



**Village Council  
Minutes for the Regular Meeting of October 08, 2024  
Assembly Hall  
395 Magnolia Road  
Pinehurst, North Carolina  
4:30 p.m.**

The Pinehurst Village Council held a Regular Meeting at 04:30 p.m., Tuesday, October 08, 2024, in the Assembly Hall of Village Hall, 395 Magnolia Road, Pinehurst, North Carolina.

The following were in attendance in Assembly Hall:

Mr. Patrick Pizzella, Mayor  
Dr. Jeff Morgan, Councilmember  
Ms. Barb Ficklin, Councilmember  
Mr. John Taylor, Mayor Pro Tem  
Mr. Jack Farrell, Councilmember  
Mr. Doug Willardson, Village Manager  
Ms. Shannon Konstantinou, Village Clerk  
Mr. Paul Conners, IT Systems Specialist  
Ms. JoEllen Richter, IT Technician

And approximately 14 attendees in addition to 8 staff and 1 press.

**1. Call to Order.**

Mayor Pizzella called the Village Council meeting to order at 04:31 p.m.

**2. Invocation by Father John Forbes and Pledge of Allegiance by Benson Schiro.**

**3. Reports:**

**Village Manager**

- Mr. Doug Willardson reported on the Village Hall donation drive and collection point for supplies to help those impacted by Hurricane Helene in Western NC (donations were taken to the Moore County Airport for transportation west); on the Village Firefighters and Police Officers who have gone to Western NC to assist the departments and communities there; on the October 11, 2024, Live After 5 event; and on the October 19, 2024, Holly Arts and Crafts Festival.

**Village Council**

- Mayor Pizzella reported on the Western NC relief efforts by Village staff and residents and thanked the Village staff who are travelling west to help; on the October 4, 2024, Moore Economic Development Partnership's Moore County Manufacturing Day Breakfast at Sandhills Community College; on the Moore County Mayors and Managers meeting held the week of October 01, 2024 and the upcoming December 2024 meeting to be held in Robbins, NC; on the September 19, 2024 Tri-Cities Managers meeting; and on the September 28, 2024, Flutterby Festival.
- Councilmember Morgan thanked Mr. Tim and Ms. Carla St. Germaine of the Sandhills

Farmers Market for their dedication to operating the Village Green Farmers Market and noted the successful 2024 season the Farmers Market had; thanked Mr. Marty and Ms. Susan McKenzie for their work to gather and transport donations and supplies to those impacted by Hurricane Helene in Western NC; and reported on the update received from Major General Shane Buzza, Chief of Staff U.S. Army Forces Command, regarding the deployment of troops from Fort Liberty to Western NC and the process that has to be followed for states to accept / receive aid from federal forces.

- Mayor Pro Tem Taylor reported on the Moore County Mayors and Managers meeting held the week of October 01, 2024, and the upcoming December 2024 meeting to be held in Robbins, NC.
- Councilmember Ficklin reported on the October 07, 2024, Beautification Committee Meeting and on the beginning of Early Voting on October 17, 2024, which ends on November 02, 2024.
- Councilmember Farrell reported on an October 07, 2024, discussion with four residents regarding the Pinehurst Traffic Circle.

**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**

- September 24, 2024, Special Meeting Minutes
- September 24, 2024, Regular Meeting Minutes
- September 24, 2024, Work Session Minutes

**End of Consent Agenda.**

Upon a motion by Councilmember Farrell, seconded by Councilmember Ficklin, Council unanimously approved the Consent Agenda by a vote of 5-0.

**5. Public Comments.**

None.

**6. Appointments.**

**A. Resolution 24-31 Reappointment of Ms. Louise Mercuro to the Planning & Zoning Board and Board of Adjustment**

Mr. Willardson provided background on Ms. Louise Mercuro's service on the Village's Planning & Zoning Board and Board of Adjustment during her first term and previous experience working in the Planning field.

Upon a motion by Councilmember Farrell, seconded by Councilmember Morgan, Council unanimously approved Resolution 24-31 Reappointment of Ms. Louise Mercuro to the Planning & Zoning Board and Board of Adjustment effective November 01st, 2024, until October 31st, 2026, by a vote of 5-0.

**RESOLUTION #24-31:**

**A RESOLUTION REGARDING A RE-APPOINTMENT TO THE PINEHURST PLANNING & ZONING BOARD AND BOARD OF ADJUSTMENT.**

**THAT WHEREAS**, the Village of Pinehurst has established a Planning & Zoning Board and a Board of Adjustment as required by its Development Ordinance and authorized by North Carolina General Statutes 160D-301 and 160D-302; and

**WHEREAS**, on the 13<sup>th</sup> 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 & Zoning Board and the Board of Adjustment; and

**WHEREAS**, the term of Ms. Louise Mercuro will expire on October 31<sup>st</sup>, 2024; and

**WHEREAS**, Ms. Mercuro and the Village Council of Pinehurst are desirous of her continuing to serve as a member of the Planning & Zoning Board and the Board of Adjustment for an additional term; and

**NOW, THEREFORE, BE IT RESOLVED** by the Village Council of the Village of Pinehurst, North Carolina in a Regular Meeting assembled this 8<sup>th</sup> day of October 2024, as follows:

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

Ms. Louise Mercuro is re-appointed as a member of the Planning & Zoning Board and the Board of Adjustment effective November 01, 2024, to serve at the pleasure of the Council until the end of her term on October 31, 2026.

**THIS RESOLUTION** passed and adopted this 8<sup>th</sup> day of October 2024.

**B. Resolution 24-32 Appointment of Ms. Carol Higgins to the Neighborhood Advisory Committee (Doral Woods)**

Mr. Willardson provided background on Ms. Carol Higgins' involvement in the community.

Upon a motion by Councilmember Ficklin, seconded by Councilmember Farrell, Council unanimously approved Resolution 24-32 Appointment of Ms. Carol Higgins to the Neighborhood Advisory Committee (Doral Woods) effective October 08th, 2024, until June 30th, 2026, by a vote of 5-0.

**RESOLUTION #24-32:**

**A RESOLUTION APPOINTING THE NEIGHBORHOOD ADVISORY COMMITTEE REPRESENTATIVE FOR DORAL WOODS.**

**WHEREAS**, the Village of Pinehurst established a Neighborhood Advisory Committee (NAC) in 2008; and

**WHEREAS**, the Village of Pinehurst officially reorganized the Neighborhood Advisory Committee (NAC) under the leadership of the Village Council of the Village of Pinehurst on the 11<sup>th</sup> day of April 2023; and

**WHEREAS**, there is a need to fill a vacancy on the Neighborhood Advisory Committee to represent the Doral Woods designated area; and

**WHEREAS**, Mrs. Carol Higgins and the Village Council of Pinehurst are desirous of Mrs. Carol Higgins serving as a representative of the Doral Woods area on the Neighborhood Advisory Committee.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Council of the Village of Pinehurst, North Carolina in a Regular Meeting assembled this 8<sup>th</sup> day of October 2024 as follows:

**SECTION 1.** That the following appointment is hereby made to the Neighborhood Advisory Committee for the term indicated:

Mrs. Carol Higgins is appointed as a representative of the Doral Woods area on the Neighborhood Advisory Committee, effective October 8<sup>th</sup>, 2024, said term to expire June 30<sup>th</sup>, 2026.

**THIS RESOLUTION** passed and adopted this the 8<sup>th</sup> day of October 2024.

**7. Ordinances.**

**A. Ordinance 24-19 Amending the FY 2025 Budget for the Microsoft Enterprise SBITA**

Ms. Dana Van Nostrand, Financial Services Director, reviewed a memo detailing the requested amendments and answered questions from Council regarding the frequency of payments for the Microsoft subscription and how the subscription is utilized by the Village.

Upon a motion by Councilmember Morgan, seconded by Councilmember Taylor, Council unanimously approved Ordinance 24-19 Amending the FY 2025 Budget for the Microsoft Enterprise SBITA by a vote of 5-0.

**ORDINANCE #24-19:**

**AN ORDINANCE AMENDING THE ORDINANCE APPROPRIATING FUNDS FOR OPERATIONS OF THE VILLAGE OF PINEHURST FOR FISCAL YEAR 2025, REGARDING REVENUES AND EXPENDITURES OF THE GENERAL FUND (SUBSCRIPTION-BASED INFORMATION TECHNOLOGY ARRANGEMENTS REPORTING REQUIREMENTS UNDER GASB STATEMENT NO. 96)**

**THAT WHEREAS**, the Governmental Accounting Standards Board (GASB) released Statement No. 96 entitled Subscription-Based Information Technology Arrangements which was adopted in the fiscal year beginning July 1, 2022 (FY 2023); and

**WHEREAS**, Ordinance 24-11, adopted on June 4, 2025, appropriated funds for the FY 2025 General Fund budget based on the subscription-based information technology arrangements (SBITAs) known at the time; and

**WHEREAS**, an amendment is needed to increase expenditure appropriations and amend anticipated revenues in the General Fund for a SBITA that was not included in Ordinance 24-11 for a Microsoft office software subscription;

**NOW, THEREFORE, BE IT RESOLVED** by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 8th day of October 2024, as follows:

**SECTION 1.** To amend the FY 2025 General Fund budgeted expenditures, the following amounts are to be added to the expenditure appropriations:

**GENERAL FUND EXPENDITURES:**

|                                |          |
|--------------------------------|----------|
| Administration                 | \$ 9,570 |
| Financial Services             | 3,200    |
| Human Resources                | 9,570    |
| Police                         | 26,570   |
| Fire                           | 19,130   |
| Inspections                    | 3,190    |
| Public Services Administration | 5,320    |
| Streets & Grounds              | 4,260    |

|                              |                  |
|------------------------------|------------------|
| TOTAL EXPENDITURES AMENDMENT | <u>\$162,000</u> |
|------------------------------|------------------|

|                         |                  |
|-------------------------|------------------|
| Other Financing Sources | <u>\$162,000</u> |
|-------------------------|------------------|

**SECTION 3.** Copies of this budget amendment shall be furnished to the Village Clerk, Village Manager, and Financial Services Director for their direction and implementation.

**B. Ordinance 24-18 An ordinance amending Chapter 92 of the Village of Pinehurst municipal code regarding the regulation of sound levels and light pollution in residential neighborhoods**

Council and Mr. Willardson discussed Section 92.16 being enforceable Village-wide and Section 92.18 being enforceable in residential areas only, the discretionary nature of Section 92.16.D.2, the ability for the Police Department to log in the CAD system when a property has been visited but no penalty issued to track the frequency of visits to a specific property, penalties issued to property owners for violations committed by renters / occupants, how light levels are measured, the frequency of light pollution complaints, Section 92.18.C.2 pertaining to follow up being done by Code Enforcement when the Police Department responds but is unable to make contact and allows property owners time to comply, and the enforceability of Chapter 92 as amended.

Councilmember Morgan made a motion to approve Ordinance 24-18 amending Chapter 92, Sections 92.16 (Sound Levels) and 92.18 (Light Pollution) of the Pinehurst Municipal Code. No second. Motion failed.

Council agreed to have Mr. Willardson make further revisions to Ordinance 24-18 amending Chapter 92 of the Pinehurst Municipal Code and to present the revised ordinance to Council for consideration at the October 22, 2024, meeting.

**AN ORDINANCE AMENDING CHAPTER 92 OF THE VILLAGE OF PINEHURST MUNICIPAL CODE REGARDING THE REGULATION OF SOUND LEVELS AND LIGHT POLLUTION IN RESIDENTIAL NEIGHBORHOODS.**

**WHEREAS**, the Village Council of the Village of Pinehurst adopted an ordinance dated October 20, 1980, establishing and implementing certain authorized police powers for the purpose of prescribing regulations governing conditions detrimental to the health, safety, and welfare of its citizens; and

**WHEREAS**, on September 13, 2011, the Village Council of the Village of Pinehurst adopted Ordinance 11-25 which established the general ordinances of the Village of Pinehurst as revised, amended, restated, codified, and compiled in book form and declared that these shall constitute the "Village of Pinehurst, North Carolina Municipal Code"; and

**WHEREAS**, the Municipal Code will be subsequently amended from time to time as conditions warrant; and

**WHEREAS**, the Village of Pinehurst is committed to preserving the quality of life for its residents by managing and mitigating excessive noise that disrupts the peace and tranquility of the community. It is necessary to establish specific noise regulations to prevent disturbances and ensure a harmonious living environment; and

**WHEREAS**, the Village of Pinehurst aims to enhance the quality of life for its residents by managing residential lighting to prevent excessive glare and light pollution. It is necessary to set specific limits on residential lighting to protect the tranquility of our community and the enjoyment of private properties; and

**WHEREAS**, the Village Council has determined that it is in the best interest of the citizens of Pinehurst to amend Chapter 92, Sections 92.16 and 92.18 in the Pinehurst Municipal Code to further promote and protect quality of life in Pinehurst's various residential neighborhoods.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Council of the Village of Pinehurst, North Carolina in Regular Meeting assembled this 24th day of September 2024 as follows:

**SECTION 1.** That the following amendment be made to Chapter 92. Chapter 92.16 be eliminated in its entirety and replaced with the following:

**§ 92.16 REGULATING UNREASONABLY LOUD, DISTURBING SOUND LEVELS.**

**A. Definitions:**

1. Noise: Any sound that is loud or disruptive enough to interfere with the normal activities of residents or to cause a disturbance.
2. Nuisance Noise: Noise that exceeds permissible levels as defined in this ordinance and that creates a disturbance or annoyance to neighboring properties.
3. Decibel (dB): A unit used to measure the intensity of sound.

**B. General Noise Standards:**

**1. Permissible Noise Levels:**

- a. Sustained noise levels exceeding 80 decibels (dB) during the hours of 7:00 AM to 10:00 PM and exceeding 65 decibels (dB) between 10:00 PM and 7:00 AM, as measured from any nearby residential property are subject to violation. Sustained is defined as a continuous measurement over the threshold for at least ten seconds, or at least 15 instances of measurements over the threshold in a 60-second period.
- b. Construction or maintenance activities are permissible between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Saturday, excluding holidays. This restriction shall not pertain to the following:
  - i. On Sundays and holidays, home maintenance and improvement tasks may be performed by home occupants with or without unpaid/un- contracted

assistance, between the hours of 10:00 a.m. and 7:00 p.m. using power and hand tools that are generally available for retail sale from home improvement and hardware stores as long as said work does not produce noise that a reasonably prudent person would recognize as likely to unreasonably disturb persons on adjacent property or in the vicinity.

ii. Upon receipt of prior written approval from the Village Planning and Inspections Department, any construction, demolition, alteration or repair not otherwise allowed by this restriction may be performed. This provision is intended to accommodate work that is in the best interests of the village as a whole, as well as work contracted or paid for by a home occupant that must be done on a Sunday or holiday for valid reasons.

c. For the use of any automobile, motorcycle or other vehicle, permissible sustained noise levels exceeding 80 decibels (dB) at 25 feet from the vehicle, or in a manner as to create unreasonably loud, disturbing sounds are subject to violation.

C. Exceptions:

1. Emergency Exceptions:

a. Noise resulting from emergency activities, including but not limited to police, fire, and medical emergency operations, is exempt from the provisions of this ordinance.

b. Stand-by power generators in operation during periods of utility power outages and test periods.

c. Emergency repairs to dwellings or structures that are needed to protect health or property.

2. Permits for Special Events: Public or private events requiring noise levels above the permitted limits must obtain a special event permit from the Village. The application must include a detailed noise management plan and a schedule of the event. Permits may be issued with specific conditions to mitigate potential disturbances.

3. Other Exceptions: Property owners may request an exception from the noise level limits by submitting a written request to the Village Manager. The application must include a detailed explanation for the variance and any proposed measures to mitigate potential nuisance impacts.

D. Enforcement and Compliance:

1. Inspection and Complaint Process: The Village of Pinehurst may conduct inspections or investigations in response to noise complaints. Residents may file noise complaints with the Police Department's Non-Emergency Dispatch which will assess and document the complaint.

2. Penalties: If determined to be in violation of this ordinance, violators may be issued a notice of civil infraction subject to a maximum penalty of \$500 and/or may be guilty of a Class 3 misdemeanor and subject to a fine of \$100 or imprisonment not to exceed 30 days. Civil penalties will start at \$100 for the first infraction within a 24-month period and will escalate by \$100 for each subsequent infraction within a 24-month period up to the maximum of \$500. For penalty purposes each violation recorded and subsequently abated on any distinct enforcement officer visit shall constitute a separate offense. If a property owner is not the violator, they may still be subject to civil penalties for failing to control noise on their property (See G.S. § 14-4(a) and § 160A-175).

**SECTION 2.** That the following additional amendment be made to Chapter 92. Chapter 92.18 be eliminated in its entirety and replaced with the following:

**§ 92.18 REGULATING LIGHT POLLUTION IN RESIDENTIAL NEIGHBORHOODS**

A. Definitions:

1. Residential Lighting: Any lighting installed for single-family residential purposes, including security lights, landscape lighting, decorative lights, and outdoor fixtures.
2. Foot-Candles: A measure of light intensity falling on a surface area.
3. Nuisance Lighting: Lighting that creates excessive glare or light trespass, interfering with the quality of life of neighboring properties.
4. Light Trespass: Light that spills over from one property to another, creating discomfort or interference with the use and enjoyment of the neighboring property.
5. Glare: Excessive brightness that causes visual discomfort or impairs vision.

**B. Lighting Standards:**

1. Foot-Candle Measurements: The intensity of lighting onto an adjacent single family residential property shall not exceed 2.0 foot-candles above ambient lighting. This measurement shall be taken on the property line, not at the source of the lighting. Ambient lighting levels shall be assessed by eliminating any light spillage from the potential violating light source or by shielding the measuring instrument from the spillage light to obtain the most accurate ambient light reading possible.
2. Exceptions:
  - a. Security Lighting. Security lighting must be motion-activated by a motion sensor and aimed or shielded in such a manner as to prevent glare and light trespass. The light shall only go on when activated and go off within five minutes of activation. Motion sensor activated lighting shall not be triggered by any movement or activity located off the property on which the light is located.
  - b. Property owners may apply for an exception by submitting a request to the Village Manager. The request must include reasons for the exception and proposed measures to mitigate potential nuisance effects.

**C. Compliance and Enforcement:**

1. Inspection and Complaints: The Village of Pinehurst may conduct inspections in response to complaints about nuisance lighting. Property owners are required to grant access for inspections if requested by Village officials.
2. Notice of Violation: Property owners found in violation of this ordinance will receive a written notice detailing the nature of the violation and a specified deadline for compliance. The property owner must remedy the violation within the timeframe given.
3. Penalties: If determined to be in violation of this ordinance, violators may be issued a notice of civil infraction subject to a maximum penalty of \$500 and/or may be guilty of a Class 3 misdemeanor and subject to a fine of \$100 or imprisonment not to exceed 30 days. Civil penalties will start at \$100 for the first infraction within a 24-month period and will escalate by \$100 for each subsequent infraction within a 24-month period up to the maximum of \$500. For penalty purposes each violation recorded and subsequently abated on any distinct enforcement officer visit shall constitute a separate offense. (See G.S. § 14-4(a) and § 160A-175).

**SECTION 3.** If any provision of this ordinance is found to be invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

**SECTION 4.** This ordinance shall take effect on upon adoption and all residential lighting must comply with its provisions within 90 days.

**SECTION 5.** That all ordinances or sections thereof in conflict herewith are hereby repealed and declared null and void from and after the date of adoption of this ordinance.

**SECTION 6.** That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

**8. Regular Business.**

Councilmember Farrell asked Council if a presentation by residents of well-developed and researched solutions to the Pinehurst Traffic Circle to be considered for submission to NCDOT for review would be an agreeable item for a future Work Session. Council agreed to wait on NCDOT's response to the recent letter Council sent before considering further discussion on or presentations of resident developed solutions.

**A. Report on the State of the Village and Community Survey Results**

Mr. Willardson reviewed and discussed with Council a PowerPoint presentation on the FY24 Initiative Action Plan Review containing information on the FY 2024 VOP Strategy Map, FY24 Initiative Action Plans, Future Year IAPs, Balanced Score Card Results, and 2024 Resident Survey Results.

Mayor Pro Tem Taylor provided Council with a handout on Survey Question #2: Area of Greatest Focus – Next 2 Years and proposed Council and Staff discuss ways to condense the survey to prevent respondent and reviewer fatigue at an upcoming Strategic Planning meeting.

**9. Motion to Adjourn.**

Upon a motion by Mayor Pro Tem Taylor, seconded by Councilmember Morgan, Council unanimously approved to adjourn the Regular Meeting by a vote of 5-0 at 06:40 p.m.

Respectfully Submitted,



Shannon Konstantinou  
Village Clerk

*A videotape of this meeting is located on the Village website: [www.vopnc.org](http://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*