

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
MAY 23, 2017**

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

The Pinehurst Village Council held a Regular Meeting at 4:30 p.m., Tuesday, May 23, 2017 in the Assembly Hall of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

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

Unexcused absence: Mr. Clark Campbell, Councilmember

And approximately 49 attendees, including 12 staff and 1 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo called the meeting to order.

2. Invocation and Pledge of Allegiance.

Dr. Matt Stillman of Trinity Fellowship led the invocation and Mayor Fiorillo led everyone in the Pledge of Allegiance.

3. Reports.

Manager

- None.

Council

- Councilmember Bouldry noted he attended the annual Citizens on Patrol Awards Dinner and shared information about the volunteers' accomplishments.
- Mayor Fiorillo said she attended the awards and recognition dinner for the Police Department the following night.
- Mayor Fiorillo said she asked the Village Manager to research the NC General Statutes regarding how to handle Council absences. Mr. Sanborn said the statutes indicate that when any member of the governing body is not in attendance, the other members should vote on whether it is an excused or unexcused absence. He said if governing body votes that the absence is not excused, the absent member's vote should be counted in the affirmative. Upon a motion by Councilmember Bouldry, seconded by Councilmember Berggren, Council unanimously approved that Councilmember Clark Campbell's absence is not excused and therefore every vote will be counted in the affirmative by a vote of 4-0.

4. Recognition of Fire Department staff for CPR Saves.

Fire Chief Carlton Cole explained the Pinehurst Fire Department was involved with two incidents that resulted in successfully reviving patients through Cardio-Pulmonary Resuscitation (CPR). The Village Council recognized the team members involved with each incident and presented them with certificate of commendation.

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5. Motion to Approve Consent Agenda.

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

- A. Consider a reappointment to the Planning and Zoning Board and the Board of Adjustment (Larsen).
- B. Budget Amendments Report
- C. Public Safety Reports.
 - Police Department
 - Fire Department
- D. Approval of Draft Village Council Meeting Minutes.
 - April 11 Work Session
 - April 13 Special Meeting
 - April 25 Regular Meeting

End of Consent Agenda.

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

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

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

7. Public Hearing No. 1

The purpose of this public hearing is to discuss the proposed Fiscal Year 2018 Budget for the Village of Pinehurst.

Assistant Village Manager Natalie Hawkins introduced the Annual Budget Public Hearing. She explained the four areas of focus for the upcoming fiscal year and that the Strategic Operating Plan includes 12 Initiative Action Plans at a cost of \$1.3 million. She covered other significant items included in the FY 2018 budget including capital items. Ms. Hawkins explained staff posted this topic on Open Village Hall for feedback. The topic received 30 comments and staff shared these full results with the Village Council.

Public Comments:

- John Strickland said he appreciates the hard work that goes into this comprehensive document. He noted past discussion regarding the community center partnering with Southern Pines and Aberdeen or the YMCA and he encouraged continuing this. He also suggested to look at the long term budget and pressures that will come along with the community center in the future. He asked for clarification if this would be combined or a separate entity from the cultural center that has also been discussed. Mayor Fiorillo explained the efforts made with the YMCA and other discussions held with the three towns. She also said the maintenance is built into the five year budget including the maintenance, staffing, and other needs. The Mayor also confirmed that a cultural center is not being combined into the community center. Councilmember Bouldry explained his conversations with Audrey Moriarty regarding a cultural center. Councilmember Cashion suggested partnering with the three towns and the college for the cultural center.
- Judy Davis asked about the \$30,000 for pedestrian connectivity that remains⁴ in the budget. Said suggested to use this money for something similar such as sidewalks and roads. She also

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suggested to have the Community Center reviewed again to include community interest in supporting it and the location options.

- John Taylor said the staff did a nice job on this budget. Said almost 2% of the budget is going towards the plan for the Community Center and he asked if this is for certain going forward. The Mayor noted this has been a major project on the radar for about 10 years. Mr. Taylor asked what other actions would need to be taken by Council to make the community center actually happen. He also asked if there are any zoning issues.

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

Upon a motion by Councilmember Cashion seconded by Councilmember Bouldry, Council approved to adjourn the public hearing and re-enter the regular meeting by a vote of 5-0.

Mayor Fiorillo explained Council will take a vote on the proposed budget at the June 13 work session.

9. Consider a Request from Community Presbyterian Church for the Rezoning of +/- 4.25 Acres from R-10 Residential and R-20 Residential to R-10 Residential - Conditional District

Kevin Reed, Director of Planning and Inspections explained the Village Council, at its April 25, 2017 meeting, conducted a duly advertised public hearing on a rezoning request submitted by Community Presbyterian Church and it continued its discussion at the May 9 work session. Council held a discussion about the revised site plans and revised ordinance for consideration.

John Hoffman suggested changes to condition #8 in the ordinance and to add wording regarding the maintenance of the landscaping that will be added. He also quoted from the PDO regarding special requirements and said condition 4 should be removed from the ordinance in its entirety.

Upon a motion by Councilmember Berggren, seconded by Councilmember Cashion, Council unanimously approved Ordinance 17-05 amending the Official Pinehurst Zoning Map as it pertains to the rezoning of 105 Everette Road, 110 Everette Road, 125 Everette Road, and 35 Kelly Road and approval of the general concept plan and that the proposed amendments to the Pinehurst Development Ordinance are consistent with the goals outlined in the 2010 Comprehensive Long Range Plan and are considered reasonable and in the best interest of the public as referenced in the memorandum dated April 20, 2017 from Kevin Reed, Director of Planning and Inspections by a vote of 5-0.

10. Q3 Update on the Status of the FY 2017 Strategic Operating Plan Implementation.

Assistant Village Manager Natalie Hawkins presented the Q3 update on the status of the implementation of the FY 2017 Strategic Operating Plan (SOP) Initiative Action Plans (IAPs). Ms. Hawkins explained the majority of Initiative Action Plans were on schedule at March 31st but in some instances, circumstances such as inadequate staff capacity or slow response times from outside parties have prevented staff from implementing the FY 2017 Initiative Action Plans as originally planned, which may result in the Village not completing them in FY 2017.

11. Consider a contract for Legal Services for FY 2018.

John Frye, Financial Services Director, explained the proposed contract for legal services with Van Camp, Meachum, & Newman, PLLC for FY 2018 is ready for Council's consideration. He said the functional terms are unchanged from the previous year. The contract calls for a 2% cost increase and the hourly rate for Michael Newman remains at \$350 per hour which is the same as the previous year. Upon a motion by Councilmember Cashion, seconded by Councilmember Berggren, Council unanimously authorized the Mayor or her designee to execute the contract with Van Camp, Meachum, & Newman, PLLC for FY 2018 by a vote of 5-0.

12. Consider a land exchange between Village of Pinehurst and Mr. Frank Maser.

Assistant Village Manager Jeff Batton explained the Village would exchange .60 acres of land it owns behind 45 Community Road (map attached) for 5.88 acres of land owned by Mr. Maser in the vicinity of Bretton Woods and Colonial Pines Townhomes, addressed as 2402 Wentworth Circle.

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Jack Farrell held a discussion with Council on behalf of the Bretton Woods HOA regarding the history of the property being considered and the suggestion for the Village to take over the roads in Bretton Woods and to bring the roads up to a reasonable standard. Council determined to discuss this further at their next work session.

13. Consider a resolution opposing Senate Bill 126 and House Bill 522 regarding a proposed modification to the sales tax distribution.

John Frye, Financial Services Director, explained staff has drafted a resolution opposing Senate Bill 126 and House Bill 522 regarding the proposed change in annual distribution of sales and use taxes levied by the State of North Carolina should Council be interested in adopting this. Mr. Frye explained what these proposed changes could do to the Village of Pinehurst. Upon a motion by Councilmember Berggren, seconded by Councilmember Bouldry, Council unanimously authorized the Mayor or her designee to execute the contract Resolution 17-15 opposing Senate Bill 126 and House Bill 522 regarding the proposed change in annual distribution of sales and use taxes levied by the State of North Carolina by a vote of 5-0. Mr. Frye explained another bill being proposed, House Bill 900.

14. Other Business.

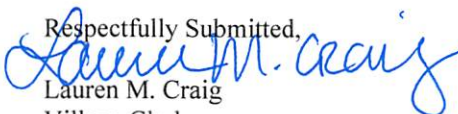
- Mayor Fiorillo explained that on May 9 revisions to the Village Manager's contract were discussed in closed session and they now need to make a motion in public to execute the new contract. Upon a motion by Councilmember Cashion, seconded by Councilmember Berggren Council unanimously approved the contract agreed upon at the May 9 Council Meeting for the Village Manager by a vote of 5-0.

15. Comments from Attendees.

- John Taylor requested that the Council consider the action they took at the beginning of the meeting and he held a discussion with Council regarding this guidance found in the North Carolina General Statutes.
- Judy Davis asked about the Senate and House Bills and if the Village is going to encourage citizens to hold a letter writing campaign.
- Sylvia Brown said this land swap is a wonderful opportunity for Bretton Woods and the road situation is also very important and she asked Council to consider the roads as well.

16. Motion to Adjourn.

Councilmember Cashion moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Bouldry and carried unanimously. The Regular Meeting adjourned at 6:05 p.m.

Respectfully Submitted,

Lauren M. Craig
Village Clerk