# VILLAGE COUNCIL
# AGENDA FOR REGULAR MEETING OF JANUARY 13, 2015
# ASSEMBLY HALL
# 395 MANGOLIA ROAD
# PINEHURST, NORTH CAROLINA
# 4:30 PM

1. Call to Order.

2. Presentation of resolutions honoring Caroline Miller for service on the Village Center Enhancement Committee, Peter Helgesen on the Community Appearance Commission, and Byrd Gwinn for service on the Planning and Zoning and Board of Adjustment.

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. Consider a resolution to update bank representatives.

   End of Consent Agenda.

5. Consider a resolution for the naming of the Wicker Park tennis courts.

6. Discussion and action on the Deer Management Task Force report.

7. Motion to Recess Regular Meeting and Enter Into a Public Hearing.

8. Public Hearing No. 1

   To consider an exception to the fence regulations in accordance with Section 9.13 (8) of the Pinehurst Development Ordinance for the property addressed as 100 Rattlesnake Trail.

9. Motion to Adjourn the Public Hearing and Re-Enter the Regular Meeting.

10. Interview and consider a resolution appointing a member to the Historic Preservation Commission (Davis).

11. Presentation from the Community Appearance Commission for updated proposal of Village-owned property across from Village Hall.

12. Review and discuss the Community Road streetscape concept plan.

13. Consider proposed downtown street lamp expansion.

14. Consider a resolution for changing the speed limit on a portion of Linden Road.

15. Consider change order for the Phase III Jackson Hamlet CDBG Project.

16. Consider a resolution designating the new location of Marshall Park.

17. Consider a resolution formally establishing the Risk Management Committee.

18. Consider the purchase of service revolver for retiring police officer.

19. Other Business.

20. Comments from Attendees.

21. 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.

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

23. Motion to Adjourn.

*History, Charm, & Southern Hospitality.*

## Vision

The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions, enhanced by a unique combination of cultural arts and recreational activities.

## Mission

Preserve and enhance the community's character and ambience by guiding growth, managing change, and providing services in a financially responsible manner.

## Values

Competent
Courteous
Professional
Responsive

# CONSIDER A RESOLUTION TO UPDATE BANK REPRESENTATIVES.

## ADDITIONAL AGENDA DETAILS:

**FROM:**
John Frye

**CC:**
Jeff Batton & Natalie Dean

**DATE OF MEMO:**
1/6/2015

**MEMO DETAILS:**
With the retirement of Andy Wilkison and the naming of Jeff Batton as the Interim Village Manager, we need to update the authorized signers for our bank account. Attached is a resolution updating the authorized signers and related documents to make these changes.

If you have any questions, please let me know.

**ATTACHMENTS:**

Description

- Resolution 15-05 Amend Depository Representatives
- PNC Master Resolution
- PNC Master Resolution-Cont. Part C
- PNC Signature Card

**RESOLUTION #15-05:**

**A RESOLUTION AUTHORIZING REPRESENTATIVES FOR THE VILLAGE OF PINEHURST OFFICIAL DEPOSITORY**

**THAT WHEREAS,** the Local Government Budget and Fiscal Control Act (G.S. 159-31) indicates that the governing board must designate an official depository; and

**WHEREAS,** Resolution #04-10 designated RBC Bank, now PNC Bank, as the official depository for the Village of Pinehurst; and

**WHEREAS,** PNC Bank requires the Village to complete a "Master Resolution and Authorization for Depository Accounts and Treasury Management Services" form to initiate banking services, and

**WHEREAS,** changes in personnel and responsibilities have made it necessary to amend the list of authorized representatives for banking services;

**NOW, THEREFORE, BE IT RESOLVED** by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 13th day of January 2015 as follows:

**SECTION 1.** That the attached "Master Resolution and Authorization for Depository Accounts and Treasury Management Services" is hereby adopted, said resolution and agreement attached hereto as (Exhibit A) and made a part hereof, the same as if included verbatim.

**SECTION 2.** That when the "Master Resolution and Authorization for Depository Accounts and Treasury Management Services" is signed and sealed it shall supersede all previous resolutions and agreements for the services enumerated herein.

**THIS RESOLUTION** passed and adopted this 13th day of January 2015.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

_____
Lauren M. Craig, Village Clerk

Approved as to Form:

_____
Michael J. Newman, Village Attorney

DRAFT

# Master Resolution and Authorization for Depository Accounts and Treasury Management Services

The undersigned certifies as follows to PNC Bank, National Association and to PNC Bank Canada Branch[1], if the undersigned has accounts there (collectively, the "Bank")

**1.** **Name of Client:** VILLAGE OF PINEHURST ("Client")

**2.** **Type of Organization:** (check one)

☐ **Corporation.** The Client is a corporation organized under the laws of the _____ of _____, and the undersigned Secretary of the Client certifies that the following is a true copy of resolutions adopted by the Board of Directors of the Client pursuant to a notice and the articles of incorporation and regulations or by-laws of the Client and at which a quorum was present, or adopted without a meeting by the written approval of the directors of the Client.

☐ **Partnership.** The Client is a partnership and the undersigned general partners of such partnership certify that the following is a resolution adopted by all of the general partners of such partnership.

☐ **Unincorporated Association.** The Client is an unincorporated association and the undersigned Secretary of the Client certifies that the following is a true copy of resolutions adopted by the Members, Trustees, Executive Committee, Board of Directors, etc. of the Client pursuant to, and in compliance with, its organizational documents.

☐ **Limited Liability Company.** The Client is a limited liability company organized under the laws of the _____ of _____ and the undersigned members charged with managing the business affairs of the Client certify that the following is a resolution adopted by all members of such limited liability company.

☐ **Sole Proprietorship.** The Client is a sole proprietorship doing business under the name _____ and authorizes the following.

☒ **Other.** Public Finance .

**3.** **Resolutions**:

**A. Authorization of Depository.** Resolved, that the Bank is hereby designated a depository of the Client and is hereby authorized to accept monies, wire and other electronic fund transfers, checks, drafts, notes, acceptances or other evidences of indebtedness for deposit, or for collection by the Bank and deposit upon receipt of payment therefore by the Bank, (including deposits and collections of payments in such foreign currencies as the Bank may accept from time to time), to the credit of the Client in such account or accounts as the Client may have with the Bank, without the endorsement of the Client appearing thereon, and Client promises to pay the Bank for any Items that are returned for lack of endorsement. The persons so indicated on Part C of the Attachments are authorized to open or close deposit accounts with the Bank and to instruct the Bank as to the disposition of funds in any account to be closed, all by written instruction to the Bank signed by any one of such persons. The depository accounts to which these resolutions and authorizations apply include existing depository accounts of the Client, as listed on Part D of the Attachments, and all future depository accounts opened by the Client with the Bank pursuant to this Section 3A, and may include accounts denominated in one or more foreign currencies offered by the Bank from time to time.

**B. Authorization to Sign Checks and Other Instruments and Withdrawal Orders and to Designate Other Persons Who Have Such Authority.** Resolved, that any one of the persons so indicated on Part C of the Attachments is authorized to sign, execute, deliver and negotiate checks, drafts, bills of exchange, acceptances and other instruments or withdrawal orders from or drawn on the depository accounts of the Client with the Bank ("Items") and to designate other persons who are authorized to sign, execute, deliver and negotiate Items. The signatures of all authorized signers must appear on the account signature card for the applicable account. As confirmation of the authority of such persons, the account signature card shall be executed by an authorized person so indicated on Part C of the Attachments.

**Authorization for Use of Facsimile Signature.** If the Facsimile Signature section is completed on Part C of the Attachments, it authorizes the use of facsimile signatures in accordance with this Section 3B. Such facsimile signatures must be provided on account signature cards properly executed in accordance with these Resolutions.

[1] PNC Bank Canada Branch is a branch of PNC Bank, N.A.



15-000615 1249867 332 9123

Resolved, that if so indicated on Part C of the Attachments, the Bank is hereby requested, authorized and directed to honor any and all Items when bearing the facsimile signature made by machine or other mechanical device, or rubber stamp of any person whose facsimile signatures appear on signature cards given by Client to the Bank from time to time and executed in accordance with these Resolutions. The Client assumes full responsibility for all payments made by the Bank in good faith reliance upon such facsimile signature(s) of such person or persons and the Bank shall be entitled to pay and charge to the account of the Client any and all such Items, regardless of by whom or by what means such facsimile signature(s) thereon may have been affixed thereto.

The Bank is authorized to make payments from the funds of the Client on deposit with the Bank, upon and according to such Items and other written instructions, whether given by manual or facsimile signature, in each case regardless of whether payment is requested to be made to the order of or for the benefit of, or whether payment is to be deposited to the individual credit of or tendered in payment of the obligation to the Bank of, the person making the withdrawal or transfer or any person listed in Part C of the Attachments.

**C. Authorization to Obtain Treasury Management Services and to Designate Other Persons Who Have Such Authority.** Resolved, that any one of the persons so indicated in Part C of the Attachments is authorized from time to time (1) to obtain for the Client from the Bank such treasury management services as he or she so elects in his or her sole discretion including, without limitation, services for the initiation or origination of transfers or withdrawals of funds from the accounts of Client with the Bank, either in United States dollars or in such foreign currencies as Bank may make available from time to time; (2) to accept, execute and/or deliver such agreements, instruments and documents as may be required by the Bank in its sole discretion in connection with the furnishing of such services or transactions; and (3) to designate, in writing, other persons who are authorized to obtain for the Client such treasury management services or to enter into such transactions or to give instructions to the Bank with respect to such services or transactions and to accept, execute and/or deliver such agreements, instruments and documents, all without further action by the Client.

**D. Authorization to Conduct Foreign Exchange Transactions and to Designate Other Persons Who Have Such Authority. {NOTE: This authorization is applicable to PNC Bank, National Association, only, and is not applicable to PNC Bank Canada Branch.}** Resolved, that any one of the persons so indicated on Part C of the Attachments is also authorized from time to time (1) obtain for the Client from the Bank services and products related to foreign exchange transactions (including spots, forwards, options and swaps or any other similar transaction) (2) to execute to and in favor of the Bank any and all agreements or documents, including amendments or modifications thereto, in connection with such foreign exchange transactions (3) to designate, in writing, any other person or persons to do any and all things which such person so indicated on Part C of the Attachments is authorized to do with respect to such foreign exchange transactions (4) to designate, in writing (in substantially the form attached hereto as Part E of the Attachments, or such other form acceptable to the Bank), those persons who are authorized to execute and/or confirm such transactions on behalf of the Client.

**E. Authorization to Make Changes**. Resolved, that any one of the persons so indicated on Part C of the Attachments is also authorized to (i) add or remove Subsidiaries from Part A of the Attachments; (ii) add or remove division names, trade names or Federal Tax Identification Numbers from Part B of the Attachments; (iii) add or remove persons authorized to act hereunder from Part C of the Attachments; and (iv) change the scope of the authority granted in Part C of the Attachments to any person authorized to act hereunder; in each case as evidenced by written instructions executed by such authorized person and delivered to the Bank.

**F. Requests Made by Facsimile or Other Means.** Resolved, that the Bank is authorized, in its sole discretion, to take any action authorized hereunder based upon: (i) the telephone request of any person purporting to be a person authorized to act hereunder, (ii) the signature of any person authorized to act hereunder that is delivered to the Bank by facsimile transmission, (iii) electronic mail that Bank reasonably believes is from any person authorized to act hereunder or (iv) the telex which the Bank reasonably believes is originated by any of such persons, tested in accordance with such testing procedures as may be established between the Client and the Bank from time to time.

**G. Authorization for Subsidiaries, Divisions and Trade Names.** Resolved, as to each entity (other than the Client) listed in Part A of the Attachments, all of which are direct or indirect subsidiaries of the Client and whose activities are controlled by Client and 51% or more of whose voting stock is owned directly or indirectly by the Client or whose interests are owned 51% percent or more by the Client in the case of non-stock subsidiaries (each a "Subsidiary") that (i) the Client hereby (a) adopts all of the preceding and following resolutions on behalf of each Subsidiary, and (b) instructs each Subsidiary to cause these resolutions to be filed with its corporate records, and to adopt all of these resolutions on behalf of Subsidiaries all of whose voting interests are owned by each Subsidiary, and (ii) these resolutions apply not only to the Client and each Subsidiary, but also to any bank accounts established with the Bank by, or other treasury management services provided by the Bank to, the Client or each Subsidiary acting under the division name, trade names or other Federal Tax Identification numbers (if any) that are listed in Part B of the Attachments, all as fully as if each Subsidiary, division name or trade name were listed in these resolutions in each instance where the word "Client" appears.

**H. General**. Resolved, that a certified copy of these resolutions be delivered to the Bank and that they and the authority vested in the persons specified herein will remain in full force and effect until a certified copy of a resolution of the Client revoking or modifying these resolutions and such authority has been filed with the Bank and the Bank has had a reasonable time to act on it. These resolutions supersede any prior resolution of Client provided to the Bank.

# Master Resolution and Authorization for Depository Accounts and Treasury Management Services

**4. Incumbency and Specimen Signatures:** Each of the persons listed in Part C of the Attachments holds the office, title or status with the Client and/or its Subsidiaries specified therein and the actual signature of each such person appears on Part C of the Attachments.

**5. Organizational Documents:** Copies of any organizational or other documents, including but not limited to the articles or certificate of incorporation, the by-laws or regulations, or other organizational documents of the Client or applicable Subsidiary, that the Client or any such Subsidiary may deliver to the Bank at the Bank's request with these Resolutions or from time to time, shall be, and the Bank shall be entitled to rely on such copies as, true, complete and correct copies thereof with all amendments thereto as in effect on the date of such delivery.

**6. Additional Certifications of Secretary:** These Master Resolutions and Authorizations now stand of record on the books of the Client, are in full force and effect and have not been modified or revoked in any manner whatsoever. Nothing in the foregoing resolutions violates the articles or certificate of incorporation, the by-laws or regulations, or other organizational documents of the Client or applicable Subsidiary. The undersigned has taken all actions and made such notification as are required under section 3F above with respect to each Subsidiary.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the undersigned have hereunto set their hands and seals this _____ day of _____, _____.

| **Note:**<br>For Partnerships, all general partners must sign unless the partnership agreement outlines other signing authorities.<br><br>For Limited Liability Companies, all members must sign unless the operating agreement identifies one or more managers, in which case the managers must sign.<br><br>For Corporations and Unincorporated Associations: the Corporate or Association Secretary, as attesting officer, and one authorized officer other than the attesting officer must sign. | AFFIX SEAL, if applicable to your state |
|---|---|

| | |
|---|---|
| _____<br>Signature | _____<br>Signature |
| _____<br>Title | _____<br>Title |
| | SIGN HERE |
| _____<br>Signature | _____<br>Signature |
| _____<br>Title | _____<br>Title |
| _____<br>Signature | _____<br>Signature |
| _____<br>Title | _____<br>Title |

# ATTACHMENTS

**PART A – SUBSIDIARIES TO WHICH RESOLUTIONS AND AUTHORIZATIONS APPLY**

| Name of Subsidiary | Chief Executive Office Address | State of Formation | Taxpayer ID/CA Number |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |

**PART B - DIVISIONS AND TRADE NAMES TO WHICH RESOLUTIONS AND AUTHORIZATIONS APPLY**

| Name | Indicate if Division or Trade Name | Related Subsidiary from Part A | Taxpayer ID/CA Number |
|---|---|---|---|
| 1. | | | |
| 2. | | | |
| 3. | | | |
| 4. | | | |
| 5. | | | |
| 6. | | | |
| 7. | | | |
| 8. | | | |

# Master Resolution and Authorization for Depository Accounts and Treasury Management Services

**PNC Bank, National Association**

## PART C – AUTHORIZATION FOR USE OF FACSIMILE SIGNATURES AND PERSONS AUTHORIZED TO ACT

***AUTHORIZATION FOR USE OF FACSIMILE SIGNATURE***

***If this box ☐ is checked, it authorizes the use of facsimile signatures in accordance with Section 3B. Such facsimile signatures must be provided on account signature cards properly executed in accordance with these Resolutions.***

***If this box ☒ is checked, additional names of Persons Authorized to Act are set forth on the accompanying Continuation of Part C.***

**PERSONS AUTHORIZED TO ACT- Check box(es) to grant authorities to individuals.**

| NAME [1] | TITLE | AUTHORIZATION TO OPEN AND CLOSE ACCOUNTS ? (3A) | AUTHORIZATION TO SIGN CHECKS AND OTHER INSTRUMENTS AND WITHDRAWAL ORDERS AND TO DELEGATE SUCH AUTHORITY TO OTHERS ? (3B) [2] | AUTHORIZATION TO OBTAIN TREASURY MANAGEMENT SERVICES AND DELEGATE SUCH AUTHORITY TO OTHERS ? (3C) | AUTHORITY FOR FOREIGN EXCHANGE TRANSACTIONS AND TO DELEGATE SUCH AUTHORITY TO OTHERS (3D) | AUTHORIZATION TO MAKE CHANGES TO ATTACHMENTS ? (3E) SIGN HERE |
|---|---|---|---|---|---|---|
| 1. Print Name<br>Nancy Roy Fiorillo | Mayor | ☐ | ☐ | ☐ | ☐ | ☐ |
| *Signature* | | | | | | |
| 2. Print Name<br>John C. Strickland | Treasurer | ☐ | ☐ | ☐ | ☐ | ☐ |
| *Signature* | | | | | | |
| 3.Print Name<br>Jeff Batton | Interim Village Manager | ☐ | ☐ | ☐ | ☐ | ☐ |
| *Signature* | | | | | | |
| 4. Print Name<br>Natalie Dean | Assistant Village Manager | ☐ | ☐ | ☐ | ☐ | ☐ |
| *Signature* | | | | | | |

Instructions:
1. For Limited Liability Companies please list all members or designated manager(s).
2. If person granted authority under 3B will be signing checks, this person should also sign the signature card(s) for all appropriate accounts.

## PART D - BANK ACCOUNTS TO WHICH RESOLUTIONS AND AUTHORIZATIONS APPLY

| Account Number | Account Title | Taxpayer ID/CA Business Number |
|---|---|---|
| 1. 5324792991 | Village of Pinehurst | 56-1211319 |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |
| 9. | | |
| 10. | | |
| 11. | | |
| 12. | | |
| 13. | | |
| 14. | | |

## PART E – TRADE AND CONFIRMATION AUTHORIZATION LETTER FOR FOREIGN EXCHANGE TRANSACTIONS {NOTE: THIS PART E IS APPLICABLE TO PNC BANK, NATIONAL ASSOCIATION, ONLY, AND IS NOT APPLICABLE TO PNC BANK CANADA BRANCH.}

The undersigned (the "Designator"), a duly authorized representative of Client who is authorized to execute this authorization letter on behalf of Client, certifies as follows to PNC Bank, National Association ("Bank"):

The Designator, acting pursuant to the authority delegated to him/her by the Client resolutions delivered to the Bank (the "Resolutions") authorizing the Designator to delegate to any other person or persons the authority to execute and/or confirm on behalf of Client, foreign exchange transactions, does hereby establish and confirm the authority of each of the person(s) whose names are set forth below to execute on behalf of Client foreign exchange transactions described in the Resolutions, and/or confirm on behalf of Client such executed foreign exchange transactions as such authority is set forth below.

Each person below has complete authority at all times to bind Client to the performance of any such transactions. Bank may rely on the authority vested in these individuals until the close of business on the second business day after Bank receives written notice from Client of any changes in such authority at its offices at the following address: PNC Bank, National Association, PNC Investment Operations, 116 Allegheny Center Mall, Pittsburgh, PA 15212 Attention: Derivative Operations, or any other address which has been provided by Bank to Client for such purpose.

Consent for E-mail Delivery: By signing below, the Designator acknowledges that Client has consented to receive confirmations for foreign exchange transactions via electronic mail.

**PERSONS AUTHORIZED TO ACT- Check applicable boxes to grant authorities to individuals.**

| PRINTED NAME, EMAIL AND TELEPHONE OF AUTHORIZED INDIVIDUAL | Authorized to EXECUTE | Authorized to CONFIRM | Authorized to EXECUTE AND CONFIRM the same transaction (Single person authorization) |
|---|---|---|---|
| Name:<br>Email:<br>Telephone: | ☐ | ☐ | ☐ Yes ☐ No |
| Name:<br>Email:<br>Telephone: | ☐ | ☐ | ☐ Yes ☐ No |
| Name:<br>Email:<br>Telephone: | ☐ | ☐ | ☐ Yes ☐ No |
| Name:<br>Email:<br>Telephone: | ☐ | ☐ | ☐ Yes ☐ No |

# Master Resolution and Authorization for Depository Accounts and Treasury Management Services

| PRINTED NAME, EMAIL AND TELEPHONE OF AUTHORIZED INDIVIDUAL | Authorized to EXECUTE | Authorized to CONFIRM | Authorized to EXECUTE AND CONFIRM the same transaction (Single person authorization) |
|---|---|---|---|
| Name:<br>Email:<br>Telephone: | ☐ | ☐ | ☐ Yes ☐ No |
| Name:<br>Email:<br>Telephone: | ☐ | ☐ | ☐ Yes ☐ No |
| Name:<br>Email:<br>Telephone: | ☐ | ☐ | ☐ Yes ☐ No |
| Name:<br>Email:<br>Telephone: | ☐ | ☐ | ☐ Yes ☐ No |
| Name:<br>Email:<br>Telephone: | ☐ | ☐ | ☐ Yes ☐ No |
| Name:<br>Email:<br>Telephone: | ☐ | ☐ | ☐ Yes ☐ No |

For Client: VILLAGE OF PINEHURST

By: _____

Name: _____

Title: _____

**Authorized Representative per Section 3D of the Master Resolution**

# Master Resolution and Authorization for Depository Accounts and Treasury Management Services

**PNC Bank, National Association**

**CONTINUATION OF PART C – PERSONS AUTHORIZED TO ACT – Check box(es) to grant authorities to individuals**

**CLIENT NAME: Village of Pinehurst**

| NAME[1] | TITLE | AUTHORIZATION TO OPEN AND CLOSE ACCOUNTS? (3A) | AUTHORIZATION TO SIGN CHECKS AND OTHER INSTRUMENTS AND WITHDRAWAL ORDERS AND TO DELEGATE SUCH AUTHORITY TO OTHERS? (3B)[2] | AUTHORIZATION TO OBTAIN TREASURY MANAGEMENT SERVICES AND DELEGATE SUCH AUTHORITY TO OTHERS? (3C) | AUTHORIZATION TO DESIGNATE PERSONS AUTHORIZED TO INITIATE AND CONFIRM FOREIGN EXCHANGE TRANSACTIONS? (3D) | AUTHORIZATION TO MAKE CHANGES TO ATTACHMENTS? (3E) |
|---|---|---|---|---|---|---|
| 5. Print Name<br>John G. Frye | Financial Services Director | ☐ | ☐ | ☐ | ☐ | ☐ |
| *Signature* | | SIGN HERE | | | | |
| 6. Print Name | | ☐ | ☐ | ☐ | ☐ | ☐ |
| *Signature* | | | | | | |
| 7.Print Name | | ☐ | ☐ | ☐ | ☐ | ☐ |
| *Signature* | | | | | | |
| 8. Print Name | | ☐ | ☐ | ☐ | ☐ | ☐ |
| *Signature* | | | | | | |
| 9. Print Name | | ☐ | ☐ | ☐ | ☐ | ☐ |
| *Signature* | | | | | | |

Instructions:
1. For Limited Liability Companies please list all members or designated manager(s).
2. If person granted authority under 3B will be signing checks, this person should also sign the signature card(s) for all appropriate accounts.

# SIGNATURE CARD

PNC Bank, National Association

Date: January 5, 2015

**THIS SECTION TO BE COMPLETED BY PNC** ☐ Original ☐ Master ☐ Add ☒ Replacement ☐ Delete

| ACCOUNT NUMBER | PRODUCT TYPE | MARKET NUMBER | BRANCH | COST CENTER |
|---|---|---|---|---|
| 5324792991 | BR | 040 | 945 | 7744 |

**THE FOLLOWING SECTIONS TO BE COMPLETED BY CLIENT**

| ACCOUNT TITLE | SUBTITLE |
|---|---|
| Village of Pinehurst | |

| STREET ADDRESS | CITY | STATE / PROVINCE | ZIP CODE |
|---|---|---|---|
| 395 Magnolia Rd | Pinehurst | North Carolina | 28374 |

| COUNTRY | TAX IDENTIFICATION NUMBER | PHONE NUMBER |
|---|---|---|
| USA | 56-1211319 | (910) 295-1901 |

**Check appropriate box for federal tax Classification (required):**

☐ Individual/sole proprietor ☐ S Corporation ☐ C Corporation ☐ Partnership ☐ Trust/estate

☐ Limited Liability Company. Enter the tax classification (C = C Corporation, S = S Corporation, P = partnership) ____

☒ Other (See IRS Instructions for Form W-9 Public Finance

SIGN HERE

**COMPLETE EACH SECTION FOR ALL SIGNERS, INCLUDING THOSE USING FACSIMILE SIGNATURES:**

| PRINTED NAME | TITLE | MANUAL OR FACSIMILE SIGNATURE (not required for a Deletion) |
|---|---|---|
| 1) Nancy Roy Fiorillo | Mayor | |
| 2) John C. Strickland | Treasurer | |
| 3) Jeff Batton | Interim Village Manager | |
| 4) Natalie Dean | Assistant Village Manager | |
| 5) John G. Frye | Financial Services Director | |
| 6) | | |

**By signing below, the depositor (1) acknowledges receipt of the Account Agreement for this account and, if applicable to this account, the funds availability policy, and the USA PATRIOT Act Notice; (2) agrees that such documents are part of PNC's agreement with, and shall be legally binding on, the depositor; (3) agrees that PNC will not monitor specifications requiring multiple signatures or dollar limitations on checks drawn on depositor's accounts and that any such specifications are for depositor's internal purposes, only; (4) confirms that the information on this signature card is correct; and (5) confirms that the persons whose signatures appear on this signature card as signers on this account are authorized signers in accordance with the depositor's resolution and that the signatures appearing above are true specimens of the signatures of the persons listed above.**

**Certification of Owner:**
**Under penalties of perjury, I certify that:**
**(1) The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and**
**(2) I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and**
**(3) I am a U.S. person (including a U.S. resident alien), and**
**(4) I am exempt for FATCA reporting.**

**If you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return, you must cross out item (2) in your certifications.**

**The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.**

SIGN HERE

**Authorized Signature** _____

Authorized representative per Part 3B of the PNC Master Resolution or as authorized by the Resolution on file with the Bank.

# CONSIDER A RESOLUTION FOR THE NAMING OF THE WICKER PARK TENNIS COURTS.

## ADDITIONAL AGENDA DETAILS:

**FROM:**
Jeff Batton

**DATE OF MEMO:**
1/5/2015

**MEMO DETAILS:**
As you know, Council has concurred with the naming of the tennis courts in Wicker Park after Andy Wilkison for his 26 years of service to the Village of Pinehurst.

To make the designation official, we need to adopt a resolution formally naming the tennis courts in Andy's honor. Accompanying this cover memorandum is a resolution that will formalize Council's intent in honoring Andy in this special way.

Andy will be present and staff will have the formal resolution ready should Council wish to read aloud and present Andy with the resolution once action is taken.

Thanks.

**ATTACHMENTS:**

Description

- Resolution 15-02

**RESOLUTION 15-02:**

**A RESOLUTION HONORING THE SERVICE OF MR. ANDREW M. WILKISON AND NAMING OF THE VILLAGE OF PINEHURST TENNIS COURTS.**

**THAT WHEREAS,** the Village Council of Pinehurst, North Carolina wishes to acknowledge and express its gratitude and appreciation to Mr. Andrew M. Wilkison for 26 years of dedicated public service to its citizens as the Village Manager for the Village of Pinehurst; and

**WHEREAS,** Mr. Wilkison consistently exhibited fine moral character, impeccable integrity, exemplary leadership and acted in the utmost professional manner while leading substantial and long-lasting enhancements that improved the overall quality of life for all citizens of Pinehurst; and

**WHEREAS,** the establishment of a Parks and Recreation Department, acquisition of the Pinehurst Harness Track and the addition and development of Rassie Wicker Park and West Pinehurst Park are among the many long lasting enhancements led by Mr. Wilkison; and

**WHEREAS**, Mr. Wilkison is an avid tennis player whose affinity for an active lifestyle and the sport of tennis is well-known throughout the community and whose leadership and support led to the development of a variety of public recreational opportunities for the benefit and enjoyment of Pinehurst citizens, including tennis courts at Rassie Wicker Park.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Council of the Village of Pinehurst, North Carolina, in a regular meeting assembled this 13th day of January, 2015, as follows:

**SECTION 1.** That the Village Council hereby expresses, on behalf of the citizens of Pinehurst, its great appreciation to Andrew M. Wilkison for his 26 years of faithful and dedicated public service to this community as Village Manager and wish to honor him by naming the tennis courts at Rassie Wicker Park the "ANDREW M. WILKISON TENNIS COURTS."

**SECTION 2**. That the Interim Village Manager is hereby directed to have the appropriate sign installed at the tennis courts bearing this name in recognition.

**SECTION 3.** That the Interim Village Manager is hereby directed to have a copy of this Resolution presented to Mr. Wilkison as a token of our gratitude.

**THIS RESOLUTION** passed and adopted this 13th day of January, 2015.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Nancy Roy Fiorillo, Mayor

DRAFT

Attest:

_____
Lauren M. Craig, Village Clerk

Approved as to Form:

_____
Michael J. Newman, Village Attorney

DRAFT

# DISCUSSION AND ACTION ON THE DEER MANAGEMENT TASK FORCE REPORT.

## ADDITIONAL AGENDA DETAILS:

**FROM:**
Jeff Batton

**DATE OF MEMO:**
1/6/2015

**MEMO DETAILS:**
This item is to continue discussion on the Deer Management Task Force Report. Council has six recommendations from the report to consider along with any other suggestions or ideas Council may wish to consider.

By motion and majority vote, Council could accept any single recommendation or combination of the recommendations and/or add any other ideas or suggestions. The option also exists for Council to defer or request additional information or research on any of the recommendations that you may not wish to accept at this time.

Thanks.

# PUBLIC HEARING NO. 1
## ADDITIONAL AGENDA DETAILS:

To consider an exception to the fence regulations in accordance with Section 9.13 (8) of the Pinehurst Development Ordinance for the property addressed as 100 Rattlesnake Trail.

**FROM:**
Kevin B. Reed, Director of Planning and Inspections

**CC:**
Jeff Batton, Interim Village Manager

**DATE OF MEMO:**
1/8/2015

**MEMO DETAILS:**
Please note that the staff report and proposed fence plan are attached to this agenda item for the fence waiver request from Quality Built Advantage, Inc. for 100 Rattlesnake Trail.

**ATTACHMENTS:**

Description

- Staff Report
- Attachment 1 - Fence Plan

1895

VILLAGE OF

PINEHURST

## PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

**To:** Mayor Fiorillo and Village Council

**From:** Kevin B. Reed, Director of Planning and Inspections

**Cc:** Jeff Batton, Interim Village Manager
Lauren Craig, Village Clerk
Bruce Gould, Principal Planner
Chad Hall, Senior Planner

**Date:** January 8, 2015

**Subject:** Public Hearing and Staff Report for Fence Waiver Request from Quality Built Advantage, Inc. for 100 Rattlesnake Trail

| | |
|---|---|
| **Applicant/Owner:** | Quality Built Advantage, Inc./DGH Management, LLC |
| **Property Location**: | 100 Rattlesnake Trail |
| **Zoning**: | R-10 Residential: The R-10 Residential District is established as a district in which the principal use of land is for high-density residential uses. This district is further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.<br><br>Historic Preservation Overlay District: This district is established for the purpose of preserving the Village's heritage; safeguarding its character by preserving the district as a whole and any property therein that embodies important elements of its social, economic, cultural, political, or architectural history. |
| **Land Area** | ±.33 Acres |
| **Current Land Use**: | Single Family Residential (under construction) |

**Request**

The applicant is requesting an exception to the fence regulations in accordance with Section 9.13(8) of the Pinehurst Development Ordinance (PDO) for the property located at 100 Rattlesnake Trail. The applicant is Quality Built Advantage, Inc., and the property owner is DGH Management, LLC. Specifically, the applicant is requesting an exception to Section

9.13(2)(g) of the PDO which requires a 10-foot setback on corner lots for fences greater than 4-feet in height when the fence is located along the side street property line. The applicant is proposing to construct a 6-foot shadowbox style fence. The proposed fence will enclose the rear yard of a single-family residential dwelling which is currently under construction.

Attachment 1 to this memorandum shows the general layout of the property and the proposed fence location is shown with an ~~x x x~~ line on the attachment. Staff has shown on the attachment with a yellow highlighted dashed line where the 6-foot proposed fence would have to be located in accordance with the 10-foot setback requirement set forth in the PDO and without an exception granted by Village Council.

If Council approves the exception for the 6-foot shadowbox style fence, the applicant will then need to seek a Certificate of Appropriateness for the proposed fence from the Historic Preservation Commission (HPC) since the property is located in the Historic Preservation Overlay District. According to Section 2.17.1(1) of the Historic District Standards and Guidelines, residential street side fences should be wood picket or brick. It is anticipated that the HPC will consider the fence request at its meeting to be held on January 22, 2015.

**Action by Village Council**

Following the required public hearing, Village Council has the following options with regards to the request:

1. Grant the exception as requested; or,
2. Grant the exception with conditions; or,
3. Deny the exception as requested.

ATTACHMENT 1

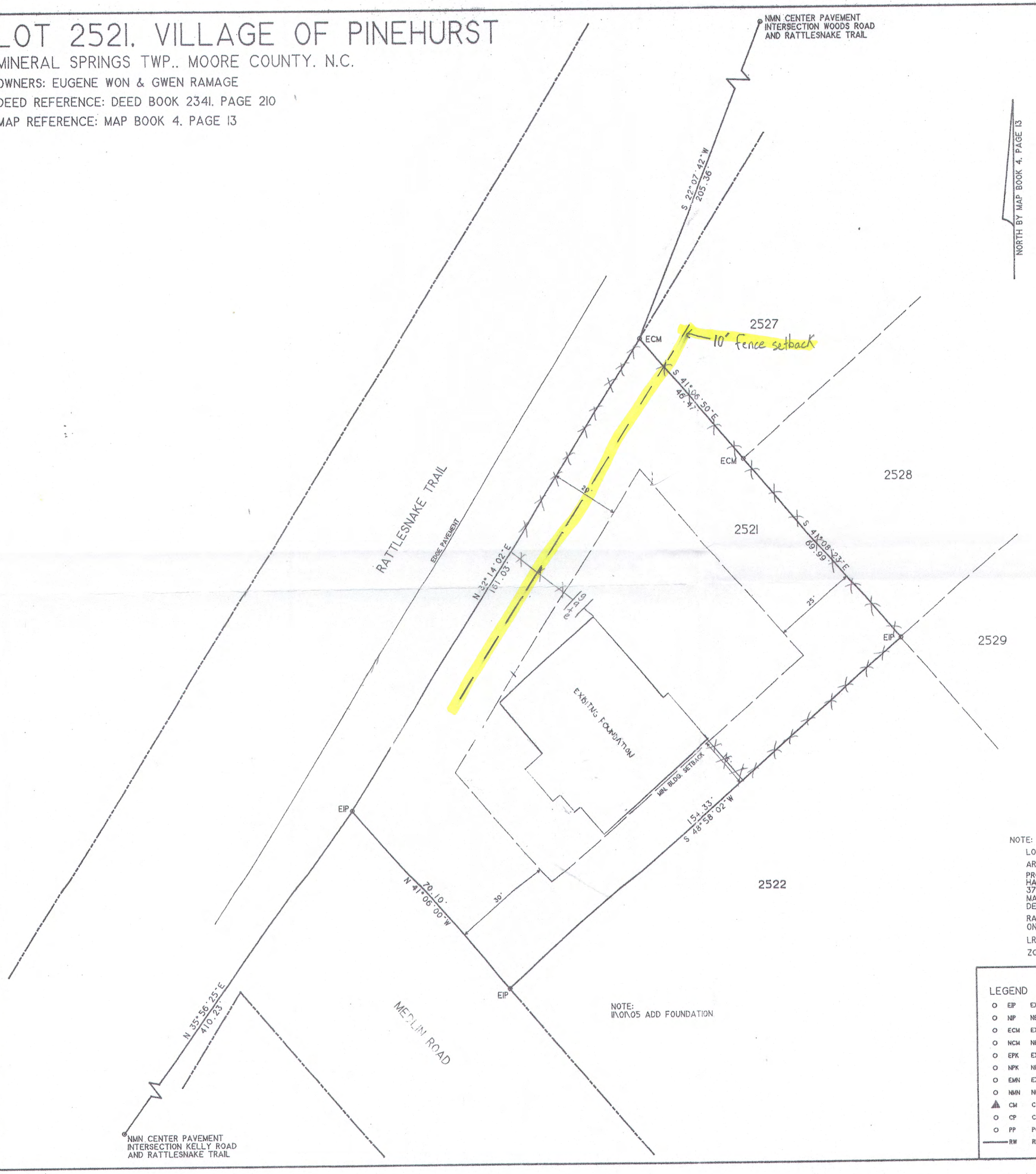
# LOT 2521. VILLAGE OF PINEHURST

MINERAL SPRINGS TWP.. MOORE COUNTY. N.C.

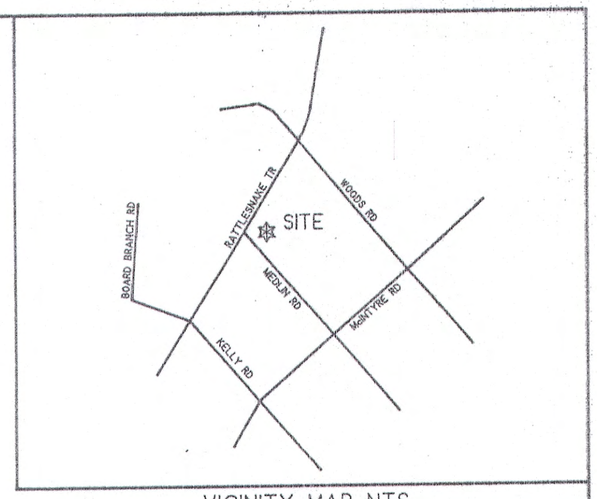
OWNERS: EUGENE WON & GWEN RAMAGE

DEED REFERENCE: DEED BOOK 2341. PAGE 210

MAP REFERENCE: MAP BOOK 4. PAGE 13




NORTH BY MAP BOOK 4. PAGE 13




VICINITY MAP NTS

NOTE:

NOTE:
11\01\05 ADD FOUNDATION

NOTE:

LOT 2521 CONTAINS 14,393 SQ. FT.

AREA BY COORDINATE METHOD

PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO MAP NUMBER 37125C0155 C OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY. EFFECTIVE DATE: DECEMBER 15. 1989

RATIO OF PRECISION
ONE IN 10.000 PROCEDURE FOLLOWED

LRK 20030320

ZONED RIO

NORTH CAROLINA PROFESSIONAL SEAL L-3031 LAND SURVEYOR BENNY L. BROWN

3013

LEGEND

| | | |
|---|---|---|
| O | EIP | EXISTING IRON PIPE |
| O | NIP | NEW IRON PIPE |
| O | ECM | EXISTING CONCRETE MONUMENT |
| O | NCM | NEW CONCRETE MONUMENT |
| O | EPK | EXISTING P.K. NAIL |
| O | NPK | NEW P.K. NAIL |
| O | EMN | EXISTING MAG NAIL |
| O | NMN | NEW MAG NAIL |
| ▲ | CM | CONTROL MONUMENT |
| O | CP | CALCULATED POINT |
| O | PP | POWER POLE |
| — | RW | RIGHT-OF-WAY |

20' 10' 0' 20' 40'

SURVEY FOR:

QUALITY BUILT HOMES. INC.
P.O. BOX 3065
PINEHURST. N.C. 28374

DATE 9/29/03

FILE NO. 23103

SCALE 1" = 20'


BENNY L. BROWN
Professional Surveyor

825 SEVEN LAKES DRIVE
P.O. BOX 307
WEST END. N.C. 27376
(910) 673-1446

# INTERVIEW AND CONSIDER A RESOLUTION APPOINTING A MEMBER TO THE HISTORIC PRESERVATION COMMISSION (DAVIS).

## ADDITIONAL AGENDA DETAILS:

**FROM:**
Lauren Craig, Village Clerk

**CC:**
Jeff Batton, Interim Village Manager

**DATE OF MEMO:**
1/6/2015

**MEMO DETAILS:**
Judy Davis has applied to volunteer on the Pinehurst Historic Preservation Commission. Jeff Batton, Kevin Reed, and Jim Lewis have interviewed three candidates and determined to nominate Ms. Davis as the candidate to fill the vacancy on this Historic Preservation Commission. Ms. Davis will be in attendance at the meeting on January 13 for Council to interview and consider her for this appointment. A resolution is attached should Council determine to appoint her for a term on the Pinehurst Historic Preservation Commission.

**ATTACHMENTS:**

| | Description |
|---|---|
| 🗋 | Resolution 15-06 |
| 🗋 | Volunteer Application- Judy Davis |

**RESOLUTION #15-06:**

**A RESOLUTION REGARDING AN APPOINTMENT TO THE PINEHURST HISTORIC PRESERVATION COMMISSION.**

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

**WHEREAS,** on October 14, 2014 the Village Council approved an ordinance increasing the memberships size of the Pinehurst Historic Preservation Commission from 5 members to 7 members, thus creating two vacancies; and

**WHEREAS,** the Village Council of Pinehurst is desirous of filling these vacancies;

**NOW, THEREFORE, BE IT RESOLVED** by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 13th day of January, 2015 as follows:

**SECTION 1.** That the following appointments are hereby made to the Historic Preservation Commission for the terms indicated:

Ms. Judy Davis is appointed as a member of the Historic Preservation Commission, effective January 13, 2015, said term to expire January 31, 2017.

**SECTION 2.** That the appointees shall continue serving until a replacement is appointed and qualified.

**THIS RESOLUTION** passed and adopted this the 13th day of January, 2015.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

_____
Lauren M. Craig, Village Clerk

Approved as to Form:

_____
Michael J. Newman, Village Attorney

DRAFT

# PRESENTATION FROM THE COMMUNITY APPEARANCE COMMISSION FOR UPDATED PROPOSAL OF VILLAGE-OWNED PROPERTY ACROSS FROM VILLAGE HALL.

## ADDITIONAL AGENDA DETAILS:

**FROM:**
Lauren Craig, Village Clerk

**CC:**
Jeff Batton, Interim Village Manager

**DATE OF MEMO:**
1/6/2015

**MEMO DETAILS:**
Alan Hoy from the Community Appearance Commission will be presenting further information for the proposed project of the Village-owned property on Magnolia Road across from Village Hall. Attached is his PowerPoint presentation.

**ATTACHMENTS:**

Description

- Magnolia Street Landscape Project

# Proposal

> Improve Appearance

> at Minimal Costs

> with Low Maintenance

# The First Phase Would Be Cleanup

Tree removal……$750
Existing stump grind…..$1950
Grading……$1000
**Total: $3,700**

Eliminate Weeds
Compost spread 3 inch…$3,000
Round-up…..$400
**Total: $3,400**

**Total: $7,100**

# Optional Enhancement of Current Landscape Across From Visitor Entrance

# Enhance current Landscape

Mirror Front Circular landscape to improve overall look of entrance for visitors

# Enhance Current Landscape

(1 of 2 options)

Landscape trees 3 sets of 3 (Nellie Stevens Hollies and Carolina Sapphire Blue Cedar) includes 2 year care**…$3,100**

# Enhance Current Landscape

(2 of 2 - Lower cost option)

Landscape trees – 7 (Nellie Stevens Hollies and Carolina Sapphire Blue Cedar) includes 2 year care**…$2,600**

# Optional Landscape Enhancement

Improve appearance of the large field during spring, summer and Fall. It will also provide a deterrent to weed growth.

Wildflower (mix to be determined) and topsoil application…..**$1,900**

# Summary

**1 is Required**

**1. Cleanup:**
Tree removal……$750
Existing stump grind…..$1950
Grading……$1000
**Total: $3,700**

Compost spread 3 inch…$3,000
Round-up…..$400
**Total: $3,400**

**2 and 3 are Optional**

**2. Landscape trees**
9 trees - includes 2 year care**…$3,100**
**Or**
7 trees - includes 2 year care **…… $2,600**

3. **Wildflowers**
Wildflower and topsoil application…..**$1,900**

**Grand Total: $12,100 or $11,600**

**Time period: 1-2 years**

*Contractor: John Reid-consultant Aurora Hills Nursery*

# REVIEW AND DISCUSS THE COMMUNITY ROAD STREETSCAPE CONCEPT PLAN.

## ADDITIONAL AGENDA DETAILS:

**FROM:**
Jeff Batton

**DATE OF MEMO:**
12/18/2014

**MEMO DETAILS:**
The FY2015 budget has funds to incrementally expand downtown by completing a streetscape enhancement on Community road. The idea is to make the commercial section appear and "feel" more like downtown.

LKC Engineering will be at the January 13th Council Meeting to preview the concept plan (attached) and gather Council's feedback. Assuming Council consensus is to proceed, the next step would be to implement suggested changes, develop phased construction drawings, bid the first phase and implement construction.

Look forward to hearing your thoughts.

Thanks.

**ATTACHMENTS:**

| | Description |
|---|---|
| 🗋 | Community Road Concept Plan |

NEW PAINTED CROSSWALK AND SIGNS

NEW BRICK SIDEWALK

MAGNOLIA

DOGWOOD

COMMUNITY

ORANGE

DUNDEE

NEW BRICK CURB

NEW BRICK SIDEWALK

NEW STREET LIGHT

NEW PEDESTRIAN CROSSWALK WARNING SIGN (250' FROM CROSSWALK, EACH WAY)

NEW BRICK SIDEWALK

NEW PAINTED CROSSWALK

NEW PEDESTRIAN CROSSWALK SIGN (EACH SIDE)

FUTURE PARKING

FUTURE STREET LIGHT

FUTURE PARKING AND BRICK CURB

FUTURE BRICK SIDEWALK

PRELIMINARY – DO NOT USE FOR CONSTRUCTION

| NO. | DESCRIPTION | DATE | BY |
|---|---|---|---|
| SYM. | | | |

REVISIONS

L-1

DATE: December 18, 2014
DESIGNED: -
DRAWN: -
CHECKED: -

Community Road Sidewalk Improvements
for
Village of Pinehurst

Pinehurst, North Carolina

Conceptual Site Plan

LKC

*Engineering*
*Landscape Architecture*
*Planning*

LKC Engineering, pllc
140 Aqua Shed Court
Aberdeen, NC 28315
O: 910.420.1437
F: 910.637.0096
lkcengineering.com
License No. P-1095

# CONSIDER PROPOSED DOWNTOWN STREET LAMP EXPANSION.
## ADDITIONAL AGENDA DETAILS:

**FROM:**
Jeff Batton

**DATE OF MEMO:**
12/22/2014

**MEMO DETAILS:**
The Village's right-of-way policy requires Council's review and approval before any significant changes in the right-of way are implemented.

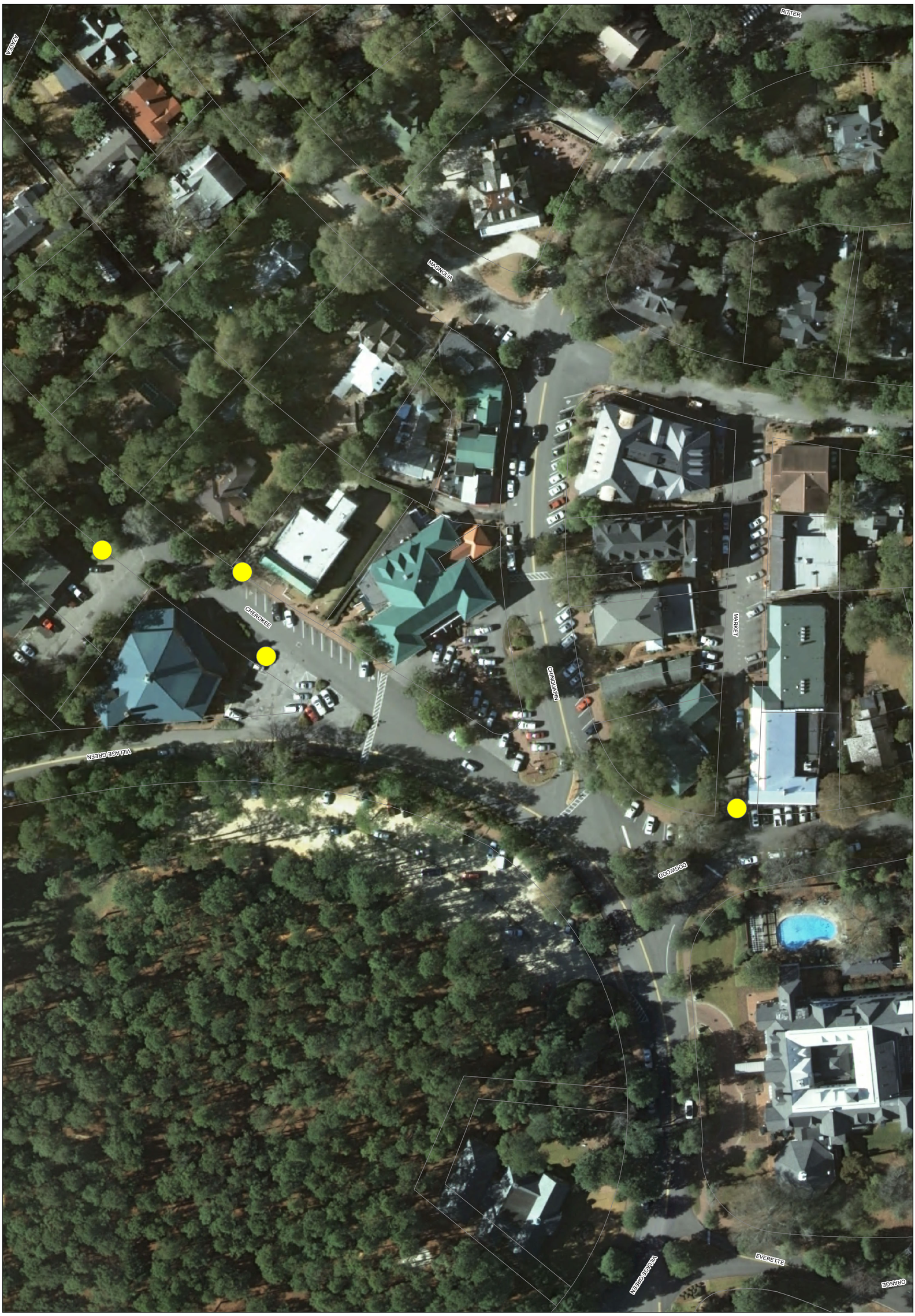
One of the Village Center Enhancement Committee's initiatives was to improve lighting of downtown by increasing the number of street lamps in specific areas. In keeping with that initiative, Staff is recommending four locations for additional street lamps. Please see the accompanying map.

Staff will be present at the Jan.13 meeting to review the recommendations and receive direction.

Thanks.

**ATTACHMENTS:**

| | Description |
|---|---|
| 🗋 | Street Lamp Recommendation Map |




30 15 0 30 Feet

# Pinehurst Village Center
# FY15 Street Lamp Additions

# CONSIDER A RESOLUTION FOR CHANGING THE SPEED LIMIT ON A PORTION OF LINDEN ROAD.

## ADDITIONAL AGENDA DETAILS:

**FROM:**
Jeff Batton

**DATE OF MEMO:**
12/18/2014

**MEMO DETAILS:**
As you are aware, we requested the NC DOT consider two speed limit changes for Linden Road and Hwy 211.

The Linden Road request was to lower the speed limit from 45 mph to 35 mph from Clarendon Gardens to Foxfire Road. The Hwy 211 request was to lower the speed limit from 55 mph to 45 mph from Hwy 5 to Rattlesnake Trail.

NC DOT agreed to lower the speed on Linden Road but only from Clarendon Gardens to just west of the Elliott's on Linden restaurant. In order to implement this change, NC DOT needs Council to execute a resolution (attached) supporting the lowering of the speed limit.

NC DOT did not find sufficient reasons to lower the speed limit on Hwy 211. They did agree to re-evaluate it in the future. Enough time hasn't passed since Hwy 211's widening was completed to generate much crash data. According to NC DOT, the current data doesn't warrant lowering the speed.

A motion to adopt the resolution concurring with lowering the speed limit on Linden Road is provided should Council wish to act.

Thanks.

**ATTACHMENTS:**

Description

- Resolution 15-04

**RESOLUTION 15-04:**

**A RESOLUTION REQUESTING A SPEED LIMIT CHANGE ON A PORTION OF LINDEN ROAD IN THE VILLAGE OF PINEHURST, NORTH CAROLINA.**

**THAT WHEREAS,** the North Carolina Department of Transportation regulates various traffic controls for the purpose of prescribing regulations governing conditions hazardous to life and property or detrimental to the safety or welfare of the community; and

**WHEREAS,** the Village Council of the Village of Pinehurst requested the North Carolina Department of Transportation to consider lowering the speed limit to 35 mph on a section of Linden Road due to hazardous conditions between Clarendon Gardens neighborhood entrance and Foxfire Road; and,

**WHEREAS**, the North Carolina Department of Transportation evaluated Linden Road and determined that a portion of this section is warranted to be reduced to 35 mph.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Council of the Village of Pinehurst, North Carolina, in a regular meeting assembled this 13th day of January, 2015, as follows:

**SECTION 1.** That the Village of Pinehurst concurs with the recommendations of the North Carolina Department of Transportation to establish a speed limit of 35 mph on Linden Road from a point 1.5 miles east of SR 1121 to a point 0.04 mile west of SR 1121 in the Village of Pinehurst, North Carolina.

**SECTION 2.** That the Interim Village Manager is authorized to forward this resolution to the Division 8 Representative of the Board of Transportation of the North Carolina Department of Transportation.

**THIS RESOLUTION** passed and adopted this 13th day of January, 2015.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

_____
Lauren M. Craig, Village Clerk

Approved as to Form:

_____
Michael J. Newman, Village Attorney

DRAFT

# CONSIDER CHANGE ORDER FOR THE PHASE III JACKSON HAMLET CDBG PROJECT.

## ADDITIONAL AGENDA DETAILS:

**FROM:**
Jeff Batton

**DATE OF MEMO:**
1/5/2015

**MEMO DETAILS:**
The Jackson Hamlet Phase III Sewer Project has been completed as far as installation of all sewer lines and taps is concerned. There is adequate funds available to pave Arnette Street which sustained the most street cuts and patching during the project. Arnette Street is a state road and NC DOT has approved the proposed paving project. The paving project cost is $69,600.

Accompanying this cover memorandum is a memorandum from Steve Austin, Grant Administrator, confirming that adequate funds remain in the overall project budget to complete the paving. After the paving project, it is estimated that $96,755 will be returned to the Department of Commerce as unspent funds.

A copy of Change Order #3 is included in your packet for the amount necessary to complete the paving project and also extends the deadline for overall project completion. The amount of the change order exceeds staff's authority to approve and thus requires Council action.

A motion authorizing the Mayor or her designee to execute the change order is required should you decide to approve.

Thank you.

**ATTACHMENTS:**

Description

- Change Order for Paving
- Memo from Grant Adminsitrator

# Change Order

**No. 3**

Date of Issuance: January 13, 2015 Effective Date: _____

| | | |
|---|---|---|
| Project: Jackson Hamlet Sewer System Improvements-Phase 3 | Owner: Village of Pinehurst | Owner's Contract No.: |
| Contract: | | Date of Contract: |
| Contractor: Sandhills Contractors, Inc. | | Engineer's Project No.: 13.04001 |

**The Contract Documents are modified as follows upon execution of this Change Order:**

Description:

Increase quantity for asphalt road overlay by 2,400 square yards to cover resurfacing of Arnette Street.

Increase contract time to allow work to be completed by March 15, 2015.

**Attachments (list documents supporting change):**

| **CHANGE IN CONTRACT PRICE:** | **CHANGE IN CONTRACT TIMES:** |
|---|---|
| Original Contract Price:<br>$ 344,121.97 | Original Contract Times: ☐ Working days ☒ Calendar days<br>Substantial completion (days or date): 90 days<br>Ready for final payment (days or date): 120 days |
| Increase from previously approved Change Orders No. 1 to No. 2:<br>$ 3,593.60 | Increase from previously approved Change Orders No. 1 to No. 2:<br>Substantial completion (days): 0 days<br>Ready for final payment (days): 0 days |
| Contract Price prior to this Change Order:<br>$ 347,715.57 | Contract Times prior to this Change Order:<br>Substantial completion (days or date): 90 days<br>Ready for final payment (days or date): 120 days |
| Increase of this Change Order:<br>$ 69,600.00 | Increase of this Change Order:<br>Substantial completion (days or date): 135 days<br>Ready for final payment (days or date): 145 days |
| Contract Price incorporating this Change Order:<br>$ 417,315.57 | Contract Times with all approved Change Orders:<br>Substantial completion (days or date): 225 days<br>Ready for final payment (days or date): 265 days |

| RECOMMENDED: | ACCEPTED: | ACCEPTED: |
|---|---|---|
| By: _____ | By: _____ | By: _____ |
| Engineer (Authorized Signature) | Owner (Authorized Signature) | Contractor (Authorized Signature) |
| Date: _____ | Date: _____ | Date: _____ |

Approved by Funding Agency (if applicable):

_____ Date: _____

DATE: December 5, 2014

TO: Mayor and Council
Jeff Batton, Interim Village Manager
FROM: Steve Austin, CDBG Project Administrator
SUBJECT: Construction Contract Change Order for the Jackson Hamlet Phase 3 Sewer CDBG Project.

As an accompaniment to the Change Order #3 submitted to the Village by McGill Associates for the Jackson Hamlet Phase 3 Sewer CDBG project, this memo is to provide grant funding information regarding funds availability.

The construction line item amount in the grant budget is $610,000. From that amount, the Sandhills Construction contract with the change order is $417,315.57. Other expenses paid from that line item include the fees for engineering services ($83,700), and other fees including permits and legal fees. To date those permit and legal fees have totaled $5,328.80. Other expenses that will be drawn from that account will be $6,900 in tap fees in lieu of three easements needed for the project on vacant lots. This leaves a balance of $96,755.63. There are ample CDBG funds for the requested change order.

Any remaining funds in the CDBG account may be deobligated back to the NC Department of Commerce at the close of the grant.

The close out of the project will commence when the construction is completed. It will involve a public hearing and an on-site monitoring visit from Department of Commerce staff to review the project. The close-out process must be completed by June 25, 2015, but it is anticipated that it will be completed before that date.

# CONSIDER A RESOLUTION DESIGNATING THE NEW LOCATION OF MARSHALL PARK.

## ADDITIONAL AGENDA DETAILS:

**FROM:**
Jeff Batton

**DATE OF MEMO:**
1/5/2015

**MEMO DETAILS:**
Now that the George C. Marshall Park monument has a new permanent home, it would be appropriate for Council to consider formally designating the location as Marshall Park, particularly since that is inscribed on the monument.

As you are aware, the monument was first dedicated on Pinehurst, LLC.'s property, and an area within their property has been considered "Marshall Park" since it's initial placement. As such, staff requested input from Mr. Tom Pashley, President of Pinehurst, LLC. about the Resort's position on expanding the existing boundaries of Marshall Park or possibly re-dedicating the new area as Marshall Park. Their feelings were that the new area, bounded by Carolina Vista, Shaw Road SE, Azalea Road and Cherokee Road (NC 2), should officially be designated as Marshall Park, relinquishing that designation on Pinehurst, LLC.'s property.

In accordance with that input staff has prepared a resolution that will formally designate the new area as the George C. Marshall Park.

At this time, the monument itself can serve as the park sign since it has "Marshall Park" engraved on it. If Council wishes to place an additional sign roadside, staff would recommend installation of one of the small versions of our standard facility signs for consistency and branding purposes.

Should Council wish to designate this area as the official site of Marshall Park, a motion to adopt the resolution will be necessary.

Thanks.

**ATTACHMENTS:**

Description

- Resolution 15-03

**RESOLUTION 15-03:**

**A RESOLUTION DESIGNATING THE NEW LOCATION OF MARSHALL PARK FOR THE VILLAGE OF PINEHURST.**

**THAT WHEREAS,** on November 7, 2014 the George C. Marshall Monument was rededicated in its new location with the help of the Village Council, Pinehurst Community Trust, and General Raymond T. Odierno, Chief of Staff of the U.S. Army; and

**WHEREAS,** Marshall Park was originally designated on property owned by Pinehurst, LLC, the previous location of the Marshall Monument; and

**WHEREAS,** it is the desire of the Village Council of Pinehurst, North Carolina and the Pinehurst, LLC to designate the new location for Marshall Park to coincide with the new location of the monument.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Council of the Village of Pinehurst, North Carolina, in a regular meeting assembled this 13th day of January, 2015, as follows:

**SECTION 1.** That the Village Council hereby designates the area of land owned by the Village of Pinehurst bounded by Carolina Vista Drive, Shaw Road SE, Azalea Road, and Cherokee Road as the GEORGE C. MARSHALL PARK and site of the Marshall Monument in honor of General George C. Marshall.

**SECTION 2.** That this Resolution shall be in full force and effect from and after its date of adoption.

**THIS RESOLUTION** passed and adopted this 13th day of January, 2015.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

_____
Lauren M. Craig, Village Clerk

Approved as to Form:

_____
Michael J. Newman, Village Attorney

DRAFT

# CONSIDER A RESOLUTION FORMALLY ESTABLISHING THE RISK MANAGEMENT COMMITTEE.

## ADDITIONAL AGENDA DETAILS:

**FROM:**
Lauren Craig, Village Clerk

**CC:**
Jeff Batton, Interim Village Manager

**DATE OF MEMO:**
1/6/2015

**MEMO DETAILS:**
At the October 14, 2014 Village Council meeting, Council discussed the Village's volunteer program and committee appointments. It was suggested to create a more formal structure for the Risk Management Committee since the committee had never been officially established by resolution and this committee plays a key role in the Village's operations. Attached is a resolution for Council to consider formally establishing the Risk Management Committee.

**ATTACHMENTS:**

| Description |
| --- |
| Resolution 15-01 |

**RESOLUTION #15-01:**

**A RESOLUTION ESTABLISHING THE RISK MANAGEMENT COMMITTEE FOR THE VILLAGE OF PINEHURST, NORTH CAROLINA.**

**THAT, WHEREAS,** in approximately 2002 the Risk Management Committee was created to serve as a consultant, advisor and review team for all items related to the management of risk as well as the employee health and safety programs for the Village of Pinehurst; and

**WHEREAS,** the committee's policy is to review, assess, control and evaluate potential liability, injury to others and/or loss to Village property, staff and visitors; and to negate or reduce where possible, these risks while ensuring the best employee health and safety programs within resource limitations; and

**WHEREAS,** upon reviewing the structure of the Village's boards and committees, the Village Council requested to formally establish this key committee as it plays a role in key processes at the Village of Pinehurst; and

**NOW, THEREFORE, BE IT RESOLVED** by the Village Council of the Village of Pinehurst, North Carolina in a regular meeting assembled this 13th day of January, 2015, as follows:

**SECTION 1.** The Risk Management Committee shall be officially established under the Chairmanship of the Assistant Village Manager of Operations of the Village of Pinehurst.

**SECTION 2.** The Risk Management Committee shall be composed of a minimum of five people inclusive of the Assistant Village Manager of Operations, plus one from the Human Resources Department, and one from either Administration or the Financial Services Operations, and any combination of members from the Community at-large and/or Village Council to equal the minimum number of five. Other member(s) with expertise in risk management may be appointed to the committee to serve in a regular or ad hoc capacity with approval of the Village Manager.

**SECTION 3.** Members' terms on the Risk Management Committee are indefinite. Upon a vacancy, the Chairman and Village Manager shall appoint a replacement.

**SECTION 4.** The Risk Management Committee shall seek advice and consult with experts as needed in order to make sound and appropriate decisions and determinations when considering any Risk Management related issue.

a. The Committee shall review, consider, evaluate and recommend to the Village Manager the employee health & welfare benefit program, the property & liability insurance program and the worker's compensation program at least annually prior to renewal.

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b. The Committee shall review, recommend and direct the Safety Committee in the performance of its duties.

c. The Committee shall review the status and cost of active workers' compensation claims.

d. The Committee shall be notified and comment, when necessary, on litigation the Village is involved in and shall evaluate cause and recommend action in an effort to prevent reoccurrence.

e. The Committee shall review, consider, assess, evaluate and recommend strategies to reduce risks in the area of physical property management, human resource management, financial process and control management, security of information systems, proper and appropriate use of Village vehicles and equipment and proper security of all assets to reduce or prevent damage, loss and shrinkage in all forms.

f. The Committee shall develop and institute appropriate controls for the execution and oversight of all contracts.

**SECTION 5.** That this Resolution shall be in full force and effect from and after its date of adoption.

**THIS RESOLUTION** passed and adopted this 13th day of January, 2015.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

_____
Lauren M. Craig, Village Clerk

Approved as to Form:

_____
Michael J. Newman, Village Attorney

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# CONSIDER THE PURCHASE OF SERVICE REVOLVER FOR RETIRING POLICE OFFICER.

## ADDITIONAL AGENDA DETAILS:

**FROM:**
Jeff Batton

**DATE OF MEMO:**
12/22/2014

**MEMO DETAILS:**
Staff has received a request from Lt. Jerry McDonald to purchase his service revolver upon his retirement.

NCGS 20-187.2 authorizes the Village Council to award, upon request, a retiring law enforcement officer their service revolver and badge at a price determined by the governing body. The Village's Retirement and Recognition Gifts Policy sets the price for the revolver and badge for an officer with more than 20 years of service at $1.

If Council, approves, the sale would be completed after retirement and upon presentation of proper licenses and permits for such a weapon by Lt. McDonald.

A motion is provided should you choice to authorize the sale to Lt. McDonald.

**ATTACHMENTS:**

Description

- Request for Duty Weapon- Jerry McDonald
- Retirement and Gifts Policy

VILLAGE OF PINEHURST
Internal Memorandum

**TO:** Jeff Batton

**FROM:** Jerry McDonald

**DATE:** 12/18/2014

**RE:** **Request for Duty Weapon**

This is a formal request to purchase my duty weapon upon retirement. I am scheduled to retire with the NC Retirement System on February 1, 2015 and my last day with the Village is January 28, 2015. I am retiring with over 20 years of service.

Thank you for your consideration.

| | |
|---|---|
| | **VILLAGE OF PINEHURST**<br>**STANDARD PROCEDURE** |
| SUBJECT: **Retirement Recognitions and Gifts** | Effective Date: 05/08/12 |
| Department: Human Resources | Policy No.: HR-116 |
| Prepared by: Human Resources | Revised: |
| Approved by: Andrew Wilkison & Village Council | # of Pages: 2 |

## I. POLICY:

The Village of Pinehurst recognizes the importance of honoring employees who retire from public service. The purpose of this policy is to recognize and celebrate the dedication and hard work of those employees retiring from the Village of Pinehurst.

## II. ELIGIBILITY:

Employees must be eligible and apply for retirement benefits under the North Carolina Retirement System and have at least five consecutive years of full-time service with the Village of Pinehurst, not including sick time. Qualifying years of service must be immediately prior to retirement.

## III. PROCEDURE:

Department Directors will notify Human Resources of an employee's pending retirement. Human Resources will work with the Department Director and the retiring employee to coordinate an appropriate celebration and the appropriate gift.

Eligible employees will receive a taxable monetary gift according to the following schedule. These amounts have been increased by 30% to cover estimated taxes.

- 5 years but less than 15 years $650
- 15 years or more $1300

Eligible employees with at least 10 years of service will also receive a Village-sponsored, celebratory meal at a Village facility coordinated through Human Resources. Village employees, Council and the retiring employee's immediate family will be invited. Additional people may be invited at the discretion of Human Resources.

Eligible employees with 5 years of service, but less than 10 years will receive a Village-sponsored reception coordinated through Human Resources.

Additional celebrations or gifts, departmental or otherwise, cannot be paid for with Village funds.

## IV. **PUBLIC SAFETY**:

The Village of Pinehurst recognizes the bravery and dedication of the public safety employees serving in the Pinehurst Police Department and Pinehurst Fire Department. In addition to the retirement gifts listed above, public safety employees may be awarded the gifts listed below.

NCGS 20-187.2 authorizes the Village Council to award, upon request, a retiring law enforcement officer, or a surviving relative of an officer, the service side arm and badge of the officer at a price to be determined by the governing body. This policy sets the price for qualifying awards of side arms to retiring law enforcement officers at one dollar. The law enforcement officer must have at least 20 years of service with the Village of Pinehurst to be eligible for this benefit. If the retiring officer has at least 10 years of service, but less than 20 years, the officer will have the option to purchase the service side arm for $400. The retiring employee must follow all provisions of the statute and other applicable laws.

NCGS 160A-294.1 authorizes the Village Council to award, upon request, a retiring firefighter or a surviving relative of the firefighter, the fire helmet of the firefighter at a price determined by the governing body. This policy sets the price for qualifying awards of fire helmets to retiring firefighters at one dollar. The firefighter must have at least 10 years of service with the Village of Pinehurst to be eligible for this benefit.

Approved by:

Andrew Wilkison, Village Manager — May 8, 2012 Date

Resolution 12-31

Village Council, Resolution — May 8, 2012 Date