



**VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF APRIL 9, 2019
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, April 9, 2019 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. John Bouldry, Mayor Pro Tem
Ms. Judy Davis, Treasurer
Mr. Kevin Drum, Councilmember
Mr. Jack Farrell, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Beth Dunn, Village Clerk

And approximately 35 attendees, including 5 staff and 1 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo, called the meeting to order.

2. Reports:

Village Manager

- Spoke on the cooperation between the County and surrounding municipalities. One of the benefits that have come from the cooperation is the County is working with on a development, off of 15-501, and included the Village in their discussions with the developer. The Village met with the developer last week and they made 3 very import concessions which include more robust landscape buffers, incorporating landscaping in the parking areas and finally before issuing permits they will allow the Village of Pinehurst to comment on the elevations.
- Aberdeen has reached out to the Village on a planned development off of HWY 5 and will be providing all the details. We should have this information for the next work session.
- Working on the paving prioritization list, based on the pavement condition ratings study completed on the Village streets.

Village Council

- Councilmember Davis stated Live at Five is this Friday, April 12th.
- Mayor Nancy Fiorillo stated that Festival D'Avion will be this weekend at the Moore County Airport. She and 3 other Mayors raced during the Matinee Races at the Harness Track.
- Councilmember Jack Farrell stated that the CVB Board decided not to partner with the Welcome Center.
- Councilmember Kevin Drum stated that the Triangle J Council of Governments will have a meeting with the Tri-Cities group on April 29th to discuss recycling issues. They are seeing huge benefits from partnerships.
- Mayor Pro Tem Bouldry was contacted by a Village merchant to request setting a meeting with a couple of Councilmembers and merchants.

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.

- Approval of Draft Village Council Meeting Minutes.
 - March 26, 2019 Regular Meeting

End of Consent Agenda.

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

4. Follow Up Discussion from the Moore County Hosted Corridor Meeting Held February 22, 2019.

Debra Ensminger, Moore County Planning Director, explained they held a meeting on February 22, 2019 to discuss the zoning around the major corridors in the County. She reviewed the various highway corridor overlay districts. During the last meeting many in attendance pointed out some changes that they would like to see along the corridors. The County has been looking at the corridors and addressing some of the issues. Some of the items they are looking at include design standards, where buildings are placed, landscaping, right-of-way utilization, and signage. Ms. Ensminger stated the County has learned some lessons where buildings could have been designed differently or set back further. The County is asking Council to let them know, before June 1st, what their vision, goals and objectives are along the highway corridors. Councilmember Davis asked after the feedback what will be the County's next step. Ms. Ensminger stated that the next step would be for the County to amend their policies in 2019.

5. Discuss and Consider Resolution 19-10 Waving Special Assessment Acceleration.

Brooke Hunter, Finical Service Director, explained that billings for this year's Municipal Service District (MSD) and Cotswold special assessment installments were mailed in January and were due February 9, 2019. North Carolina General Statute 160A-233(b) 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.

As of the due date, three property owners did not pay this year's installment. All of the delinquent assessments have now been paid due to subsequent collection efforts. Staff is recommending Council approve resolution 19-10 to waive the acceleration of the special assessment installments for the three properties that have paid their annual installment.

Upon a motion by Councilmember Davis, seconded by Councilmember Drum, Council unanimously approved Resolution 19-10 waving special assessment acceleration by a vote of 5-0.

6. Other Business.

No other business was discussed.

7. Comments from Attendees.

- Jim Spoonhour, 80 Village Green East, explained that the alleys in the village are not platted nor designated but utilities run down them and some residents access their garages, as the Village used to require garages in the rear of the homes. He noted that there are no fire hydrants on Village Green so fire Trucks would have to access the alleyway as well. Phone, electric and Moore County utilities are ran in the alleyway. He explained the problem is that the Village issued a fence permit to a home at the end of the alleyway at 55 Palmetto that will block the alleyway at one end. He recommends that all the effective parties and home owners in the alleys get notice of any changes to be made. He also requested that the fence permit issued by the Village to Randy Acres to close off the south end of the alley way be rescinded.
 - Jeff Sanborn, Village Manager, stated Mr. Spoonhour recommendations may be permissible if the Council amends the PDO. In regards to the fence permit the Village issued, they have no choice but to honor the permit.
 - Mike Newman, Village Attorney, provided an update to the situation. He explained this alleyway way has caused issues with Moore County and also Duke Power has been notified. Moore County has unrecorded utility lines in the alleyway. Moore County has an easement via inverse condemnation and Moore County is preparing to file a restraining order on Mr. Acres, the property owner. Mr. Newman explained that given the laws on inverse condemnation the County will win

that lawsuit along with any other easement holder or any neighbors that have used it for ingress/egress. Also, the Village fence permitting process doesn't allow to do a title search for every property nor deny a permit because someone says there is an easement. Mr. Newman stated the dispute is between the easement holder and the property owner. The Village has modified their fence application to say the issuance of a fence permit doesn't affect property rights. When there is knowledge of an unrecorded easement we can let Moore County know to protect their interest.

- Lynn Goldhammer, 11 Salem Lane, stated she is wondering just how much our highways can be developed. She believes service roads or caution lights at certain times of day, instead of steady traffic lights, could help control the traffic. Since the Village is working with other towns she thinks maybe we should look at what doesn't work well and what we could do to make it work better in the future.
- Tom Campbell, Pinehurst resident, asked if the Village had heard anything in regards to the legality of double taxation of the fees that the County is charging for solid waste.
- Bob Coats, 21 Edinburgh Lane, stated he was concerned with Senate Bill 367 which is co-sponsored by Senator Tom McInnis, designed to restrict municipalities with their ability to govern tree ordinances. The NC League of Municipalities is voicing their opposition on this.
 - Mayor Pro Tem Bouldry stated they have had direct contact with Senator McInnis' office and provided a list of concerns to go before the General Assembly this year. One of those included the extended reach at Raleigh interfering with local control, which they felt was a major concern.
 - Village Manager, Jeff Sanborn, explained that the Planning and Zoning board have been working on how to tighten up tree removal and tree replacement requirements tied to screening and buffering. However, if this bill passes will we lose this ability as well.
- Collett Kolinski, Pinehurst resident, stated that Alex Cameron stated at the last P&Z meeting that SB Bill 367 had already passed and therefore the Planning and Zoning Board dropped the fact that they would do anything else with clear cutting rules.
- Kami David, 4 Van Buren Lane, stated that children that live in Village Acres and No. 6 are proposed to attend schools to south of the traffic circle, they currently attend schools west of the circle. This move will increase traffic congestion at the traffic circle. She spoke with the consultants and they were not familiar with the traffic circle. She asked if the Council would go to the Board of Education and inquire due to the traffic issues this would create.
- Steven Bradford, NC Association of Realtors, asked why the minimum square footage subcommittee is not a public meeting.
 - Natalie Hawkins, Assistant Village Manager, explained that the subcommittee did not meet the legal definition of a public body therefore is not a public meeting. However, the Village chose to share the notes from the meeting online.

8. **Motion to Adjourn.**

Upon a motion by Councilmember Davis, seconded by Councilmember Drum, Council unanimously approved to adjourn the Regular Meeting by a vote of 5-0 at 5:51 pm.

Respectfully Submitted,



Beth Dunn,
Village Clerk

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