



**VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF FEBRUARY 23, 2016
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM**

1. Call to Order.
2. Invocation and Pledge of Allegiance.
3. Reports:
 - Manager
 - Council

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 Draft Village Council Meeting Minutes.
 - January 12 Regular Meeting Minutes
 - January 25 Work Session Minutes
 - January 26 Regular Meeting Minutes
 - January 26 Closed Session Minutes
- B. Public Safety Reports
 - Police Department
 - Fire Department
- C. Budget Amendment for Gateway Signage.

End of Consent Agenda.

5. Consider a Sponsorship Request for Use of Fair Barn.
6. Transfer of Surplus Equipment to Sandhills Community College.
7. Consider an Ordinance Amending the Municipal Code to Add Stop Signs on Monticello Road.
8. Consider an Interlocal Agreement with Moore County for Building Inspection Services.
9. Other Business.
10. Comments from Attendees.
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: Competent, Courteous, Professional, and Responsive.



APPROVAL OF DRAFT VILLAGE COUNCIL MEETING MINUTES.

ADDITIONAL AGENDA DETAILS:

January 12 Regular Meeting Minutes
January 25 Work Session Minutes
January 26 Regular Meeting Minutes
January 26 Closed Session Minutes

FROM:

Lauren Craig

CC:

Jeff Sanborn

DATE OF MEMO:

12/2/2015

MEMO DETAILS:

See attachments for draft minutes.

ATTACHMENTS:

Description

- ❑ 1-12-16 Regular Meeting Minutes
- ❑ 1-25-16 Work Session Minutes
- ❑ 1-26-16 Regular Meeting Minutes
- ❑ 01-26-16 Closed Session Minutes

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
JANUARY 12, 2015**

**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, January 12, 2016 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. Clark H. Campbell, Councilmember
Mr. John R. Cashion, Mayor Pro-Tem
Mr. John Bouldry, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Lauren M. Craig, Village Clerk

And approximately 33 attendees, including 8 staff and 2 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo called the meeting to order and asked for a moment of silence for Tom Embry.

2. Reports

Manager

- The Village has faced stormwater challenges due to the extra rain we have received recently.

Council

- Councilmember Campbell participated in the first committee meeting for the Historic Standards review committee.
- Councilmember Bouldry reported he met with the NAC yesterday, the CAC, and the Conservation Commission. Planning and Zoning is also on his schedule to get acclimated with the volunteers who serve the Village.
- Councilmember Berggren is serving on a BIRDIE for complaint management and attends the Conservation Commission meetings.

3. Presentation of resolution honoring John Strickland for his service on the Pinehurst Village Council.

Councilmember John Bouldry presented John Strickland with a framed resolution honoring his service on the Pinehurst Village Council from 2011-2015 as a Councilmember and Treasurer. Mr. Strickland wished the current Council and staff the best of luck.

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. Consider a resolution reappointing a member to the Planning and Zoning Board and the Board of Adjustment for one additional year (Shriberg).
- B. Budget Amendments Report

End of Consent Agenda.

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JANUARY 12, 2015**

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

5. Consider an event sponsorship request for the Pinecrest Band Boosters.

Mark Wagner, Director of Parks and Recreation, presented a request from the Pinecrest Band Boosters asking the Village to co-sponsor the 2nd Annual Winter Fest planned for Saturday, February 6, 2016. Mr. Wagner explained that last year's event was co-sponsored by the Parks and Recreation department as a community-wide event, providing use of the facility, concession stand, and restrooms at no charge. The new request is similar but also requested financial assistance for a rock climbing wall, bungee trampoline and/or bouncy house. Representatives from the Band Boosters discussed the cost of the event and the funds that are raised from the event for the band program at Pinecrest High School. Council discussed the request and determined by consensus to accept the sponsorship request.

6. Discuss and consider an ordinance amending the Municipal Code to add two pairs of stop signs on Monticello Drive.

Manager Jeff Sanborn explained that in late October, a resident expressed concerns about traffic volumes and speeds on Monticello Drive. Mr. Sanborn explained the Village staff initiated an Open Village Hall topic to get a pulse on resident concerns with this situation and he shared the feedback from the research and results from Open Village Hall. Mr. Sanborn presented a recommendation that Council approve an ordinance amending the Municipal Code to add two pairs of stop signs on Monticello at the intersection of Surry Circle N/Surry Circle S and Bridle Path/Apaloosa. The Manager also made a recommendation for Council to consider raising the speed limit on Morganton from Monticello to just east of the cart path cross over to 45mph. He also suggested staff and Council continue working with the NCDOT on improvements to the Morganton/Highway 5 intersection. He also recommended Council consider other solutions in Village Acres next. A voicemail was played from a resident of the Monticello area, Adam Piergallini. Council determined to table the ordinance for a vote tonight.

John Lamb a resident from Monticello Drive commented about the volume of cars on Monticello Drive and he explained his efforts to get the residents of Monticello Drive to speak up about the issue starting in December 2015. Mr. Lamb noted the need to have more police involvement and an updated traffic count since the last was completed in 2013. He asked for Council to consider adding the stop signs for the quality of Pinehurst residents.

Tom Campbell, a resident off of Bridle Path, noted that when the speed limit changed he suggested to place a four-way stop at Bridle Path and Apaloosa and had a large number of residents also on board with this due to sight limitations at that intersection.

Paul Prince explained he wrote a letter to the Police Chief in November on this issue and he thanked John Lamb on his efforts in the neighborhood. He explained they live one house north of the Surry Circle intersection where the proposed stop signs are located. He suggested something be done to slow traffic down at this location to avoid a tragedy.

A resident from Tamerisk Lane in attendance explained he has in-laws who live off of Surry Circle South. He said the proposed stop-signs would be acceptable but suggested for the straightaway off of highway 5 going to the pharmacy should be turned into a dead end to preclude the flow through traffic.

Johnny Bradburn lives in the middle of Monticello and he noted 10-12 accidents in front of his home at the curve. He noted he has lost 4 mailboxes and witnessed a motorcycle accident also. He supported anything that can be done to help solve this issue.

Audience member Frank Pacifico referenced the four way stop sign added to McKenzie Road East and said it did not deter the traffic and did not slow down the speed.

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Audience member Jeanie Casinella from Lake Hills Road noted the need for manpower to regulate the people who are not observing the speed limit signs.

Council agreed not to pass the ordinance tonight. Mayor Fiorillo suggested for Council to focus on the need and safety for the residents on Monticello and she supports the addition of the stop signs. Councilmember Bouldry said the solution is multifaceted and he was enlightened to hear from the residents and supports the recommendations of the Village Manager and thinks it is a safety issue. Councilmember Cashion noted trucks that are going over the speed limit on Monticello Drive. Councilmember Berggren noted this issue has been going on for a long time and the idea to make a change on Morganton Road is a good solution to encourage more traffic to travel that road and avoid using Monticello. Councilmember Campbell noted this is a safety issue especially after hearing from the residents tonight. Council tabled the vote on the ordinance and charged Jeff Sanborn with continuing to gather more information and resolved that the Village would continue to work with NCDOT on Highway 5 and Morganton.

7. Presentation of the Community Center Study Team Report.

Assistant Manager Jeff Batton explained that the Indoor Recreation Space BIRDIE study conducted last year recommended a second team be formed to study and recommend location, size, cost and potential funding ideas should Council eventually decide to move forward with constructing a Community Center. Mr. Batton gave an overview of the report to help Council's decision-making process when, and if, Council considers a Community Center in the future. Mark Wagner and John Frye presented a summary of the report. They explained size, location, cost, partnerships, and funding were the primary focus. The recommendation for size from the study team was 18,000sf to include a gymnasium, four activity rooms, office space, restrooms, and storage. The recommendation for location included Wicker Park (behind Village Hall) or at Cannon Park (at the old Village Hall site). Mr. Frye noted the project cost estimate falls between \$3.3M to \$3.8M for design, site work, and construction and he noted funding options that were reviewed. Councilmember Cashion noted he served on this study team and liked what was recommended especially regarding the location being close to Village Hall. Council held a discussion about the next steps for strategic planning needs for this issue. Audience member Tom Campbell noted he can see the need for this with the conversations he has had with Parks and Rec and asked about the \$1M in escrow with the Given Memorial Library capital campaign. Audience member Jeanie Casinella asked if the team attempted to connect with the YMCA for partnerships and suggested intramural teams utilize the schools facilities.

8. Consider a land exchange with the County of Moore for property abutting the current Public Services complex.

Assistant Village Manager, Jeff Batton explained that staff is asking that as a part of the public services renovation the Village exchange a portion of the land with Moore County to keep the property line squared up. The Moore County Commissioners approved this land swap and Mr. Batton suggested Council consider a motion formalizing the land swap. Upon a motion by Councilmember Campbell, seconded by Councilmember Cashion, Council unanimously approved that the Mayor or her designee be authorized to execute all necessary documents to exchange 4,986sf of Village property with the County of Moore in return for an equal amount of County property as indicated on a survey created by Ryan McBryde Land Surveying and dated November 12, 2015 by a vote of 5-0.

9. Other Business

- Councilmember Cashion explained that a couple who attended the meeting from the Lake area were against the Monticello Drive stop signs before attending the meeting, but since attending, they have changed their minds and support the proposal.

10. Comments from attendees.

- Frank Pacifico asked about the status of work on McKenzie, McCaskill, and Barrett Road. Jeff Sanborn noted that staff met with NCDOT about the McKenzie Road intersection last week to take steps to improve the intersection to eliminate the sight line challenges.

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- Lewis Gregory noted he is pleased to be here tonight for the informative meeting and points out clearly why the Village of Pinehurst is so special. He noted he will be the new County Commissioner and would like for the residents to be open to speaking with him and finding ways for the governments to work together.

11. Motion to Adjourn.

Councilmember Cashion moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Campbell and carried unanimously. The Regular Meeting adjourned at 6:43 p.m.

Respectfully Submitted,

Lauren M. Craig
Village Clerk

DRAFT

**MINUTES OF
VILLAGE COUNCIL WORK SESSION
JANUARY 25, 2016**

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

The Pinehurst Village Council held a Work Session at 4:30 p.m. on Monday, January 25, 2016 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. Clark H. Campbell, Councilmember
Mr. John R. Cashion, Mayor Pro-Tem
Mr. John Bouldry, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Natalie E. Dean, Interim Village Clerk

And approximately 5 attendees, including 2 staff and 1 press.

1. Call to Order.

Mayor Nancy Fiorillo called the meeting to order.

2. Village Council's work session discussion.

Mayor Fiorillo distributed a list of work session topics for the meeting that included a proposed joint Village Council and P&Z meeting in the future. After reviewing the list of topics identified by Mayor Fiorillo, the Council held a discussion on the following items:

- **Not for Profit Definition and Rates for the Fair Barn** – Mark Wagner, Director of Parks and Recreation, reviewed his memo that is on the agenda for the January 26th Regular Meeting. He identified the number and types of tax exempt organizations that would be eligible for a discounted Fair Barn not for profit rate. He indicated the number of not-for-profits that took advantage of the not-for-profit rates in the past three years, which are as follows: 16 (2013), 12 (2014), 10 (2015). The Council discussed the goal is to generate revenue at the Fair Barn and determined the type of policy changes they would be willing to adopt at their meeting on January 26th. The Council determined they would like to only allow the discount for not-for-profits located in Moore County and the not-for-profit rates to be set at \$500 for weekdays and \$1,000 for weekends, as indicated as Proposed Option B in Mark Wagner's memo. The Council also indicated they would like for all 501(c) 3, 4, 5, 6, or 7 organizations to be eligible for the discounted rate.
- **Council Liaison Partners** – Mayor Fiorillo reviewed the proposed 2016 Key Partners and Collaborators list with the Council and Council members agreed to liaison with the organizations indicated.
- **Monticello/Morganton Update on Traffic** - The Village Manager distributed the traffic count and accident data on Monticello Drive that will be reviewed at the January 26th Regular Meeting. He discussed his recommendation to hold a meeting with the residents of Monticello Dr. at 4:30 pm on February 10th to get their input on alternative ways to address the Monticello Dr. traffic issues. The Manager indicated the Village will send a direct mailing to the residents of the Monticello Dr. area to invite residents to the meeting. The Village Manager indicated staff and Council would be able to revisit the subject again at the February 23rd Council Regular Meeting after the public meeting is held. The Council reiterated that their primary concern was for the safety of the residents living on Monticello Dr.
- **Preparation of the Council Agendas** – Councilmember Campbell indicated he believes the staff can do a better job of getting information to the Council sooner so Council members

**MINUTES OF
VILLAGE COUNCIL WORK SESSION
JANUARY 25, 2016**

have more of an opportunity to consider matters and engage the public before considering an agenda item for approval. One alternative discussed was to present information in one meeting and bring resolutions for approval in a subsequent meeting. Council also indicated that holding regular work sessions would allow Council members to be better prepared and have a better understanding of the issues being considered. Another alternative discussed was to send out the draft agenda sooner than Wednesday of the week prior to the Council meetings.

- **Sharrows update and discussion** – Mark Wagner, Director of Parks & Recreation, distributed a map of the proposed bicycle lane markings (or sharrows) for Fiscal Year 2016, which consists of a total of 32 markings (\$150/ea) and 16 signs for the six mile route around Lake Pinehurst. Mark indicated this placement does not adhere to the MUTCD recommendations of every 250 feet, but is staff's recommendation to designate bike routes with minimal signage and markings. Councilmembers expressed their individual opinions on the placement of sharrow markings on Village roadways and the Council consensus was to not move forward with sharrow markings and signage on Village roads at this time due.
- **Budget preparation** – Natalie Dean, Assistant Village Manager, reviewed the Fiscal Year 2017 budget preparation timeline. The Council indicated they would like to see the detailed department budgets and have a more detailed discussion/presentation of specific projects or capital included in the budget. In addition, Council asked if they could be more informed of how the budget preparation is proceeding during the development process.
- **Harness Track Restaurant Improvements** – Councilmember Berggren inquired if the Village was considering making outdoor dining improvements to the Harness Track restaurant so patrons could watch the horses at the track as they were eating. Mark Wagner indicated the operator of the restaurant is not interested in contributing to such a project financially and that staff could consider installing a bay window instead of incurring the additional expense of creating an outdoor dining space.
- **Update on the Public Services Facility** – Jeff Batton, Assistant Village Manager, discussed the status of the updates to the Public Services site. He indicated that staff has completed the interior up fits (inventory, office, and installing heat) in the Fleet Maintenance building. He also told the Council that staff is in the process of establishing additional cost estimates for the other storage buildings. Structural engineers have determined which walls can stay or can come down in one building and staff is now pricing the demo of the interior. Jeff indicated that staff is working with Duke Energy to establish electricity to the equipment storage building and working with Moore County Public Utilities to determine the exact location of existing water and sewer lines on the site. Jeff told the Council that the site plan is approximately 80% complete. Once it is complete, staff will bring the site plan to the Village Council for review and approval before taking it to the Village's Technical Review Committee for approval. Jeff also discussed the plans for installing a black vinyl fence around the perimeter of the site with plant screenings.

3. Motion to Adjourn.

Councilmember Campbell moved to adjourn the Work Session. The motion was seconded by Councilmember Berggren and carried unanimously. The Work Session adjourned at 6:55 p.m.

Respectfully Submitted,

Natalie E. Dean
Interim Village Clerk

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
JANUARY 26, 2016**

**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, January 26, 2016 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. Clark H. Campbell, Councilmember
Mr. John R. Cashion, Mayor Pro-Tem
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Natalie E. Dean, Interim Village Clerk

And approximately 25 attendees, including 3 staff and 2 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo called the meeting to order.

2. Invocation and Pledge of Allegiance.

Pastor Rod Stone of Community Presbyterian Church led the invocation and Mayor Fiorillo led the Pledge of Allegiance.

3. Reports.

Manager

Village Manager Jeff Sanborn reported that the NC Department of Environmental Quality recently published its annual recycling performance report and the Village had the 11th highest recycling performance in the state of NC and the highest performance level of any other NC towns similar in the Village's size.

- Manager Sanborn reported that staff is progressing on trimming trees and shrubs at the McKenzie Rd. and Hwy 5 intersection and that staff is still awaiting data from the state of NC on Hwy 5 elevations.
- Manager Sanborn reported that the Public Services Department has gone 1,000 days with no lost time due to work injuries and the Fire Department has gone 720 days with no lost time due to work injuries. He congratulated the staff for their efforts to maintain a safe workplace.
- Manager Sanborn reported the land exchange with Moore County near the Public Services facility had been completed.
- Manager Sanborn reported that staff has set a date for a public meeting to discuss Monticello Drive residents' traffic concerns for February 10th at 4:30 pm in the Assembly Hall. He indicated that staff will mail a notice to Monticello Drive residents informing them of the meeting, but the meeting is open to the general public.

Council

- Councilmember Bouldry reported that he recently attend training at the UNC School of Government for newly elected and re-elected public officials. He also indicated that he is grateful for the great water supply and purity of the water supply in Pinehurst.
- Mayor Fiorillo welcomed Bob Shake, Mayor ProTem of Whispering Pines, who is running for Moore County Commissioners (District 4). Mayor Fiorillo also indicated that she is fielding a team for the Pinehurst Business Partners February 9th Polar Golf tournament at Longleaf Country Club. She encouraged attendees to participate and indicated she is also challenging the Pinehurst Civic Group to field a team.

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
JANUARY 26, 2016**

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 Draft Village Council Meeting Minutes.**
December 3-4, 2015 Strategic Planning Retreat Minutes
December 8, 2015 Regular Meeting Minutes
- B. **Public Safety Reports.**
Police Department
Fire Department

End of Consent Agenda.

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

5. Approve Audit Contract for Fiscal Year 2016.

John Frye, Director of Financial Services, presented information about the process of approving audit contracts in North Carolina and reviewed the proposed audit contract fee for Fiscal Year 2016. Councilmember Berggren moved to approve the audit contract with Dixon Hughes Goodman in the amount of \$28,540 for Fiscal Year 2016. The motion was seconded by Councilmember Cashion and passed unanimously with a vote of 5-0.

6. Discuss and Review Traffic Data for Monticello Drive.

Manager Jeff Sanborn reviewed the historical traffic count data on Monticello Drive collected in 2012, 2013, and 2016 and the methodology for collecting the traffic count data. He discussed some outlying data in the 2012 and 2016 data where there were some malfunctions with the traffic counters. Manager Sanborn also indicated the peak hours of traffic on Monticello Dr. are from 2:00 pm – 3:00 pm, with 6 vehicles per minute on average. He indicated the number of cars per minute on the McKenzie Road intersection where the Village installed a stop sign as a traffic calming measure were 1-2 vehicles per minute. Manager Sanborn expressed that he believes the Monticello Drive traffic is more than just a safety issue, but is really a quality of life issue for the people who live on the road and the people who use the road. Councilmember Bouldry indicated he believes it is primarily a safety issue on Monticello Drive, but quality of life is a subset of the safety issue. Councilmember Bouldry also suggested staff compare the traffic counts at peak hours of traffic to some standard or similar streets in the Village. Manager Sanborn indicated he has not been able to locate any federal or state benchmarks to make any relevant comparisons.

Mayor Fiorillo asked if any residents would like to speak on the topic of Monticello Drive traffic. Four residents spoke on the issue. 1) Burt Higgins (Doral Woods) indicated he supported the installation of stop signs on Monticello Drive to slow down the traffic. He also indicated he believed that lowering the speed limits to 25 mph has diverted some traffic to Morganton Rd. 2) Mr. Tom Campbell (off Monticello Drive) indicated he was primarily concerned with the safety of residents living off Monticello who have to turn onto Monticello Drive and that he believed installing stop signs would improve the situation. 3) Mr. Johnny Bradburn (Monticello Drive) is pleased with the efforts the Council is making to address the traffic issues on Monticello Drive. 4) Mr. John Lamb (Monticello Drive) indicated he has done some personal traffic counts and affirmed that the six vehicles per minute at peak hours is consistent with his counts. He also indicated he appreciates the increased police presence on the road to help with traffic enforcement.

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
JANUARY 26, 2016**

- 7. Consider a Resolution Amending the Fees and Charges Schedule for Fair Barn Rentals.**
Mark Wagner, Director of Parks and Recreation, reviewed his recommendation to amend the Fees and Charges Schedule to reduce the rental fees for non-profits, as indicated in Exhibit A of Resolution #16-02. Mr. Frank Pacifico indicated he did not believe that all non-profits should be eligible for the same discounted rate. Councilmember Cashion moved to approve Resolution #16-02. The motion was seconded by Councilmember Berggren and passed unanimously with a vote of 5-0.
- 8. Other Business**
➤ There was no other business.
- 9. Comments from Attendees.**
➤ Resident Sue McLaughlin (St. Andrews Drive) indicated she had been cited for her barking dogs twice and understands the third citation would result in a fine. She inquired if the Council would re-evaluate its ordinance related to barking dogs to include a standard for the duration of the dog barking in the ordinance. Currently, the requirement is what a “prudent” person would consider disturbing. Mayor Fiorillo asked Ms. McLaughlin to provide the Village Manager with her contact information and asked the Manager Sanborn to follow up with her on this issue.
➤ Mr. Frank Pacifico inquired if the Village could put more money in the budget next year to take care of snow and ice removal and he mentioned hazardous road conditions on Graham and McKenzie Roads. Mayor Fiorillo suggested the Village add a question to the annual Community Survey and ask residents if they are satisfied with snow and ice removal services.
➤ Mr. Tom Campbell indicated Andy Wilkison, former Village Manager, wanted to pass along his best wishes to the Village Council and wish them a good year ahead.
- 10. Motion to Motion to go into Closed Session pursuant to NCGS 143-318.11(a)(3) to consult with the Village attorney in order to preserve the attorney-client privilege between the Village Attorney and the Village Council. Specifically, Council discussed the litigation between the Estate of Ronald H. Armstrong, Plaintiff v. The Village of Pinehurst.**
Councilmember Bouldry moved to go into Closed Session. The motion was seconded by Councilmember Cashion. Councilmember Campbell dissented and the motion carried 4-1. The Closed Session began at 5:25 p.m.
- 11. Motion to Adjourn the Closed Session and re-enter the Regular Meeting.**
Councilmember Cashion moved to adjourn the closed session and re-enter the Regular Meeting. . The motion was seconded by Councilmember Campbell. The Closed Session adjourned at 5:49 p.m.
- 12. Motion to Adjourn.**
Councilmember Bouldry moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Berggren and carried unanimously. The Regular Meeting adjourned at 5:50 p.m.

Respectfully Submitted,

Natalie Dean
Interim Village Clerk



**PUBLIC SAFETY REPORTS
ADDITIONAL AGENDA DETAILS:**

Police Department
Fire Department

ATTACHMENTS:

Description

- ▣ Police Report January 2016
- ▣ Fire Department Report January 2016

Incident IBR Reported Offenses Month To Month Comparison

Pinehurst Police Department

January 2016 - January 2015

Part I Offenses	January 2015	January 2016	+/-	Percent Changed	Year-To-Date 2015	Year-To-Date 2016	+/-	Percent Changed
Murder	0	0	0	0%	0	0	0	0%
Rape	0	0	0	0%	0	0	0	0%
Robbery	1	0	-1	-100%	1	0	-1	-100%
Commercial	0	0	0	0%	0	0	0	0%
Individual	1	0	-1	-100%	1	0	-1	-100%
Assault	0	0	0	0%	0	0	0	0%
Violent Total:	1	0	-1	-100%	1	0	-1	-100%
Burglary	0	0	0	0%	0	0	0	0%
Residential	0	0	0	0%	0	0	0	0%
Non-Residential	0	0	0	0%	0	0	0	0%
Commercial	0	0	0	0%	0	0	0	0%
Other	0	0	0	0%	0	0	0	0%
Larceny	16	6	-10	-63%	16	6	-10	-63%
Auto Theft	0	0	0	0%	0	0	0	0%
Arson	0	0	0	0%	0	0	0	0%
Property Total:	16	6	-10	-62%	16	6	-10	-62%
Part I Total:	17	6	-11	-65%	17	6	-11	-65%

Part II Offenses	January 2015	January 2016	+/-	Percent Changed	Year-To-Date 2015	Year-To-Date 2016	+/-	Percent Changed
Drug	7	3	-4	-57%	7	3	-4	-57%
Assault Simple	0	2	2	-	0	2	2	-
Forgery/Counterfeit	0	1	1	-	0	1	1	-
Fraud	3	3	0	0%	3	3	0	0%
Embezzlement	0	0	0	0%	0	0	0	0%
Stolen Property	0	0	0	0%	0	0	0	0%
Vandalism	2	2	0	0%	2	2	0	0%
Weapons	0	0	0	0%	0	0	0	0%
Prostitution	0	0	0	0%	0	0	0	0%
All Other Sex Offenses	0	0	0	0%	0	0	0	0%
Gambling	0	0	0	0%	0	0	0	0%
Offenses Against Family/Children	0	0	0	0%	0	0	0	0%
D.W.I.	0	0	0	0%	0	0	0	0%
Liquor Law Violation	0	0	0	0%	0	0	0	0%
Disorderly Conduct	1	1	0	0%	1	1	0	0%
Obscenity	0	0	0	0%	0	0	0	0%
Kidnap	0	0	0	0%	0	0	0	0%
All Other Offenses	13	9	-4	-31%	13	9	-4	-31%
Part II Total:	26	21	-5	-19%	26	21	-5	-19%
Incident Total:	43	27	-16	-37%	43	27	-16	-37%

Arrest IBR Reported Offenses Month To Month Comparison

Pinehurst Police Department

January 2016 - January 2015

Part I Offenses	January 2015	January 2016	+/-	Percent Changed	Year-To-Date 2015	Year-To-Date 2016	+/-	Percent Changed
Murder	0	0	0	0%	0	0	0	0%
Rape	0	0	0	0%	0	0	0	0%
Robbery	0	0	0	0%	0	0	0	0%
Commercial	0	0	0	0%	0	0	0	0%
Individual	0	0	0	0%	0	0	0	0%
Assault	0	0	0	0%	0	0	0	0%
Violent Total:	0	0	0	0%	0	0	0	0%
Burglary	0	0	0	0%	0	0	0	0%
Residential	0	0	0	0%	0	0	0	0%
Non-Residential	0	0	0	0%	0	0	0	0%
Commercial	0	0	0	0%	0	0	0	0%
Other	0	0	0	0%	0	0	0	0%
Larceny	0	0	0	0%	0	0	0	0%
Auto Theft	0	0	0	0%	0	0	0	0%
Arson	0	0	0	0%	0	0	0	0%
Property Total:	0	0	0	0%	0	0	0	0%
Part I Total:	0	0	0	0%	0	0	0	0%

Part II Offenses	January 2015	January 2016	+/-	Percent Changed	Year-To-Date 2015	Year-To-Date 2016	+/-	Percent Changed
Drug	6	1	-5	-83%	6	1	-5	-83%
Assault Simple	0	5	5	-	0	5	5	-
Forgery/Counterfeit	0	0	0	0%	0	0	0	0%
Fraud	0	0	0	0%	0	0	0	0%
Embezzlement	0	0	0	0%	0	0	0	0%
Stolen Property	0	0	0	0%	0	0	0	0%
Vandalism	0	0	0	0%	0	0	0	0%
Weapons	0	0	0	0%	0	0	0	0%
Prostitution	0	0	0	0%	0	0	0	0%
All Other Sex Offenses	0	0	0	0%	0	0	0	0%
Gambling	0	0	0	0%	0	0	0	0%
Offenses Against Family/Children	0	0	0	0%	0	0	0	0%
D.W.I.	4	4	0	0%	4	4	0	0%
Liquor Law Violation	0	2	2	-	0	2	2	-
Disorderly Conduct	1	1	0	0%	1	1	0	0%
Obscenity	0	0	0	0%	0	0	0	0%
Kidnap	0	0	0	0%	0	0	0	0%
All Other Offenses	21	14	-7	-33%	21	14	-7	-33%
Part II Total:	32	27	-5	-16%	32	27	-5	-16%
Arrest Total:	32	27	-5	-16%	32	27	-5	-16%



HISTORY, CHARM, AND SOUTHERN HOSPITALITY_____

SUMMARY FOR THE MONTH OF JANUARY 2016

SUMMARY OF INCIDENT CALLS

	<i>NUMBER THIS MONTH</i>	<i>NUMBER YTD</i>	<i>NUMBER THIS MONTH LAST YEAR</i>	<i>NUMBER YTD LAST YEAR</i>	<i>PERCENTAGE YTD</i>
TYPE OF INCIDENT					
Fire	2	2	7	7	-71%
Overpressure Rupture, Explosion, Overheat - no fire	0	0	2	2	200%
Rescue & EMS Incidents	38	38	5	5	660%
Hazardous Conditions - no fire	22	22	9	9	144%
Service Call	16	16	12	12	33%
Good Intent Call	19	19	29	29	-34%
False Alarm & False Call	30	30	22	22	36%
Severe Weather & Natural Disaster	4	4	0	0	400%
Special Incident Type	0	0	0	0	0%
TOTAL INCIDENTS	131	131	86	86	52%

SUMMARY OF INSPECTION

	<i>NUMBER THIS MONTH</i>	<i>NUMBER YTD</i>	<i>NUMBER THIS MONTH LAST YEAR</i>	<i>NUMBER YTD LAST YEAR</i>	<i>PERCENTAGE YTD</i>
TYPE OF INSPECTIONS					
Residential	8	8	7	7	14%
Residential New Systems	0	0	0	0	0%
Residential Fire Sprinkler	0	0	0	0	0%
Commercial	1	1	31	31	-97%
Plan Review/Site Inspections	0	0	0	0	0%
Reinspection	0	0	50	50	500%
Occupancy Certificates	0	0	0	0	0%
TOTAL INSPECTIONS	9	9	88	88	-90%
Violations Found:	0	0	94	94	9400%
YTD Violations to be Corrected:		0		0	
YTD Violations Corrected:		0		0	
Correction Percentage:		0%		0%	

February 1, 2016

J. Carlton Cole, Fire Chief

FIRE DEPARTMENT

395 Magnolia Road • Pinhurst, NC 28374 • Telephone (910) 295-5575 • Fax (910) 295-4861 • www.vopnc.org



**BUDGET AMENDMENT FOR GATEWAY SIGNAGE.
ADDITIONAL AGENDA DETAILS:**

FROM:

John Frye

CC:

Jeff Sanborn, Jeff Batton & Natalie Dean

DATE OF MEMO:

2/15/2016

MEMO DETAILS:

At the February 9 Village Council meeting, the Beautification Committee Chair and staff presented a plan to install gateway signs at six (6) roadway entrances into Pinehurst. The consensus of the Council was to proceed with the installation and to appropriate the required funding of \$24,000 to complete the project.

The attached budget ordinance will appropriate \$24,000 to the project from the Village's fund balance.

If you have any questions related to this amendment, please let me know.

ATTACHMENTS:

Description

- Ordinance 16-04 Gateway Signage Budget Amendment

ORDINANCE #16-04:

AN ORDINANCE AMENDING THE ORDINANCE APPROPRIATING FUNDS FOR OPERATIONS OF THE VILLAGE OF PINEHURST FOR FISCAL YEAR 2016, REGARDING REVENUES AND EXPENDITURES OF THE GENERAL FUND FOR THE VILLAGE OF PINEHURST, NORTH CAROLINA (GATEWAY SIGNAGE)

THAT WHEREAS, the Village of Pinehurst intends to install gateway signage at six roadway entrances to Pinehurst; and

WHEREAS, the Beautification Committee Chair and staff proposed a plan at the Village Council's February 9 regular meeting that Council approved by consensus; and

WHEREAS, funding for these signs was not included in the FY 2015-2016 Budget when originally adopted;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 23rd day of February 2016, as follows:

SECTION 1. To amend the FY 2016 General Fund budget with regard to revenues and expenditures, the revenue and expenditure accounts are to be changed as follows:

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-40-720-5400	Departmental Supplies	\$ 24,000	
10-00-190-3905	Fund Balance Appropriated		\$ 24,000

SECTION 2. Copies of this budget amendment shall be furnished to the Clerk to the Village Council, Village Manager, and Financial Services Director for their direction and implementation.

THIS ORDINANCE passed and adopted this 23rd day of February 2016.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

Approved as to Form:

Natalie Dean, Interim Village Clerk

Michael J. Newman, Village Attorney



**CONSIDER A SPONSORSHIP REQUEST FOR USE OF FAIR BARN.
ADDITIONAL AGENDA DETAILS:**

FROM:

Mark Wagner

CC:

Jeff Sanborn

DATE OF MEMO:

2/16/2016

MEMO DETAILS:

Staff has received a request for sponsorship from the Knights of Columbus regarding use of the Fair Barn for a Home, Garden & Lifestyle Expo planned for September 16 & 17, 2016.

They are requesting a discounted rate for use of the facility, as well as a waiver of the fees associated with the use of tables and chairs and the percentage of income from admission charged (10% of gross sales). Their actual dates of use would be September 15 - 18, 2016 which includes set up and breakdown.

The Knights of Columbus is a 501 (c) 8 organization due to their National Charter, which would not qualify them for the recently adopted changes to the Fair Barn fee schedule for Non-Profits. As we discussed last month during adoption of the new rate schedule, only 501 (c) 3 - 7 organizations are eligible for the newly discounted rates.

In the past, the Village has been a sponsor of a similar Home and Garden Expo organized by another organization. As you will recall that sponsorship was not renewed this year and that organization is not receiving any discounts.

Representatives from the group, Tom Zaleski and Jack MacMillan, will be in attendance at the meeting to discuss their request with Council. I will also be available for any additional questions should there be any of staff.

Thank you.

ATTACHMENTS:

Description

- ☐ Letter of Request
- ☐ Knights List of Donations



Fr. Robert T. Lawson Council 11103

Sacred Heart Church

Pinehurst, NC 28374

June 10, 2015

Event

Home, Garden & Lifestyle Expo
September 16 & 17, 2016

Mission

The Home, Garden & Lifestyle Expo is managed by the Robert T. Lawson Council of Knights of Columbus located in Pinehurst, North Carolina. 2016 will be the third year for this event. The Knights of Columbus is a worldwide fraternal organization led by guiding principles of charity and patriotism.

The Home Garden & Lifestyle Expo represents a unique effort in Moore County. As a community oriented project, its mission is to foster a stronger community spirit. All profits from the Expo will be recycled back into the local communities to support a wide range of non-profit community programs.

Proceeds from the Expo will be reinvested in local community non-profit organizations, youth scholarships and humanitarian aid programs.

Why Should the Village Be a Sponsor?

Since this Expo will be advertised as a community spirit-building program, we feel it is important to have the Village of Pinehurst and the Knights of Columbus be seen as partners in this spirit-building program.

With vendors and attendees coming from various parts of the southeast, it is important that they see what resources the Village and Moore County have to offer businesses and residents in respect to quality of life.

What would the Knights like to Village to provide?

The Knights of Columbus would like to have a discounted rate for use of the Fair Barn facility from the Village with rentals included. In addition, limited use of the kitchen cooking facilities.



Jack MacMillan, Grand Knight

Community Donations Knights of Columbus Council # 11103

Organization

2015 Amount

MMIA Military Mission in Action	\$500
Kids in Crisis Children's Care Fund	\$500
Wounded Warrior Program (Project)	\$400
MANNA-Moore Alliance Nourishing Neighbors, Amen	\$500
Habitat for Humanity	\$500
First Health Hospice Foundation	\$200
MIRA Foundation	\$500
Democracy Essay Contest	\$200
Life Care Pregnancy Center	\$200
Sandhills Food Bank	\$200
Friend to Friend	\$200
The Arc of Moore County	\$100
Linden Lodge	\$100
Moore County Scholarship Program (3 students \$500 award)	\$1,500
St. Pope John Paul School	\$1,600
Vietnam Veterans of America #669 West End	\$400
Golf Capital Chorus	\$100
Education for Seminarians	\$1,500
LAMB	\$491
Adopt-a-child	\$4,503
Nursery Paint Donation	\$150
Easter Egg Hunt	\$200
Moore Intellectually Challenged Donations	\$6000
TOTAL	\$20,544



**TRANSFER OF SURPLUS EQUIPMENT TO SANDHILLS COMMUNITY
COLLEGE.**

ADDITIONAL AGENDA DETAILS:

FROM:

Carlton Cole

CC:

Jeff Sanborn

DATE OF MEMO:

2/15/2016

MEMO DETAILS:

The Fire Department absorbed the rescue function from the Pinehurst Volunteer Rescue Squad in 2008 and with that agreement an assortment of rescue equipment became property of the Village. This included Hurst Rescue System “Jaws of Life” hydraulic pump (s/n 45291), manifold and cutter (s/n 4-1685-1). The 25+ year old equipment was replaced recently as it is no longer approved mechanically for emergency use.

In accordance with NCGS 160A-274, I’m requesting Council approve the transfer of this equipment to Sandhills Community College for use in Emergency Services Training.



**CONSIDER AN ORDINANCE AMENDING THE MUNICIPAL CODE TO ADD
STOP SIGNS ON MONTICELLO ROAD.**

ADDITIONAL AGENDA DETAILS:

FROM:

Jeff Batton

DATE OF MEMO:

2/17/2016

MEMO DETAILS:

As you are aware, Council held a public meeting on February 11th to obtain public input on the concept of adding 4-way stop signs at two locations on Monticello Drive to address neighborhood concerns with traffic on Monticello Drive. This meeting was held after the Council reviewed various traffic volume and speed data collected on Monticello Drive. Per Council direction received at the February 16th Work Session, attached for Council discussion and consideration is a draft ordinance that would amend the Pinehurst Development Ordinance and establish two 4-way stops on Monticello Drive.

The attached ordinance and map specifies the proposed intersections for the additional stop signs.

ATTACHMENTS:

Description

- ☐ Ordinance 16-01 Municipal Code Amendment - Stop Signs on Monticello
- ☐ Map of 4 way stop sign locations on Monticello Drive

ORDINANCE # 16-01:

AN ORDINANCE ESTABLISHING STOP SIGN PLACEMENT ON CERTAIN STREETS WITHIN THE VILLAGE OF PINEHURST AND AMENDING CHAPTER 7, SCHEDULE II OF THE PINEHURST MUNICIPAL CODE AS IT PERTAINS TO REGULATING TRAFFIC ON THESE STREETS WITHIN THE VILLAGE OF PINEHURST, NORTH CAROLINA.

THAT, WHEREAS, the Village Council of the Village of Pinehurst adopted an ordinance dated October 20, 1980, regulating various traffic controls for the purpose of prescribing regulations governing conditions hazardous to life and property or detrimental to the safety or welfare of its citizens; and

WHEREAS, on September 13, 2011 the Village Council of the Village of Pinehurst adopted Ordinance #11-25 which adopted 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 has been subsequently amended from time to time as conditions warrant;

WHEREAS, the Village Council of the Village of Pinehurst finds that amending the ordinance will further enhance and improve the overall quality of life of our citizens.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in the regular meeting assembled this 23rd day of February, 2016, as follows:

SECTION 1. That Schedule II of Section 7, STOP INTERSECTIONS of the Pinehurst Municipal Code, is amended by adding the following:

<i>Stop Sign On</i>	<i>At Intersection With</i>
Monticello Road	Apaloosa Place and Bridle Path Circle
Monticello Road	Surry Circle Drive North and South

SECTION 2. That the Pinehurst Police Chief and the Public Services Director are hereby directed and empowered to erect the necessary traffic signs on the above stated streets.

SECTION 3. That this Ordinance shall be and the same is hereby effective from and after the date of its adoption.

THIS ORDINANCE is passed and adopted this 23rd day of February, 2016.

VILLAGE OF PINEHURST

(Municipal Seal)

VILLAGE COUNCIL

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

Approved as to form:

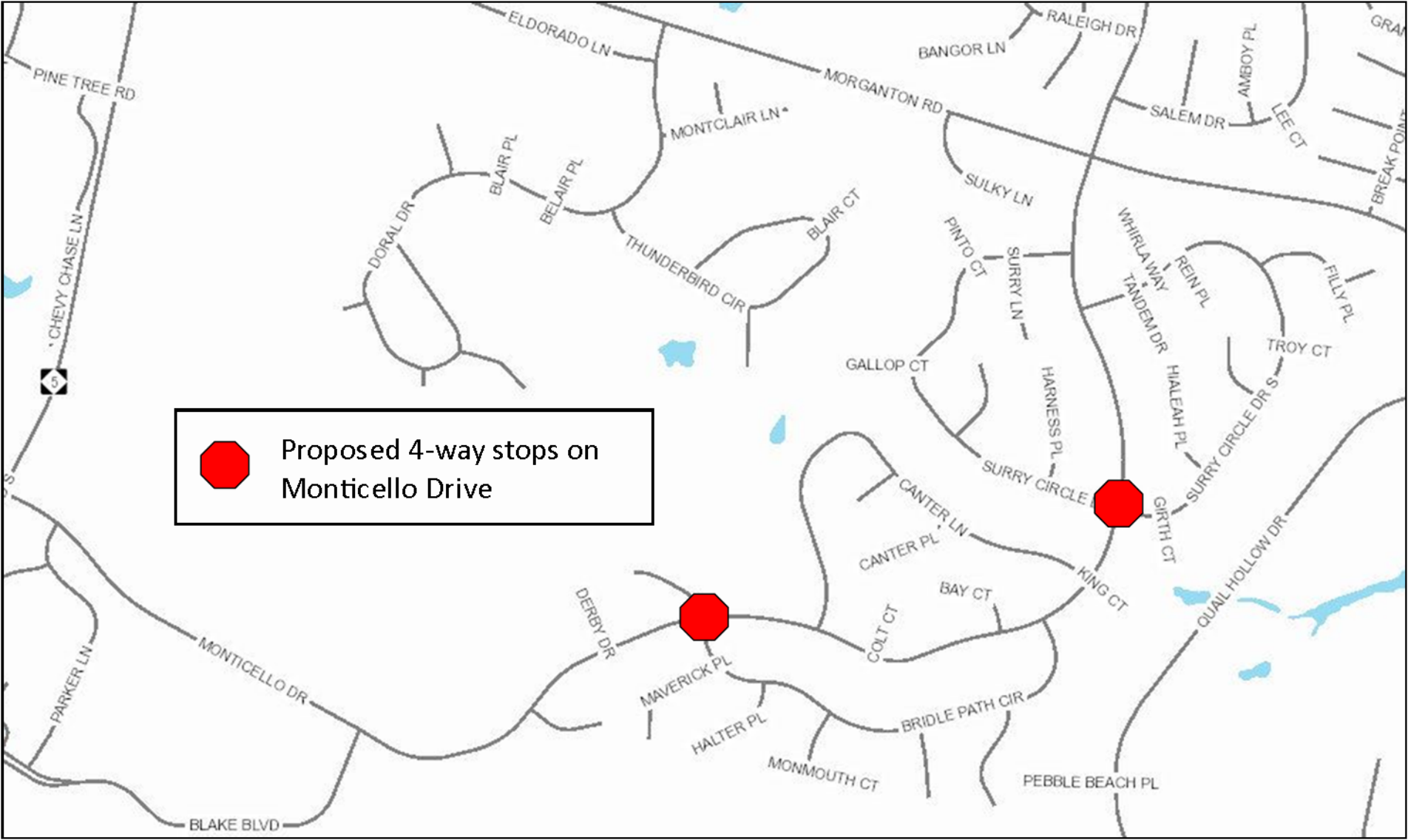
Natalie Dean, Acting Village Clerk

Michael J. Newman, Village Attorney

DRAFT



Proposed 4-way stops on
Monticello Drive





**CONSIDER AN INTERLOCAL AGREEMENT WITH MOORE COUNTY FOR
BUILDING INSPECTION SERVICES.**

ADDITIONAL AGENDA DETAILS:

FROM:

Kevin B. Reed, Director of Planning and Inspections

CC:

Jeff Sanborn, Village Manager; John Frye, Mike Newman

DATE OF MEMO:

2/15/2016

MEMO DETAILS:

In February of 2014, Moore County approached the Village of Pinehurst with a proposal to enter into a reciprocal agreement for building inspection services. The agreement was approved by the Village Council at its meeting held on February 11, 2014 and has been available for use by both parties since that time.

Following the execution of the agreement with the Village, Moore County entered into similar agreements with the Town of Aberdeen and the Town of Southern Pines. The Village was recently contacted by Debra Ensminger with Moore County regarding the need to amend its current agreement with the Village. Since the County now has similar agreements with multiple jurisdictions, the County has expressed a need to lower the financial threshold in the Village's agreement from \$10,000 to \$2,500 in order to be compliant with County budget amounts for the service. The County Commissioners approved a revised agreement earlier this year.

Mike Newman has reviewed the revised agreement. Attached to this memorandum is a copy of the agreement approved by the County. I look forward to discussing this matter with the Village Council at its February 23rd meeting.

ATTACHMENTS:

Description

▣ 2016 Interlocal Agreement

STATE OF NORTH CAROLINA

COUNTY OF MOORE

INTERLOCAL AGREEMENT FOR BUILDING INSPECTION SERVICES
A MUTUAL AID AGREEMENT

THIS INTERLOCAL AGREEMENT (this "Agreement") is made and entered into the 19th day of January, 2016, by and between the County of Moore (the "County") and the Village of Pinehurst (the "Village").

WHEREAS, the County and the Village desire to provide mutual building inspection services to each other on a continuous, as needed basis, unless otherwise terminated pursuant to this Agreement.

NOW, THEREFORE, BE IT RESOLVED, pursuant to N.C.G.S. 160A-413, the County and Village agree to the following terms and conditions:

1. The Village building inspections' staff is hereby authorized by the County to provide building inspections services on behalf of the County and shall be sworn-in by the Moore County Clerk to the Board as an officer; and
2. The County building inspections' staff is hereby authorized by the Village to provide building inspections services on behalf of the Village and shall be sworn-in by the Village Clerk to the Board as an officer; and
3. All Village staff performing building inspections work for the County shall promptly provide the Moore County Planning and Community Development Director and the North Carolina Department of Insurance with satisfactory proof of all building inspections certifications held by the Village staff and satisfactory proof of any other certifications or licensure requirements necessary to perform building inspections as required by the County; and
4. All County staff performing building inspections for the Village shall promptly provide the Village Manager and the North Carolina Department of Insurance with satisfactory proof of all building inspections certifications held by the Village staff and satisfactory proof of any other certifications or licensure requirements necessary to perform the building inspections work required by the Village; and
5. Both the County and Village mutually agree to compensate the other for satisfactory services provided at a rate of \$45.00 per hour, plus mileage reimbursement at the current IRS rate. The hours of work shall be mutually agreed upon on by both parties. The total amount of compensation for this agreement shall NOT exceed \$2,500.00 annually. This amount shall be paid directly to the respective party (the County or Village) and not to

individual inspectors. Each party shall be responsible for paying the salaries or wages of their own respective staff, including the payment of any and all State or Federal taxes and withholding and continuing education requirements. Each party providing services under this agreement will prepare and mail a detailed invoice to the Finance Director of the other party by the 5th of each month for the services performed in the previous month. Payment for services rendered is due by the 15th of each month following the month of service; and

6. While performing building inspection services for the County, the Village staff shall report to the Moore County Planning and Community Development Director who will be supervising the Village staff while performing services pursuant to this Agreement. The duties of the Village staff shall include building inspections, site plan reviews and all other tasks normally associated with building inspections work. Village staff shall not be responsible for zoning or subdivision code enforcement or for the issuance of zoning permits or subdivision plat approvals, except to the extent such enforcement or approval require the input, consent or review of a building inspector. Village staff shall use vehicles owned by the Village in the course of providing services under this Agreement. The Village will keep a detailed mileage log and bill the County at the maximum rate allowed by the IRS; and
7. While performing building inspection services for the Village, County staff shall report to the Planning Director or Chief Building Inspector who will be supervising the County staff while performing services pursuant to this Agreement. The duties of the County staff shall include building inspections, site plan reviews and all other tasks normally associated with building inspections work. The County staff shall not be responsible for zoning or subdivision code enforcement or for the issuance of zoning permits or subdivision plat approvals, except to the extent such enforcement or approval require the input, consent or review of a building inspector. The County staff shall use vehicles owned by County in the course of providing services under this Agreement. The County will keep a detailed mileage log and bill the Village at the maximum rate allowed by the IRS; and
8. Should any claims arise out of the services provided by the Village under this Agreement, Moore County agrees to indemnify and hold the Village, its employees, agents and contractors harmless from any and all claims for liability, loss, injury, damages to persons or property, costs or attorney's fees resulting from any act of negligence brought against the Village, its employees, agents, contractors and Council Members arising as a result of the services performed on behalf of the County that are the subject of this Agreement and due to the negligence of the County, its employees, agents or contractors. The Village agrees to indemnify and hold the County, its employees, agents and contractors harmless from any and all claims for liability, loss, injury, damages to persons or property, costs or attorney's fees resulting from any act of negligence brought against Moore County, its employees, agents, contractors and Commissioners arising as a result of these services performed on behalf of the Village that are the subject of this Agreement and are due to the negligence of the Village, its employees, agents or contractors; and

9. While this Agreement remains in effect, the County and Village shall maintain appropriate insurance coverage for work performed; and
10. This Agreement is authorized pursuant to N.C. Gen Stat § 160A-413; and
11. Either party may terminate this Agreement by providing thirty (30) days written notice to the other party of its intent to terminate this Agreement; and
12. This Agreement shall be governed by the laws of the State of North Carolina; and
13. This Agreement represents the entire agreement between the Village and the County. This Agreement supersedes all prior negotiations, representations or agreements, whether written or oral. This Agreement may only be amended by a written instrument signed by both the Village and the County; and
14. Nothing contained in this Agreement shall create a contractual relationship with or cause of action in favor of a third party against the Village or the County; and
15. In the event any provision of this Agreement is adjudged to be not enforceable or found invalid, such provision shall be stricken and the remaining provisions shall be valid and enforceable; and
16. All parties shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes.

[SIGNATURES ON THE FOLLOWING PAGE.]

COUNTY OF MOORE

Nick J. Picerno, Chairman
Moore County Board of Commissioners

Attest:

Laura M. Williams
Clerk to the Board

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

Finance Officer

VILLAGE OF PINEHURST

Nancy Fiorillo, Mayor

Attest:

Lauren M. Craig
Village Clerk

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

Finance Officer