking lots, driveways, roads, bridges, curbs and gutters, etc.

Note that when used with capital assets, the terms improvement and betterment have different meanings. Improvements are capital assets permanently attached to land. Betterments are additions to or changes in existing depreciable assets intended to increase their efficiency or prolong their useful lives.

If purchased or constructed, the valuation includes such costs as the purchase price, acquisition legal fees, and other professional fees (related to design or construction). If acquired by gift, the valuation recorded should be the acquisition value at the time of receipt.

Buildings & Improvements – A capital asset account that reflects the acquisition value of permanent structures owned by the Village of Pinehurst used to house persons and property. Permanently installed fixtures to or within these structures are considered parts of the structure. The costs of major improvements to structures are included in this account.

If purchased or constructed, the valuation includes such costs as the purchase price, acquisition legal fees, and other professional fees (related to design or construction). If acquired by gift, the valuation recorded should be the acquisition value at the time of receipt.

Furniture & Equipment – A capital asset account that reflects the value of tangible property not permanently affixed to real property, used in carrying out the operations of the Village of Pinehurst.

The basis of valuation of purchased furniture & equipment includes the net contract price, transportation charges, and the cost of installing special devices or other preparations required to ready the asset for its intended use. The basis of valuation of donated furniture & fixtures is the acquisition value at the date acquired.

Vehicles – A capital asset account that reflects the value of motor vehicles owned by the Village of Pinehurst.

The basis of valuation of purchased vehicles includes the net contract price; taxes, tags and titles; transportation charges; and the cost of installing special devices or other preparations required to ready the asset for its intended use. The basis of valuation of donated vehicles is the acquisition value at the date received.

Construction in Progress – A capital asset account used when a government reports amounts expended on an uncompleted building or other capital construction project. When the project is complete, the cumulative costs are transferred to another appropriate capital asset account. These subclasses such as buildings, improvements, and equipment might be used.

If purchased or constructed, the valuation includes such costs as the purchase price, acquisition legal fees, and other professional fees (related to design or construction). If acquired by gift, the valuation recorded should be the acquisition value at the time of receipt.

Software – A capital asset account that reflects the value of software owned or internally developed by the Village. This includes commercially available software that is purchased and modified using more than incremental effort before being put into operation. Software does not include subscriptions for the licensed use of third-party software.

The valuation of software consists of application development costs, such as software configuration, design of interfaces, coding, installation to hardware, testing, and data conversion (to the extent it is necessary to make the software operational). The application development costs can include Village personnel time and effort and costs for a third-party contractor to perform application development on the Village's behalf (i.e. an implementation consultant).

Intangible Right-to-Use Lease Assets – A capital asset account that reflects the value of the Village's right to use an asset that is leased from another entity as required by GASB Statement No. 87, *Leases*.

The valuation of right-to-use lease assets is the initial measurement of the lease liability plus any lease payments made prior to the lease term, less lease incentives, and plus ancillary charges necessary to place the asset into service.

Intangible Right-to-Use Subscription Assets – A capital asset account that reflects the value of the Village's right to use a software that is licensed from another entity as required by GASB Statement No. 96, *Subscription-Based Information Technology Arrangements*.

The valuation of right-to-use subscription assets is the initial measurement of the lease liability plus any subscription payments made prior to the lease term and capitalizable implementation costs, less incentives.

ESTIMATED USEFUL LIFE:

Most capital assets incur physical deterioration through usage and the passage of time. Although care and maintenance may succeed in extending the physical life of an asset, typically it will, eventually, reach a condition where the benefits have been exhausted.

Based on the historical use and replacement of the Village's capitalized assets, the following ranges will be used as guidelines in setting the estimated useful lives for asset reporting under GASB 34:

ASSET CLASS	ESTIMATED USEFUL LIFE
Right-of-Ways	40 Years
Infrastructure	20 – 40 Years
Buildings & Improvements	20 Years
Furniture & Equipment	3 – 10 Years
Vehicles	4 – 20 Years
Software	5 – 10 Years

Note that the service potential of Land and CIP do not diminish with time or use and are not depreciated. Intangible right-to-use lease and subscription assets are amortized based on the lease or subscription term as defined by the applicable GASB standard. Therefore, establishing an estimated useful life for these asset classes is not necessary.

The Financial Services Department will review the estimated useful lives of capital assets once established and, if necessary, make changes to the standard estimated useful life to reflect changes in the condition of the asset or its use.

DEPRECIATION:

The Village obtains benefit from a capital asset over several years. By accepting that the life of a capital asset is limited, the Village accounts need to recognize the benefits of the capital asset as it is "consumed" over several years. This consumption of a capital asset is referred to as depreciation.

Depreciation is defined as "the wearing out, using up, or other reduction in the useful economic life of a tangible fixed asset whether arising from use, passage of time or obsolescence through either changes in technology or demand for goods and services produced by the asset."

Depreciation accounting is the systematic and rational allocation of the recorded cost of depreciable capitalized assets over their estimated useful lives. The Village will depreciate eligible assets using the straight-line method over the estimated useful life of the asset. The first year of depreciation will be calculated for six months only, regardless of when the asset was added during the year, or utilizing the half-year convention.

ARTWORK AND HISTORICAL TREASURES:

Collections of Art, Historical Treasures, or Other Similar Assets – The Village houses certain collections of works of art, literary works, and historical artifacts, including the Tufts Archives collection. These collections are protected and preserved for public exhibition, education, research, and the furtherance of public service. They are neither disposed of for financial gain nor encumbered in any manner; however, an inventory is maintained. Accordingly, these collections are not recorded or capitalized for financial statement purposes. In the event an item of the collection is sold, the proceeds must be used to acquire other collection items.

SUMMARY:

The Village's policy is to capitalize assets with an estimated useful life of more than one year and a total cost of $5,000 or more. The Village depreciates eligible assets using the straight-line method over the estimated useful life of the asset, except for intangible right-to-use lease and subscription assets which are amortized over the lease or subscription term as defined by the applicable GASB standard.

To ensure the consistent recording of annual depreciation amounts for similar assets, the standards for estimating the useful lives of capital assets recorded on the Village's books are outlined in the table contained within this document.

This document replaces all previous versions of this policy in their entirety.

Dana Van Nostrand
Financial Services Director
395 Magnolia Road
Pinehurst, NC 28374
Phone: 910-295-8646
e-mail: dvannostrand@vopnc.org

Memo

To: Village Council

From: Dana Van Nostrand

CC: Village Managers

Date: May 31, 2023

Re: Amendments to the Village's Capital Assets Policy

In FY 2022, the Village adopted Government Accounting Standards Board (GASB) Statement No. 87, *Leases* (GASB 87), and in FY 2023 the Village is adopting GASB Statement No. 96, *Subscription-Based Information Technology Arrangements* (GASB 96). GASB 87 and GASB 96 created two new types of intangible capital assets, right-to-use lease assets and right-to-use subscription assets. The Village's Capital Assets Policy needs to be amended to include these two new types of intangible assets.

Both GASB 87 and GASB 96 include a provision that the statements need not be applied to immaterial items. This amendment to the policy will help facilitate the Village's adoption of GASB 96 in FY 2023 as subscription-based information technology arrangements (SBITAs) that are valued at less than $5,000 will not be required to be recognized and reported under GASB 96 based on the Village's capitalization threshold of $5,000 in the Capital Assets Policy. Additionally, any new right-to-use lease assets valued under $5,000 will not be recognized and reported upon adoption of this policy. The Village's capitalization threshold of $5,000 essentially means the Village considers items below $5,000 to be immaterial to the financial statements (i.e. exclusion of the item would not influence the judgment of a user of the financial statements), both individually and in the aggregate.

This amended policy also adds software as an asset classification. Software costing over $5,000 has been capitalized in the past by the Village even though it was not specifically defined in the policy.

The final amendment to the policy is the addition of criteria to capitalize "bulk purchases" of identical or related assets purchased at or near the same time that cost less than $5,000 per unit. This is required by GASB for financial reporting periods beginning on or after June 15, 2023 (the Village's fiscal year 2024). The concept ensures capital assets aren't being materially understated by excluding purchases of items that are individually below the capitalization threshold but are significant in the aggregate. The items still need to meet the criteria that they have a useful life of more than one year. Items that typically meet this "bulk purchase" criteria for capitalization include computers, furniture, and library books.

For example, if the Village purchased furniture to furnish a new building, the individual tables, chairs, desks, etc. would likely be less than $5,000 each. However, if the total cost of all the furniture for the building was $150,000, that may be significant in the aggregate. The policy includes an aggregate cost threshold of $100,000 for these types of purchases over which the Financial Services Director would review the purchase and determine whether it is significant enough to require capitalization. $100,000 is approximately 0.2% of the Village's depreciable capital assets (excluding land). This threshold is appropriate since it would allow for several bulk purchases to not be capitalized before impacting capital assets by even 1%. A 1% understatement of capital assets is not likely to be considered material by a reasonable financial statement user. Additionally, the Village does not make bulk purchases of assets that would meet these criteria often.

	VILLAGE OF PINEHURST STANDARD PROCEDURE
SUBJECT: **Capital Assets Policy**	Effective Date: 10/10/2004
Department: _Financial Services	
Prepared by: Financial Services Director, ~~Brooke Hunter~~Dana Van Nostrand	Policy No.: FIN-503.1
	Revised: 02/28/2017 06/28/2022 6/13/2023
Approved by: Village Council Resolution #2~~3-19~~2-17	# of Pages: 7~~6~~

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PROCEDURE PURPOSE:

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POLICY:

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Capital asset records are required under Generally Accepted Accounting Principles (GAAP) and are necessary for the local government's auditor to render an unqualified audit opinion on its financial statements. Also, capital asset information is required for an Annual Comprehensive Financial Report to qualify for the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting.

OVERVIEW:

Capital assets are assets that are tangible in nature and have a useful life longer than one year. ~~The Village depreciates assets that have a cost of **$5,000** or more.~~ They are classified as land, infrastructure, buildings, furniture & fixtures, equipment, vehicles, and construction in progress. Capital assets can be both movable and immovable. Capital assets also include assets that are intangible in nature, such as software and right-to-use lease and subscription assets. The Village capitalizes assets that have a per unit cost of **$5,000** or more. Items of insignificant value, while they may meet the above criteria, are normally expensed instead of being considered capital assets.

A capital asset is considered a capitalized purchase subject to depreciation if it meets the following conditions:

- The item meets the dollar and life criteria and is designed to stand alone in its normal function, or~~.~~
- The item enhances, upgrades, expands, or increases the life of an existing capitalized item. A major repair would qualify to be capitalized if it <u>does</u> extend the life, **and** enhances the value of a capital asset, or
- ~~.~~Multiple identical or related items are purchased for the same purpose at or near the same time which meet the life criteria that individually are less than the capitalization threshold but whose cost is significant in the aggregate. Examples are bulk purchases of computers, office furniture, and library books. These items should be considered for capitalization if the aggregate cost is $100,000 or more. The Financial Services Director will determine whether the aggregate cost is significant and the items should be capitalized as a bulk purchase.

Items that are <u>not</u> capitalized are those that function alone but do not meet the dollar and life criteria. These items must be charged as expenditures in the year of acquisition. The following conditions provide further definition of items that are <u>not</u> capitalized.

- Individually purchased component items costing less than $5,000.
- A replacement item that replaces part of a system but does not significantly enhance the life of the system. If an item is purchased as replacement for a system component or repair part, it is not a capital expenditure, regardless of the cost. Examples are a replacement dump body for a truck or~~,~~ ~~a bush hog for a tractor or a front-end loader for a tractor~~a replacement part for routine maintenance of an existing HVAC system.

Capital assets containing separate physical parts (i.e. CPU, monitor and keyboard or a tractor and front end loader attachment) that can function independently or that can be interchanged and used with other assets are not considered one asset having one or more component parts. Each separate physical part is considered to be a separate asset and is individually evaluated to determine if capitalization criteria are met.

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The Financial Services Department will maintain a comprehensive Asset Inventory List for each Department. Semi-annually, a copy of the asset inventory will be given to the Department Heads for their review. Each Department Head will check their inventory of capital assets semi-annually to verify the accuracy of the list provided by the Financial Services Department and report any discrepancies to the Finance Technician.

Throughout the year, Department Heads should notify the appropriate department when a capitalized asset is no longer of use to the department by completing the Capital Asset Inventory Control Form. The Personal Property Disposition Policy (Policy No.: FIN-504.1) will be followed to dispose, transfer or donate any capitalized asset that is declared surplus. Those assets meeting the capital asset criteria and included on the Department's Asset Inventory List or those assets included on the Department's non-depreciable inventory list need to be reported.

Department Directors are responsible for conducting a full physical inventory of all capital assets at the end of each fiscal year and reconciling the physical inventory to the Asset Inventory List. The Financial Services department will conduct a bi-annual physical inventory of all current capital assets, identifying assets in use, and noting any assets that have been scrapped, sold, or transferred to other departments. This bi-annual physical inventory is typically performed the last week in May.

Intangible assets, such as software and right-to-use lease and subscription assets, will be monitored by the Financial Services Department annually to ensure they are still in use by the Village since they cannot be physically inventoried.

CLASSIFICATIONS AND COST BASIS:

All capital assets meeting the criteria described herein that are owned by the Village of Pinehurst are recorded in the accounting records. Accounting classifications of capital assets and the criteria used to determine the cost basis of the Village's capital assets are as follows:

Land – A capital asset account that reflects the acquisition value of land and the rights to land owned by the Village of Pinehurst. It includes all land held in fee simple and all rights to land that have no termination date.

If the land is purchased, the valuation includes such costs as purchase price, legal fees, filling and excavation, and other costs directly related to the acquisition of the land and its preparation for use. If land is acquired by a gift, the valuation recorded should be the acquisition value at the time of receipt. Acquisition value is the price that would be paid to acquire an asset with equivalent service potential in an orderly market transaction at the acquisition date, or the amount at which a liability could be liquidated with the counterparty at the acquisition date. Proceeds from the salvaging of any assets removed from the land reduce the land's cost (i.e. funds received from the sale of the components of an existing building on the land).

Right-of-Ways – A capital asset account that reflects the strip of land acquired for use as a public street. Street construction assets are recorded as infrastructure.

If the right-of-way is purchased, the valuation includes such costs as purchase price and legal fees. If a right-of-way is acquired through a gift, the valuation is recorded at the acquisition value at the time of receipt.

Infrastructure – A capital asset account that reflects the acquisition value of permanent improvements (other than buildings) that add value to the land or improve the use of the land, and recording of infrastructure type assets. Examples of such improvements are: fences, retaining walls, drainage systems, sidewalks, parking lots, driveways, roads, bridges, curbs and gutters, etc.

Note that when used with capital assets, the terms improvement and betterment have different meanings. Improvements are capital assets permanently attached to land. Betterments are additions to or changes in existing depreciable assets intended to increase their efficiency or prolong their useful lives.

If purchased or constructed, the valuation includes such costs as the purchase price, acquisition legal fees, and other professional fees (related to design or construction). If acquired by gift, the valuation recorded should be the acquisition value at the time of receipt.

Buildings &~~and~~ Improvements – A capital asset account that reflects the acquisition value of permanent structures owned by the Village of Pinehurst used to house persons and property. Permanently installed fixtures to or within these structures are considered parts of the structure. The costs of major improvements to structures are included in this account.

If purchased or constructed, the valuation includes such costs as the purchase price, acquisition legal fees, and other professional fees (related to design or construction). If acquired by gift, the valuation recorded should be the acquisition value at the time of receipt.

Furniture & Equipment – A capital asset account that reflects the value of tangible property not permanently affixed to real property, used in carrying out the operations of the Village of Pinehurst.

The basis of valuation of purchased furniture & equipment includes the net contract price, transportation charges, and the cost of installing special devices or other preparations required to ready the asset for its intended use. The basis of valuation of donated furniture & fixtures is the acquisition value at the date acquired.

Vehicles – A capital asset account that reflects the value of motor vehicles owned by the Village of Pinehurst.

The basis of valuation of purchased vehicles includes the net contract price; taxes, tags and titles; transportation charges; and the cost of installing special devices or other preparations required to ready the asset for its intended use. The basis of valuation of donated vehicles is the acquisition value at the date received.

Construction in Progress – A capital asset account used when a government reports amounts expended on an uncompleted building or other capital construction project. When the project is complete, the cumulative costs are transferred to another appropriate capital asset account. These subclasses such as buildings, improvements, and equipment might be used.

If purchased or constructed, the valuation includes such costs as the purchase price, acquisition legal fees, and other professional fees (related to design or construction). If acquired by gift, the valuation recorded should be the acquisition value at the time of receipt.

Software – A capital asset account that reflects the value of software owned or internally developed by the Village. This includes commercially available software that is purchased and modified using more than incremental effort before being put into operation. Software does not include subscriptions for the licensed use of third-party software.

The valuation of software consists of application development costs, such as software configuration, design of interfaces, coding, installation to hardware, testing, and data conversion (to the extent it is necessary to make the software operational). The application development costs can include Village personnel time and effort and costs for a third-party contractor to perform application development on the Village's behalf (i.e. an implementation consultant).

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Intangible Right-to-Use Lease Assets – A capital asset account that reflects the value of the Village's right to use an asset that is leased from another entity as required by GASB Statement No. 87, *Leases*.

The valuation of right-to-use lease assets is the initial measurement of the lease liability plus any lease payments made prior to the lease term, less lease incentives, and plus ancillary charges necessary to place the asset into service.

Intangible Right-to-Use Subscription Assets – A capital asset account that reflects the value of the Village's right to use a software that is licensed from another entity as required by GASB Statement No. 96, *Subscription-Based Information Technology Arrangements*.

The valuation of right-to-use subscription assets is the initial measurement of the lease liability plus any subscription payments made prior to the lease term and capitalizable implementation costs, less incentives.

ESTIMATED USEFUL LIFE:

Most capital assets incur physical deterioration through usage and the passage of time. Although care and maintenance may succeed in extending the physical life of an asset, typically it will, eventually, reach a condition where the benefits have been exhausted.

Based on the historical use and replacement of the Village's capitalized assets, the following ranges will be used as guidelines in setting the estimated useful lives for asset reporting under GASB 34:

ASSET CLASS	ESTIMATED USEFUL LIFE
Right-of-Ways	40 Years
Infrastructure	20 – 40 Years
Buildings & Improvements	20 Years
Furniture & Equipment	3 – 10 Years
Vehicles	4 – 20 Years
Software	5 – 10 Years

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Note that the service potential of Land and CIP do not diminish with time or use and are not depreciated. Intangible right-to-use lease and subscription assets are amortized based on the lease or subscription term as defined by the applicable GASB standard. Therefore, establishing an estimated useful life for these asset classes is not necessary.

The Financial Services Department will review the estimated useful lives of capital assets once established and, if necessary, make changes to the standard estimated useful life to reflect changes in the condition of the asset or its use.

DEPRECIATION:

The Village obtains benefit from a capital asset over several years. By accepting that the life of a capital asset is limited, the Village accounts need to recognize the benefits of the capital asset as it is "consumed" over several years. This consumption of a capital asset is referred to as depreciation.

Depreciation is defined as "the wearing out, using up, or other reduction in the useful economic life of a tangible fixed asset whether arising from use, passage of time or obsolescence through either changes in technology or demand for goods and services produced by the asset."

Depreciation accounting is the systematic and rational allocation of the recorded cost of depreciable capitalized assets over their estimated useful lives. The Village will depreciate eligible assets using the straight-line method over the estimated useful life of the asset. The first year of depreciation will be calculated for six months only, regardless of when the asset was added during the year, or utilizing the half-year convention.

ARTWORK AND HISTORICAL TREASURES:

Collections of Art, Historical Treasures, or Other Similar Assets – The Village houses certain collections of works of art, literary works, and historical artifacts, including the Tufts Archives collection. These collections are protected and preserved for public exhibition, education, research, and the furtherance of public service. They are neither disposed of for financial gain nor encumbered in any manner; however, an inventory is maintained. Accordingly, these collections are not recorded or capitalized for financial statement purposes. In the event an item of the collection is sold, the proceeds must be used to acquire other collection items.

SUMMARY:

The Village's policy is to capitalize assets with an estimated useful life of more than one year and a total cost of $5,000 or more. The Village depreciates eligible assets using the straight-line method over the estimated useful life of the asset, except for intangible right-to-use lease and subscription assets which are amortized over the lease or subscription term as defined by the applicable GASB standard.

To ~~insure~~ensure the consistent recording of annual depreciation amounts for similar assets, the standards for estimating the useful lives of capital assets recorded on the Village's books~~,~~ are outlined in the table contained within this document.

This document replaces all previous versions of this policy in their entirety.

Council Member to Report	Partners & Collaborators
John Strickland	Convention and Visitors Bureau
	FirstHealth
	*Moore County, NC - Rotating
	Moore County Transportation Committee
	NCDOT/TARPO
	*Neighborhood Advisory Committee - Rotating
	*North Carolina - Rotating
	Partners in Progress
	Pinehurst Resort
Patrick Pizzella	*Moore County, NC - Rotating
	NCDOT/TARPO
	*Neighborhood Advisory Committee - Rotating
	*North Carolina - Rotating
	Partners in Progress
	Tri-Cities Work Group (Pinehurst, So. Pines, Aberdeen)
Jane Hogeman	Beautification Committee
	Chamber of Commerce
	*Moore County, NC - Rotating
	*Neighborhood Advisory Committee - Rotating
	*North Carolina - Rotating
	Pinehurst Business Partners
	Tri-Cities Work Group (Pinehurst, So. Pines, Aberdeen)
Lydia Boesch	Bicycle and Pedestrian Advisory Committee
	Convention and Visitors Bureau
	*Moore County, NC - Rotating
	*Neighborhood Advisory Committee - Rotating
	*North Carolina - Rotating
Jeff Morgan	FirstHealth
	*Moore County, NC - Rotating
	Moore County Schools
	*Neighborhood Advisory Committee - Rotating
	*North Carolina - Rotating
	Triangle J. COG

RESOLUTION #23-22:

A RESOLUTION REGARDING APPOINTMENT TO THE PINEHURST HISTORIC PRESERVATION COMMISSION.

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

WHEREAS, there is a need to fill a vacancy on the Historic Preservation Commission.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 13th day of June 2023 as follows:

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

Ms. Angelique Fabiani is appointed as a member of the Historic Preservation Commission, effective June 13, 2023, said term to expire May 31, 2025.

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

THIS RESOLUTION passed and adopted this the 13th day of June 2023.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: ______________________________
John C. Strickland, Mayor

Attest:

____
Kelly Chance, Village Clerk

Approved as to Form:

____
Michael J. Newman, Village Attorney

General application

Form: General Signup

Date Submitted
Yesterday at 6:03 PM

Name
Kevin Reed

Email
kreed3@ec.rr.com

Primary Address
205 Mccaskill Rd, East, Unti 114, Pinehurst, Nc, 28374, US

Primary Phone
+1 252-342-3828

Birthdate
3 November 1962

Current Workplace
Retired

Emergency Contact
No answer.

What are you interested in?
Beautification Committee, Bicycle & Pedestrian Advisory Committee, Board of Adjustment/Planning and Zoning Board, Historic Preservation Commission

Availability
No answer.

Education, Work History, or Skills
I spent over 30 years working in local government and understand all aspects of its functions. I previously served the village of Pinehurst as an employee, and would love to serve it again as a volunteer. Thank you.

How did you hear about us?
Word of mouth

ANGELIQUE I. FABIANI, ESQ.

10 Brunswick Lane
Pinehurst, North Carolina 28374
(917) 627-6560 · afabiani77@gmail.com

LICENSURE Admitted to New York State Bar, 2005

CURRENT EMPLOYMENT

Thigpen & Jenkins LLP Southern Pines, NC
Real Estate Legal Assistant, November 2019 -present
- Assist with all aspects of real estate transactions through closing.

HEARING OFFICER EXPERIENCE

OATH Environmental Control Board Jamaica, NY
Hearing Officer, October 2013-July 2016
- Conducted in-person hearings regarding violations of various NYC regulations.
- Comprehended and applied relevant laws, and determine appropriate penalties.
- Wrote thorough and concise decisions in conformance with applicable guidelines.
- Managed proceedings with appropriate judicial manner.

NYC Dept. of Housing Preservation and Development New York, NY
Hearing Officer, October 2011-October 2013
- Presided over Section 8 Appeals Unit hearings.
- Applied local and federal agency regulations to Section 8 program applicants and participants.
- Took testimony and evaluated documentary evidence.
- Researched and analyzed local, state and federal laws applicable to government entitlement programs and housing law issues.
- Issued written decisions that provided agency guidance when necessary.

.MTA Transit Adjudication Bureau Brooklyn, NY
Per Diem Hearing Officer, June 2009-October 2011
NYC Dept. of Health & Mental Hygiene New York, NY
Per Diem Hearing Examiner, April 2010-October 2011
- Conducted per diem administrative hearings in person and by mail.
- Took testimony from respondents and assess credibility of witnesses.
- Evaluated documentary evidence and responses received by mail.

LAW FIRM EXPERIENCE

Segarra & Fabiani, Esqs. Brooklyn, NY
Partner, October 2008-November 2010
- Represented clients in divorce, family court, corporate, real estate and civil litigation matters.
- Managed all aspects of transactions such as the gathering of necessary documents, drafting of complex loan agreements, reviewing title reports and contracts of sale, and attending closings.
- Acted as outside counsel to businesses on variety of legal matters.
- Supervised staff.

Wingate, Kearney & Cullen, LLP Brooklyn, NY
Associate, October 2005-October 2008
- Acted as outside counsel for large foster care agency on various legal matters.
- Represented agency in family courts throughout New York City.
- Independently managed over one hundred cases from inception to completion.
- Successfully litigated cases and defended on appeal.

EDUCATION

The George Washington University Law School Washington, DC
Juris Doctor, May 2004

- Staff Member, *The Environmental Lawyer*

Syracuse University Syracuse, NY
B.S. Speech Communication and Policy Studies, May 1999

- Dean's List Scholar, University Merit Scholarship Recipient, Study Abroad Program

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. 2023** 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 household trash, recycling, and yard debris, as an independent Contractor; and

WHEREAS, the Village has the responsibility for the collection and removal of such household trash, recycling, and yard debris within the Village of Pinehurst, as a part of its governmental functions; and

WHEREAS, the Village does not wish to collect and remove household trash, recycling, and yard debris 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 household trash, recycling, and yard debris 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, 2023** through **June 30, 2024**, unless sooner terminated as hereinafter provided or for good cause.
2. The Village covenants and agrees with the Contractor that the Contractor will collect household trash, 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 #2 above, which may be amended during the year as new homes are constructed, added or deleted.

LOFTON SANITATION CONTRACT for CCNC

Residences listed as "Full" or "Rental" = $27.54 per month for collection of household trash, recycling, and yard debris.

Residences listed as "Partial" = $20.56 per month for collection of household trash, recycling, and yard debris.

Scale tipping fees for household trash are included with "Full", "Rental", and "Partial" rates.

Fuel Surcharge: Fuel surcharge will be established quarterly on July 1, 2023, October 1, 2023, January 1, 2024, and April 1, 2024, based on the price of fuel at the Speedway 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 will delay 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. Contractors must dispose of household trash, recycling, and yard debris at the Moore County Transfer Station and Landfill. Scale tipping fees for household trash are included with "Full", "Rental", and "Partial" rates. Scale tipping fees for recycling and yard debris will be reimbursed to Contractor. Truck numbers must be provided to the Village.
8. Contractor must provide all tickets, or copy of tickets, for household trash, recycling, and yard debris, obtained from disposal location. These tickets must accompany the Contractor's monthly invoice. Failure to include tickets will result in delay of payment to the Contractor until tickets are received.
9. 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 household trash, recycling, and yard debris from residential property.
10. 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 yard debris, which must be bagged or bundled, 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.

11. 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 refuse 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.
12. 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.
13. 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 household trash, recycling, and yard debris 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.
14. 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.
15. Contractor and Village agree that a future renewal of this contract **for FY25** shall adjust the payment rate per residence based upon the Consumer Price Index (CPI) for Water, Sewer and Trash collection services in the U.S., Series ID CUSR0000SEHG. Should the CPI have a decrease over this period, there will be no decrease in the contract amount.
16. In the event that landfill disposal fees for household trash at the Moore County landfill or any landfill succeeding the Moore County landfill increase above the annual CPI amount, the cost per home shall be adjusted in a manner agreeable to both parties of the contract so that the increased cost above the CPI amount realized by the Contractor as a result of this and only this occurrence can be passed on to the Village.
17. 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.
18. Inasmuch as the Village Council of the Village of Pinehurst has the responsibility, as a governmental function, to collect and dispose of household trash, recycling, and yard debris 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 household trash, recycling, and yard debris 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: ___________________________
John C. Strickland, Mayor
Pinehurst, NC

Attest:

____
Kelly Chance, Village Clerk

____
Jockquinn Lofton, Contractor

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

____
Dana Von Nostrand, Director of Financial Services
Village of Pinehurst

To be Included on Draft Slate	SPOT ID	Mode	TIP	Route / Facility / Project Name	From / Cross Street / Location	To / Cross Street	Description	Statewide Mobility Quantitative Score (Out of 100)	Regional Impact Quantitative Score (Out of 70)	Division Needs Quantitative Score (Out of 50)	Original Submitter	Primary Purpose
Y	H171781	Highway		New Route - NC 211	SR 1112 (Roseland Road)	NC 211 (Raeford Road)	Construct two lane roadway on new location between SR 1112 and NC 211 in Aberdeen	N/A	46.43	30.09	DIV. 8*	Construct two lane connector on new location to eliminate dog-leg movement
Y	H192131	Highway		NC 211	Rattlesnake Road, Gun Club Drive		Improve intersection, add turn lanes	N/A	40.70	29.78	DIV. 8*	improve intersection
Y	H171727	Highway		US 1	NC 2 (Midland Road)	SR 1853 (Camp Easter Road)	Convert to superstreet intersections along corridor	61.57	39.97	28.12	TARPO	The sections of US 1 that are north and south of this section have control of access, leaving this short stretch in between as a lower-mobility section type. Converting the intersections on this segment to superstreet operation would help maintain a higher level of mobility as the area develops in the future.
Y	H185146	Highway		US 15, US 501	NC 73	NC 24/27	Widen to multilanes	N/A	37.38	26.78	TARPO	Volumes on this section of US 15-501 are beginning to approach capacity and are expected to be over capacity in the future. Current volumes are high enough that passing is difficult and slow-moving vehicles can cause lengthy backups.
Y	H185147	Highway		US 501, US 15	NC 24/27 in Carthage	US 1 near Tramway	Widen to multilanes	N/A	36.36	25.94	TARPO	This roadway is beginning to approach capacity, and is expected to exceed capacity in the future. The proposed widening would add sufficient capacity to meet this demand.
Y	H090158-A	Highway		NC 211	US 220 East of Candor	SR 1241 near Seven Lakes	Widen to Multi-Lanes	N/A	32.85	23.59	TARPO	This project would fill the remaining short 2-lane gap between the multilane portions of NC 211 from Seven Lakes eastward and the multilane US 220/I-73 corridor to the west.
7	H090669	Highway	R-5827	US 501, US 15	US 401	US 1	Widen US 15/501 to three lanes (2+1 passing lanes) from US 401 in Laurinburg to where US 1 becomes four lanes in Aberdeen (NC 211).	N/A	34.79	22.41	LRRPO*	To increase mobility and safety. Richmond County residents use this route to travel to Moore county for medical services and shopping.
Y	B170789	Bicycle & Pedestrian	EB-6005	Aberdeen Downtown Pedestrian Improvements	Multiple		Construct pedestrian improvements at five intersections and one mid-block location in downtown Aberdeen including stamped crosswalks curb ramps and necessary sidewalk improvements.	N/A	N/A	34.93	TARPO	This project will make improvements to a number of pedestrian crossings in the downtown area of Aberdeen to improve pedestrian accessibility.
Y	B171838	Bicycle & Pedestrian		Pee Dee Road Greenway	Pine St	NC 22 (Central Dr)	Construct sidepath	N/A	N/A	31.51	TARPO	Provide bike/ped connection between the West Southern Pines neighborhood, the Knoll Road area, and the Central Drive area, including potential to connect further on to the Reservoir Park area through a second phase project.
Y	B171644	Bicycle & Pedestrian		NC 2 (Midland Road)	SR 1843 (Airport Road)	SR 1847 (Dr Neal Road)	Construct greenway sidepath along road	N/A	N/A	27.81	TARPO	Provide bicycle/pedestrian connection between existing Southern Pines Greenway at Dr. Neal Drive and the planned Airport Road greenway (which would connect with the Forest Creek Greenway). This project, in conjunction with the project on Airport Road, would fill a gap in the area's greenway network.
Y	B171638	Bicycle & Pedestrian		SR 1843 (Airport Road)	NC 2 (Midland Road)	Existing Forest Creek Greenway	Construct greenway sidepath along road	N/A	N/A	26.97	TARPO	Provide bicycle/pedestrian connection between existing Forest Creek Greenway and the proposed sidepath/greenway along Midland Road.
Y	B171859	Bicycle & Pedestrian		SR 1326 (Mikes Place)	SR 1203 (Johnson Street)	SR 1311 (Magnolia Drive)	Construct sidewalk	N/A	N/A	22.66	TARPO	Improve pedestrian access to Southern Middle School and extend the sidewalk network in the area.
Y	B192517	Bicycle & Pedestrian		Rockingham Street	NC 22 (McNeill Street)	Carthage Elementary School	Construct sidewalk	N/A	N/A	18.16	TARPO	The current Rockingham Street sidewalk ends at Carthage Elementary School. This project would extend this sidewalk to NC 22, allowing improved access to the school and providing a missing connection between the existing sidewalks on Rockingham St and McNeill St.
7	B171839	Bicycle & Pedestrian		NC 22 (Central Drive)	SR 1848 (Pee Dee Road)	Reservoir Park/Mill Creek Greenway	Construct greenway sidepath along road	N/A	N/A	16.35	TARPO	Provide a bicycle/pedestrian facility to connect the existing Mill Creek Greenway/Reservoir Park Greenway to the proposed Pee Dee Road Greenway.

7--May be included, depending on the results of coordination between TARPO and other agencies

*Indicates On-going Coordination

RESOLUTION #23-23:

A RESOLUTION OF APPROVAL OF MOORE COUNTY TRANSPORTATION PROJECTS FOR SUBMISSION TO THE TRIANGLE AREA RURAL PLANNING ORGANIZATION (TARPO) FOR CONSIDERATION IN THE PROCESS OF STATE PRIORITZATION OF TRANSPORTATION PROJECTS AND STATE TRANSPOTATION IMPROVEMENT PROGRAM (STIP).

THAT WHEREAS, the North Carolina Department of Transportation, every two years, prepares a Statewide Transportation Improvement Program (STIP) that identifies transportation projects to be implemented over a ten-year horizon with State and Federal funding; and

WHEREAS, the Department of Transportation solicits input for identifying transportation projects of local and regional importance for inclusion in the STIP; and

WHEREAS, the Triangle Area Rural Planning Organization (TARPO) provides input to the Department of Transportation on project prioritization thru the allocation of points to be added to raw project SPOT scores; and

WHEREAS, TARPO solicits prioritization input from Moore County in the form of six or seven highway projects and six or seven bike and pedestrian projects; and

WHEREAS, the Moore County Transportation Committee has developed a list of seven highway projects and seven bike and pedestrian projects for submission to TARPO; and

WHEREAS, a majority of the governing boards from the local governments within Moore County must approve such a list for submission; and

WHEREAS, the Village of Pinehurst Council has considered the above-described request and is in support of the fourteen total projects identified as: H171781, H192131, H171727, H185146, H185147, H090158-A, H090669, B170789, B171838, B171644, B171638, B171859, B192517 and B171839;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in regular meeting assembled this 13th day of June 2023, that it expresses approval of the above-described list of transportation projects for Moore County submission to TARPO for STIP 7.0 consideration.

THIS RESOLUTION passed and adopted this 13th day of June 2023.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: ______________________________
John C. Strickland, Mayor

Attest:

____
Kelly Chance, Village Clerk

Approved as to Form:

____
Michael J. Newman, Village Attorney

RESOLUTION #23-21:

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

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. Kevin Reed and the Village Council of Pinehurst are desirous of Mr. Reed 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 13th day of June 2023, 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. Kevin Reed is appointed as a member of the Board of Adjustment and the Planning and Zoning Board, effective June 13, 2023, said term expiring on May 31, 2025.

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

THIS RESOLUTION passed and adopted this 13th day of June 2023.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: ______________________________
John C. Strickland, Mayor

Attest:

____
Kelly Chance, Village Clerk

Approved as to Form:

____
Michael J. Newman, Village Attorney

VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF MAY 23, 2023
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM

The Pinehurst Village Council held a Regular Meeting at 4:30 p.m., Tuesday May 23, 2023, in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina.

The following were in attendance in Assembly Hall:
Mr. John C. Strickland, Mayor
Mr. Patrick Pizzella, Mayor Pro Tem
Mr. Jeff Morgan, Councilmember via Zoom Platform
Ms. Jane Hogeman, Councilmember
Ms. Lydia Boesch, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Kelly Chance, Village Clerk

And approximately 29 attendees, including 6 staff and 1 press.

1. **Call to Order.**
Mayor Strickland called the Village Council meeting to order.

2. **Invocation by Reverend Matt Stillman and Pledge of Allegiance led by Mayor John Strickland**

3. **Reports:**

Village Manager

- Mr. Jeff Sanborn, Village Manager, reported the glass recycling yard is now operational and open at the public services yard. He reported Hwy 5 will be closed tonight and Wednesday night from 9 p.m. to 5 a.m. at the train underpass for painting of the trestle.

Village Council

- Mayor Strickland reported that Department of Transportation to discuss some projects that are underway in the area, including the traffic circle. He stated the DOT is looking at the implementation of some of the lower impact measures suggested by Council. He reported the Neighborhood Advisory Council met on Monday of last week and have implemented the new policy, looking for representatives for the areas that are unrepresented.
- Mayor Pro Tem Pizzella reported the NAC is collecting applications for the volunteer position to serve on the NAC board. He reported he attended the Pinehurst Business Partners meeting last night and noted upcoming events in the Village. He encouraged residents to sign up for notifications from the Village.
- Councilmember Boesch reported the CVB has released a grant opportunity for nonprofits throughout

the county for improvements and application can be picked up from the CVB.

- Councilmember Hogeman reported she, Jeff Sanborn and Mayor Pro Tem Pizzella attended the Tri-Cities Meeting in Aberdeen which consisted of discussion of solid waste issues being addressed by the county. She stated the Beautification committee is seeking nominations for the Warren H. Manning award and notice has been sent out on how to submit these nominations.
- Councilmember Morgan reported the TJCOG has recently changed their location and name and a resolution supporting this charter change is on the agenda tonight. He thanked the staff for all the hard work they do daily and in preparing such a robust agenda.

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 Village Council Meeting Minutes
   - May 9, 2023, Council Regular Meeting
   - May 9, 2023, Council Work Session
   - May 17, 2023, Council Special Meeting – Budget Work Session

End of Consent Agenda.
Upon a motion by Mayor Pro Tem Pizzella, seconded by Councilmember Hogeman, Council unanimously approved the Consent agenda by a vote of 5-0.

5. Discuss and Consider a Contract for Legal Services for FY 2024.
Assistant Village Manager Doug Willardson presented a proposed contract for legal services with Van Camp, Meacham, & Newman, PLLC for FY 2024 for Council review and consideration. He stated the functional terms of the contract are unchanged from the previous year. He reported the contract calls for a 2% cost increase, bringing the monthly rate to $5,045. He noted the annual contract totals $60,540 and Michael Newman's hourly rate is $395 per hour, with a $10 increase from the previous year for litigation matters not included in the monthly retainer.

Councilmember Boesch asked how much we have paid to Mr. Newman for legal services. Mr. Willardson stated he did not have the number available but can provide this to Councilmember Boesch. Councilmember Morgan asked if we document the actual numbers of hours Mr. Newman is supplying to the Village. Mr. Sanborn stated that the 30 hours he provides is fairly accurate. Councilmember Morgan asked about his presence at meetings, to which Mr. Willardson replied that Mr. Newman attends when he is requested.

Councilmember Boesch asked if the invoices/statements we receive each month have the number of hours on it, to which Mr. Willardson replied he will follow up with this information.

Upon a motion by Mayor Pro Tem Pizzella, seconded by Councilmember Hogeman, Council unanimously approved to recess the regular meeting and enter Public Hearing #1, by a vote of 4-1. Councilmember Boesch cast the no vote.

6. Q3 Update on the Status of the FY 2023 Strategic Operating Plan
Matthew McKirahan, Organization Performance Director provided Council with an update on the status of implementing the FY 2023 Strategic Operating Plan, including this year's Initiative Action Plans (IAPs) through the end of March 31, 2023.

7. **Motion to Recess the Regular Meeting and enter into Public Hearing #1**
Upon a motion by Councilmember Boesch, seconded by Mayor Pro Tem Pizzella, Council unanimously approved to recess the regular meeting and enter into Public Hearing #1, by a vote of 5-0.

8. **Public Hearing No. 1 – Fiscal Year 2024 Budget.**
Village Manager Jeff Sanborn presented the FY 2024 Strategic Operating Plan (SOP) to the public to provide the opportunity for comment. He stated the FY 2024 Strategic Operating Plan is developed to achieve the Council's vision, mission, goals, and strategic objectives. He noted the SOP addresses strategic challenges and opportunities facing the community and complies with the Distinguished Budget Presentation Award requirements. He stated that Village Council held one Budget Work Session on May 17th to review the SOP in detail.

Mr. Sanborn reported the Village Council identified three Areas of Focus in January 2023 that are addressed in the FY 2024 Strategic Operating Plan: Develop codes and ordinances to protect the character of Village neighborhoods, Support the business community, and Provide a safe and effective multi-modal transportation system.

Mr. Sanborn reported the budget drafted comes to a total of $26.9 million budget which is 8% less than the FY 2023 amended General Fund budget as of December 31, 2022. He stated we expect ending fund balance of 68.4% of expenditures. He reported the proposed property tax rate is $0.23, which is a reduction of 8 cents from FY 2023 tax rate of $0.31. He stated the increase in property values from 2023 County revaluations is a 49.5% average increase. He noted this is 1.8 cents higher than revenue neutral rate of $0.212 or 0.5 cents less than inflation-adjusted revenue neutral rate of $0.235.

Mr. Sanborn reported that initiative action plans planned for FY 2024 are:

- Develop codes and ordinances to protect the character of Village neighborhoods.
- Support the Business Community
- Provide a safe and effective multi-modal transportation system.
- Provide Library and Archive Services by expanding and relocated the Given Library/Tufts Archives
- Relocate the Public Services Complex to allow for redevelopment of Village Place.

Mr. Sanborn reported the total Net Cost of these opportunities for improvement is $167,300. He stated the Village estimates $1,377,000 increase (11.2%) in property tax revenue as a result of the County revaluation and tax rate adjustment for inflationary impact of COLA, merit, and pension increases on salaries and benefits of $1.1 million. He noted this assumes a 0.71% growth in the real property tax base based on prior year construction levels and 100 new homes. Mr. Sanborn reported this report also assumes a 6.5% increase in sales tax receipts over FY 2023 original budget and includes $350,000 for U.S. Open Licensing Fee from USGA.

Mr. Sanborn reported the Cost-of-living adjustment (COLA) increase of 8% plus average merit increase of 2% ($1.0 million salary + benefits) is expected. He stated this includes 4.3 new full-time equivalents at a $272,000 salary + benefits cost. He noted the positions are planned for a full-time assistant fire marshal, firefighter, and athletics coordinator positions, a part-time police apprentice, and recreation assistant positions. He stated the Village pays 100% of employee health/dental insurance + retirement contributions of 17.89% (19.04% for law enforcement).

Mr. Sanborn reported that allocation of tax dollar by function is generally the same as FY 2023 except for a $0.06 reduction in Cultural & Recreation. He stated this is due to significant capital appropriations in FY 2023 of $1.2 million for the Cannon Park turf field and $1.0 million for library building improvements.

Mr. Sanborn stated in FY 2024, significant Capital items are anticipated to cost $2.8 million in total. He stated these projects include, pedestrian facilities, Stormwater drainage projects, a garbage truck, replacement of four police vehicles, streetscape improvements, purchase of police dispatch radios, and a Village-wide imaging system.

Lynn Goldhammer, resident addressed Council about the astroturf application on the parks. She stated that people tended to get more injuries when this was initially tried in the 70s. She stated research shows that this is still being reported as the case. She stated Council should reconsider adding more turf to the fields. Mayor Strickland stated that materials that are being used today are much improved than in the past. Councilmember Morgan stated this is synthetic turf, which is safer and as an orthopedic surgeon, he and a fellow colleague did some extensive research and found no increased risk. He stated that if there was an extensive increase of risk than the athletics professionals would not allow athletes to play on these fields.

Ms. Goldhammer asked if the Village had considered any cross-municipality partnerships such as arranging to share vacuum trucks to help clean up. Mayor Strickland stated the Tri-Cities Group, which is Pinehurst, Southern Pines, and Aberdeen, meet to discuss like-minded issues, and discussions of these types of common issues are discussed and worked on as a group. Mr. Sanborn stated one of the issues this group has worked together on is making our over-lay districts consistently better, and, we have partnered with Southern Pines and Aberdeen to understand how we can better connect our communities with walking trails. He stated projects currently being discussed are road resurfacing and how we can perhaps share resources on this.

No other residents spoke on the proposed budget.

Mayor Pro Tem Pizzella stated the proposed tax rate suggested is $0.23, but he provided reasons he wanted this brought down to $0.22.

Councilmember Hogeman stated the 5-year plan presented has been well-crafted and does a fantastic job making sure we do not fail in funding but, she feels that because this is the introductory year of property tax revaluations, she would like to see the Village try to lower the tax rate as low as possible to help offset some of this effect.

Councilmember Morgan stated Staff put this together with the five-year focus and this takes in all of the proposed costs for the future and noted he is in support of the plan as presented.

Councilmember Boesch stated we discussed this last week and we all had very good and sound reasons to support this proposed budget and Five-year projection. She stated she is impressed with the time spent on this by management and staff and by the reasons given by them on why this works and why if we do this added decrease that this will not allow us to have the funding we need for the projects we have in the outer years. She stated this is a sound five-year plan that we have gone through very thoroughly and she is supported.

Mayor Strickland stated he likes to create consistency for the tax players and this plan does that. He stated if we do this, then there is the likelihood of a tax increase in the future. He stated that he prefers to keep the plan and the consistency.

Laura Sumrall, Pinehurst resident, addressed Council that as a resident she would like to see Council reduce the rate because the residents are who Council should listen to and show care to.

Mayor Strickland noted they will plan to vote on this budget on June 13th.

9. Motion to Adjourn Public Hearing #1 and Re-enter the Regular Meeting.
Upon a motion by Mayor Pro Tem Pizzella, seconded by Councilmember Boesch, Council unanimously approved to adjourn Public Hearing #1 and re-enter the Regular Meeting, by a vote of 5-0.

Council took a short break.

10. Motion to Recess the Regular Meeting and Enter into Public Hearing #2.
Upon a motion by Councilmember Boesch, seconded by Councilmember Hogeman, Council unanimously approved to recess the Regular Meeting and enter into Public Hearing #2, by a vote of 5-0.

11. Public Hearing No. 2 – Official Zoning Map and Text Amendments to Implement the Village Place and Pinehurst South Small Area Plans and Form Based Guidance Plans.
Alex Cameron, Planning and Inspections Director, stated the purpose of this public hearing is to discuss official zoning map and text amendments to the Pinehurst Development Ordinance to implement the Village Place and Pinehurst South Small Area Plans and Form Based Guidance Plans. He noted the proposed Zoning Map amendments would create two new zoning districts, Village Place Form Based District and Pinehurst South Formed Based District. He stated each of these districts have segmented blocks which coincide with the corresponding Regulating Plan in the respective Form Based Guidance Plan for each area.

Mr. Cameron reported the proposed text amendments will create the two new districts (Village Place Form Based District and Pinehurst South Form Based District) in Chapter 8 with the other general use districts (8.2.16 & 8.2.17). The current Pinehurst South Overlay District will be removed. Both Form Based Districts will now have their own Table of Permitted and Special Uses and Special Requirements in Section 8.5 (8.5.1b & 8.5.1c). Within each table, allowed uses via a conditional zoning approval, will be listed as "CZ". The conditional zoning approval required to be obtained prior to establishment of that use in both districts as shown in the tables. In addition, there will be a new Table of Dimensional Requirements which would apply to the new districts (Table 9.2b). Lastly, Appendix F will be amended to replace the current list of plant species with the Plant Palette from the Small Area Plans and Form Based Codes.

Mr. Cameron reported Village Place and Pinehurst South have been under a development moratorium since February of 2021. The moratorium was put in place to allow time to develop new development regulations that would allow for compatible with the intended character and vision for these areas. The moratorium for Village Place expired on May 5, 2023, and the Pinehurst South moratorium is set to expire on June 4, 2023. If adopted, these amendments would help carry out the vision, goals, standards and guidelines of the adopted plans.

Mr. Cameron reported the proposed map amendments closely follow the boundaries established with the two Focus Areas (2 & 4) in the 2019 Comprehensive Plan. The boundaries have been adjusted to not include some areas that were decided to not be considered due to existing built environment or other reasons. 2 Each proposed Form Based District also included subdistricts or blocks as indicated on the approved Regulating Plan in the adopted Form Based Guidance Plans. These amendments would replace the current zoning district for the affected properties.

Mr. Cameron reported the proposed PDO amendments as:
Chapter 8 Zoning

Section 8.2 General Use and Form Based Zoning Districts
This section establishes the zoning districts within the Village's zoning jurisdiction. The amendments would create the two new Form Based Districts for Village Place and Pinehurst South. Further direction is given to the Regulating Plan, which is part of the Form Based Guidance Plan, Table of Permitted Uses, Table of Dimensional Requirements and a statement that all other applicable sections of the PDO still apply.

Section 8.3 Overlay Zoning Districts
The existing Pinehurst South Overlay District is being removed from the Official Zoning Map and from the PDO as it will no longer be necessary. Due to this removal some minor renumbering will be required.

Section 8.4 Conditional Zoning Districts
A statement that Conditional Districts can help ensure development is consistent with adopted plans including the Comprehensive Plan, Small Area Plans and Form Based Guidance Plans is included in Section 8.4.1. As Conditional Zoning Districts are established with a corresponding General Use District, the Village Place and Pinehurst South Form Based Districts are added to the list in Section 8.4.2.

Section 8.5 Table of Permitted and Special Uses and Special Requirements
Within the list of Section 8.5.1 the letters "CZ" are included to establish that a conditional zoning approval must be granted prior to development. All nonconforming uses and structures will continue to be governed, as they are currently, with Section 2.3.

Mr. Cameron stated in order to come into compliance with state law, the language prohibiting any uses not expressly listed is removed and replaced with language that gives staff the authority to determine if a materially similar use exists. Such determination may be appealed to the Zoning Board of Adjustment. He stated the PDO currently has a definition of "Office" and "Medical Office" that is not currently included in Table 8.5.1a. Adding these uses to the table will aid staff in making better determinations with proposed uses in the districts listed.

Mr. Cameron reported a new Table of permitted uses, 8.5.1b, has been added for the Village Place Form Based District and 8.5.1c for Pinehurst South Form Based District. The table includes the blocks as indicated on the approved Regulating Plan and the proposed new Form Based District boundary. The letters "CZ" are listed in rows with the corresponding column for each block to establish where that particular use is permitted if conditional zoning is approved. Also, the letters "SR" are included with CZ where one of the existing Special Requirements are to apply. Specific uses are still shown to be permitted by right as indicated with a "X". These include uses which have statutory protections such as telecommunication 3 type facilities and Family Care Homes. Also, many of the listed accessory and temporary uses are also listed as permitted by right with special requirements.

Mr. Cameron reported a couple notable differences between the Village Place and Pinehurst South table of uses is the proposed allowance of single-family dwellings and manufactured homes by right within Block J of Pinehurst South. This was in response to the extensive public comment and feedback from members of the Jackson Hamlet community during and after the Planning and Zoning Board hearing. Also, SR-1 in Section 8.6 is amended to allow such development in Block J to follow the dimensional standards of the R-5 Zoning District. These are the standards that currently apply to the existing area in Block J.

Chapter 9 Design and Development Standards and Processes

Section 9.2 Tables of Dimensional Requirements
An additional Table of Dimensional Requirements (Table 9.2b) is included with the amendments for the two

new Form Based Districts. These standards include building standards (setbacks, build to lines, location, height, etc.), impervious surface coverage, open space requirements, and residential density caps. Most of these are included and mirror those in the adopted Form Based Guidance Plans.

Appendix F

The amendments would replace the existing list of plant species native to the Sandhills with the Plant Palette from the Small Area Plans and Form Based Guidance Plans. This list will be used to select tree species from in order to meet required landscaping standards for specific development.

Conditional Zoning

Conditional zoning is a legislative zoning map amendment with site-specific conditions incorporated into the zoning. Such requests require a public hearing to be held and recommendation given by the Planning and Zoning Board and a public hearing be held by the Village Council prior to action. When considering such requests, adopted plans including the Comprehensive Plan and other plans such as the Small Area Plans and Form Based Guidance Plans shall be considered. Such hearings are required to be noticed within the local newspaper and notice mailed to adjacent property owners between 10 and 25 days prior to the scheduled hearing.

Mr. Cameron stated a General Concept Plan (GCP) is required to be submitted with these requests and if approved, become part of the zoning approval and a zoning condition. Other submittal documents include proposed building elevations/renderings, vehicle trip generation, biological assessment on environmental impacts, neighborhood meeting summary, etc. An application for a conditional zoning request is first made to Planning staff and if determined complete, is distributed to members of the staff Technical Review Committee (TRC). The TRC reviews the application and submitted documents to determine compliance with their respective disciplines including zoning, engineering, fire code, building code, utilities, etc. Once compliance at the general concept plan phase is determined, then public hearings may be considered and scheduled before the appropriate body.

Mr. Cameron stated conditions may be requested and considered by the local government. Such conditions may vary certain provisions of the PDO (see Section 6.2.4) and may also place more restrictions on the development such as limiting the uses. All conditions must be mutually agreed upon by the owner and the local government. 4 Conditional zoning provides a flexible approach to designing development of sites while also providing a great understanding of what development will ultimately look like if approved. Staff believes this is a great way to begin implementation of the Small Area Plans and Form Based Guidance Plans to influence development that could have a significant impact on shaping the future of these areas in Pinehurst.

Mr. Cameron stated the Planning and Zoning Board first held a public hearing during their regular meeting on April 6, 2023. This followed numerous meetings and productive discussions between the Board and staff for recommendations on the Form Based Guidance Plan. Staff reviewed the amendments with the Board prior to receiving public comment on the proposals. Several members of the Jackson Hamlet community provided comments on the proposed amendments. The Planning and Zoning Board decided to continue the hearing to the May 4th meeting in order to allow time for staff to speak with members of the community to try and address as many concerns as possible and provide more clarity on the amendments.

Mr. Cameron stated staff adjusted the proposed amendments and presented these during the May 4th meeting. The Planning and Zoning Board received additional comments on the changes and discussed a few specific topics including allowing single-family homes and manufactured housing by right within the new block “J” in Pinehurst South as well as listing Religious Institutions, Community Shared Facilities and Civic Cultural Facilities as permitted through a conditional zoning approval.

Mr. Cameron reported after discussion, the Planning and Zoning Board unanimously recommended the Village Council adopt the proposed amendments with the addition of Civic Cultural Facilities permitted through a conditional zoning approval in block "J". In making their recommendation to Village Council, the Planning and Zoning Board found that the proposed amendments are consistent with the 2019 Comprehensive Plan specifically Implementation Strategies 2.13, 2.15, 2.16, and 2.17.

Mr. Cameron stated that with the Small Area Plans and Form Based Guidance Plans adopted by Council, amendments to the Zoning Map and PDO must be done in order to implement the plans. He stated staff believes these amendments follow the adopted plans vision by creating the two new zoning districts with subdistricts (blocks) and regulates the uses (building types), building heights, residential density, open space requirements, and other dimensional criteria.

Mr. Cameron stated by requiring the conditional zoning approval process, this allows staff, the Planning and Zoning Board and ultimately Village Council the ability to review proposals for development in-line with the other standards in the adopted plans (architectural requirements, street design, recreation, etc.). He noted this also allows for opportunities to place specific conditions that could restrict or lax some of the standards based on site specific conditions that may exist with a particular development. He stated in doing so, this also provides for a greater understanding of what development will look like in these areas for property owners, residents, developers, staff and the Council. If adopted, these standards and provisions should be evaluated after a period of time and any necessary revisions be considered. He stated as these amendments are consistent with the adopted plans and can help guide future development in the two areas while providing flexibility, staff recommends that Village Council adopt the proposed map and text amendments.

Councilmember Boesch asked how this would impact those who submit plan ideas and the "real world situations." Mr. Cameron stated in general terms these are going to be case-by-case situations that you can't quite comment on unless you have a site-specific plan to look at. Councilmember asked if staff has had any questions from potential builders. Mr. Cameron advised there have been a couple with questions on what usages would be permitted in these areas.

Public Comments Period:

Anne Harvey addressed Council on behalf of the Jackson-Hamlet action group whom she stated is generally in support of the Planning and Zoning proposals. She stated that it is unfortunate that the area is being subdivided, but they recognize that some rezoning is necessary. She stated that as items such as these are being proposed, to consider notifying those broader audiences that might be interested in the issue, besides just adjacent properties.

Frank Maiser, Property owner in the Village Place area, addressed Council in support of the uses prosed with the Block which includes a hotel and stated he would like to request an addition adding short-term rental use to the table of uses in this block, the destruction of the water towers, more walkability in the Village, and additional down-town parking.

Alex stated that the submittal requirements are not uncommon for any new plans coming in and would require a fairly significant commitment from someone seeking to build – normally is higher quality plan if the requirements are more stringent. Still allows flexibility but states our requested quality. He stated when it comes to parking, these will be required to be met – minimum number of parking spots required on site. – Street design standards do call for some on-street parking, mainly in the core areas.

Aretha Jones, resident expressed her concern about the postal address and zip codes in the Jackson Hamlet area and asked for clarification in laymen's terms on what these proposed amendments will do to the residents in the Jackson Hamlet area.

Mr. Cameron stated that the confusion over the postal address and zip codes and jurisdiction is common in that area. He stated a portion does have a Pinehurst zip code which means mails comes from Pinehurst post office while others come from Aberdeen post office. He stated unfortunately the Village of Pinehurst cannot help with that.

Gloria Copeland, resident, asked what is planned for the empty property across the railroad tracks? – east side of the railroad tracks, across from Jackson Hamlet. Mr. Cameron stated this area would be subject to those criteria, same as the area they are in. He stated if someone would propose to put something there, like a church, it would have to meet the same criteria as allowed there now.

Lynn Goldhammer, resident, stated the Council should flip the agenda in the future so the items that have the most people in attendance go first. She asked if there has been a determination of how many new houses can be put into these areas. She stated she would like to see a special tax on all these new constructions (10% tax) being built in to help absorb all these additional costs that are going up.

Carol Henry, resident, stated she is thankful for Alex for coming to the Jackson Hamlet community and helping walk them through some of the information the residents had been misled in believing. She stated it would have been beneficial if they as a community had been provided this information beforehand.

Comments from Council:
Councilmember Morgan stated he appreciates the comments, especially from Jackson-Hamlet and this is a demonstration of how miscommunications can be addressed by good communication. He expressed his gratitude to Alex Cameron for the great work in helping to clarify these miscommunications.

12. **Motion to Adjourn Public Hearing #2 and Re-enter the Regular Meeting.**
Upon a motion by Councilmember Morgan, seconded by Mayor Pro Tem Pizzella, Council unanimously approved to adjourn the Public Hearing #2 and re-enter the regular meeting, by a vote of 5-0.

13. **Discuss and Consider Ordinance #23-13 for Amendments to the Village of Pinehurst Zoning Map and Development Ordinance.**
Upon a motion by Councilmember Morgan, seconded by Mayor Pro Tem Pizzella, Council unanimously approved Ordinance #23-13 Amendments to the Village of Pinehurst Zoning Map and Development Ordinance, by a vote of 5-0.

14. **Discuss the Pinehurst South Moratorium Expiration**
Mayor Strickland stated that the Council regrets that the Moratoriums on Pinehurst South and Village Place have lasted for two years as that was not the original intent. He stated going forward Council does not foresee a situation where the Village would have to extend a moratorium that would last for that period of time at this time Council wished to allow the Pinehurst South Moratorium to expire, notice that Village Place Moratorium has already expired.

Upon a motion by Mayor Pro Tem Pizzella, seconded by Councilmember Boesch, Council unanimously approved to allow the moratorium on Pinehurst South to expire as planned on June 4^{th} and not to extend it, by a vote of 5-0.

15. **Discuss and Consider Resolution #23-17 Ratifying, Accepting & Approving Charter Resolution of Central Pines Regional Council**

Councilmember Morgan stated that the Triangle JCOG has decided to change their name officially to the Central Pines Regional Council and this required them to update their Charter and then come back to all the member local governments to approve or ratify this new Charter. He stated TJCOG is requesting the Village of Pinehurst Council approve this ratification accepting and approving the Charter changes.

Upon a motion by Councilmember Morgan, seconded by Mayor Pro Tem Pizzella, Council unanimously approved Resolution #23-17, Ratifying, Accepting & Approving Charter Resolution of Central Pines Regional Council, by a vote of 5-0.

16. **Other Business**

No other business was discussed.

17. **Comments from Attendees.**

Bruce Geddes, resident of ETJ, addressed Council about his opposition to the creation of a Western Connector and stated he would like to see Council oppose this when the creation of the new MPO organization for the area comes to fruition.

18. **Motion to Adjourn**

Upon a motion by Mayor Pro Tem Pizzella, seconded by Councilmember Hogeman, Council unanimously approved to adjourn the regular meeting by a vote of 5-0 at 7:46 p.m.

Respectfully Submitted,

Kelly Chance,
Village Clerk

A videotape of this meeting is located on the Village website: www.vopnc.org
Vision: The Village of Pinehurst is a charming, vibrant community, which reflects our rich history and traditions.
Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.
Values: Service, Initiative, Teamwork, and Improvement

RESOLUTION #23-24:

A RESOLUTION ADOPTING THE METROPOLITAN PLANNING AREA (MPA) FOR THE SANDHILLS AREA METROPOLITAN PLANNING ORGANIZATION.

THAT WHEREAS, on December 29, 2022 the US Census Bureau released 2020 population estimates for Urban Areas (UA); and

WHEREAS, the Pinehurst-Southern Pines Urban Area was determined to have a population of 50,319 which meets requirements for a Metropolitan Planning Organization (MPO) in accordance with applicable provisions of Title 23, United States Code (USC) Section 134 and 135 and 49 USC Section 5303; and Code of Federal Regulations (CFR) Part 450; and

WHEREAS, the Pinehurst-Southern Pines Urban Area includes the Town of Aberdeen, Town of Pinebluff, Village of Pinehurst, Town of Southern Pines, Town of Taylortown, Village of Whispering Pines and portions of Moore County; and

WHEREAS, elected officials representing jurisdictions of the Pinehurst-Southern Pines Urban Area unanimously agreed on May 15, 2023, to formally invite the Village of Foxfire to be included in the Metropolitan Planning Area (MPA); and

WHEREAS, the Metropolitan Planning Area (MPA) is the geographic planning area determined by agreement between the MPO for the area and the Governor for which the metropolitan transportation planning process is to be carried out; and

WHEREAS, based on 23 CFR 450.312, the boundaries of the MPA shall encompass the entire Pinehurst-Southern Pines Urban Area (as defined by the US Census Bureau) plus the contiguous area expected to become urbanized within a 20-year forecast period; and

WHEREAS, elected officials representing jurisdictions of the Pinehurst-Southern Pines Urban Area on June 8, 2023, approved the MPA map dated June 12, 2023;

WHEREAS, the elected officials representing jurisdictions of the Pinehurst-Southern Pines Urban Area unanimously agreed on June 8, 2023, approved the MPA map, dated May 22, 2023; and

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in regular meeting assembled this 13th day of June 2023, is in agreement with the Sandhills Area Metropolitan Planning Organization map dated June 8, 2023, and attached as exhibit A.

THIS RESOLUTION passed and adopted this 13th day of June 2023.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: ______________________________
John C. Strickland, Mayor

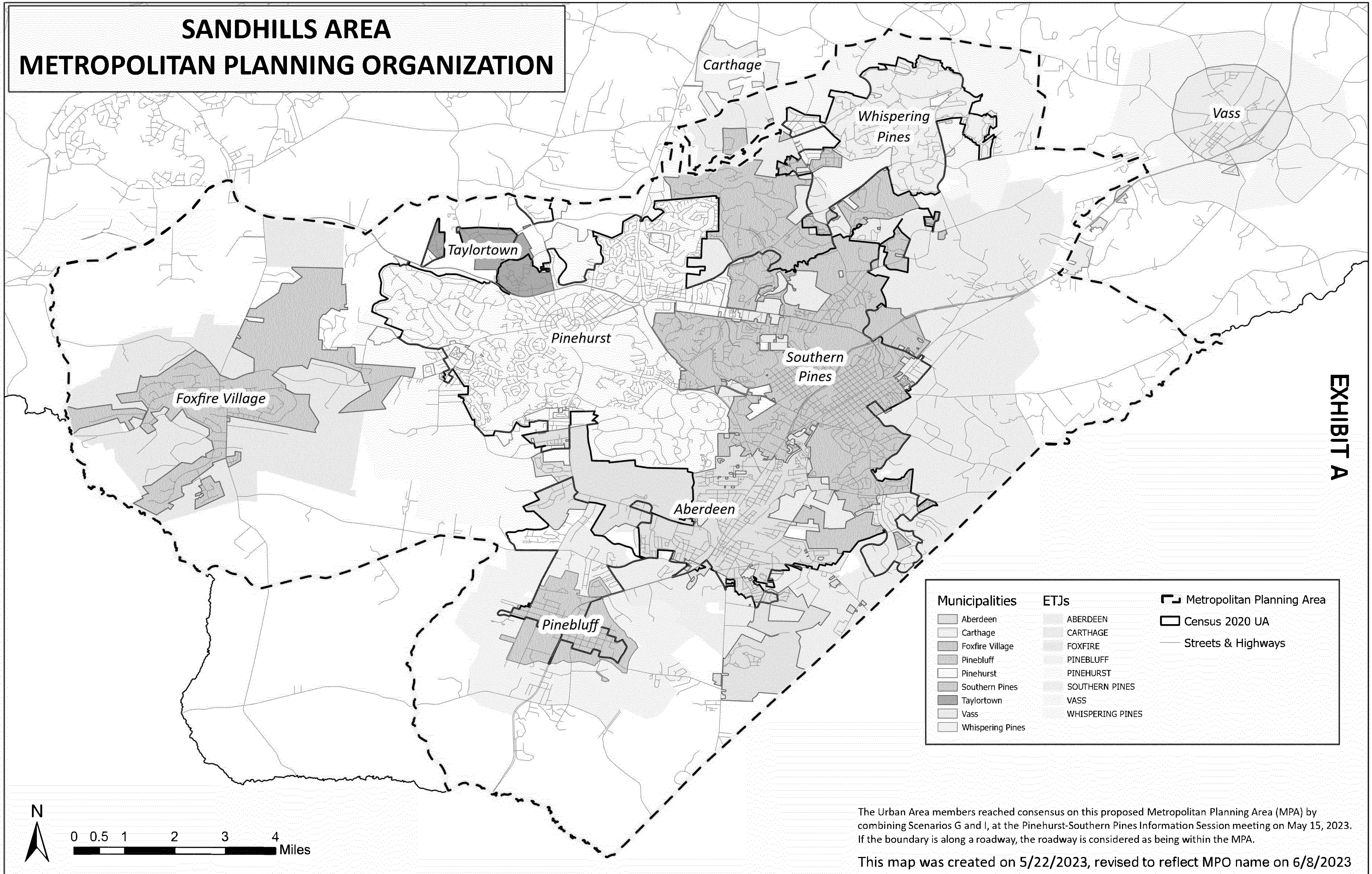
Attest:

____
Kelly Chance, Village Clerk

Approved as to Form:

____
Michael J. Newman, Village Attorney

SANDHILLS AREA METROPOLITAN PLANNING ORGANIZATION



The Urban Area members reached consensus on this proposed Metropolitan Planning Area (MPA) by combining Scenarios G and I, at the Pinehurst-Southern Pines Information Session meeting on May 15, 2023. If the boundary is along a roadway, the roadway is considered as being within the MPA.

This map was created on 5/22/2023, revised to reflect MPO name on 6/8/2023

RESOLUTION #23-25:

A RESOLUTION TO CREATE A CO-OPERATIVE LIAISON OF MUTUAL BENEVOLENCE AGREEMENT BETWEEN PINEHURST, NORTH CAROLINA, USA AND DORNOCH, SCOTLAND.

THAT WHEREAS, on November 23,1872, Donald James Ross was born in the Town of Dornoch, Scotland; and in 1893 was named the Head Professional, Club Maker, and Keeper of the Green by the Royal Dornoch Golf Club; and

WHEREAS, in 1899 Mr. Ross emigrated to the United States and in 1900 was hired by the Tufts family to become the Head Golf Professional and golf architect in Pinehurst, North Carolina where he would become a world-renowned golf course architect until his death in 1948; and

WHEREAS, the Pinehurst Village Council desires to create a formal co-operative relationship with the Town of Dornoch to honor the work and legacy of Donald Ross; and

WHEREAS, the relationship will benefit both communities by providing awareness and tourism opportunities surrounding the sport of golf, the history of golf course architecture, and the work of Donald Ross;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in regular meeting assembled this 13th day of June 2023, as follows:

SECTION 1. The Village will enter into a Co-Operative Liaison of Mutual Benevolence Agreement with the Town of Dornoch, Scotland, the theme of which will be "Donald Ross: Birthplace to Workplace."

SECTION 2. There will be an annual exchange of letters on the respective founding dates. The founding date for Pinehurst will be July 9, 1895, the date that James Walker Tufts acquired 658 acres from Lewis A. Page. The founding date for Dornoch, Scotland will be July 14, 1628, the date on which Dornoch was granted a Royal Charter. The content of the letters will be related to golf activity in the respective towns, the life and work of Donald Ross and the promotion of amateur golf for all ages.

SECTION 3. Dornoch Heritage SCIO, owner of History Links Museum in Dornoch, and the Tufts Archives in Pinehurst will together explore how to advance the heritage of Dornoch and the Village of Pinehurst, and whether they can reciprocally trade exhibits and other materials centered on the life and work of Donald Ross and developments in the world of golf course architecture and equipment.

SECTION 4. Because environmental awareness and sustainable golf tourism, among other opportunities in the golf industry are areas of mutual interest, the Town of Dornoch and the

Village of Pinehurst will work with the USGA, The R&A, the Royal Dornoch Golf Club, the Pinehurst Country Club, the Donald Ross Society, and The Tin Whistles to further pursue these interests.

THIS RESOLUTION passed and adopted this 13th day of June 2023.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: ______________________________
John C. Strickland, Mayor

Attest:

____
Kelly Chance, Village Clerk

Approved as to Form:

____
Michael J. Newman, Village Attorney

DORNOCH AREA COMMUNITY COUNCIL

By: ______________________________
Paddy Murray, Provost

VILLAGE COUNCIL
MINUTES FOR WORK SESSION OF MAY 23, 2023
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM

The Pinehurst Village Council held a Work Session Meeting at 7:55 p.m., Tuesday, May 23, 2023, in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina.

The following were in attendance in Assembly Hall:
Mr. John C. Strickland, Mayor
Mr. Patrick Pizzella, Mayor Pro Tem
Mr. Jeff Morgan, Councilmember
Ms. Jane Hogeman, Councilmember
Ms. Lydia Boesch, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Kelly Chance, Village Clerk

And approximately 6 attendees, including 5 staff and 0 press

1. **Call to Order.**
   Mayor Strickland called the Village Council meeting to order.

2. **Discuss STIP Updates and Western Connector.**
   Jeff Sanborn, Village Manager provided an update on the MCTC STIP 7.0 projects list. He provided a presentation on the carryover projects that will be automatically included in 7.0 and provided an explanation on what TARPO will be seeking from Moore County as their perceived priority projects and needs. Some of the projects highlighted were the Morganton 15-501 intersection, the traffic circle, the widening North of the circle all the way up to Hwy 73 and going into a four-lane divided highway from the circle to Hwy 73. Other projects pointed out were Highway and Bike projects, and the Western Connector.

3. **Discuss Legislative Bills Being Considered by the General Assembly**
   Village Council discussed whether they should consider working with adjoining municipalities on making supporting statements in respect to opposition to some of the legislation bills being proposed. Council discussed HB409 and SB675.

4. **Discuss Delivery Trucks in the Village Core**
   Mayor Pro Tem Pizzella provided discussion on reviewing what can be done about delivery trucks parking in roadways for extended periods of time in the Village Core. Staff will review the current ordinance and parking schedule tables directing truck parking and report back to Council with any ideas or proposed changes.

5. **Discuss Ordinance Enforcement Data**
   Mayor Pro Tem Pizzella asked staff to provide a matrix or something that captures those things of most interest to residents about

what things are being enforced, and the rate of enforcement, and what is the number of inquiries we get every quarter when we review validated complaints. Village Manager Jeff Sanborn reported residents can track all complaints through the MyVOP app. He noted that even if a resident reports something, staff will enter in all validated complaints and issues. He stated the largest complaint is missing their trash during pickup.

6. Other Work Session Business

Mayor John Strickland stated the Sandhills Coalition for Peace, Love, and Justice has been in touch with him and the other Mayors for about six weeks about preparing a resolution of support based on the handout received earlier at the end of the regular meeting. He stated the question now becomes do we want to prepare and send a resolution to them, similar to what is attached here from a couple of the other places, including Vass, the County, and other municipalities. Mayor Strickland stated he does not have a position yet, but it was distributed tonight by Debbie McGovern. He asked the Council members to review the documents and Council can take it up at the next meeting.

7. Potential Future Agenda Items

No potential future agenda items were discussed.

8. Adjournment.

Upon a motion by Mayor Pro Tem Pizzella, seconded by Councilmember Morgan, Council unanimously approved to adjourn the work session at 9:38 p.m., by a vote of 5-0.

Respectfully Submitted,

Kelly Chance,
Village Clerk

A videotape of this meeting is located on the Village website: www.vopnc.org
Vision: The Village of Pinehurst is a charming, vibrant community, which reflects our rich history and traditions.
Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.
Values: Service, Initiative, Teamwork, and Improvement