



**VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF JANUARY 23, 2024
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM**

The Pinehurst Village Council held a Regular Meeting at 04:30 p.m., Tuesday, January 23, 2024, in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina.

The following were in attendance in Assembly Hall:

Mr. Patrick Pizzella, Mayor
Mr. Jeff Morgan, Councilmember
Ms. Barb Ficklin, Councilmember
Mr. John Taylor, Mayor Pro Tem
Mr. Jack Farrell, Councilmember
Mr. Jeff Sanborn, Village Manager
Ms. Shannon Konstantinou, Village Clerk
Mr. Paul Conners, IT Technician

And approximately 22 attendees, including 5 staff and 1 press.

1. Call to Order.

Mayor Pizzella called the Village Council meeting to order at 04:29 p.m.

2. Invocation by Rev. Hugh Tudor-Foley and Pledge of Allegiance by Holden Mathis.

3. Reports:

Village Manager

- Mr. Jeff Sanborn, Village Manager, reported on the January 18, 2024 Sandhills Metropolitan Planning Organization (SMPO) meeting and the February 08, 2024 SMPO Technical Coordinating Committee (TCC) meeting, and Council approval of the Balanced Scorecard allowing Senior Staff to start development of the Standard Operating Plan, which will get underway on January 24, 2024.

Village Council

- Mayor Pizzella reported on the January 18, 2024 Sandhills Metropolitan Planning Organization (SMPO) meeting noting the SMPO Regular Meeting schedule is the 3rd Thursday of each month at 10:00 a.m. in Assembly Hall, the fact that Pinehurst is the Lead Planning Agency for the SMPO, the January 23, 2024 TriCities Work Group meeting, and the January 22, 2024 Neighborhood Advisory Committee meeting.
- Councilmember Morgan reported on the January 24, 2024 Central Pines Regional Council meeting; the 2024 Parks and Recreation Spring Activity Guide being available; Fair Barn Coordinator, Holly Neal, completing the "Leading for Results" program at University of North Carolina - Charlotte; the March 16, 2024 St. Patrick's Day parade in Pinehurst; and the "Rock the Village" event that will be taking place through the 2024 US Open.
- Councilmember Ficklin reported on the January 22, 2024 Neighborhood Advisory Committee meeting.

- Mayor Pro Tem Taylor reported on the January 18, 2024 Moore County Board of Commissioners Land Use Plan meeting held at Pinecrest High School and on receiving positive feedback on the recent changes to the large traffic circle.
- Councilmember Farrell reported on the January 18, 2024 Sandhills Metropolitan Planning Organization meeting, the January 22, 2024 Neighborhood Advisory Committee meeting, and the January 23, 2024 TriCities Work Group meeting.

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 Village Council Meeting Minutes

- January 05, 2024 Special Meeting (Interviews Day 1)
- January 09, 2024 Special Meeting (Interviews Day 2)
- January 09, 2024 Regular Meeting
- January 09, 2024 Work Session
- January 09, 2024 Closed Session
- January 16, 2024 Special Meeting
- January 16, 2024 Closed Session

End of Consent Agenda.

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

5. Motion to Recess the Regular Meeting and Enter into Public Hearing No. 1.

Upon a motion by Mayor Pro Tem Taylor, seconded by Councilmember Morgan, Council unanimously approved recessing the Regular Meeting and entering into Public Hearing No. 1 by a vote of 5-0.

6. Public Hearing No. 1 - Rezoning Request for 32.14 Acres on Chicken Plant Road.

The purpose of the hearing is to consider an Official Zoning Map Amendment for approximately 32.14 acres of land located off Chicken Plant Road and addressed as 1020, 1030, and 1040 currently owned by Bass Design and Development, LLC. The property is further identified by Parcel ID #'s 00017089 and 00024540. This proposed map amendment would zone the property from the R-30-Conditional (Medium Density Residential) District to the R-210 (Low Density Residential and Light Agricultural) District. The applicant is Kenneth Bass.

Mr. Alex Cameron, Planning & Inspections Director, reviewed a PowerPoint presentation on the requested amendment of the Official Zoning Map and Council Action & Options.

Council, Mr. Sanborn, and Mr. Cameron discussed a Special Use Permit not being required for the uses listed that note there are Special Requirements to be met, the minimum acreage required per lot increasing from 1 acre to 5 acres, what uses would be allowed should the rezoning request be approved, and what development or uses are proposed for the land within the rezoning area.

Council spoke in favor of the Planning & Zoning Board's recommendation and the rezoning request.

Mayor Pizzella opened the Public Hearing for Public Comments.

Mr. Bruce Geddes, 232 Bowman Road, spoke in favor of the rezoning request.

Hearing no further comments, Mayor Pizzella asked Council to make a motion to close the Public Hearing.

7. Motion to Adjourn Public Hearing No. 1 and Re-Enter the Regular Meeting.

Upon a motion by Mayor Pro Tem Taylor, seconded by Councilmember Morgan, Council unanimously

approved adjourning Public Hearing No.1 and re-entering into the Regular Meeting by a vote of 5-0.

8. Discuss and Consider Ordinance 24-03 - Chicken Plant Road Zoning Map Amendment.

Mayor Pizzella asked Council if any further deliberations or discussions were needed. Hearing none, Mayor Pizzella asked for a motion.

Upon a motion by Councilmember Farrell, seconded by Councilmember Morgan, Council unanimously approved Ordinance 24-03 amending the Official Zoning Map for approximately 32.14 acres of land located off Chicken Plant Road currently owned by Bass Design and Development, LLC and further identified by Parcel ID #'s 00017089 and 00024540 from R-30 Conditional Residential District to R-210 Residential District, finding the amendment consistent with the 2019 Comprehensive Plan in that the rezoning will serve to protect the rural nature of our Extra-Territorial Jurisdiction and conserve the focus area denoted in that area by a vote of 5-0.

ORDINANCE #24-03:

AN ORDINANCE AMENDING THE OFFICIAL PINEHURST ZONING MAP AS IT PERTAINS TO THE REZONING OF APPROXIMATELY 32.14 ACRES LOCATED ALONG CHICKEN PLANT ROAD CONSISTING OF MOORE COUNTY PID # 00024540 AND PID # 00017089.

THAT WHEREAS, the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance and Map on the 8th day of October 2014 for the purpose of regulating planning and development in the Village of Pinehurst and the extraterritorial area over which it has jurisdiction; and

WHEREAS, said Ordinance and Map may be amended from time to time as circumstances and the best interests of the community have required; and

WHEREAS, a public hearing was held at 4:30 p.m. on January 23, 2024 in the Assembly Hall of the Pinehurst Village Hall, Pinehurst, North Carolina after due notice in the Pilot, a newspaper in Southern Pines, North Carolina, with general circulation in the Village of Pinehurst, and its extraterritorial jurisdiction, for the purpose of considering rezoning of approximately 32.14 acres located along Chicken Plant Road and further identified as Moore County PID # 00024540 and PID # 00017089, from R-30 CD – Medium Density Residential Conditional District to R-210 – Low Density Residential and Light Agricultural District, at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial jurisdiction were provided an opportunity to comment on the proposed rezoning; and

WHEREAS, the Planning and Zoning Board has recommended the zoning map be amended; and

WHEREAS, the Village Council, after considering all the facts and circumstances surrounding the proposed rezoning, have determined that it is in the best interests of the Village of Pinehurst and the extraterritorial jurisdiction that the Zoning Map be amended.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in a Regular Meeting assembled on this 23rd day of January 2024, as follows:

SECTION 1. The proposed rezoning is consistent with the recommended land use for the subject area as identified on the Conservation and Growth Map on page 62 of the 2019 Comprehensive Plan which identifies the area as "Suburban Neighborhood".

SECTION 2. The proposed rezoning is supported by the following Guiding Principles from the 2019 Comprehensive Plan:

- Guiding Principle 2: Balancing Conservation & Growth
- Guiding Principle 3: Places to Live

SECTION 3. The proposed rezoning is consistent with page 32 of the 2019 Comprehensive Plan which calls for the protection of natural resources (including open space, vegetation, wildlife, water, and viewsheds) and speaks to the quality of life within Pinehurst.

SECTION 4. That the Pinehurst Zoning Map of the Village of Pinehurst and its extraterritorial zoning jurisdiction hereby is amended by rezoning of approximately 32.14 acres located along Chicken Plant Road and further identified as Moore County PID # 00024540 and PID # 00017089, from R-30 CD – Medium Density Residential Conditional District to R-210 – Low Density Residential and Light Agricultural District by the Village of Pinehurst effective January 23, 2024.

SECTION 5. The area zoning map as attached hereto as Exhibit A.

SECTION 6. This Ordinance shall be and remain in full force and effect from and after January 23, 2024.

Adopted this 23rd day of January 2024.

9. Motion to Recess the Regular Meeting and Enter into Public Hearing No. 2.

Upon a motion by Councilmember Ficklin, seconded by Councilmember Morgan, Council unanimously approved recessing the Regular Meeting and entering into Public Hearing No. 2 by a vote of 5-0.

10. Public Hearing No. 2 - Petition for Voluntary Annexation (Pinehurst South Cottages).

The purpose of this public hearing is to consider a voluntary annexation petition for + 14.263 acres of land located in the Village's extra territorial jurisdiction (ETJ) east of NC Highway 5 fronting on Blake Boulevard and Olivia Lane currently owned by D.R. Horton, Inc. and further identified by Moore County Parcel ID Numbers 00046287 and 20200387.

Mr. Alex Cameron, Planning & Inspections Director, reviewed a PowerPoint presentation on the requested Voluntary Annexation and Council Review & Action.

Council, Mr. Sanborn, and Mr. Cameron discussed the type of road surface existing on Olivia Lane, the lot size requirements for R-5 zoning districts, the density of the Pinehurst South Cottages development lots, the approval process for any proposed development, the boundary of the Pinehurst South Cottages development and the proposed annexation area, Olivia Lane not being included in the proposed annexation area, the question of jurisdiction / ownership of Olivia Lane, and the next steps for the Pinehurst South Cottages development should Council approve or deny the annexation.

Mayor Pizzella opened the Public Hearing for Public Comments. Hearing none, Mayor Pizzella asked for a motion to adjourn Public Hearing No. 2.

11. Motion to Adjourn Public Hearing No. 2 and Re-Enter the Regular Meeting.

Upon a motion by Councilmember Morgan, seconded by Mayor Pro Tem Taylor, Council unanimously approved adjourning Public Hearing No.2 and re-entering into the Regular Meeting by a vote of 5-0.

12. Discuss and Consider Ordinance 24-01 - Voluntary Petition for Annexation - Pinehurst South Cottages.

Mayor Pizzella asked Council if any further deliberations or discussions were needed. Hearing none, Mayor Pizzella asked for a motion.

Upon a motion by Councilmember Morgan, seconded by Councilmember Farrell, Council unanimously approved Ordinance 24-01 a petition for voluntary annexation of approximately 14.263 acres of land located in the Village's Extra-Territorial Jurisdiction east of NC Highway 5 along Blake Boulevard and Olivia Lane currently owned by D.R. Horton, Inc. and further identified by Parcel ID #'s 00046287 and 20200387 with said land hereby being annexed and made part of the Village of Pinehurst as of June 30, 2024 by a vote of 5-0.

ORDINANCE #24-01:

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE VILLAGE OF PINEHURST, NORTH CAROLINA (OLIVIA LN. – SOUTH PINEHURST COTTAGES).

WHEREAS, the Village Council of the Village of Pinehurst has received a voluntary petition for annexation under G.S. 160A-31 and G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Village Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Pinehurst Village Hall, 395 Magnolia Road at 4:30 p.m. on January 23, 2024 after due notice; and

WHEREAS, the Village Council finds that the petition meets the requirements of G.S. 160A-31 and G.S. 160A-58.1, with both parcels being contiguous to its boundaries.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 23rd day of January 2024 as follows:

SECTION 1. By virtue of the authority granted by G.S. 160A-31 and G.S. 160A-58.1, the following described contiguous properties owned by D. R. Horton, Inc. are hereby annexed and made part of the Village of Pinehurst as of June 30, 2024:

OLIVIA LANE (SOUTH PINEHURST COTTAGES) PARCELS

THE LAND TO BE ANNEXED INTO THE VILLAGE OF PINEHURST AS DESCRIBED IN THE FOLLOWING:

BEING ALL OF THE 12.936 ACRES OF THE COTTAGES AT LEGACY LAKES, LLC TRACT LOCATED IN PINEHURST, SANDHILLS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA DESCRIBED IN DEED BOOK 5271 PAGE 173 RECORDED IN THE MOORE COUNTY REGISTRY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1.25" IRON PIPE IN THE NORTHERN MARGIN OF OLIVIA LANE (PRIVATE 40 FOOT RIGHT-OF-WAY), SAID PIPE BEING FURTHER LOCATED S79°33'41"W A DISTANCE OF 199.82 FEET FROM A 0.5" IRON ROD IN SAID MARGIN AND BEING COMMON TO THE MARGUERITE W. INGRAM TRACT (DEED BOOK 1602 PAGE 494); THENCE FROM THE BEGINNING, LEAVING SAID MARGIN, AND WITH THE EASTERN LINE OF THE RANDY THOMAS TRACT (DEED BOOK 586 PAGE 35) N03°58'53"W A DISTANCE OF 593.30 FEET TO A CONCRETE MONUMENT COMMON TO THE LISA M. MAHALEY TRACT (DEED BOOK 2014E PAGE 886); THENCE WITH THE SOUTHEASTERN LINE OF THE LISA M. MAHALEY TRACT DESCRIBED ABOVE N44°50'29"E A DISTANCE OF 705.06 FEET TO A CONCRETE MONUMENT COMMON TO THE COTTAGES AT LEGACY LAKES, LLC TRACT (DEED BOOK 5346 PAGE 564), SAID MONUMENT BEING FURTHER LOCATED S07°33'08"E A DISTANCE OF 318.84 FEET FROM A 0.5" IRON ROD IN THE SOUTHERN MARGIN OF BLAKE BOULEVARD (PUBLIC 60 FOOT RIGHT-OF-WAY); THENCE WITH THE SOUTHERN LINE OF THE COTTAGES AT LEGACY LAKES, LLC TRACT DESCRIBED ABOVE S73°11'29"E A DISTANCE OF 91.97 FEET TO A CONCRETE MONUMENT COMMON TO THE PINEHURST NURSING CENTER, INC. TRACT (DEED BOOK 769 PAGE 125); THENCE WITH THE SOUTHERN LINE OF THE PINEHURST NURSING CENTER, INC. TRACT DESCRIBED ABOVE S73°17'43"E A DISTANCE OF 406.63 FEET TO A 1" IRON PIPE COMMON TO THE JAMES P. ROGERS TRUSTEE ET AL TRACT (DEED BOOK 5235 PAGE 254); THENCE WITH THE JAMES P. ROGERS TRUSTEE ET AL TRACT S42°44'41"W A DISTANCE OF 709.89 FEET TO A CONCRETE MONUMENT; THENCE S88°23'19"E A DISTANCE OF 230.08 FEET TO A CONCRETE MONUMENT; THENCE S42°20'58"E A DISTANCE OF 106.01 FEET TO A 0.5" IRON ROD COMMON TO THE BENJAMIN M. BETHEA ET AL TRACT (DEED BOOK 1950 PAGE 493), SAID ROD BEING FURTHER LOCATED N42°23'40"W A DISTANCE OF 235.71 FEET FROM A

CONCRETE MONUMENT IN THE NORTHERN MARGIN OF OLIVIA LANE; THENCE WITH THE BENJAMIN M. BETHEA ET AL TRACT DESCRIBED ABOVE S79°31'59"W A DISTANCE OF 155.41 FEET TO A 3" IRON PIPE; THENCE S10°26'28"E A DISTANCE OF 199.99 FEET TO A 0.5" IRON ROD IN THE NORTHERN MARGIN OF OLIVIA LANE; THENCE ALONG SAID MARGIN S79°33'41"W A DISTANCE OF 246.91 FEET TO A 0.5" IRON ROD COMMON THE MARGUERITE W. INGRAM TRACT (DEED BOOK 1602 PAGE 494); THENCE LEAVING SAID MARGIN AND WITH THE MARGUERITE W. INGRAM TRACT DESCRIBED ABOVE N10°30'46"W A DISTANCE OF 217.76 FEET TO A 0.75" IRON ROD; THENCE S79°34'47"W A DISTANCE OF 200.00 FEET TO A 0.75" IRON ROD; THENCE S10°23'16"E A DISTANCE OF 217.83 FEET TO A 0.5" IRON ROD IN THE NORTHERN MARGIN OF OLIVIA LANE; THENCE ALONG SAID MARGIN S79°33'41"W A DISTANCE OF 199.82 FEET TO THE POINT OF BEGINNING AND HAVING AN AREA OF 12.936 ACRES.

BEING ALL OF THE 1.327 ACRES OF THE COTTAGES AT LEGACY LAKES, LLC TRACT LOCATED IN PINEHURST, SANDHILLS TOWNSHIP, MOORE COUNTY, NORTH CAROLINA DESCRIBED IN DEED BOOK 5346 PAGE 564 RECORDED IN THE MOORE COUNTY REGISTRY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT, SAID BEGINNING BEING THE MOST NORTHWEST CORNER OF THE COTTAGES AT LEGACY LAKES, LLC TRACT (DEED BOOK 5346 PAGE 564) AND BEING FURTHER LOCATED S07°33'08"E A DISTANCE OF 318.84 FEET FROM A 0.5" IRON ROD IN THE SOUTHERN MARGIN OF BLAKE BOULEVARD (PUBLIC 60 FOOT RIGHT-OF-WAY); THENCE FROM THE BEGINNING AND WITH THE NORTHERN LINE OF THE COTTAGES AT LEGACY LAKES, LLC TRACT DESCRIBED ABOVE S73°11'29"E A DISTANCE OF 91.97 FEET TO A CONCRETE MONUMENT COMMON TO THE PINEHURST NURSING CENTER, INC. TRACT (DEED BOOK 769 PAGE 125); THENCE WITH THE PINEHURST NURSING CENTER, INC. TRACT DESCRIBED ABOVE N20°28'07"E A DISTANCE OF 367.89 FEET TO A 0.5" IRON ROD; THENCE S89°33'15"W A DISTANCE OF 150.50 FEET TO A POINT IN THE SOUTHERN MARGIN OF BLAKE BOULEVARD; THENCE ALONG SAID MARGIN S89°33'43"W A DISTANCE OF 108.10 FEET TO A 0.5" IRON ROD COMMON TO THE LISA M. MAHALEY TRACT (DEED BOOK 2014E PAGE 886); THENCE WITH THE EASTERN LINE OF THE LISA M. MAHALEY TRACT DESCRIBED ABOVE S07°33'08"E A DISTANCE OF 318.84 FEET TO THE BEGINNING AND HAVING AN AREA OF 1.327 ACRES.

SECTION 2. Upon and after June 30, 2024 the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Village of Pinehurst and shall be entitled to the same privileges and benefits as other parts of the Village of Pinehurst. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION 3. The Mayor of the Village of Pinehurst shall cause to be recorded in the office of the Register of Deeds of Moore County, and in the office of the Secretary State at Raleigh, North Carolina, an accurate map of the annexed territory attached to the ordinance as Attachment #1, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

THIS ORDINANCE passed and adopted this 23rd day of January 2024.

13. Resolution 24-06 Amending the Purchasing Policy & Procedures with Federal Funds.

Ms. Dana Van Nostrand, Finance Director, reviewed information on the requested amendment to the Purchasing Policy & Procedures with Federal Funds Finance Policy of the Village of Pinehurst.

Council, Mr. Sanborn, and Ms. Van Nostrand discussed the Micro-purchase Threshold, the size of the budget for the SMPO, the Village of Pinehurst's contribution to the SMPO budget, whether purchases in excess of the numbers presented will be possible for the SMPO in the future, and the process for approving SMPO contracts.

Upon a motion by Councilmember Morgan, seconded by Mayor Pro Tem Taylor, Council unanimously approved Resolution 24-06 amending the Purchasing Policy and Procedures with Federal Funds Financial Policy of the Village of Pinehurst by a vote of 5-0.

RESOLUTION #24-06:

A RESOLUTION AMENDING A FINANCIAL POLICY OF THE VILLAGE OF PINEHURST (PURCHASING POLICY & PROCEDURES WITH FEDERAL FUNDS).

THAT WHEREAS, Chapter 160A, Article 7 of the General Statutes of North Carolina outlines the powers and duties of the Village Manager and the Village Council; and

WHEREAS, the Village Council has deemed it necessary and in the best interests of its employees and citizens to formulate and revise administrative policies; and

WHEREAS, the Village Council by Resolution #10-03 established that “All financial policies of the Village shall be approved by the Village Council”; and

WHEREAS, as the operational needs of the Village change, the Village Council has, from time to time, adopted and amended previously adopted financial policies for the Village of Pinehurst;

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 January, 2024, as follows:

SECTION 1. The amended Purchasing Policy & Procedures with Federal Funds recommended by the Village’s Financial Services Director which has been reviewed by the Village Manager, is hereby amended and approved by the Village Council.

SECTION 2. The Financial Services Director is instructed to inform all employees of the updated policy in a timely manner.

SECTION 3. This resolution shall be and the same is hereby effective from and after the date of its adoption.

THIS ORDINANCE passed and adopted this 23rd day of January 2024.

14. Other Business.

None.

15. Comments from Attendees.

None.

16. Motion to Adjourn.

Upon a motion by Councilmember Morgan, seconded by Mayor Pro Tem Taylor, Council unanimously approved to adjourn the regular meeting by a vote of 5-0 at 05:36 p.m.

Respectfully Submitted,



Shannon Konstantinou
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

