



**VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF APRIL 14, 2020
ASSEMBLY HALL
395 MAGNOLIA RD.
PINEHURST, NORTH CAROLINA
4:30 PM**

1. Call to Order.

2. Reports:

Manager

Council

3. Motion to Approve Consent Agenda.

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

A. Approval of Village Council Meeting Minutes.

B. Budget Amendments Report

End of Consent Agenda.

4. Discuss and Consider Resolution 20-08 Authorizing Village Council Appointed Boards to Conduct Electronic Meetings.

5. Discuss and Consider Approval of the Emergency Family and Medical Leave Expansion Act and Emergency Paid Sick Leave Policy

6. Fiscal Year 2021 Strategic Operating Plan (SOP) Preview.

7. Other Business.

8. Comments from Attendees.

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

Pursuant to NCGS §143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

10. Motion to Adjourn the Closed Session and Re-Enter the Regular Meeting.

11. Motion to Adjourn.

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.

Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.

Values: Service, Initiative, Teamwork, and Improvement.



**COUNCIL
ADDITIONAL AGENDA DETAILS:**

ATTACHMENTS:

Description

- ▣ 2020 Key Partners List



Council Member to Report	Partners & Collaborators
John Strickland	Moore County Transportation Committee
	Neighborhood Advisory Committee
	Pinehurst Resort
Judy Davis	Tri-Cities Work Group (Pinehurst, So. Pines, Aberdeen)
	FirstHealth
	Moore County
Lydia Boesch	Pinehurst Business Partners
	Convention and Visitors Bureau
	Bicycle and Pedestrian Advisory Committee
Kevin Drum	Triangle J. COG
	Partners in Progress
Jane Hogeman	NCDOT/TARPO
	Beautification Committee
	Moore County Schools



**APPROVAL OF VILLAGE COUNCIL MEETING MINUTES.
ADDITIONAL AGENDA DETAILS:**

FROM:

Beth Dunn

CC:

Jeff Sanborn

DATE OF MEMO:

4/7/2020

MEMO DETAILS:

Attached are the draft minutes from the Village Council Special Meeting and Closed Session on March 31, 2020.

ATTACHMENTS:

Description

☐ March 31, 2020 Special Meeting



**VILLAGE COUNCIL
MINUTES FOR SPECIAL MEETING OF MARCH 31, 2020
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM**

The Pinehurst Village Council held a Special Meeting at 4:30 p.m., Tuesday, March 31, 2020 remotely, via Zoom. Assembly Hall, located at Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina was open to the public to view the remote meeting live and to provide public comments in real time. The following were in remote attendance of the meeting:

Mr. John C. Strickland, Mayor
Ms. Judy Davis, Mayor Pro Tem
Ms. Lydia Boesch, Councilmember
Mr. Kevin Drum, Councilmember
Ms. Jane Hogeman, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Beth Dunn, Village Clerk

And approximately 6 attendees, including 4 staff.

1. Call to Order.

Mayor Strickland, called the Village Council meeting to order.

2. Reports:

Village Manager

- Budget review committee met last week and reviewed all of the department budget submissions. The committee believes they are close to getting the key financial operating parameters forecasted out 5 years and within the policy limits.
- Human Resources staff have been busy trying to digest the new legislation for the Families First Coronavirus Response Act (FFCRA). There are two key parts to the FFCRA which are the Emergency Family and Medical Leave Expansion Act and the Emergency Paid Sick Leave Act. These acts provide job-protected emergency leave and emergency paid sick leave for employees affected by COVID-19. Staff will bring these items back to Council at the next meeting.
- Currently working on a teleworking policy should the need to have employees work from home arises.

Village Council

- Councilmember Boesch stated the first case of community spread of COVID-19 was a resident in Pinewild. She spoke with the Pinewild residents' wife today and was asked to pass along the message for residents to following the CDC guidelines and limit trips to the grocery store and also she wanted to thank everyone for their thoughts for husband.
- Councilmember Drum asked people to support local restaurants, as the whole region is going through a tough time right now. He also noted he was concerned with senior citizens that are alone.
- Councilmember Hogeman stated she would like to thank Councilmember Boesch for coordinating the manufacturing of masks. She also inquired if the Village had adequate cleaning supplies. Jeff Sanborn, Village Manager, stated currently we do have enough, but if this carries on a while and people continue hoarding adequate supplies may become an issue.
- Mayor Pro Tem Davis stated while you are home take time to complete the Census, as it is available online and very

important for funding for Moore County and the State of North Carolina going forward. She also said her thoughts and prayers are with everyone in the community right now.

Mayor Strickland asked if there were any items that Council would like removed from the agenda or consent agenda before moving forward with the meeting. Mayor Pro Tem Davis suggested removing the discussion of the Public Comment Policy from the agenda. Council unanimously approved removing the Public Comment Period Policy for the agenda.

3. Motion to Approve Consent Agenda.

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

- Public Safety Reports for February, 2020.
- Approval of Village Council Meeting Minutes.
 - March 10, 2020 Special Meeting
 - March 10, 2020 Closed Session
 - March 10, 2020 Regular Meeting
 - March 10, 2020 Work Session

End of Consent Agenda.

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

4. Discuss and Consider a Resolution to Appoint David Alzamora to the Board of Adjustment and Planning and Zoning Board.

Leo Santowasso, Planning and Zoning Board Chairman, introduced David Alzamora and stated he is a local attorney and a strong candidate for the Planning and Zoning Board. Mr. Alzamora explained he moved to Pinehurst when he was 5 years old and is a Graduate UNC Chapel Hill and Campbell Law School. Mayor Strickland asked if he could expand on his experience in Real Estate Law. Mr. Alzamora stated that he works for Morgan and Perry Law Firm, with offices in Fuquay-Varina and Southern Pines. He handles estate planning and real estate law, such as closings. Councilmember Drum stated he supports Mr. Santowasso recommendation and believes having representation of Mr. Alzamora's age group is great. Council asked about his thoughts on growth, the new Comprehensive Plan, and what motivated him to apply for the Planning and Zoning Board.

Upon a motion by Councilmember Drum, seconded by Councilmember Boesch, Council unanimously approved Resolution 20-07 appointing David Alzamora to the Village of Pinehurst Board of Adjustment and the Planning and Zoning Board, by a vote of 5-0.

5. Discuss and Consider Resolution 20-06 Waving Special Assessment Acceleration.

Brooke Hunter, Financial Services Director, explained billings for this year's Municipal Service District (MSD) and Cotswold special assessment installments were mailed in January and were due February 9, 2020. North Carolina General Statute states that if any installment of these assessments is not paid by the due date, all of the installments remaining unpaid become due and payable, unless the Council waives this acceleration. Ms. Hunter noted that this was the final year for the Cotswold assessment and there is only one year remaining for the MSD assessment. As of the due date, one MSD property owner did not pay this year's installment. The past due assessment has now been paid and staff recommends that Council waive the acceleration of the remaining assessment installment for the one property that has since paid their annual installment.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Hogeman, Council unanimously approved Resolution 20-06 waiving acceleration of special assessment installments for the Village of Pinehurst, by a vote of 5-0.

6. Discuss and Consider the Audit Contract for Fiscal Year 2020.

Brooke Hunter, Financial Services Director, explained that each year at this time we award the Village's audit contract to an independent auditor in accordance with North Carolina General Statutes. Based upon the professional service we have received from our current auditors, she recommends the Village continue its relationship with the firm Dixon Hughes Goodman, LLP. The proposed base fee for this year's audit is \$29,300. This is the same cost as the previous year, as the firm has agreed to no price increase. Ms. Hunter explained that we will also be required to obtain a Single Audit for FY 2020, due to the amount of State

funding we received from the Powell Bill program. The proposed fee for the Single Audit service is \$4,800, which is also the same price as last year. Funding for this contract will be appropriated in the FY 2021 Budget. Ms. Hunter noted that as the Village's financial staff is able to complete financial statement preparation and all required audit schedules in-house, we are able to maintain the audit fee at a very reasonable amount. Therefore, Ms. Hunter recommends the Village Council approve the audit contract with Dixon Hughes Goodman, LLP in the amount of \$34,100.

Upon a motion by Councilmember Drum, seconded by Councilmember Hogeman, Council unanimously authorized that the Mayor or his designee enter into an audit contract with Dixon Hughes Goodman in the amount of \$34,100, by a vote of 5-0

7. Discuss Request for Qualifications (RFQ) for Small Area Plans.

Darryn Burich, Planning and Inspections Director, explained this item was for Council to discuss issuance of a Request for Qualifications (RFQ) to work with the Village to prepare two Small Area Plans for Focus Area 2 (NC 5 Commercial Area/Pinehurst South) and Focus Area 4 (Village Place/Rattlesnake Trail). Staff is looking for consensus on moving forward with issuance of the RFQ. Staff proposes to conduct both small area plans in Fiscal Year 2021 and to proceed with issuing the RFQ to get a consultant under contract by June 30, 2020. Once a list is established from the RFQ, consultants will be invited to present in a more traditional Request for Proposals type submittal and presentation. The intent of issuing an RFQ is to establish a qualified list of potential consultants to interview for the planning work, which would be the next step in this process.

Mr. Burich shared land use analysis maps that staff have been working on for these areas. Councilmember Hogeman asked what the different colors on the maps show. Mr. Burich noted that the maps are colored by like type properties and are existing uses and noted no proposed uses will be included on the maps. Councilmember Hogeman noted that in the Scope of Work there are a number of sections where it sounds like we are asking the consultants for a recommendation and she would like to reword those to say give us the information and let us make that decision. Mr. Burich stated that the consultant will work for us and we will provide them direction. Mr. Burich stated the intent of the RFQ is to establish a most qualified list of consultants that could potentially do the work. Councilmember Boesch stated she would like to include that parts of these areas were included in the National Historic Landmark Nomination and also include the map that shows the Historic District. Councilmember Drum stated he would like to lead off in the RFQ with the Historic Landmark Status information. Mr. Burich stated he has incorporated the comments received to date into the RFQ and will edit the RFQ again based on the discussion today. Council agreed to review those changes by email so the RFQ can be issued.

8. Other Business.

- Councilmember Hogeman asked if there was a way to provide public input to the NCDOT regarding their plans for Highway 5 from Blake Blvd. to Highway 211. Jeff Sanborn, Village Manager, stated what the DOT is doing now is just trying to get the scope reasonably close to get them to a budget to put into funding models, they are not in the design phase. Councilmember Drum stated he feels confident that NCDOT will ask for the Village's input before design work begins.
- Councilmember Drum stated he is concerned about the senior citizens that are alone right now. Mayor Pro Tem Davis stated that her church is doing some outreach to seniors and suggested using the Neighborhood Advisory Committee to reach out to seniors in the community.
- Mayor Strickland noted that the Farmers Market will continue to operate as normal. He discussed the request to allow to-go lanes in the Village for the restaurants providing take out. Councilmember Drum stated that he believes having the to-go lanes will show that places are still open for business. Mayor Strickland and Mr. Sanborn are going to continue working on this request.
- Council discussed canceling upcoming Board of Adjustment, Planning and Zoning Board, and Historic Preservation Commission meetings due to public safety concerns. Council came to a co-census to cancel the April 2nd Board of Adjustment meeting. Council also agreed to move towards electronic meetings for these appointed boards.

9. Comments from Attendees.

- Kaye Pierson, 45 Brandon Trail, submitted the following public comment by email: I appreciate this live-stream of the Council meeting, and also appreciate taking the agenda item regarding public comment policy off the agenda. It would have been difficult to comment on this item after the fact of a vote! Can this happen for all future Council meetings?? (Regardless of a pandemic situation)
- Jack Farrell, Pinehurst resident, submitted the following comments by email: I fully agree with changing the agenda to

allow a public input session more towards the beginning of the Council meeting (probably after the consent agenda approval). I also think it is totally unnecessary to structure and codify the public input session to the extent being considered. All you need to do is simply change the agenda to move the item up to the front and make sure to inform attendees that comments should be brief and to the point. You do not need to structure every action in such detail, better to retain some flexibility. However, at the same time I am extremely concerned that this change also will limit public participation in subjects that are discussed during a Council meeting. For the 8 years that the previous Mayor ran the Council meeting, and to her credit, she would always recognize a member of the audience who wished to either comment, ask a clarifying question, or add some additional information on the subject matter being discussed. This was allowed generally when council had completed its discussion or the presentation was completed. This ability of a member of the audience to speak was always true whether it was an official hearing or just a subject that was being discussed or presented to Council. In addition, and again to the Mayor's credit, she would recognize someone even through the person had a position that she knew was in conflict with what the major believed. If you plan to shut down this type of public input you will do a great disservice to the community and significantly limit transparency in your discussions and decisions. Not allowing public input except for the structured 30 minutes at the beginning is a slap in the face to all who take the time to attend Council meetings and will further limit any reason to attend a Council meeting. I strongly request you to consider these factors carefully before enacting the proposed structure and change.

10. Motion to Recess the Special Meeting and Enter a Closed Session.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Drum, Council unanimously approved to recess the special meeting and enter into a closed session, pursuant to NCGS §143-318.11(a)(4), for Village Council to discuss economic development matters involving a prospective new business or the expansion of an existing business or industry, by a vote of 5-0.

11. Motion to Adjourn the Closed Session and Re-enter the Special meeting.

Upon a motion by Councilmember Drum, seconded by Mayor Pro Tem Davis, Council unanimously approved to adjourn the closed session and re-enter the special meeting, by a vote of 5-0.

12. Motion to Adjourn.

Upon a motion by Mayor Pro Tem Davis, seconded by Councilmember Boesch, Council unanimously approved to adjourn the special meeting by a vote of 5-0 at 7:30 p.m.

Respectfully Submitted,

Beth Dunn,
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



**BUDGET AMENDMENTS REPORT
ADDITIONAL AGENDA DETAILS:**

FROM:

Brooke Hunter

CC:

Jeff Sanborn & Natalie Hawkins

DATE OF MEMO:

4/7/2020

MEMO DETAILS:

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

ATTACHMENTS:

Description

□ Budget Amendments Report - FY 2020



**VILLAGE OF PINEHURST
BUDGET AMENDMENTS APPROVED BY BUDGET OFFICER
FOR THE PERIOD MARCH 18 - APRIL 7, 2020**

Under Village of Pinehurst Ordinance #19-12, the Village Council grants the Budget Officer, or Village Manager, the ability to transfer appropriations under specific conditions. These conditions allow transfers of up to \$10,000 between departments (including contingency) of the same fund for the FY 2020 Budget. The Budget Officer may not transfer monies between funds at any time.

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

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

	<u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>	<u>APPROVED DATE</u>
1	10-00-220-7420	Administration - Capital Outlay: B&G Equipment	\$ 2,500		3/19/2020
	10-10-320-7420	Fire - Capital Outlay: B&G Equipment		\$ 2,500	
		<i>Adjust B&G capital outlay departmental allocations to cover minor overage for Administration HVAC system replacement.</i>			



**DISCUSS AND CONSIDER RESOLUTION 20-08 AUTHORIZING VILLAGE
COUNCIL APPOINTED BOARDS TO CONDUCT ELECTRONIC
MEETINGS.**

ADDITIONAL AGENDA DETAILS:

FROM:

Beth Dunn

CC:

Jeff Sanborn & Darryn Burich

DATE OF MEMO:

4/7/2020

MEMO DETAILS:

The need to conduct electronic meetings for Village Council appointed boards has arose due to the current COVID-19 pandemic and the requirement to adhere to the Governor's Executive Order 121, banning gatherings of 10 or more people. Attached is draft resolution 20-08, authorizing the Board of Adjustment, Planning and Zoning Board, and Historic Preservation Commission to conduct electronic meetings, for Council's consideration.

ATTACHMENTS:

Description

▣ Resolution 20-08

RESOLUTION #20-08:

A RESOLUTION AUTHORIZING APPOINTED BOARDS OF THE VILLAGE COUNCIL TO CONDUCT ELECTRONIC MEETINGS.

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

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

WHEREAS, on March 10, 2020 the State of North Carolina declared a State of Emergency to address the Coronavirus (COVID19) public health emergency; and

WHEREAS, the Village of Pinehurst must comply with North Carolina Governor Roy Coopers Executive Order 121, banning gatherings over 10 people to limit unnecessary person to person contact.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 14th day of April, 2020 as follows:

SECTION 1. That the Village of Pinehurst Board of Adjustment, Planning and Zoning Board, and the Historic Preservation Commission, all appointed Boards of Village Council, are hereby authorized to conduct electronic meetings.

SECTION 2. This authorization shall remain in effect until the Governor of North Carolina rescinds the ban on gatherings of 10 or more people.

THIS RESOLUTION passed and adopted this 14th day of April, 2020.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
John C. Strickland, Mayor

Attest:

Approved as to Form:

Beth Dunn, Village Clerk

Michael J. Newman, Village Attorney



**DISCUSS AND CONSIDER APPROVAL OF THE EMERGENCY FAMILY
AND MEDICAL LEAVE EXPANSION ACT AND EMERGENCY PAID SICK
LEAVE POLICY
ADDITIONAL AGENDA DETAILS:**

FROM:

Angela Kantor

CC:

Jeff Sanborn

DATE OF MEMO:

4/8/2020

MEMO DETAILS:

President Trump signed a second coronavirus emergency aid package into law on March 18, 2020. The bill, named the Families First Coronavirus Response Act (FFCRA), responds to the growing health and economic crisis with provisions for paid leave for employees among other benefits.

The purpose of the policy is to assist employees affected by the COVID-19 outbreak with job-protected, paid leave under the Emergency Family and Medical Leave Expansion Act and Emergency Paid Sick Leave effective April 1, 2020 through December 31, 2020.

Employees can take leave under this policy for certain qualifying reasons:

1. The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to either number 1 or 2 above.
5. The employee is caring for his or her child if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services.

Eligible employees are entitled for up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on their rate of pay. The amount of pay will vary depending on the reason leave is needed. Pay details are listed in the policy.

This policy does exclude emergency responders (firefighters, police officers, telecommunication specialists and solid waste equipment operators) from reasons #4 and #5 above. They are eligible when their health is impacted.

This resolution ratifies the policy retroactive to April 1, 2020. Thank you for your consideration.

ATTACHMENTS:

Description

- ▣ Emergency Family and Medical Leave Expansion Act and Emergency Paid Sick Leave Policy
- ▣ Resolution 20-09



Emergency Family and Medical Leave Expansion Act and Emergency Paid Sick Leave Policy

Purpose

To comply with the Families First Coronavirus Response Act (FFCRA) and to assist employees affected by the COVID-19 outbreak with job-protected emergency leave and emergency paid sick leave. This policy will be in effect from April 1, 2020, until December 31, 2020. Our existing Family and Medical Leave Act (FMLA) policy still applies to other reasons for leave outside of this policy.

Emergency Family and Medical Leave Expansion Act (eFMLEA)

Eligibility

All employees, except emergency responders, who have been employed with the Village of Pinehurst for at least 30 days.

Reason for Leave

Eligible employees who are unable to work (or telework) due to a need to care for their child when the school or place of care has been closed, or the regular childcare provider is unavailable due to a public health emergency with respect to COVID-19.

“Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is-

(A) under 18 years of age; or

(B) 18 years of age or older and incapable of self-care because of a mental or physical disability.

“Emergency Responders” mean firefighters, law enforcement officers, telecommunication specialists, and solid waste equipment operators.

“School” means an elementary or secondary school.

Duration of Leave

Employees will have up to 12 weeks of leave to use from April 1, 2020, through December 31, 2020, for the purposes stated above. This time is included in and not in addition to the total FMLA leave entitlement of 12 weeks in a 12-month period.

For example, if an employee has already taken 6 weeks of FMLA leave, that employee would be eligible for another 6 weeks of FMLA leave under this policy.

ATTACHMENT A

Pay During Leave

Leave will be unpaid for the first 10 days of leave; however, employees may use any accrued paid vacation or sick leave during this time. The employee may also elect to use the paid leave provided under the Emergency Paid Sick Leave Act, as further explained below. After the first 10 days, leave will be paid at two-thirds of an employee's regular rate of pay for the number of hours the employee would otherwise be scheduled to work. Pay will not exceed \$200 per day, and \$10,000 in total. Any unused portion of this pay will not carry over to the next year. This policy expires December 31, 2020.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type. Or,
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Employee Status and Benefits During Leave

While an employee is on leave, the Village will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. While on paid leave, the Village will continue to make payroll deductions to collect the employee's share of the premium up to 12 weeks. During any unpaid portions of leave, the employee must continue to make this payment, either in person or by mail, up to 12 weeks.

If the employee contributes to any voluntary policies, the Village will continue making payroll deductions while the employee is on paid leave. During any portion of unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums. If the employee does not continue these payments, the Village may discontinue coverage during the leave.

Procedure for Requesting Leave

All employees requesting FMLA leave must provide written notice, where possible, of the need for leave to Human Resources as soon as practicable. Verbal notice will otherwise be accepted until written notice can be provided. Within five business days after the employee has provided this notice, Human Resources will complete and provide the employee with any required notices.

The notice the employee provides should include a brief statement as to the reason for leave, and if possible, the expected duration.

On a basis that does not discriminate against employees on FMLA leave, the Village may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Employee Status After Leave

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The Village

ATTACHMENT A

may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

Intermittent Leave

Employees may take FMLA leave in 12 consecutive weeks, use the leave intermittently (take time periodically as needed), or use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks over a 12-month period.

Emergency Paid Sick Leave

Eligibility

All full- and part-time employees unable to work (or telework) due to one of the following reasons for leave:

1. The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to either number 1 or 2 above.
5. The employee is caring for his or her child if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services.

Emergency Responders are excluded from reasons 4 and 5 above.

“Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is-

- (A) under 18 years of age; or
- (B) 18 years of age or older and incapable of self-care because of a mental or physical disability.

“Emergency Responders” mean firefighters, law enforcement officers, telecommunication specialists, and solid waste equipment operators.

Amount of Paid Sick Leave

All eligible full-time employees will have up to 80 hours of paid sick leave available to use for the qualifying reasons above. Eligible part-time employees are entitled to the number of hours scheduled to work over a two-week pay period.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

ATTACHMENT A

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type. Or,
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Rate of Pay

Paid emergency sick leave will be paid at the employee's regular rate of pay for leave taken for reasons 1-3 above. Employees taking leave for reasons 4-6 will be compensated at two-thirds their regular rate of pay. Pay will not exceed:

- \$511 per day and \$5,110 in total for leave taken for reasons 1-3 above;
- \$200 per day and \$2,000 in total for leave taken for reasons 4-6 above.

Interaction with Other Paid Leave

The employee may use emergency paid sick leave under this policy before using any other accrued paid time off for the qualifying reasons stated above.

Employees on expanded FMLA leave under this policy may use emergency paid sick leave during the first 10 days of normally unpaid FMLA leave.

Procedure for Requesting Emergency Paid Sick Leave

Employees must notify their department director or the HR department of the need and specific reason for leave under this policy. A form will be provided to all employees on the Village intranet and/or in a manner accessible to all. Verbal notification will be accepted until practicable to provide written notice.

Once emergency paid sick leave has begun, the employee and his or her director must determine reasonable procedures for the employee to report periodically on the employee's status and intent to continue to receive paid sick time.

Carryover

Paid emergency sick leave under this policy will not be provided beyond December 31, 2020. Any unused paid sick leave will not carry over to the next year or be paid out to employees.

Job Protections

No employee who appropriately utilizes emergency paid sick leave under this policy will be discharged, disciplined or discriminated against for work time missed due to this leave.

Please contact the HR department with any questions.

RESOLUTION #20-09:

A RESOLUTION APPROVING THE EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT AND EMGERENCY PAID SICK LEAVE ACT POLICY.

WHEREAS, the Village of Pinehurst must comply with the Families First Coronavirus Response Act (FFCRA), which requires certain employers to provide employees with paid sick leave and expanded family and medical leave for “specified reasons related to COVID-19.”

WHEREAS, the U.S. Department of Labor’s Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 14th day of April, 2020 as follows:

SECTION 1. That the Emergency Family and Medical Leave Expansion Act and Emergency Paid Sick Leave Policy is hereby adopted; said policy attached hereto as “Attachment A” and made a part hereof; the same as if included verbatim.

SECTION 2. This policy will be effective from April 1, 2020 until December 31, 2020.

THIS RESOLUTION passed and adopted this 14th day of April, 2020.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
John C. Strickland, Mayor

Attest:

Approved as to Form:

Beth Dunn, Village Clerk

Michael J. Newman, Village Attorney



Emergency Family and Medical Leave Expansion Act and Emergency Paid Sick Leave Policy

Purpose

To comply with the Families First Coronavirus Response Act (FFCRA) and to assist employees affected by the COVID-19 outbreak with job-protected emergency leave and emergency paid sick leave. This policy will be in effect from April 1, 2020, until December 31, 2020. Our existing Family and Medical Leave Act (FMLA) policy still applies to other reasons for leave outside of this policy.

Emergency Family and Medical Leave Expansion Act (eFMLEA)

Eligibility

All employees, except emergency responders, who have been employed with the Village of Pinehurst for at least 30 days.

Reason for Leave

Eligible employees who are unable to work (or telework) due to a need to care for their child when the school or place of care has been closed, or the regular childcare provider is unavailable due to a public health emergency with respect to COVID-19.

“Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is-

(A) under 18 years of age; or

(B) 18 years of age or older and incapable of self-care because of a mental or physical disability.

“Emergency Responders” mean firefighters, law enforcement officers, telecommunication specialists, and solid waste equipment operators.

“School” means an elementary or secondary school.

Duration of Leave

Employees will have up to 12 weeks of leave to use from April 1, 2020, through December 31, 2020, for the purposes stated above. This time is included in and not in addition to the total FMLA leave entitlement of 12 weeks in a 12-month period.

For example, if an employee has already taken 6 weeks of FMLA leave, that employee would be eligible for another 6 weeks of FMLA leave under this policy.

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Pay During Leave

Leave will be unpaid for the first 10 days of leave; however, employees may use any accrued paid vacation or sick leave during this time. The employee may also elect to use the paid leave provided under the Emergency Paid Sick Leave Act, as further explained below. After the first 10 days, leave will be paid at two-thirds of an employee's regular rate of pay for the number of hours the employee would otherwise be scheduled to work. Pay will not exceed \$200 per day, and \$10,000 in total. Any unused portion of this pay will not carry over to the next year. This policy expires December 31, 2020.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type. Or,
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Employee Status and Benefits During Leave

While an employee is on leave, the Village will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. While on paid leave, the Village will continue to make payroll deductions to collect the employee's share of the premium up to 12 weeks. During any unpaid portions of leave, the employee must continue to make this payment, either in person or by mail, up to 12 weeks.

If the employee contributes to any voluntary policies, the Village will continue making payroll deductions while the employee is on paid leave. During any portion of unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums. If the employee does not continue these payments, the Village may discontinue coverage during the leave.

Procedure for Requesting Leave

All employees requesting FMLA leave must provide written notice, where possible, of the need for leave to Human Resources as soon as practicable. Verbal notice will otherwise be accepted until written notice can be provided. Within five business days after the employee has provided this notice, Human Resources will complete and provide the employee with any required notices.

The notice the employee provides should include a brief statement as to the reason for leave, and if possible, the expected duration.

On a basis that does not discriminate against employees on FMLA leave, the Village may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Employee Status After Leave

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The Village

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may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

Intermittent Leave

Employees may take FMLA leave in 12 consecutive weeks, use the leave intermittently (take time periodically as needed), or use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks over a 12-month period.

Emergency Paid Sick Leave

Eligibility

All full- and part-time employees unable to work (or telework) due to one of the following reasons for leave:

1. The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to either number 1 or 2 above.
5. The employee is caring for his or her child if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services.

Emergency Responders are excluded from reasons 4 and 5 above.

“Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is-

- (A) under 18 years of age; or
- (B) 18 years of age or older and incapable of self-care because of a mental or physical disability.

“Emergency Responders” mean firefighters, law enforcement officers, telecommunication specialists, and solid waste equipment operators.

Amount of Paid Sick Leave

All eligible full-time employees will have up to 80 hours of paid sick leave available to use for the qualifying reasons above. Eligible part-time employees are entitled to the number of hours scheduled to work over a two-week pay period.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

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- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type. Or,
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Rate of Pay

Paid emergency sick leave will be paid at the employee's regular rate of pay for leave taken for reasons 1-3 above. Employees taking leave for reasons 4-6 will be compensated at two-thirds their regular rate of pay. Pay will not exceed:

- \$511 per day and \$5,110 in total for leave taken for reasons 1-3 above;
- \$200 per day and \$2,000 in total for leave taken for reasons 4-6 above.

Interaction with Other Paid Leave

The employee may use emergency paid sick leave under this policy before using any other accrued paid time off for the qualifying reasons stated above.

Employees on expanded FMLA leave under this policy may use emergency paid sick leave during the first 10 days of normally unpaid FMLA leave.

Procedure for Requesting Emergency Paid Sick Leave

Employees must notify their department director or the HR department of the need and specific reason for leave under this policy. A form will be provided to all employees on the Village intranet and/or in a manner accessible to all. Verbal notification will be accepted until practicable to provide written notice.

Once emergency paid sick leave has begun, the employee and his or her director must determine reasonable procedures for the employee to report periodically on the employee's status and intent to continue to receive paid sick time.

Carryover

Paid emergency sick leave under this policy will not be provided beyond December 31, 2020. Any unused paid sick leave will not carry over to the next year or be paid out to employees.

Job Protections

No employee who appropriately utilizes emergency paid sick leave under this policy will be discharged, disciplined or discriminated against for work time missed due to this leave.

Please contact the HR department with any questions.



**FISCAL YEAR 2021 STRATEGIC OPERATING PLAN (SOP) PREVIEW.
ADDITIONAL AGENDA DETAILS:**

FROM:

Jeff Sanborn

CC:

Brooke Hunter, and Lauren Craig

DATE OF MEMO:

4/8/2020

MEMO DETAILS:

This agenda item represents a preview of the Fiscal Year (FY) 2021 Strategic Operating Plan (SOP) that was based on the guidance provided by the Council in December and January at the annual Strategic Planning Retreat and subsequent meetings. Staff will review the more significant items currently proposed in the five-year plan and will seek Council input to determine if there are any modifications needed before staff prepares the budget document for submission to Council in early May.

Attached to this agenda item is a presentation of the overview.

ATTACHMENTS:

Description

□ FY 2021 SOP Preview - Apr 2020



FY 2021 Strategic Operating Plan
Preview
April 14, 2020



What we will cover:

1. Discuss Opportunities for Innovation & Improvement proposed for FY 2021–2025
2. Review Five-Year Financial Plan for FY 2021–2025



FY 2021 Strategic Operating Plan Preview



FY 2021 Strategic Operating Plan addresses the strategic opportunities indicated by the Village Council in January 2020.

Strategic Opportunities	
1. Evaluate, identify, and purchase land for a future third fire station	9. Consolidate and align multi-modal transportation planning/engineering
2. Update the Pinehurst Development Ordinance	10. Expand street lighting
3. Prepare a small area plan for Village Place	11. Implement elements of the 2015 Comprehensive Pedestrian Plan and Bicycle Plan
4. Pursue regulatory authority around our borders through ETJ extensions, annexation agreements, and amending the water/wastewater agreement with Moore County.	12. Prepare consolidated multi-modal plan
5. Create a small area plan for the NC Highway 5 commercial area	13. Prepare a comprehensive stormwater master plan
6. Partner with others to bring high speed internet and mobile services to the Village	14. Update the Comprehensive Parks & Recreation Master Plan while considering neighborhood open spaces and amenities
7. Identify alternative locations for the Public Services Complex	15. Create a master plan to develop West Pinehurst Park
8. Develop a comprehensive plan for mitigating traffic on Highway 5	16. Implement the GIS strategic plan (in progress)

FY 2021 Strategic Operating Plan addresses the strategic challenges indicated by the Village Council in January 2020.

Strategic Challenges	
1. Managing the quality of development	
2. Minimizing traffic congestion, especially on Hwy 5	
3. Increase in the cost of doing business	
4. Aging housing stock	
5. Responding to increased demand on existing services due to growth	
6. Changing service needs due to changing demographics	
7. Attracting and retaining highly qualified workforce members (employees and volunteers)	
8. Attracting types of businesses to the Village that the community desires	



The Village Council identified three (3) Areas of Focus (AOF) in January 2020 that are addressed in the FY 2021 Strategic Operating Plan.

Areas of Focus
1. Manage development and enforce codes and ordinances <i>(Short Term)</i> 2. Provide a safe and effective multi-modal transportation system <i>(Short Term)</i> 3. Manage stormwater systems <i>(Short Term)</i>
<i>Short Term means to focus Village efforts in FY 2021.</i>

Proposed FY 2021-2025
Opportunities for
Innovation & Improvement

To support the Baldrige core value of “Management by Fact” we discipline ourselves to evaluate opportunities based on an analysis of data and information to determine if they are intelligent risks worth pursuing before funding.



FY 2021 Strategic Operating Plan Preview



- Plan to conduct 8 **Initiative Action Plans** in FY 2021-2025

Strategic Objective	Initiative Action Plan (IAP) Name	Initiative Action Plan (IAP) Description	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	TOTAL	
Deliver effective police services	Police Department Accreditation	Seek national accreditation from CALEA by FY 2022	\$11,365	\$10,365	\$7,365	\$7,365	\$7,365	\$43,825	
Manage development and enforce codes and ordinances AOF	Update the Pinehurst Development Ordinance	Update the Pinehurst Development Ordinance to reflect priorities of the 2019 Comprehensive Plan and changes required by 160D legislation	\$0	\$200,000	\$0	\$0	\$0	\$200,000	
	Small Area Plan for Village Place/Rattlesnake Trail Corridor and Pinehurst South/Hwy5 Commercial Area	Engage a consultant and develop small area plans for two focus areas from the 2019 Comprehensive Plan	\$158,000	\$0	\$0	\$0	\$0	\$158,000	
Provide a safe and effective multi-modal transportation system AOF	Develop a consolidated multi-modal transportation plan	Consolidate multi-modal transportation plans in one document that incorporates bicycle, pedestrian, and golf cart accessibility	\$0	\$0	\$0	\$100,000	\$0	\$100,000	
Manage stormwater systems AOF	Develop a comprehensive stormwater master plan	Develop a plan and strategy to address stormwater issues and concerns within the community	\$0	\$125,000	\$0	\$0	\$0	\$125,000	
Continuously improve and innovate	Build Baldrige Framework Systems and Culture	Continue use of the Baldrige Excellence Framework to ensure systematic processes that deliver exceptional results	\$52,500	\$0	\$0	\$0	\$0	\$52,500	
	Expand GIS Capabilities	Begin implementing the GIS Strategic Plan for the Village	\$23,000	\$25,000	\$30,000	\$25,000	\$25,000	\$128,000	
Provide a supportive and rewarding work environment	Workforce Learning and Development	Expand the Village’s succession planning process and enhance workforce learning and development system	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$35,000	
AOF – Addresses Council Areas of Focus			TOTAL NET COST	\$251,865	\$367,365	\$44,365	\$139,365	\$39,365	\$842,325

FY 2021 Strategic Operating Plan Preview



- Plan to conduct 67 **projects** in FY 2021-2025. Below is a list of significant projects included in the plan that address Strategic Opportunities:

Project	Timeframe	Total Cost
Construct Pedestrian Facilities	FY 2021-2025	\$1,850,000
Stormwater improvements	FY 2021-2025	\$1,240,000
West Pinehurst Park Master Plan and Development	FY 2021-2025	\$1,030,000
Village Place streetscape enhancements	FY 2021-2023	\$525,000
Consolidate and align multi-modal transportation planning	FY 2021-2025	\$499,100
Update Comprehensive Parks and Recreation Master Plan	FY 2023	\$30,000

FY 2021 Strategic Operating Plan Preview



- Plan to conduct 39 **evaluations** in FY 2021-2025 to ID ways to improve processes and service delivery. Several will be evaluated using the BIRDIE or ACE process.
- Other key evaluations include: Library Needs Assessment, parking in downtown, need for economic development and business relation services, need for additional Police Station or substation, and agenda software.



BIRDIE	
FY22	Document Imaging



ACEs	
FY21	Fire inspection process
FY21	Improve the employee and volunteer recruitment processes
FY21	Insourcing Solid Waste collection
FY22	Ways to automate employee timekeeping
FY22	Road patching services
FY22	Ways to minimize return pickups
FY23	Purchasing/contracting process

FY 2021–2025
Five-Year Financial Plan

Key Highlights of the Proposed FY 2021 Five-Year Financial Forecast:

- Tax Rate – FY 2021:
 - Recommend \$.005 tax rate increase to \$0.305, as projected in the FY 2020 Five-Year Financial Forecast (a 1.7% increase)
- Tax Rate – FY 2022-2025:
 - Includes tax rate increase of \$.005 per year in FY 2022-2024 to address operating expenditure pressures. No tax rate increase planned in FY 2025.
 - Some key external sources of operating expenditure pressure include:
 1. State mandated retirement contribution rate increases
 2. County mandated recycling and tipping fees
 3. 2.5% annual inflation rate for operating expenditures
- Includes funding of over \$3 million for 2019 Comprehensive Plan strategy implementation across the five-year planning period (*details on future slide*)

FY 2021 Strategic Operating Plan Preview



\$0.305 tax rate + ½ cent increase FY22-FY24:

PRELIMINARY 5-Year Financial Forecast	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Tax Rate	\$0.305	\$0.310	\$0.315	\$0.320	\$0.320
Full Time Equivalents (FTEs)	147	147	146	146	146
General Fund Operating Revenues	\$19,847,450	\$20,188,000	\$20,722,000	\$21,667,000	\$21,632,000
General Fund Operating Expenditures	19,038,717	19,624,963	20,195,788	20,906,903	21,294,330
Operating Income(Loss)	\$808,733	\$563,037	\$526,212	\$760,097	\$337,670
Capital Expenditures	2,223,200	1,720,000	1,768,500	2,034,500	1,623,000
Total Expenditures	\$21,261,917	\$21,344,963	\$21,964,288	\$22,941,403	\$22,917,330
Budget to Actual Variance ¹	1,520,813	1,575,627	1,620,925	1,680,153	1,706,923
Projected Actual Gain/(Loss)	\$106,346	\$418,664	\$378,637	\$405,750	\$421,593
Projected Fund Balance as a % of Total Budget	46.9%	48.6%	49.0%	48.7%	50.6%
Operating Margin	0.88	0.90	0.90	0.89	0.91

¹ Assumes actual revenues of 101% of budget and actual expenditures of 93% of budget

Adjusted Budget to Actual Variance for expenditures from 95% to 93%, based on historical actuals

Actual GF Expenditures as a % of Final Budget	
FY 2015	89.8%
FY 2016	88.1%
FY 2017	87.7%
FY 2018	92.4%
FY 2019	92.1%

Key Highlights of the Proposed FY 2021-2025 Five-Year Financial Forecast – Salaries and Benefits:

1. FY 2021 cost of living adjustment of 1.8%; Merit raises averaging 2% funded in FY 2021-2025
2. Addition of .75 full-time equivalents (FTEs) in FY 2021-2025
3. One department restructure proposed to promote career development

Full-Time Equivalents (FTEs)				
Fiscal Year	Dept	Type	Job Title	FTE
2021	Human Resources	30 to FT	HR Specialist	0.25
2021	Planning	New FT	Transportation Planner	1.00
2023	Inspections	FT to PT	PT Inspector	-0.50
TOTAL				0.75

Restructure		
Fiscal Year	Dept	Job Title
2021	Recreation	Recreation Superintendent

FY 2021 Strategic Operating Plan Preview



Significant Comprehensive Long-Range Plan Implementation Funding

Expenditures	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Total
Transportation Planner (salary, benefits & supplies)	\$97,800	\$94,600	\$98,300	\$102,200	\$106,200	\$499,100
Small Area Plans	158,000	-	-	-	-	158,000
Stormwater Master Plan	-	125,000	-	-	-	125,000
Comprehensive Updates to PDO	-	200,000	-	-	-	200,000
Multi-Modal Transportation Plan	-	-	-	100,000	-	100,000
Pedestrian Facilities	250,000	400,000	400,000	400,000	400,000	1,850,000
Additional Stormwater Infrastructure Projects	-	-	100,000	115,000	115,000	330,000
Total Significant Comp Plan Implementation Expenditures	\$505,800	\$819,600	\$598,300	\$717,200	\$621,200	\$3,262,100

Council Discussion/ Direction

Council Discussion/Direction:

- Have we sufficiently addressed Council's higher priorities in the proposed five-year plan?
- Are there any other Council priorities that we need to address?
- Are there any significant modifications you would like to make to the proposed five-year plan at this point?

KEY Dates	
May 7 th	Village staff deliver FY21 SOP to Council
May 12 th	Village Manager presents FY21 SOP at Council Regular Meeting
May 19 th	Budget Work Session #1
May 21 st	Budget Work Session #2