

**MINUTES OF
VILLAGE COUNCIL REGULAR MEETING
FEBRUARY 10, 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, February 10, 2015 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
Mr. Clark H. Campbell, Councilmember
Mr. John R. Cashion, Mayor Pro-Tem
Ms. Claire L. Phillips, Councilmember
Mr. John C. Strickland, Councilmember
Mr. Jeffrey H. Batton, Interim Village Manager
Ms. Lauren M. Craig, Village Clerk

And approximately 25 attendees, including 6 staff and 2 press.

1. Call to Order.

Mayor Nancy Roy Fiorillo called the meeting to order.

2. Reports

Manager

- None

Council

- Councilmember Strickland shared he attended the Moore County Schools civic stakeholders meeting and the recent Beautification Committee meeting.
- Mayor Fiorillo shared she attended a listening session with Pat Corso at Ft. Bragg last week regarding the future cut of troops due to sequestration.

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. Public Safety Report
 Fire Department
 Police Department

End of Consent Agenda.

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

4. Presentation by Jim Lewis on National Park Service meeting.

Chairman of the Historic Preservation Commission, Jim Lewis, reported on his recent visit and discussions with the National Park Service (NPS) in Atlanta, GA in reference to Pinehurst and the National Historic Landmark status. Mr. Lewis explained he met with four members of the National Park Service to get suggestions on the Pinehurst Historic Preservation Commission and to share updates from the Village. Mr. Lewis explained the discussion included the NPS viewpoint on the roundabout and the Village Green projects. Mr. Lewis also discussed the status changes regarding the Village of Pinehurst historic landmark status and their noted concern about the proposed expansion of

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the library and Village Chapel, and the proposed construction of the parking garage. He noted other items in their discussion regarding the railroad communication tower and the disappearance of the sand clay paths. Mr. Lewis does not believe the Village is in jeopardy of losing the status at this time. Council thanked Mr. Lewis for his efforts and suggested that he continue acting as the broker of this relationship going forward.

5. Discuss the Village's upcoming 2015 special events.

Mark Wagner, Parks and Recreation Director introduced Ashley Hunt, Special Events Coordinator, who presented Council with the upcoming events planned for 2015 in the Village of Pinehurst. Ms. Hunt shared the plans for the four Live After 5 events and Council formed a consensus to bring the Ground Forces Army Band on Saturday, September 12, following the September Live After 5 event. Ms. Hunt explained the plans for the 100th Anniversary of the Pinehurst Harness Track which includes a kickoff event on February 20 at the Fair Barn, the April 12 Spring Matinee Races and Centennial Exhibit, and the November 30 Centennial Ceremony to celebrate the 100 years.

6. Review and consider a resolution to return donated assets.

John Frye, Financial Services Director, explained that in 2010 the Village received a donation of sixteen Scott Pak-Tracker air pack tracking devices and four Scott hand-held tracking receivers from Fire Fighter Support Services, a 501(c)3 charitable organization and this equipment is no longer needed. The grantor has requested the donated equipment be returned to their organization to be redistributed. Mr. Frye explained that Council would need to act on a resolution to authorize the re-conveyance as allowed under G.S. 153A-177. Upon a motion by Councilmember Cashion, seconded by Councilmember Campbell, Council unanimously approved Resolution 15-09 authorizing the Interim Village Manager to re-convey certain donated capital assets to the original grantor, Firefighter Support Services by a vote of 5-0. (A copy of this resolution can be found in the resolution book.)

7. Discuss and consider contracts for the citizen and business surveys.

John Frye, Financial Services Director, explained that the Village contracted with ETC Institute for the last three years to administer citizen and business surveys and the contract has expired. Mr. Frye explained that ETC has provided two contracts for each survey to be administered annually for another three year period. Due to the three-year financial commitment and cost, Council must authorize the execution of the agreements. Upon a motion by Councilmember Phillips, seconded by Councilmember Cashion, Council unanimously approved that the Mayor or her designee, be authorized to execute the three year contract with ETC Institute for the Village of Pinehurst citizen's survey at an annual cost of \$12,126 by a vote of 5-0. Upon a motion by Councilmember Phillips, seconded by Councilmember Strickland, Council unanimously approved that the Mayor or her designee, be authorized to execute the three year contract with ETC Institute for the Village of Pinehurst business survey at an annual cost of \$4,725 by a vote of 5-0.

8. Presentation of Quarterly Financial Statements for the Quarter Ended December 31, 2014.

John Frye, Financial Services Director, presented Council with the Quarterly Financial Statements ended December 31, 2014. Mr. Frye explained that the Village remains in very good financial position through the first half of the fiscal year and that revenues exceeded expenditure by a larger margin than anticipated in the forecast for the first two quarters. Mr. Frye discussed the financial position, revenues and expenditures, and the financial outlook.

9. Presentation of the mid-year financial projection and budget amendment.

John Frye, Financial Services Director, presented the mid-year financial projection. Mr. Frye estimated the Village's expenditures will exceed its revenues at year-end by approximately \$700,000. Mr. Frye predicted that fund balance will decrease by the close of this fiscal year leaving the ending fund balance for the General Fund at 39% of expenditures. Mr. Frye explained the need for Council to consider a budget amendment for mid-year adjustments. Upon a motion by Councilmember Cashion, seconded by Councilmember Phillips, Council unanimously approved Ordinance 15-02 amending the budget for the Village of Pinehurst for mid-year budget adjustments by a vote of 5-0. (A copy of the ordinance can be found in the Ordinance Book.)

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10. Consider a lot donation offer in Pinehurst No. 6 neighborhood.

Interim Manager, Jeff Batton, explained that he was contacted by the owner of a lot on Timuquana Trail in #6 asking if the Village would be interested in accepting the lot as a donation. Mr. Batton noted this is undesirable as a building lot but is of value to the Village as a storm water acceptance lot with a tax value of \$31,760 (pre-revaluation). Council discussed this opportunity and gave a consensus to proceed with the next steps for accepting this donation.

11. Review and approve the proposed FY 2016 BSC target performance levels.

Assistant Village Manager, Natalie Dean, explained several recommendations from the senior leadership team including amendments to four of the BSC KPIs and the recommended performance target levels for each KPI based on a review of the historical performance levels and benchmark communities' performance levels. After reviewing the target levels, Council held a discussion about these recommended changes. Upon a motion by Councilmember Strickland, seconded by Councilmember Cashion, Council unanimously approved the FY 2016 BSC target performance levels as presented by a vote of 5-0.

12. Discuss and consider an ordinance amending the Municipal Code Chapter 91: Animals.

Interim Manager, Jeff Batton, explained that the Pinehurst Municipal Code adopts by reference the Moore County Animal Control Ordinance and the Village also has several additional ordinances in the Municipal Code, one of which contradicts the County's ordinance. Mr. Batton suggested a wording change to clean up any current or future discrepancies between the two ordinances by indicating that the Village may adopt additional codes related to animal control and that the Village code supersedes the County's animal control ordinance in the event of any discrepancy between the two. Upon a motion by Councilmember Cashion, seconded by Councilmember Strickland, Council unanimously approved Ordinance 15-03 amending the Pinehurst Municipal Code Chapter 91 regarding Animals in the Village of Pinehurst by a vote of 5-0. (A copy of the ordinance can be found in the Ordinance Book.)

13. Discuss brick sidewalk proposal along a portion of Ritter Road.

Interim Manager, Jeff Batton, shared a proposal to add a brick sidewalk for Ritter Road from Carolina Vista to Highway 5. He noted that Pinehurst, LLC has been consulted and they are in favor of this project if Council would like to move forward. Mr. Batton noted this item has already been budgeted. Council held a discussion about this and the need to preserve the other sand clay paths around the Village. Council formed a consensus to complete the current brick walkway on Ritter Road from Carolina Vista to Highway 5.

14. Presentation of the Bicycle and Pedestrian Master Plan.

Mark Wagner, Parks and Recreation Director, introduced Mike Apke and Jim Ford with McGill Associates and Don Kostelec with Kostelec Planning who presented an initial draft of the Bicycle and Pedestrian Master Plans that the Steering Committee and consultants have been working on. Mr. Wagner noted that the NC DOT is also reviewing the bicycle plan due to their grant involvement and will be making changes. Once changes and suggestions are incorporated, the plan will come back to Council for a final version to consider for adoption perhaps in early April.

The team presented the NCDOT Bicycle Plan Grant and the VOP Pedestrian Plan project summaries, noted the steering committee members, and explained the efforts to gather input. The survey responses were summarized and shared with the Village Council. A preliminary map was shared for a potential pedestrian plan. Don Kostelec shared information and findings for the bicycle plan and golf cart traffic possibilities. Council thanked the team for their efforts and Mayor Fiorillo requested a hard copy of the presentation for Council to review.

15. Presentation of Public Services facility concept.

Interim Manager, Jeff Batton, shared a preliminary concept plan to enhance the current public services facility site. Mr. Batton noted LKC Engineering created this rendering free of charge to show enhanced parking and buffering, shifting of current buildings to more appropriate locations, a drive through fleet maintenance facility, and the possibility of a land swap with Moore County for a new recycling yard

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location. Mr. Batton noted the concept to create additional buffering around the site to make it more aesthetically pleasing. Mr. Batton asked for Council's guidance on how to proceed at this time. Council held a discussion about the preliminary concept plan and determined to bring this forward for additional discussion on the next steps and a timeline.

16. Other Business

- Councilmember Cashion noted he will print copies of the economic development incentive plan that Moore County recently adopted and share this with the other Councilmembers.

17. Comments from attendees.

- None.

18. 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, the Council will discuss the litigation between the Estate of Ronald H. Armstrong, plaintiff v. The Village of Pinehurst.

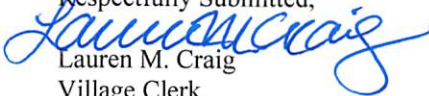
Upon a motion by Councilmember Strickland, seconded by Councilmember Phillips, Council unanimously approved to go into Closed Session pursuant to NCGS 143-318.11 (a) (3) to consult with the Village Attorney in order to preserve the attorney-client privilege between the Village Attorney and the Village Council. Specifically, the Council will discuss the litigation between the Estate of Ronald H. Armstrong, plaintiff v. The Village of Pinehurst by a vote of 5-0.

19. Motion to adjourn the Closed Session and re-enter the Regular Meeting.

Upon a motion by Councilmember Strickland, seconded by Councilmember Cashion, Council unanimously approved to adjourn the Closed Session and re-enter the Regular Meeting by a vote of 5-0.

20. Motion to Adjourn.

Councilmember Strickland moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Phillips and carried unanimously. The Regular Meeting adjourned at 7:10p.m.

Respectfully Submitted,

Lauren M. Craig
Village Clerk