VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF JANUARY 8, 2019
ASSEMBLY HALL
395 MAGNOLIA RD.
PINEHURST, NORTH CAROLINA
4:30 PM

1. Call to Order.

2. Reports:

   Manager

   Council

3. Oath of Office for Newly Appointed Councilmember Jack Farrell

4. Elect Mayor Pro Tem and Treasurer

5. Motion to Approve Consent Agenda.

   All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.

   A. Approval of Draft Village Council Meeting Minutes.

      December 4 and 5, 2018 Special Meeting-Retreat
      December 11, 2018 Regular Meeting
      December 11, 2018 Work Session
      December 13, 2018 Special Meeting-Interviews
      December 14, 2018 Closed Session

   B. Budget Amendments Report

   End of Consent Agenda.

6. Discuss and Consider Draft Resolution 19-01 Establishing an Interlocal Cooperation Agreement between The Town of Aberdeen, The Town of Southern Pines and The Village of Pinehurst.

7. Motion to Adjourn Regular Meeting and Enter Public Hearing.

8. Public Hearing No. 1

   The purpose of this public hearing is to consider an amendment to the approved R-10 CD- Residential Conditional District (R-10-CD) Official Zoning Map Amendment that was approved on May 23, 2017 for the properties addressed as 105, 110 & 115 Everette Rd., as well as 35 Kelly Rd and is the current location of Community Presbyterian Church. The properties are further identified as Moore County PID's # 00024664, 00024264, 00029859, 00017301 & 98000236. This amendment is to propose a change to a landscape buffer that was shown on the general concept plan that was provided with the approved official zoning map amendment from May of 2017. The proposed change is to allow for an arborvitae hedge and not a fence as shown on the general concept plan. The applicant and property owner for the proposed

amendment to the R-10 CD is Community Presbyterian Church.

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

10. Discuss and Consider Draft Ordinance 19-01 Amending the previously approved R-10 CD- Residential Conditional District (R-10-CD) Official Zoning Map Amendment for Community Presbyterian Church.

11. Discuss Damaged Roads Resulting from County Water Leaks

12. Discuss an Amendment to the Annexation Agreement with the Town of Southern Pines.

13. Other Business.

14. Comments from Attendees.

15. Motion to Adjourn.

Vision: The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions.
Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors.
Values: Service, Initiative,Teamwork, and Improvement.

COUNCIL
ADDITIONAL AGENDA DETAILS:

ATTACHMENTS:

Description

- 2019 Key Partners and Collaborators

Council Member to Report	Partners & Collaborators
Nancy Fiorillo	Neighborhood Advisory Committee
	Moore County Schools
	Pinehurst Resort
John Bouldry	First Health
	NCDOT/MCTC/TARPO
	Triangle J. COG
	Moore County
Judy Davis	Pinehurst Business Partners
	Beautification Committee
	Given Memorial Library Working Group
Kevin Drum	Tri-Cities Work Group (Pinehurst, So. Pines, Aberdeen)
	Partners in Progress
Jack Farrell	Bicycle and Pedestrian Advisory Committee
	Convention and Visitors Bureau

APPROVAL OF DRAFT VILLAGE COUNCIL MEETING MINUTES.

ADDITIONAL AGENDA DETAILS:

December 4 and 5, 2018 Special Meeting-Retreat
December 11, 2018 Regular Meeting
December 11, 2018 Work Session
December 13, 2018 Special Meeting-Interviews
December 14, 2018 Closed Session

FROM:

Beth Dunn

CC:

Jeff Sanborn

DATE OF MEMO:

12/17/2018

MEMO DETAILS:

Attached are the draft minutes from the Village Council special meeting on December 4th and 5th, the regular meeting and work session on December 11th, the special meeting on December 13th and closed session on December 14th.

ATTACHMENTS:

Description
December 4, 2018 Special Meeting (Retreat)
December 5, 2018 Special Meeting (Retreat)
December 11, 2018 Regular Meeting
December 11, 2018 Work Session
December 13, 2018 Special Meeting (Interviews)

VILLAGE COUNCIL
MINUTES FOR FY 2019 STRATEGIC PLANNING RETREAT OF DECEMBER 4, 2018
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
9:00AM - 4:00 PM

The Pinehurst Village Council held the FY 2019 Strategic Planning Pre-Retreat on Tuesday, December 4, 2018 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. John Bouldry, Treasurer
Ms. Judy Davis, Councilmember
Mr. Kevin Drum, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Beth Dunn, Village Clerk
Mr. Jeffrey Batton, Assistant Village Manager
Ms. Natalie Hawkins, Assistant Village Manager
Ms. Lauren M. Craig, Village Clerk
Ms. Angela Kantor, Director of Human Resources
Mr. Carlton Cole, Fire Chief
Mr. Randy Kuhn, Director of Fleet Maintenance
Mr. Walt Morgan, Director of Public Services
Mr. Mark Wagner, Director of Parks and Recreation
Mr. Earl Phipps, Police Chief
Ms. Brooke Hunter, Director of Financial Services
Mr. Jason Whitaker, Chief Information Officer
Mr. Leo Santowasso, Planning and Zoning Chair
Ms. Julia Latham, Board of Adjustment Chair
Ms. Molly Rowell, Beautification Committee Chair
Mr. Tom Campbell, Bicycle and Pedestrian Advisory Committee Chair

And approximately 2 attendees and 1 press.

1. Call to Order.
Lauren Craig, Performance Management Director called the Strategic Planning Retreat to order and welcomed everyone.

2. FY 2020 Strategic Planning Retreat

Welcome/Introduction
Lauren Craig, Performance Management Director, outlined the agenda for the day and the objectives for the retreat meeting.

Review the FY2020 SOAR (Strengths, Opportunities, Aspirations, and Results) Analysis and Key Strategic Advantages
Lauren Craig, Performance Management Director, presented the proposed key FY 20 SOAR Analysis for Council to discuss and affirm. Council recommended changing and combining a few items on the proposed list. Mrs. Craig then presented the key strategic advantages and challenges for Council to affirm or amend.

Review of the Five Year Financial Forecast and Potential Workforce Needs.
Brooke Hunter, Financial Services Director, presented Council with the financial five-year forecast. Natalie Hawkins, Assistant Village Manager, presented Council with an option of considering an inflation-adjusted revenue neutral tax rate. Ms. Hawkins explained that the Village's workforce capacity is something that is being evaluated and noted the Village is at a point to where additional staff is needed. Ms. Hawkins presented potential workforce needs to Council, proposed by department heads. She stated based on existing and projected workloads, management believes we may have the need for up to 9.5 additional full time employees and only 2 positions are in the current 5 year SOP. Ms. Hawkins stated further evaluation is needed before making

recommendation to Council.

Review and Discuss Long Range Plans of Key Partners & Stakeholders
Natalie Hawkins, Assistant Village Manager, reviewed a summary of long range plans for key partners and stakeholders. Some points of significance include: non-residential development in five-year period, the need to amend zoning/buffers for highway corridors based on Tri-Cities Group recommendations, consider requesting an amendment to Moore County utility extension policy and cooperation on the 2024 U.S. Open Championship preparations.

Review VOP Comprehensive Long Range Plan (Current and In-Progress)
Natalie Hawkins, reviewed some key components of the 2010 Comprehensive Plan, such as Planning areas/ETJ expansion, Village Center expansion, parking and traffic.

Matt Noonkester, Comprehensive Plan Consultant, provided Council with a general project update for the 2019 Comprehensive Plan. Mr. Noonkester stated that McGill and Associates did a windshield evaluation of the 1,600 vacant lots and 200 of those are, in their opinion, not buildable lots. Seven areas they believe are areas of interest for developing growth and conservation:

1. Rural land area in current ETJ, Southwest of the Village.
2. Pinehurst Executive Center.
3. Moore Regional Health Center (only 3% of the hospital center is undeveloped)
4. Village Place/New Core Area
5. Northwest Destination No. 1. (Possible mixed use plans)
6. Northwest Destination No. 2. (Possible mixed use plans)
7. Area of interest north of the Village.

Review and Affirm Mission, Vision, and Values
Staff and Council discussed the current Mission, Vision and Values set for the Village. Council decided to wait until after the Long Rang Comprehensive Plan was completed to make any changes, if any were needed.

Review (OFI's) Opportunities for Improvement and Innovation and Identify Strategic Opportunities
Lauren Craig, Performance Management Director, reviewed the process of identifying strategic opportunities and presented Council with the current OFI list. Council reviewed the current list by goal to determine whether to amend or modify the list.

Other Business
Council discussed the 2019 key partner and collaborators and decided which Council members would represent the village.

Wrap Up, Next Steps, and Evaluation
Ms. Craig reviewed the agenda for the next day's meeting, December 5, 2018.

Other Business
No other business was discussed.

3. Adjournment.
The meeting was adjourned at 5:00 PM.

Respectfully Submitted,

Beth Dunn
Village Clerk

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VILLAGE COUNCIL
MINUTES FOR FY 2019 STRATEGIC PLANNING RETREAT OF DECEMBER 5, 2018
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
9:00AM - 12:00 PM

The Pinehurst Village Council held the FY 2019 Strategic Planning Pre-Retreat on Tuesday, December 5, 2018 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. John Bouldry, Treasurer
Ms. Judy Davis, Councilmember
Mr. Kevin Drum, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Beth Dunn, Village Clerk
Mr. Jeffrey Batton, Assistant Village Manager
Ms. Natalie Hawkins, Assistant Village Manager
Ms. Lauren M. Craig, Village Clerk
Ms. Angela Kantor, Director of Human Resources
Mr. Carlton Cole, Fire Chief
Mr. Randy Kuhn, Director of Fleet Maintenance
Mr. Walt Morgan, Director of Public Services
Mr. Mark Wagner, Director of Parks and Recreation
Mr. Earl Phipps, Police Chief
Ms. Brooke Hunter, Director of Financial Services
Ms. Julia Latham, Board of Adjustment Chair
Mr. Molly Gwinn, Historic Preservation Commission Chair
Ms. Molly Rowell, Beautification Committee Chair
Mr. Tom Campbell, Bicycle and Pedestrian Advisory Committee Chair

And approximately 2 attendees and 1 press.

1. Call to Order.
Lauren Craig, Performance Management Director, called the Strategic Planning Retreat to order and welcomed everyone.

2. FY 2020 Strategic Planning Retreat

Welcome/Introduction
Lauren Craig, Performance Management Director, outlined the agenda for the day and the objectives for the retreat meeting.

Discuss Potential Changes to the FY 2020 Balanced Scorecard.
Mrs. Craig reviewed the proposed FY2020 Balanced Scorecard goals and key performance indicators. Council discussed the proposed changes and made recommendations for FY 2020.

Identify Key Strategic Opportunities
Mrs. Craig presented Council the proposed strategic opportunities. Council ranked all the opportunities by importance and urgency and decided which areas to focus on. The top 3 areas of focus were to adopt a long range comprehensive plan, prepare a Village Place small area plan and evaluate expansion of the ETJ.

Wrap Up, Next Steps, and Evaluation
Mrs. Craig completed a plus/delta of the retreat this year. Council agreed that having the pre-retreat to receive all the data was very helpful going into the regular retreat meeting.

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3. Adjournment.

The meeting adjourned at 12:07 PM.

Respectfully Submitted,

Beth Dunn
Village Clerk

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VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF DECEMBER 11, 2018
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
4:30 PM

The Pinehurst Village Council held a Regular Meeting at 4:30 p.m., Tuesday, December 11, 2018 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. John Bouldry, Treasurer
Ms. Judy Davis, Councilmember
Mr. Kevin Drum, Councilmember
Mr. Jeffrey Batton Assistant Village Manager
Ms. Beth Dunn, Village Clerk

And approximately 15 attendees, including 3 staff and 1 press.

1. Call to Order.
Mayor Nancy Roy Fiorillo, called the meeting to order.

2. Invocation and Pledge of Allegiance.
Pastor of Village Chapel, John Jacobs gave the invocation and Mayor Nancy Roy Fiorillo, led everyone in the Pledge of Allegiance.

3. Reports:

Manager

- Walt Morgan, Public Services Director, unfortunately couldn't make it to the meeting but he wanted to thank Council for their support over the years.
- Walt's retirement luncheon is December 15th at 12:00 p.m. and Ricky Gooch's retirement luncheon is on December 27th at 12:00 p.m., both luncheons will be at the Fair Barn.
- Village offices will be closed December 25th and 26th for Christmas and January 1st for New Years.
- Ground breaking ceremony for the Community Center is Friday, December 14th at 10:00 a.m.
- Council interviews are scheduled to begin at 9:00 a.m., Thursday, December 13th.
- Glen Webb was sworn in as the new Deputy Chief on Monday, December 10th.

Council

- Mayor Nancy Fiorillo stated she is honored to give the welcome speech at the Local Government Budget Officers conference at the Resort. NC Magazine will be in town on January 4th, 5th and 6th and she will also give a welcome speech for them as well.
- Councilmember Kevin Drum attended the CVB awards last night for USGA for Senior Women's and Amateurs.
- Councilmember John Bouldry stated he wouldn't be able to attend the Triangle J meeting because of the Council interviews. However, they have the Moore County Transportation Plan on the agenda and will discuss the scoring for many of the DOT projects in the Pinehurst area.
- Councilmember Judy Davis stated Pine Needles will host the 2nd US Senior Women's Open on May 16th to 19th and the US Amateur on August 12th-18th. For the US amateur, alone, they will need 800 volunteers.

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.

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A. Resolution 18-31 Honoring, Board of Adjustment and Planning and Zoning Board Member, Myles Larsen.
B. Resolution 18-32 Honoring, Mayor Pro Tem and Councilmember, John Cashion.
C. Public Safety Reports.
    - December Fire Department Report
    - December Police Report (1)
    - December Police Report (2)
D. Approval of Draft Village Council Meeting Minutes.
    - November 6, 2018 Special Meeting
    - November 13, 2018 Regular Meeting
    - November 13, 2018 Work Session
    - November 29, 2018 Special Meeting
E. Budget Amendment Report

End of Consent Agenda.

Upon a motion by Councilmember Bouldry, seconded by Councilmember Drum Council unanimously approved the Consent Agenda by a vote of 4-0.

5. Presentation of the Comprehensive Annual Financial Report (CAFR)

Brooke Hunter, Financial Services Director, introduced the Auditor, John Frank, with Dixon Hughes. Mr. Frank presented Council with the 2018 CAFR. Mr. Frank stated, that again, this year they issued a clean audit report for the Village of Pinehurst. The Village once again received the certificate of excellence from the Local Government Commission, this makes the 25th year the Village has received this award. Mr. Frank stated no material weakness in internal controls were found.

6. Consider the Request from Deputy Chief Ricky Gooch to Purchase his Service Revolver

Angie Kantor, Human Resources Director, explained that Deputy Chief, Ricky Gooch, is retiring on December 31, 2018 and has requested to buy his service revolver. The current Village policy states that an employee with 10 or more years may do so for $1.00 as long as the employee has the proper permits. .

Upon a motion by Councilmember Davis, seconded by Councilmember Drum, Council unanimously approved the Consent Agenda by a vote of 4-0.

7. Discuss and Consider Resolution 18-33 Appointing New Members to Serve on the Historic Preservation Commission

Jeff Batton, Assistant Village Manager, presented Resolution 18-33 for Council to consider appointing Eric Von Salzen and Terry Lurtz to the Historic Preservation Commission. Mr. Von Salzen's appointment will begin January 1, 2019 and he is replacing Christine Dandenau. Mr. Lurtz's appointment will be effective February 1, 2019 and he will be replacing Bob Farren.

Upon a motion by Councilmember Drum, seconded by Councilmember Davis, Council unanimously approved Resolution 18-33 appointing Eric Von Salzen and Terry Lurtz to the Historic District Commission by a vote of 4-0.

8. Discuss and Consider Changes to the Policy on Administration of the Position Classification and Pay Plan

Angie Kantor, Human Resources Director, explained the proposed changes to the Policy on Administration of the Position Classification and Pay Plan**.** To change the policy, Resolution 18-34 would need to be approved. The changes include:

- Add language to the "Merit Pay" section clarifying the merit increase range is subject to change during the annual Strategic Operating Plan process.
- Add language to the "Lump Sum Payment" section clarifying the lump sum payment range is also subject to change during the annual Strategic Operating Plan process.
- Change the cost of living adjustment eligibility date for new hires from June 30th to December 31st. Only employees hired on or before December 31st will be eligible for any cost of living adjustment the following July 1st.

Councilmember Just Davis recommend adding clarification in the policy about when the strategic operating plan process was held.

Upon a motion by Councilmember Bouldry, seconded by Councilmember Drum, Council unanimously approved Resolution 18-34 amending the Policy on Administration of the Position Classification and Pay Plan by a vote of 4-0.

9. Discuss and Consider Ordinance 18-27 a Budget Amendment for the Public Services Roof Replacement.

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Jeff Batton, Assistant Village Manager explained staff is requesting a budget amendment to replace the roof of the building that houses the Administrative staff of the Public Services Department. The roof is over 20 years old and has been experiencing multiple severe leaks over the last six months. Contractors have been out to the facility and are no longer able to remedy the situation with patches and have recommended the roof be replaced. Presently, there are tarps on the roof in an effort to keep water out of the interior of the building, but this is not a long term solution. Mr. Batton feels replacing the roof is the best option at this point and will give a long-term solution preventing further damage to the interior of the building. Finance is proposing moving funds from Buildings & Grounds contingency in the amount of $11,500 to Buildings & Grounds Capital for buildings to cover the cost of the repair.

Upon a motion by Councilmember Drum, seconded by Councilmember Davis, Council unanimously approved Ordinance 18-27 a budget amendment for replacing the roof of the Public Services Administration Building by a vote of 4-0.

10. Discuss and Consider the 2019 Council meeting schedule.

Council reviewed the proposed schedule. They discussed adding additional work session to the schedule, as needed.

Upon a motion by Councilmember Davis, seconded by Councilmember Bouldry, Council unanimously approved the 2019 meeting schedule by a vote of 4-0.

11. Other Business.

Mayor Nancy Fiorillo explained Council received a letter from Senator Tom McInnis requesting 2 Councilmembers attend a meeting regarding traffic issues on December 17, 2018. They are conducting an overall review of Southern Moore County and what they can do to help and decide what issues to bring before the general assembly. Council decided that Councilmember Bouldry and Councilmember Drum would attend the meeting.

12. Comments from Attendees.

- Tom Campbell, from 1 Saddle Place, asked for an update on the Pinehurst Medical Facility. Mayor Nancy Fiorillo stated they had withdrew their application and believes they are looking at another site in another municipality.
- Kaye Pierson, from 145 Brandon Trail, spoke about her concerns of the inconsistencies with the Village's Long Range Plan and read an excerpt from a NC School of Government article.

13. Motion to Adjourn.

Upon a motion by Councilmember Bouldry, seconded by Councilmember Drum, Council unanimously approved to adjourn the Regular Meeting by a vote of 4-0 at 5:08 pm.

Respectfully Submitted,

Beth Dunn,
Village Clerk

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VILLAGE COUNCIL
MINUTES FOR WORK SESSION OF DECEMBER 11, 2018
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA

IMMEDIATLEY FOLLOWING THE REGULAR MEETING

The Pinehurst Village Council held a Work Session at 5:08 p.m., Tuesday, December 11, 2018 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Mr. John Bouldry, Treasurer
Ms. Judy Davis, Councilmember
Mr. Kevin Drum, Councilmember
Mr. Jeffrey Batton, Assistant Village Manager
Ms. Beth Dunn, Village Clerk

And approximately 2 attendees, including 3 staff and 1 press.

1. Discuss Request from Lamplighter Village Owners Association to Abandon Right of Way within Lamplighter Village.
   Jeff Batton, Assistant Manager, explained a request received by the attorney representing the Lamplighter Village Homeowners Association to abandon a certain portion of the right of way/road. Per discussions with the Association's representative, the area abandoned would be converted to open space owned by the association. Natalie Hawkins, Assistant Village Manager, presented the plat for the development. Staff's recommendation is to hold off approving the request as there is some pending development. Council all agreed they would like to invite the Homeowners Association to a Council meeting to discuss their intent of the property.

2. Work Session Business
   No additional work session business was discussed.

3. Motion to Adjourn.
   Upon a motion by Councilmember Bouldry, Council unanimously approved to adjourn the Work Session by a vote of 4-0 at 5:23 pm.

Respectfully Submitted,

Beth Dunn,
Village Clerk

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VILLAGE COUNCIL
MINUTES FOR SPECIAL MEETING OF DECEMBER 13, 2018
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
8:45 AM

The Pinehurst Village Council held a Regular Meeting at 8:45 a.m., Thursday, December 13, 2018 in the Council Conference Room of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

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

And approximately 18 attendees and 1 press.

1. Call to Order.
Mayor Nancy Roy Fiorillo, called the meeting to order.

2. Council Interviewed the Following Candidates:

- John Strickland
- Bart Boudreaux
- John Eltschlager
- Jack Farrell
- Damon Clark
- Neil Desmond
- Charles Russell
- Claire Berggren
- Larry Behning
- Clark Campbell
- Jacob Denton
- Fred Engelfried

All candidates were asked the following questions:

1) Could you tell us about yourself and what led you to seek this appointment in five minutes or less?

2) Please tell us what skills, abilities, or strengths you would bring to the Council in five minutes or less.

3) What are you most satisfied and least satisfied with regarding recent Village Council actions and decisions, and why? What would you do to enhance the Village center?

*In additional to the this question, Councilmember Bouldry asked a couple of candidate specific questions based on information candidates provided on their applications.

4) The Village Council has typically scheduled meetings for the second and fourth Tuesday of each month starting at 4:30. We are now considering starting some of those meetings at around 3:30. Would you foresee any problems with being able to

attend all scheduled Council meetings?

5) If not selected for this open Council seat, might you consider serving on one of Pinehurst's volunteer boards or commissions?

6) If there is time remaining you may make a statement about anything else you feel relevant.

3. Council Discussion on Candidates Interviewed

Council selected their top 3 candidates and weighted their choices.

Mayor Nancy Fiorillo: 1) Claire Berggren 2) Clark Campbell 3) Jack Farrell
Councilmember John Bouldry: 1) Fred Engelfried 2) Jack Farrell 3) Neil Desmond
Councilmember Judy Davis: 1) Bart Boudreaux 2) Jack Farrell 3) Neil Desmond
Councilmember Kevin Drum: 1) Fred Engelfried 2) Claire Berggren 3) Jack Farrell

Upon a motion by Councilmember Davis, seconded by Councilmember Bouldry, Council unanimously appointed Jack Farrell to fill the current vacant Council seat by a vote of 4-0.

4. Motion to Adjourn.

Council unanimously approved to adjourn the special meeting at 4:35 pm.

Respectfully Submitted,

Beth Dunn,
Village Clerk

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BUDGET AMENDMENTS REPORT
ADDITIONAL AGENDA DETAILS:

FROM:
Brooke Hunter

CC:
Jeff Sanborn & Natalie Hawkins

DATE OF MEMO:
12/31/2018

MEMO DETAILS:
Attached is the report of budget amendments approved by the Budget Officer as required for the current period.

ATTACHMENTS:

	Description
🗋	Budget Amendments Report - FY 2019

VILLAGE OF PINEHURST
BUDGET AMENDMENTS APPROVED BY BUDGET OFFICER
FOR THE PERIOD DECEMBER 6 - DECEMBER 31, 2018

Under Village of Pinehurst Ordinance #18-08, the Village Council grants the Budget Officer, or Village Manager, the ability to transfer appropriations under specific conditions. These conditions allow transfers of up to $10,000 between departments (including contingency) of the same fund for the FY 2019 Budget. The Budget Officer may not transfer monies between funds at any time.

According to Section 159-15 of The Local Government Budget and Fiscal Control Act, "any such transfers shall be reported to the governing board at its next regular meeting and shall be entered in the minutes." Listed below are the amendments authorized by the Budget Officer for the period specified above.

Note: Since appropriations are made at the department level, line item adjustments within the same department may be made without limit and do not require a report since they do not actually amend the adopted budget ordinance.

	ACCOUNT NUMBER	DESCRIPTION	DEBIT	CREDIT	APPROVED DATE
1	10-00-960-5901	Fleet - Repairs & Maintenance: Equipment	$ 7,000		12/27/2018
	10-00-960-9999	Fleet - Contingency		$ 7,000	
	10-80-620-5903	Harness Track - Fleet Maintenance ISF Charges	$ 7,000		
	10-10-310-5903	Police - Fleet Maintenance ISF Charges		$ 6,000	
	10-20-420-5903	S&G - Fleet Maintenance ISF Charges		$ 1,000	

(Transfer funding from Fleet contingency to repairs & maintenance to cover several repairs to the Harness Track tractor. The repairs must be completed by the John Deere dealer, as Fleet Maintenance is unable to remove the cab of the equipment.)

DISCUSS AND CONSIDER DRAFT RESOLUTION 19-01 ESTABLISHING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE TOWN OF ABERDEEN, THE TOWN OF SOUTHERN PINES AND THE VILLAGE OF PINEHURST.

ADDITIONAL AGENDA DETAILS:

FROM:
Beth Dunn

CC:
Jeff Sanborn

DATE OF MEMO:
12/26/2018

MEMO DETAILS:
Attached is a memo from Triangle J Council of Governments and draft Resolution 19-01, establishing an interlocal cooperation agreement, for Council to discuss and consider.

ATTACHMENTS:

Description
Memo
Resolution 19-01 Interlocal Cooperation Agreement
Tri Cities Highway Corridor Map

TRIANGLE J COUNCIL OF GOVERNMENTS

World Class Region

Memo

To: Mayor David McNeil, Town Council Members, and Reagan Parsons
Mayor Robert Farrell, Town Commissioners, and Paul Sabiston
Mayor Nancy Fiorillo, Village Council Members, and Jeff Sanborn

From: Lee Worsley

Date: December 11, 2018

Re: Aberdeen/Southern Pines/Pinehurst Work Group Resolution

In 2017, The Town of Aberdeen, Town of Southern Pines, and Village of Pinehurst formed a Collaborative Work Group to initiate projects, programs and agreements that address identified issues of mutual interest and share information about development, infrastructure, and other projects that cross-jurisdictional boundaries. The group consists of elected officials, managers, and identified key staff from each municipality. The group agreed to work collaboratively on goals and objectives set out in the work plan and other issues that may surface during the year.

Highway overlay districts is an identified task on FY18-19 Collaborative Work Plan. The Town of Aberdeen, Village of Pinehurst, and Town of Southern Pines have agreed to focus on this effort next. The attached resolution will establish an interlocal cooperation agreement between the three municipalities needed to coordinate plans and development regulations for land in the adjacent borders. The resolution was vetted through members of the Collaborative Work Group in November.

To facilitate this process, Triangle J Council of Governments will convene a working group of staff from all jurisdictions beginning in 2019. Staff will work to agree on shared design standards, identifying pedestrian opportunities through greenway and sidewalk connections, and other items agreed on by the Work Group.

Sincerely,

Lee Worsley
Executive Director,
Triangle J Council of Governments

4307 Emperor Boulevard, Suite 110
Durham, NC 27703
919.549.0551

www.tjcog.org
@TJCOGnc
@TJCOG

RESOLUTION #19-01:

A RESOLUTION ESTABLISHING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE TOWN OF ABERDEEN, THE TOWN OF SOUTHERN PINES, AND THE VILLAGE OF PINEHURST IN MOORE COUNTY, NORTH CAROLINA.

Whereas, the governing bodies of the Town of Aberdeen, the Town of Southern Pines, and the Village of Pinehurst desire to foster good relations; and

Whereas, all three governing bodies and their staffs wish to engage in a process of mutual dialog to obtain a better understanding of the needs and goals of each community; and

Whereas, all three governing bodies seek appropriately planned development for their respective areas; and

Whereas, all three governing bodies acknowledge the growth potential of properties near their borders and consequently the need to coordinate land use, development, service delivery, and annexation issues that arise in the general vicinity.

Now, therefore, be it resolved that in order to foster and maintain a system of sound land use planning and regulation, which can be relied upon by the public and private owners of land as a basis for investment decisions, the protection of the environment and climate conducive to the healthy economic and social growth and development of our jurisdictions, by mutual consent it is agreed by these governing bodies that:

1) The administrative staffs of each jurisdiction shall pursue cooperative efforts to coordinate plans and development regulations for land in the adjacent borders of Town of Aberdeen, Town of Southern Pines, and Village of Pinehurst. The objectives of this cooperation are to:

a) Seek compatible uses of land and natural resources;
b) Achieve a smooth transition between areas of development with each jurisdiction;
c) Provide an appropriate entryway into each jurisdiction from the other;
d) Encourage orderly development and the efficient delivery of municipal services which will maintain and enhance property values in each jurisdiction;

2) The administrative staff of the jurisdictions shall coordinate with each other on a timely basis in order to mutually exchange information, review zoning requests, special use permits, subdivisions, and site plans for land within ¼ mile of the adjacent borders of the Town of Aberdeen, Town of Southern Pines, and Village of Pinehurst defined on the attached map.

3) That all governing bodies identify the following roadway corridors as significant links between the three communities which offer opportunities for cooperation in land use planning and coordination of development regulations that will seek compatible uses of land and natural resources along each corridor, achieve a smooth transition between areas of development within each jurisdiction, provide appropriate entryways into each jurisdiction from the other and encourage orderly development and the efficient delivery of municipal services which will maintain and enhance property values in each jurisdictions. These mutually identified corridors are NC 5, US 15-501, US 1, and NC 2, and Airport road.

4) That all governing bodies direct the administrative staffs of each jurisdictions to pursue joint efforts to coordinate plans for improvements to the public rights-of-ways in the corridors identified in Section 3 above. Efforts shall include streetscape improvement plans, landscaping projects, coordinated signage and other development regulations unique to the corridor and roadway construction.

5) That the resolution shall become effective immediately following its adoption by all governing bodies.

6) That this agreement may be terminated at any time by mutual consent of all municipalities.

Adopted by the Town of Aberdeen:

Date: _____

_____
Mayor Robert Farrell– Town of Aberdeen

Adopted by the Town of Southern Pines:

Date: _____

_____
Mayor David McNeil – Town Southern Pines

Adopted by the Village of Pinehurst:

Date: _____

_____
Mayor Nancy Fiorillo – Village of Pinehurst

THIS RESOLUTION passed and adopted this 8th day of January, 2019.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Nancy Roy Fiorillo, Mayor

Attest:

_____
Beth Dunn, Village Clerk

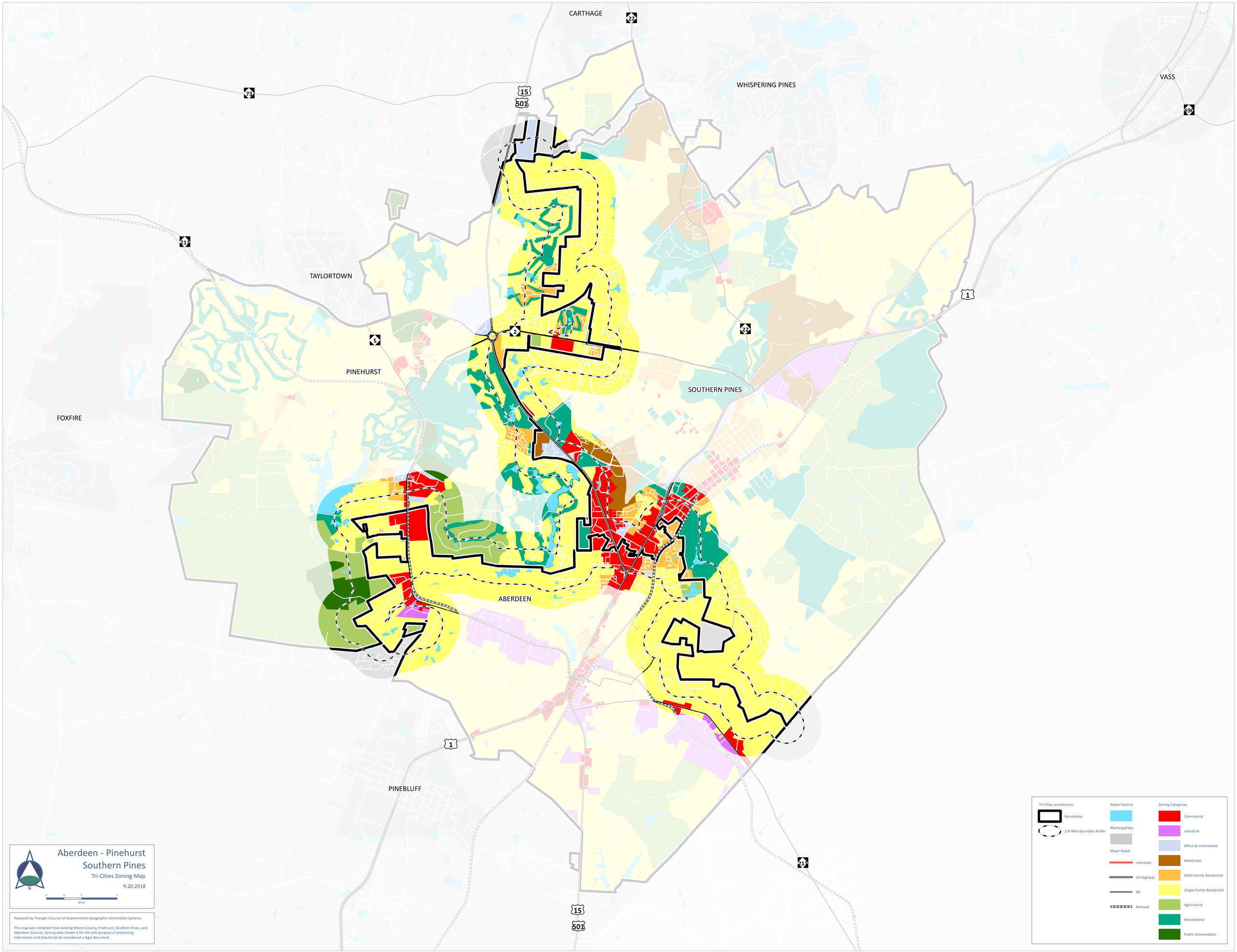
Approved as to Form:

_____
Michael J. Newman, Village Attorney

DRAFT

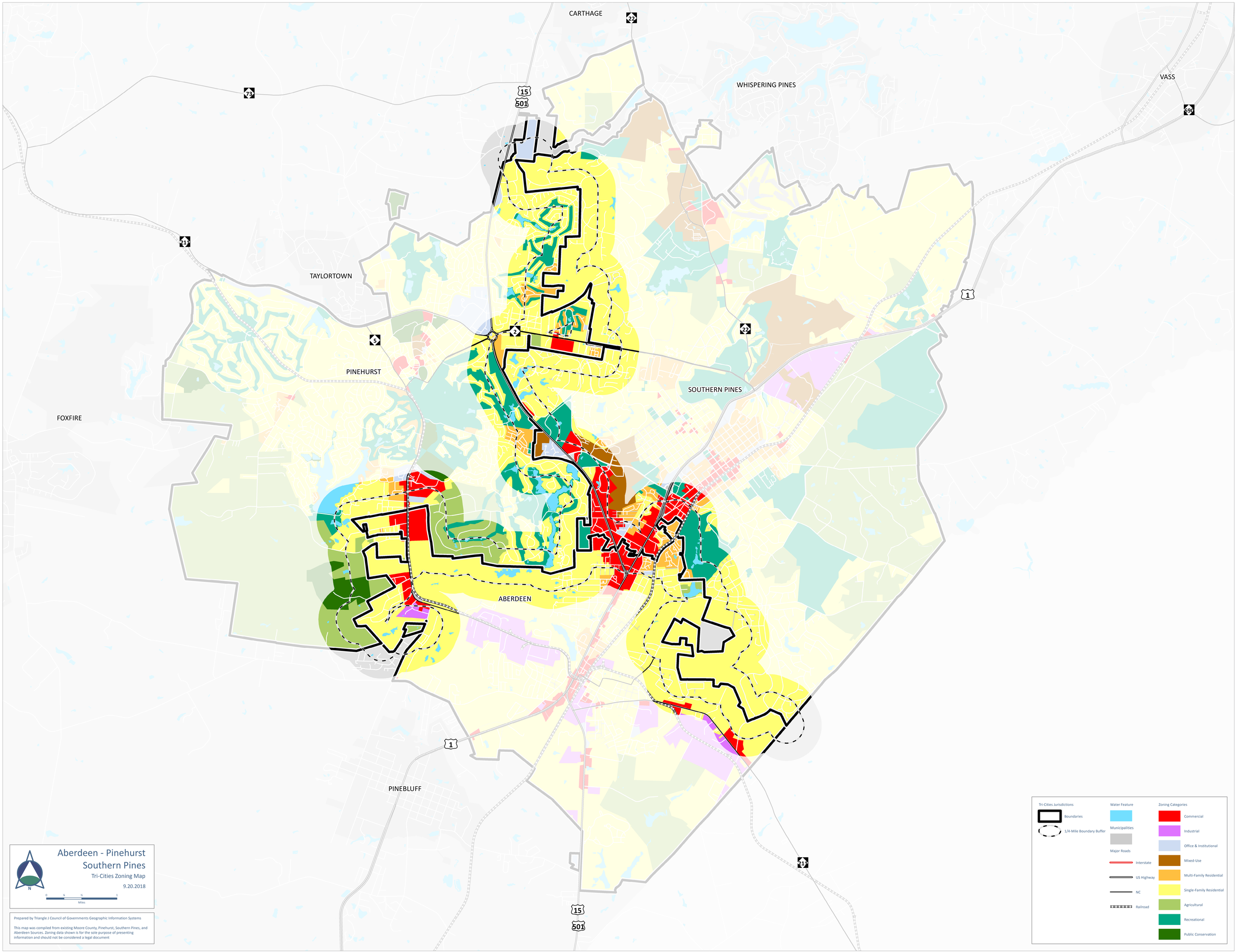
Southern Pines - Aberdeen - Pinehurst

Zoning Map



Southern Pines - Aberdeen - Pinehurst

Zoning Map



PUBLIC HEARING NO. 1

ADDITIONAL AGENDA DETAILS:

The purpose of this public hearing is to consider an amendment to the approved R-10 CD- Residential Conditional District (R-10-CD) Official Zoning Map Amendment that was approved on May 23, 2017 for the properties addressed as 105, 110 & 115 Everette Rd., as well as 35 Kelly Rd and is the current location of Community Presbyterian Church. The properties are further identified as Moore County PID's # 00024664, 00024264, 00029859, 00017301 & 98000236. This amendment is to propose a change to a landscape buffer that was shown on the general concept plan that was provided with the approved official zoning map amendment from May of 2017. The proposed change is to allow for an arborvitae hedge and not a fence as shown on the general concept plan. The applicant and property owner for the proposed amendment to the R-10 CD is Community Presbyterian Church.

ATTACHMENTS:

Description

- Application
- Ordinance 17-05
- Approved General Concept Plan May 2017
- Proposed Planting Plan
- Staff Report

Application for Amendment to Zoning Map

(revised 3/14/17)

Applicant

Name: _____ Telephone: _____

Address: _____ Email: _____

Signature: _____ Date: _____

Note: If more than one applicant, please provide a separate document listing all applicant information and their signatures.

Parcel ID #: _____ PIN _____

(attach separate list if necessary)

Present zoning classification: _____

Requested zoning classification: _____

Current Land Use: _____

Number of parcels: _____ Approximate size of area: _____

Physical location of area: _____

Are public utilities available?: _____

Reason for map amendment:

Note to Applicant By signing and submitting this application you are hereby certifying that this application and submittal, including all additional items, to be complete and accurate.

Planning and Inspections Department
395 Magnolia Rd - Pinehurst, North Carolina 28374
(910) 295-8660 - Fax (910) 295-1396 – www.vopnc.org

ORDINANCE #17-05:

AN ORDINANCE AMENDING THE OFFICIAL PINEHURST ZONING MAP AS IT PERTAINS TO THE REZONING OF CERTAIN LAND LOCATED AT 105 EVERETTE ROAD, 110 EVERETTE ROAD, 125 EVERETTE ROAD AND 35 KELLY ROAD.

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 April 25, 2017 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 multiple parcels of land consisting of approximately 4.25 acres addressed as 105 Everette Road, 110 Everette Road, 125 Everette Road; and, 35 Kelly Road, further defined as being Moore County LRK #'s 24664, 24264, 29859, 17301; and, 9800236 from R-10 (Residential District) and R-20 (Residential District) to R-10 Residential Conditional District (R-10-CD) at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial jurisdiction were given an opportunity to be heard as to whether they favored or opposed the proposed rezoning; and

WHEREAS, the Planning and Zoning Board has recommended the zoning map be amended and General Concept Plan be approved; and

WHEREAS, the applicant has agreed upon the following condition(s):

1. **To allow for an increase of impervious surface which would not exceed 56%.**
2. **A waiver to SR-18 so as to not require the church to be located on 5 acres or on a major collector or thoroughfare street.**
3. **All conditions of previously approved special use permits are waived including the requirement that 35 Kelly Road not be used for Church purposes and must remain a single-family residence.**
4. **Edit Table of Permitted Uses and limit the uses of the property to include only the following:**
    a. **Dwelling, Single Family**
    b. **Religious Institution**
    c. **Accessory Uses:**
        i. **Beekeeping – Limited to 110 Everette Road and 35 Kelly Road**

ii. **Cemetery**
iii. **Child/Adult Day Care Home Occupation – Limited to 110 Everette Road and 35 Kelly Road**
iv. **Wireless Telecom**
v. **Home Occupation – Limited to 110 Everette Road and 35 Kelly Road**
vi. **Pet Houses and Pet Runs –Limited to 110 Everette Road and 35 Kelly Road**
vii. **Playgrounds**
viii. **Accessory Buildings**
ix. **Accessory Structures**

d. **Temporary Uses – Retain all temporary uses as permitted by the PDO**

5. **Preschool will operate as an accessory use to the Church, thus child care, as a separately permitted use is not required or requested**
6. **Conditional District Overlay will replace any previous Special Use Permits with all previous conditions to be removed and no additional requirements established.**
7. **Trees to be removed shall be replaced at a minimum ratio of 1 to 1.**
8. **No additional parking may be established in the Village right-of-way and all existing parking within the right-of-way must be removed based on the following schedule:**
   a. **Completion of Parking Lot "A" will require the removal of the spaces along Everette Road and across from the existing sand lot (approx. 10 spaces)**
   b. **Completion of Parking Lot "E" will require the removal of the spaces located at the near and along the corner of Everette Road and Kelly Road (approx. 6 spaces).**
   c. **Completion of Parking Lot "F" will require the removal of the spaces located along the southern most portion of Kelly Road (approx. 12 spaces).**
   d. **Completion of Parking Lot "G" will require the removal of the spaces located along the Kelly Road and in the vicinity of the crosswalk (approx. 11 spaces).**
   e. **Completion of Parking Lot "H" will require the removal of the spaces located along the northern most portion of Kelly Road (approx. 7 spaces).**
9. **The removal of parking in the right-of-way will be the responsibility of the Village. The Village will also prepare the former parking areas with topsoil or other material suitable for planting and landscaping. The Church will be responsible for the installation of planting and landscaping which will be approved by the Village to prohibit parking in the right-of-way.**

WHEREAS, the Village Council, after considering all of 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 Development Ordinance and 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 May, 2017 as follows:

SECTION 1. That the Pinehurst Zoning Map of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and the same hereby is amended by rezoning of approximately 4.25 acres addressed as 105 Everette Road, 110 Everette Road, 125 Everette Road; and, 35 Kelly Road, further defined as being Moore County LRK #'s 24664, 24264, 29859, 17301; and, 9800236 from R-10 (Residential District) and R-20 (Residential District) to R-10 Residential Conditional District (R-10-CD).

SECTION 2. The rezoning map and General Concept Plan is attached hereto as Exhibit A and made a part hereof, the same as if included verbatim.

SECTION 3. This Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 23rd day of May, 2017.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: Nancy Roy Fiorillo
Nancy Roy Fiorillo, Mayor

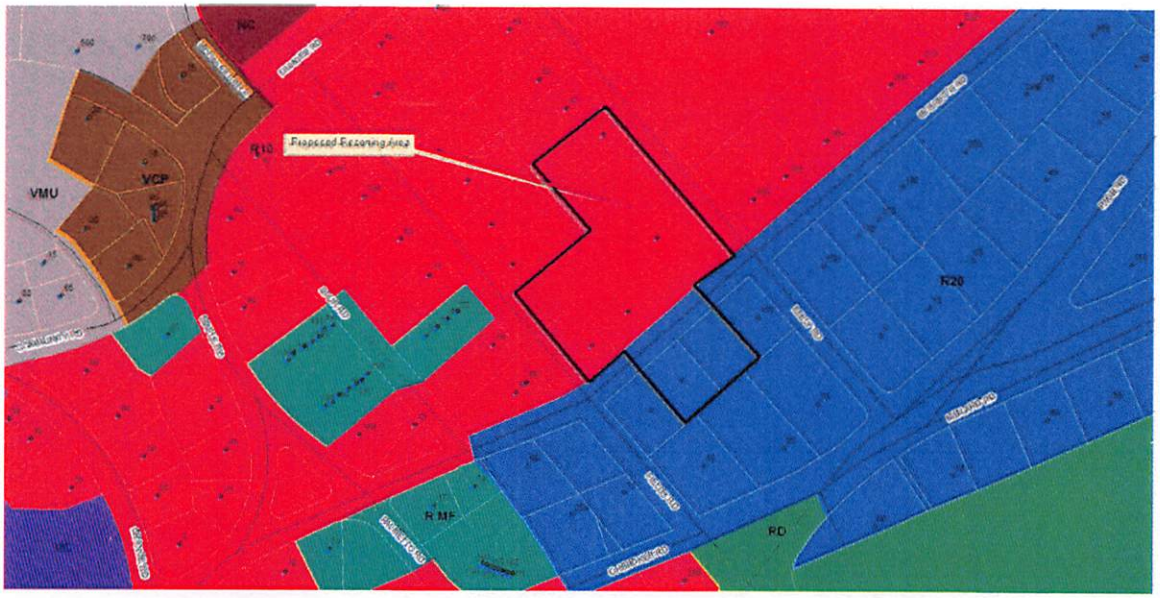
Attest:

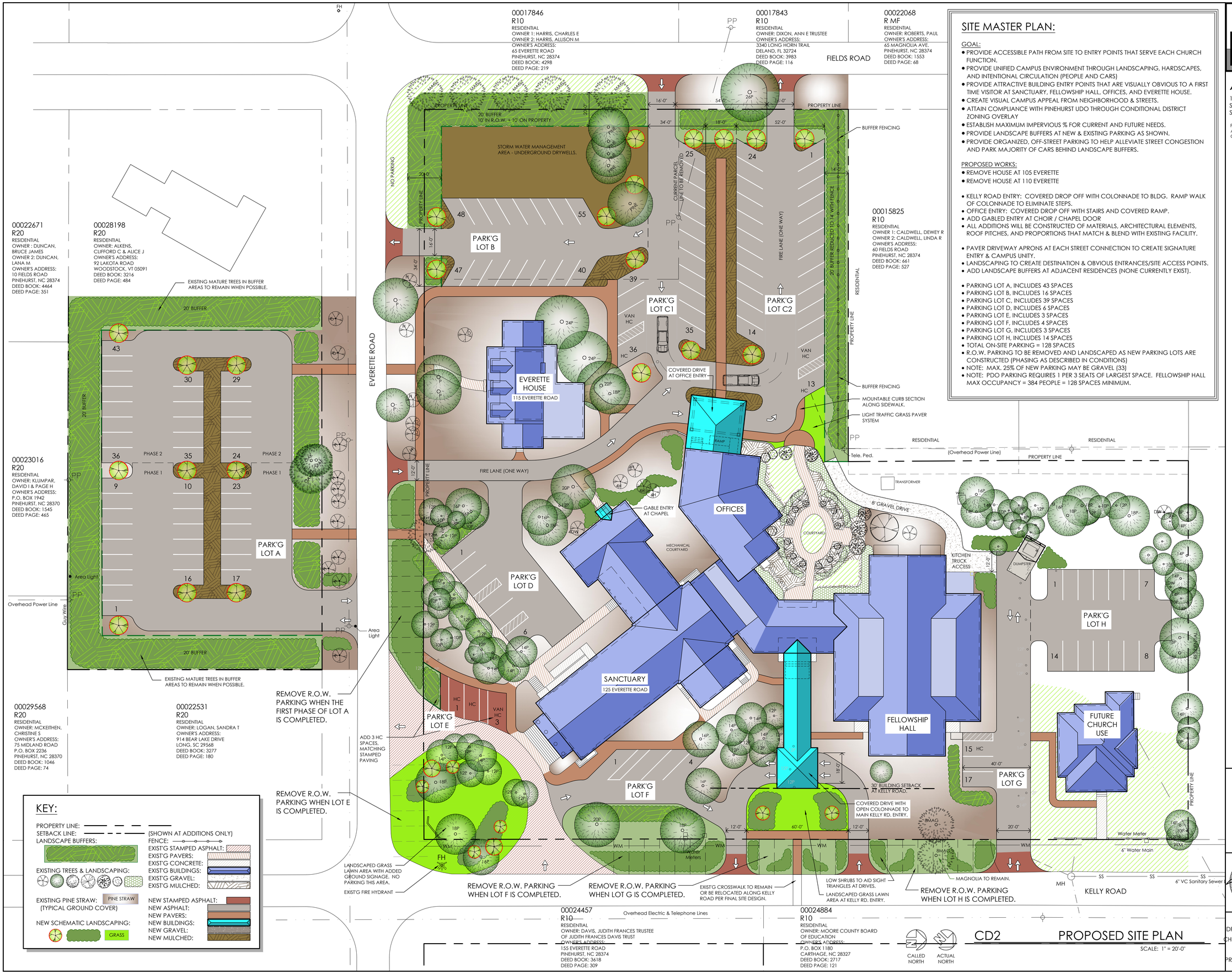
Lauren M. Craig
Lauren M. Craig, Village Clerk

Approved as to Form:

Michael J. Newman, Village Attorney

EXHIBIT A


Proposed Rezoning Area
VMU
VCP
R10
R20
R MF
RD



SITE MASTER PLAN:

GOAL:

- PROVIDE ACCESSIBLE PATH FROM SITE TO ENTRY POINTS THAT SERVE EACH CHURCH FUNCTION.
- PROVIDE UNIFIED CAMPUS ENVIRONMENT THROUGH LANDSCAPING, HARDSCAPES, AND INTENTIONAL CIRCULATION (PEOPLE AND CARS)
- PROVIDE ATTRACTIVE BUILDING ENTRY POINTS THAT ARE VISUALLY OBVIOUS TO A FIRST TIME VISITOR AT SANCTUARY, FELLOWSHIP HALL, OFFICES, AND EVERETTE HOUSE.
- CREATE VISUAL CAMPUS APPEAL FROM NEIGHBORHOOD & STREETS.
- ATTAIN COMPLIANCE WITH PINEHURST UDO THROUGH CONDITIONAL DISTRICT ZONING OVERLAY
- ESTABLISH MAXIMUM IMPERVIOUS % FOR CURRENT AND FUTURE NEEDS.
- PROVIDE LANDSCAPE BUFFERS AT NEW & EXISTING PARKING AS SHOWN.
- PROVIDE ORGANIZED, OFF-STREET PARKING TO HELP ALLEVIATE STREET CONGESTION AND PARK MAJORITY OF CARS BEHIND LANDSCAPE BUFFERS.

PROPOSED WORKS:

- REMOVE HOUSE AT 105 EVERETTE
- REMOVE HOUSE AT 110 EVERETTE

- KELLY ROAD ENTRY: COVERED DROP OFF WITH COLONNADE TO BLDG. RAMP WALK OF COLONNADE TO ELIMINATE STEPS.
- OFFICE ENTRY: COVERED DROP OFF WITH STAIRS AND COVERED RAMP.
- ADD GABLED ENTRY AT CHOIR / CHAPEL DOOR
- ALL ADDITIONS WILL BE CONSTRUCTED OF MATERIALS, ARCHITECTURAL ELEMENTS, ROOF PITCHES, AND PROPORTIONS THAT MATCH & BLEND WITH EXISTING FACILITY.

- PAVER DRIVEWAY APRONS AT EACH STREET CONNECTION TO CREATE SIGNATURE ENTRY & CAMPUS UNITY.
- LANDSCAPING TO CREATE DESTINATION & OBVIOUS ENTRANCES/SITE ACCESS POINTS.
- ADD LANDSCAPE BUFFERS AT ADJACENT RESIDENCES (NONE CURRENTLY EXIST).

- PARKING LOT A, INCLUDES 43 SPACES
- PARKING LOT B, INCLUDES 16 SPACES
- PARKING LOT C, INCLUDES 39 SPACES
- PARKING LOT D, INCLUDES 6 SPACES
- PARKING LOT E, INCLUDES 3 SPACES
- PARKING LOT F, INCLUDES 4 SPACES
- PARKING LOT G, INCLUDES 3 SPACES
- PARKING LOT H, INCLUDES 14 SPACES
- TOTAL ON-SITE PARKING = 128 SPACES
- R.O.W. PARKING TO BE REMOVED AND LANDSCAPED AS NEW PARKING LOTS ARE CONSTRUCTED (PHASING AS DESCRIBED IN CONDITIONS)
- NOTE: MAX. 25% OF NEW PARKING MAY BE GRAVEL (33)
- NOTE: PDO PARKING REQUIRES 1 PER 3 SEATS OF LARGEST SPACE. FELLOWSHIP HALL MAX OCCUPANCY = 384 PEOPLE = 128 SPACES MINIMUM.

the BOGLE FIRM
ARCHITECTURE
100 W. INNES ST pete@boglefirm.com
SUITE 200A www.boglefirm.com
SALISBURY, NC 28144 704.213.4553

PUBLICATION OR REUSE OF THESE DRAWINGS OR ANY INCLUDED DETAILS MUST BE WITH THE WRITTEN CONSENT OF THE FIRM'S PRINCIPAL ARCHITECT.

REVISED PER VILLAGE COUNCIL COMMENTS

CONDITIONAL DISTRICT SITE PLAN

PROPOSED DEVELOPMENT MASTER PLAN GOALS

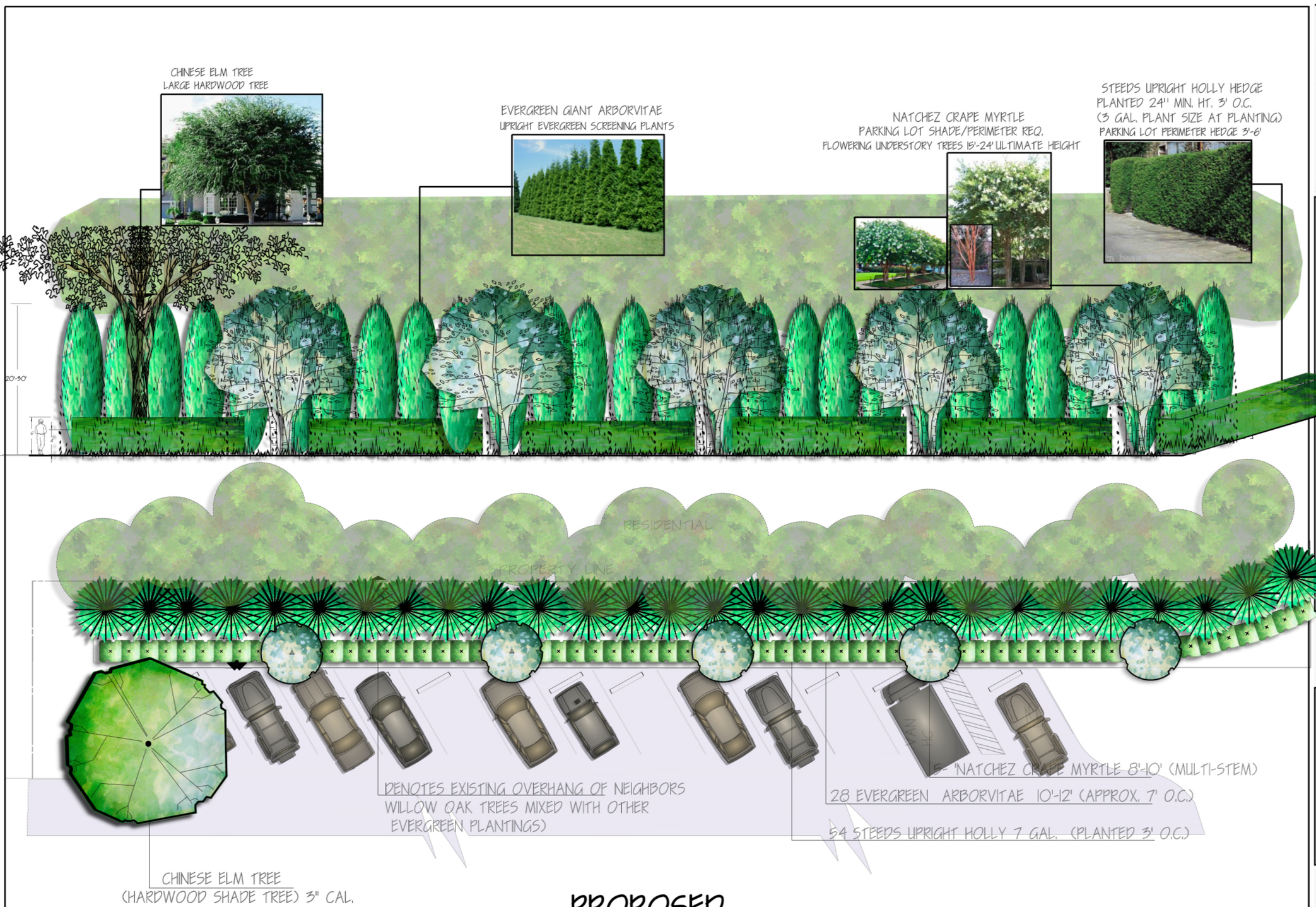
MAY 18, 2017

COMMUNITY PRESBY CHURCH

125 EVERETTE ROAD
PINEHURST, NC

DRAWN BY: DRB
CHECKED BY: DRB
DATE: 5/2017
PROJECT #: 1624

SHEET NUMBER
CD2
OF: 3



PROPOSED
ALTERNATE SCREEN PLANTING FOR
14' PLANTING BED BETWEEN CHURCH AND RESIDENCE

RAMSEY LANDSCAPE ASSOCIATES, INC.
POST OFFICE BOX 5828
PINEHURST, NORTH CAROLINA 28374
PHONE OFFICE: 910.295.5004
FAX: 910.260.1459 CELL: 910.865.7171
EMAIL: rla2@mcrr.com

PROJECT NAME:

COMMUNITY PRESBYTERIAN CHURCH
125 EVERETTE ROAD
PINEHURST, NORTH CAROLINA

NORTH:

ISSUED:

DATE:	DESCRIPTION:	BY:
11.28.18	CONCEPT.	MR

DESIGNED: MR REVIEWED: APPROVED:

COPYWRIGHT DISCLAIMER:
RAMSEY LANDSCAPE ASSOCIATES, INC. RETAINS THE RIGHT OF AUTHORSHIP FOR IDEAS EXPRESSED AS THEIR WORK, AND AS SUCH, ALL DRAWINGS AND SPECIFICATIONS REMAIN PROPERTY OF RAMSEY LANDSCAPE ASSOCIATES, INC. UNLESS AGREEMENT IS MADE BETWEEN DESIGNER AND OWNER.

SCALE: 1"=10'

SHEET NO: LANDSCAPE STUDY

BUFFER/SCREEN PLANTINGS
ALTERNATE FOR MAX. SCREENING

1895

VILLAGE OF

PINEHURST

PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To:	Mayor Fiorillo and Village Council
From:	Alex Cameron, Senior Planner
Cc:	Jeff Sanborn, Village Manager Natalie Hawkins, Assistant Village Manager Beth Dunn, Village Clerk
Date:	January 2, 2019
Subject:	Staff Report for Proposed Amendment to the approved R-10 CD- Residential Conditional District (R-10-CD) Official Zoning Map Amendment that was approved on May 23, 2017.

Applicant:	Community Presbyterian Church
Owners:	Community Presbyterian Church
Property Location:	105 Everette Rd., 110 Everette Rd., 125 Everette Rd. and 35 Kelly Rd.
Amendment to Rezoning:	Current Zoning District: R-10 CD –Residential Conditional District is established as a district in which the principal use of land is for high-density residential purposes. Churches are allowable by special use within the district. Proposed Amendment to the R-10 Zoning District: Requested change in required landscape buffer along adjacent residential property.
Current Land Use:	Religious Institution - Community Presbyterian Church.

Background:

The applicant first submitted an application for a Conditional District Rezoning in February of 2017. The Planning & Zoning Board first held a duly advertised public hearing on the proposed Conditional District Rezoning on April 6, 2017 and recommended approval to Village Council. Village Council first took up the proposal in a duly advertised public hearing on April 25, 2017 and then discussed it further at a work session held on May 9, 2017. Village Council ultimately approved the Conditional District Rezoning request at their regular meeting held on May 23, 2017 with specific conditions. (see attached ordinance 17-05).

The granting of the Conditional District Rezoning with the submitted general concept plan, will allow the church to come into compliance with key provisions of the Pinehurst Development Ordinance (PDO) including the number of required off street parking spaces, parking lot landscaping and landscape buffers.

Request:
With this specific request, the applicant has asked to amend the R-10 CD - Residential Conditional District (R-10-CD) Zoning of +/- 4.25 acres of property that was previously approved by Village Council on May 23, 2017. This proposed amendment is to change the required buffer along the adjacent property addressed as 60 Fields Rd. The original general concept plan that accompanied the approved rezoning showed a fence that allowed for a 30% reduction in the width along with planting area. The applicant is now proposing an arborvitae hedge in place of the fencing.

Example of Applicant's Proposal

Per section 6.2.3 of the PDO, Effect of Approval/Changes to Conditional Districts: (B) Substantial Changes: Any substantial change to an approved General Concept Plan as noted below shall be reviewed by the Planning and Zoning Board and approved or denied by the Village Council as an amended Conditional District. The following changes to a CD General Concept Plan shall require approval by the Village Council: of the PDO,

> (8) When perimeter buffers and shown perimeter landscape areas are modified in any way except for like replacements of materials or planting stock.

Analysis:
This property and the surrounding properties are all located within the corporate limits of Pinehurst and are zoned by Pinehurst.

This property is located within the Pinehurst Historic Preservation Overlay District. The Pinehurst Historic Preservation Commission has reviewed and issued a Certificate of Appropriateness for the covered entry addition and demolition of the structures that accompanied the previously approved general concept plan. The proposed amendment would not require any review or action by the Historic Preservation Commission.

The adjacent properties along Fields Rd. and Kelly Rd. are zoned R-10 and R-MF and contain single family homes, a small apartment building and Pinehurst Elementary School. The properties across Everette Rd. are zoned R-20 and contain single family residences.

Area Zoning Map

Planning and Zoning Board Action:
The Planning and Zoning Board considered this request and conducted a duly advertised public hearing on December 6th. Following the public hearing and subsequent discussion, the Board voted unanimously to recommend approval of the amended Conditional District Rezoning to Village Council.

Recommendation:
The Planning Staff recommends approval of the proposed buffer change as submitted.

Based on the surrounding properties and proposed use of buffering material, staff feels the proposal would be consistent with the existing adjacent area and result in equal or better performance.

Comprehensive Plan Consistency Statement:
Page 18 of the 2010 Comprehensive Long Range indicates that some major strategies of the Village in both the business and residential area are to enhance landscaping, shield/buffer/screen parking areas from adjacent roads.

This proposal takes into consideration that places of worship are certainly a community need and allowing this established church to add needed additional parking and become more compliant regarding parking and landscape standards is therefore deemed to be in accordance with the 2010 Comprehensive Plan. Achieving goals in accordance with the Comprehensive Plan is considered reasonable and in the best interest of the public.

DISCUSS AND CONSIDER DRAFT ORDINANCE 19-01 AMENDING THE PREVIOUSLY APPROVED R-10 CD- RESIDENTIAL CONDITIONAL DISTRICT (R-10-CD) OFFICIAL ZONING MAP AMENDMENT FOR COMMUNITY PRESBYTERIAN CHURCH.

ADDITIONAL AGENDA DETAILS:

FROM:
Natalie Hawkins

CC:
Jeff Sanborn

DATE OF MEMO:
12/31/2019

MEMO DETAILS:
Attached is draft Ordinance 19-01 for Council to discuss and consider. This Ordinance would amend the approved R-10-CD - Residential Conditional District (R-10-CD) Official Zoning Map Amendment that was approved on May 23, 2017 for the properties addressed as 105, 110 & 115 Everette Rd., as well as 35 Kelly Rd and is the current location of Community Presbyterian Church.

ATTACHMENTS:

Description

- Ordinance 19-01

ORDINANCE #19-01:

AN ORDINANCE AMENDING THE APPROVED R-10-CD RESIDENTIAL CONDITIONAL DISTRICT (R-10-CD) OFFICAL ZONING MAP AMENDMENT THAT WAS APPROVED ON MAY 23, 2017 FOR THE PROPERTIES ADDRESSED AS 105, 110 & 115 EVERETTE RD., AS WELL AS 35 KELLLY RD. AND IS THE CURRENT LOCATOIN OF COMMUNITY PRESBYTERIAN CHURCH.

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 8, 2019 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 amending the approved R-10 CD- Residential Conditional District (R-10-CD) Official Zoning Map Amendment that was approved on May 23, 2017 for the properties addressed as 105, 110 & 115 Everette Rd., as well as 35 Kelly Rd and is the current location of Community Presbyterian Church. The properties are further identified as Moore County PID's # 00024664, 00024264, 00029859, 00017301 & 98000236, at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial jurisdiction were given an opportunity to be heard as to whether they favored or opposed the proposed rezoning; and

WHEREAS, this amendment is to change to a landscape buffer that was shown on the general concept plan that was provided with the approved official zoning map amendment from May of 2017. The proposed change is to allow for an arborvitae hedge and not a fence as shown on the general concept plan. The applicant and property owner for the proposed amendment to the R-10 CD is Community Presbyterian Church; and

WHEREAS, the Planning and Zoning Board has recommend approval of the amended Conditional District Rezoning; and

WHEREAS, the Village Council, after considering all of the facts and circumstances surrounding the proposed amendment, have determined that it is in the best interests of the Village of Pinehurst and the extraterritorial jurisdiction that the R-10 CD-Residential Conditional District (R-10-CD) Official Zoning Map Amendment 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 8th day of January, 2019 as follows:

SECTION 1. That the landscape buffer that was shown on the general concept plan that was provided with the approved official zoning map amendment from May of 2017 is here by amended. The proposed change is to allow for an arborvitae hedge and not a fence as shown on the general concept plan. The applicant and property owner for the proposed amendment to the R-10 CD is Community Presbyterian Church.

SECTION 2. This Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 8th day of January, 2019.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By:

_____
Nancy Roy Fiorillo, Mayor

Attest:

_____
Beth Dunn, Village Clerk

Approved as to Form:

_____
Michael J. Newman, Village Attorney

DRAFT

DISCUSS DAMAGED ROADS RESULTING FROM COUNTY WATER LEAKS

ADDITIONAL AGENDA DETAILS:

FROM:
Jeff Batton

DATE OF MEMO:
1/3/2019

MEMO DETAILS:
As you likely are aware, the County frequently has water leaks under our roads and in the vast majority of instances it does not cause major damage to the road bed. The County responds, fixes the leak and resurfaces the road without Village intervention.

Over the last seven months however, there have been two significant water leaks under Village roads resulting in serious damages to the road requiring expensive repairs.

In the first instance, which occurred on Pine Vista Road, the County took several months to determine if they would accept responsibility. In the meantime the Village was receiving complaints about the road condition and so Village staff elected to proceed with repairs at a cost of approximately $13,000; while the County determined if they would accept responsibility. Recently they acknowledged responsibility for this repair.

In the second instance, a water leak was reported on Lake Shore Court coming from underneath the roadbed on a Friday afternoon back in June and the County responded and repaired the leak. The road bed began collapsing that evening and continued to collapse throughout the weekend. A resident notified staff on Monday of the seriousness of the collapse and Village staff investigated and found the road bed had collapsed up to 6" to 8" for approximately 200'. The County was notified and they investigated and turned it over to their insurance carrier who denied liability. They did so before any asphalt had been removed to permit a proper investigation. Village staff appealed this determination and provided testimony from residents, pictures, etc. (Included as an attachment) in an attempt to get the County and their insurance company to accept responsibility. To date, they continue to refuse to accept responsibility for this repair.

The Lake Shore Court road collapse was of such severity that the Village closed one half of the road to all traffic, stopped driving our solid waste trucks on the road and informed the Fire Department that it was likely unsafe for their fire engines to drive on the road until repairs were made. As a result of the serious impact to public safety, and only after it became apparent that our disagreement with the County would be prolonged, Village staff elected to put public safety ahead of the disagreement and contracted for repairs to be made at a cost of $72,000.

We have no record or recollection of any problems with Lake Shore Court over the last 15 years. Meanwhile, we have an eyewitness account describing sediment filled water running out of the damaged area of the road during the leak and causing a plume of sediment discoloration that was reportedly 10' wide and 30' long in the lake. We have concluded that the damage to Lake Shore Court was caused by a combination of the erosion of material from under the road and the super saturation of the sub-base that was caused by water originating from the broken water line. At some point a heavy vehicle or the shear weight of the

asphalt, caused the road surface to collapse into the void that was created by erosion.

The Village Manager and myself have met with the County Manager, the County Public Services Director and the County Attorney on this matter and have not reached an agreement on restitution and thus we need Council direction on a preferred direction. At this point the County has offered $9,000 in restitution for the Pine Vista Road repair (based on a depreciation factor from our pavement condition rating) and they remain unwilling to accept any responsibility for the Lake Shore Court damages. The Village, on the other hand, has spent approximately $85,000 on these two repairs.

ATTACHMENTS:

	Description
🗋	Letter of Appeal

July 19, 2018

Ms. Laura Heckman, Claims Representative
Sedgwick CMS
P.O. Box 241125
Charlotte, NC 28224

Re: Insured Client: NCACC – Liability and Property Pool (Moore County)
Date of Loss: 6/14/2108
Claimant: Village of Pinehurst (Lake Shore Court road damages)
Claim Number: 30180432419

Dear Ms. Hackman,

The Village of Pinehurst, NC is in receipt of your letter of denial in the above referenced claim. By virtue of this letter The Village of Pinehurst, by virtue of this letter, is appealing this decision based on several factors including eyewitness accounts of the events that led to the road collapse.

We put forth the following for your consideration:

1. Sedgwick's investigation was incomplete. Your denial letter is dated July 5 and was received on or about July 10. The asphalt however was not cut out and removed until July 10 and only then did the full extent of the water damage get revealed (see Exhibit A: cut out area & Exhibit B: cut out section). Sedgwick's determination without seeing the full underlying sub-surface that collapsed indicates your initial denial is based on incomplete information. The water line that leaked, which is owned and maintained by Moore County, was underneath the road and the damages that led to the road collapse occurred underground. Consequently we do not believe you adequately investigated the true effect and damage the water leak had on the roadbed. Further, none of the eyewitnesses (beyond possibly Moore County staff) were contacted and their information was not considered.

2. We know with certainty there have been no issues with this road for over 15 years. There was two 2" lifts of asphalt on the road indicating it had been resurfaced once before without incident.

3. The water leak occurred on Friday June 15 and was reported by Michael Colozzi, a resident of Lake Shore Court, to our Public Services Department who immediately reported it to Moore County Public Utilities (see Exhibit C: email).
4. According to Moore County Public Utilities Engineer, Leonard McBryde, the County responded to the scene "within 3 hours" and another 3 hours elapsed before they had completed repairs.

It is unknown how long the leak may have been going on before it appeared at the surface of the road and it is unknown the exact quantity of water that was released under and over the road.

5. A ¾" pipe, which is what the County indicates broke, can release between 23 gpm and 36 gpm under average to high pressure (see Exhibit D: flow chart). If we assume the flow was only 20 gpm for the absolute minimum of 3 hours that still represents 3,600 gallons of water that flowed over and under the road. It is likely far greater than this since, as stated above, it is unknown how long the leak was present before it was reported. The amount of water under pressure saturated soils for approximately 160', from 15' to 20' above the leak to approximately 140' downhill from the leak. A 5' probe was able to easily be pushed all the way into the ground approximately 20' above the leak due to the water softened subsurface (see Exhibit E: 5' probe).

6. According to Michael Colozzi, the road began to sink Friday evening and continued to worsen over the weekend (See Exhibit F: email). On Monday morning June 18, he notified the Village Manager of the seriousness of the road collapse (see Exhibit G: email).

7. An eyewitness, Tommy Hulsey, who was working one home downhill from the leak reported seeing silt laden water 3' wide, 1" deep running into a drainage flume that then pipes water to Lake Pinehurst behind the house. He indicates a silt and sediment plume 10' wide and extending 30' into the lake was occurring. This proves that a large amount of water was flowing that was carrying a lot of sediment from under the road.

8. The wet sub-soils and collapse ended at the low point in the road which coincides with the flume location. The soils past the flume remained dry and compact further indicating the direct connection between the water leak and the sub-surface collapse (see Exhibit H: roadbed beyond flume).

It is our logical contention that the continuous water flow not only eroded soils but also saturated the soils under the pavement. After the water leak was fixed and the free flow of water stopped, the excess water began draining from the soils causing them to consolidate and collapse in a tighter formation thereby causing the roadbed to sink with it (see Exhibit I: example of collapse).

In a related matter, on or about Monday June 18, I conveyed the need to expedite the insurance claim determination to the County Engineer, the County Risk Manager and a representative of Sedgewyck due to our concerns that we would not be able to safely get our emergency first responders to the end of Lake Shore Court as a result of the collapse. We also discontinued sending our solid waste trucks down this section of road for the same reason and began parking our solid waste trucks up the street and retrieving carts by hand for service. After waiting two weeks without a response, we initiated the road repair on our own (see Exhibit J: email).

Based on the evidence presented herein, which includes eyewitness testimony and photographic evidence, we respectfully request you reverse your initial determination an accept responsibility for damages to Lake Shore Court. We strongly believe the evidence overwhelmingly supports our position

as to what occurred on June 15. I may be reached at 910-295-1900 ext. 1102 should you have any questions and I look forward to your quick response.

Thank You,

Jeff Batton

Jeff Batton, Assistant Village Manager
Village of Pinehurst, NC

CC: Jeff Sanborn, Village Manager
Michael Newman, Village Attorney

Exhibit A: cut out area

Exhibit B: cut out section

Exhibit C: email

-------- Original message --------
From: Michael Colozzi <mccolozzi@icloud.com>
Date: 7/17/18 5:11 PM (GMT-05:00)
To: Jeff Batton <jbatton@vopnc.org>
Subject: RE: Lake Shore Court

Jeff.
I am pretty sure we reported it on either Friday 15th or Wednesday the 13th. Trisha or Ralph might remember exactly because one of them called the county and they were there within hours. The note I sent to Jeff S. was a few days later because the street continued to settle.
Michael

Exhibit D: flow chart

We regularly get asked about the water flow capacity of different pipe sizes, and which is the best roof drain for a specific pipe size. Unfortunately, recommendations aren't that straightforward because you also need to account for water pressure, material friction and more.

That said, we put together the following tables to serve as general guides for estimating a pipe's water flow capacity. If you have questions, please call our Drain Wizard at 800-635-0384.

Water Flow (GPM/GPH) based on Pipe Size and Inside/Outside Diameters

			Assume Gravity to Low Pressure. About 6 f/s flow velocity, also suction side of pump		*Assume Average Pressure (20-100PSI). About 12 f/s flow velocity*		*Assume "High Pressure" PEAK flow. About 18 f/s flow velocity*	
Pipe Size (Sch. 40)	I.D. (range)	O.D.	GPM (w/ min. PSI loss & noise)	GPH (w/ min. PSI loss & noise)	GPM (w/ min. PSI loss & noise)	GPH (w/ min. PSI loss & noise)	GPM (w/ min. PSI loss & noise)	GPH (w/ min. PSI loss & noise)
1/2"	0.5 - 0.6"	0.85"	7	420	14	840	21	1,260
3/4"	0.75 - 0.85"	1.06"	11	660	23	1,410	36	2,160
1"	1 - 1.03"	1.33"	16	960	37	2,200	58	3,480
1-1/4"	1.25 - 1.36"	1.67"	25	1,500	62	3,750	100	6,000
1-1/2"	1.5 - 1.6"	1.9"	35	2,100	81	4,830	126	7,560
2"	1.95 - 2.05"	2.38"	55	3,300	127	7,650	200	12,00
2-1/2"	2.35 - 2.45"	2.89"	80	4,800	190	11,400	300	18,000
3"	2.9 - 3.05"	3.5"	140	8,400	273	16,350	425	25,500
4"	3.85 - 3.95"	4.5"	240	14,400	480	28,800	700	42,000
5"	4.95" - 5.05"	5.563"	380	22,800	750	45,000	1,100	66,000
6"	5.85 - 5.95"	6.61"	550	33,000	1100	66,000	1700	102,000
8"	7.96"	8.625"	950	57,000	1900	114,000	2800	168,000

RAIN
D

Water Flow (GPM) Capacity Based on ID Size and Pressure

PRESSURE	FLOW IN GPM THROUGH PIPE ID IN INCHES						
PSI	1"	1.25"	1.5"	2"	2.5"	3"	4"
20	26	47	76	161	290	468	997
30	32	58	94	200	360	582	1240

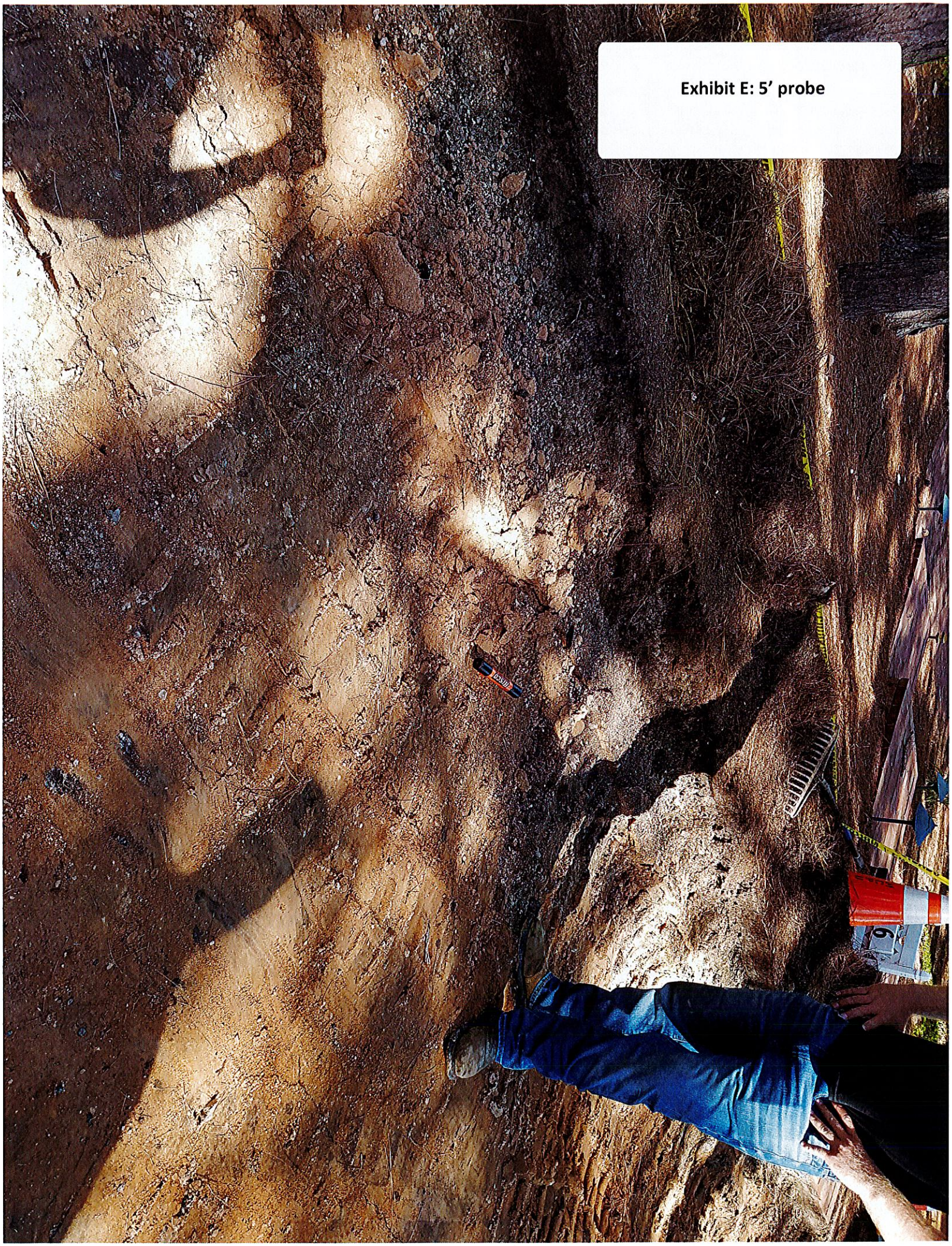


Exhibit E: 5' probe

Exhibit F: email

From: Michael Colozzi <mccolozzi@icloud.com>
Sent: Wednesday, July 18, 2018 10:08 AM
To: Jeff Batton <jbatton@vopnc.org>
Subject: RE: Lake Shore Court

Jeff,
Okay, so we reported the problem on the 15th. To clarify, that is the day we noticed water percolating up through the crack in the road surface. The leak or breach in the water line could have occurred prior but we did not notice it until the base below the surface became saturated forcing the water to percolate upwards. As to the sinking of the street---that became noticeable later on Friday and continued sinking on Saturday and Sunday. I believe then that it was on Monday that MCPU came out to have a look and to investigate the root cause and tear out areas where the sinking was the worst.

Note that the owners of the house to which the line broke, 3 Lake Shore Court, Owen, are only part time residents. They were not in residence at the time. Hence, they could not have reported a drop in water pressure, etc.

I am leaving town tomorrow and will be gone through next Wednesday, FYI.
Michael

Exhibit G: email

Begin forwarded message:

From: <mccolozzi@icloud.com>
Date: June 18, 2018 at 9:54:56 AM PDT
To: <jsanborn@vopnc.org>
Subject: Lake Shore Court: Sink Hole Developing

The following email was sent to you from a visitor to the Village website.

Hi Jeff, First, Congratulations on Nate's USMA appointment. I suppose he will be heading North for beast soon. Last week a semi came down Lake Shore an the weight of the truck broke the influent water line to the house you once rented. The county came out and made immediate repairs. Since then the road has collapsed in front of Bartley's (#6). A rather large sink hole (6' diameter and 1-2' deep) is developing around the sewer manhole. The repair work required is extensive. Large sections of the street need to be dug up and filled with gravel, rolled, filled again, rerolled and eventually paved. I tried to reach someone at the county this morning through Trish at Pinehurst Public Services. The county has not called me. Please forward this message to someone with the authority to get the work done properly. Again, a patch and fix crew won't be able to get it done. OR, let me know who to contact and I will do so. Also let me know if you'd like some photos of the damage. Hope you and Kim are doing well and enjoying life on Donald Ross Drive. Michael

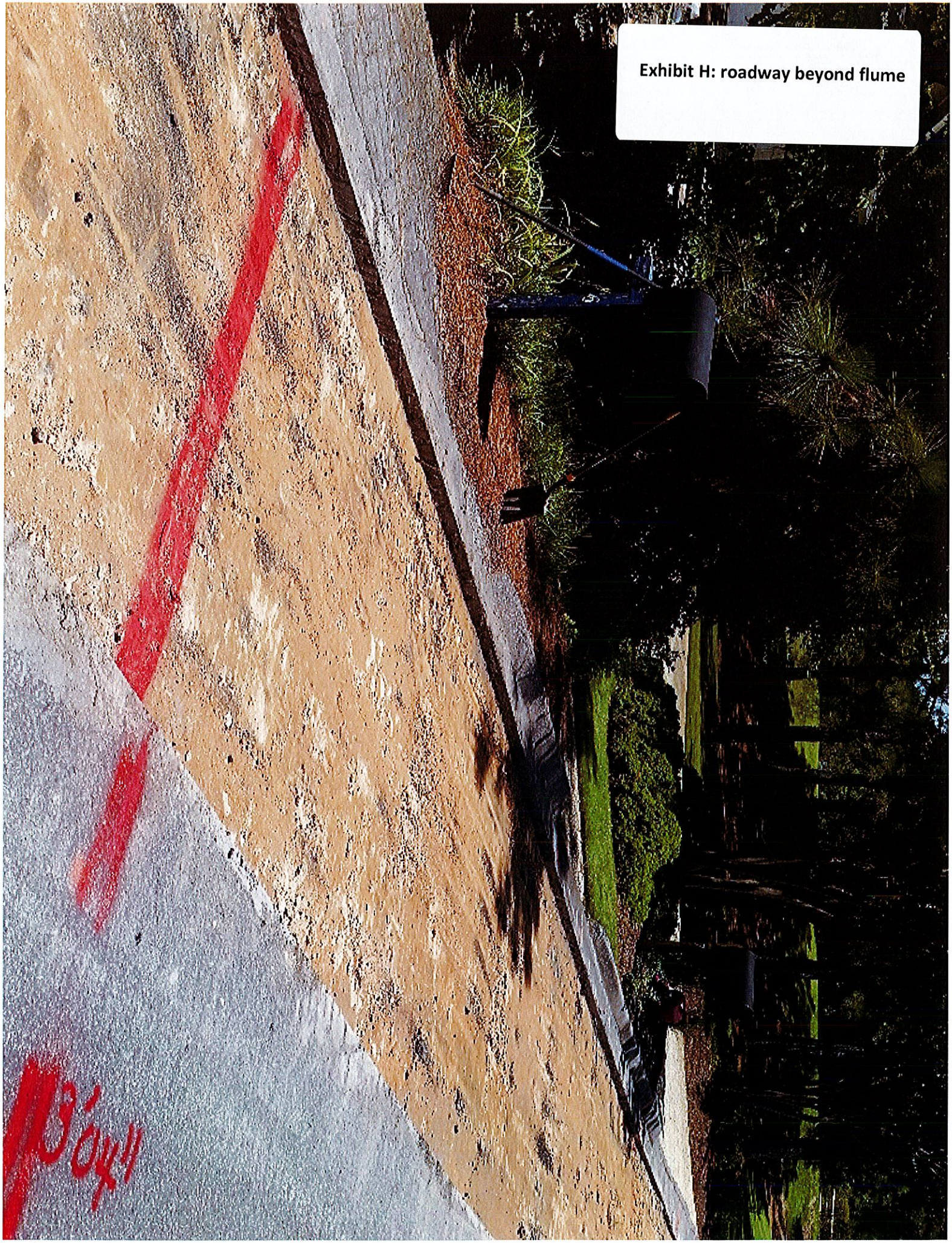


Exhibit H: roadway beyond flume

Exhibit I: example of collapse

Exhibit J: email

From: Michael Colozzi <mccolozzi@icloud.com>
Sent: Sunday, July 15, 2018 3:30 PM
To: Jeff Sanborn <jsanborn@vopnc.org>
Cc: Jeff Batton <jbatton@vopnc.org>; Ralph D. Bowen <rbowen@vopnc.org>; 'Pat Owens' <oweninvest@comcast.net>; Debbie Owen <dowen0557@gmail.com>; Mary Bartley <maryebartley@outlook.com>; Sandie Hackman <slhackman@me.com>; Ken Hackman <kdhack@mac.com>; Pat Kulisek <pkuli@comcast.net>; Aleta Pigliacampo <aletap1976@gmail.com>; Nancy R. Fiorillo <nfiorillo@vopnc.org>
Subject: Lake Shore Court

Dear Jeff,
On behalf of the residents of Lake Shore Court thanks for taking the initiative and getting our street repaired. Ralph did a great job in keeping things organized and moving along with minimal inconvenience. The Brook's crew did a great job as well. Also, Trisha in the public services department made sure our trash was collected each week during the month it took to complete all the work. The collection men had to walk down the block to retrieve the bins.

MCPU proved to be a bit of a disappointment at least to me. Randy Gould and Chris Fuller never followed up with me even though they had promised to do so twice. This was during the period when nothing was being done pending the outcome of an insurance claim. It still puzzles me why there might be a claim at all.

Please pass on our gratitude to all those on your staff that put forth the effort to get us back up and running.

Sincerely,
Michael & Sharon Colozzi
5 Lake Shore Court

DISCUSS AN AMENDMENT TO THE ANNEXATION AGREEMENT WITH THE TOWN OF SOUTHERN PINES.

ADDITIONAL AGENDA DETAILS:

FROM:
Natalie Hawkins

CC:
Jeff Sanborn, Alex Cameron

DATE OF MEMO:
1/3/2019

MEMO DETAILS:
This agenda item is to discuss an amendment to our annexation agreement with the Town of Southern Pines that is being proposed by staff. Attached to this agenda item are the following items:

1. The proposed annexation agreement boundary map.
2. A DRAFT of the ordinance to amend the annexation agreement (Ordinance 19-02)
3. The current annexation agreement, dated 2009.
4. A map showing the differences between the 2009 and proposed 2019 annexation area.

This amendment is being generated by a request from Village Developers, Inc. for a 1.15 acre tract located on Knoll Road to be moved from the Town of Southern Pines zoning jurisdiction to the Village's planning jurisdiction. Furthermore, the property owner plans to petition the Council for voluntary annexation of this parcel (PAR ID 00039843) in the future. The parcel that is being proposed to move from the Southern Pines side of the Annexation Agreement to the Pinehurst side of the annexation agreement is part of the development the Village Council approved by Ordinance #18-22 on September 25, 2018 as a R-15-CD Conditional District rezoning.

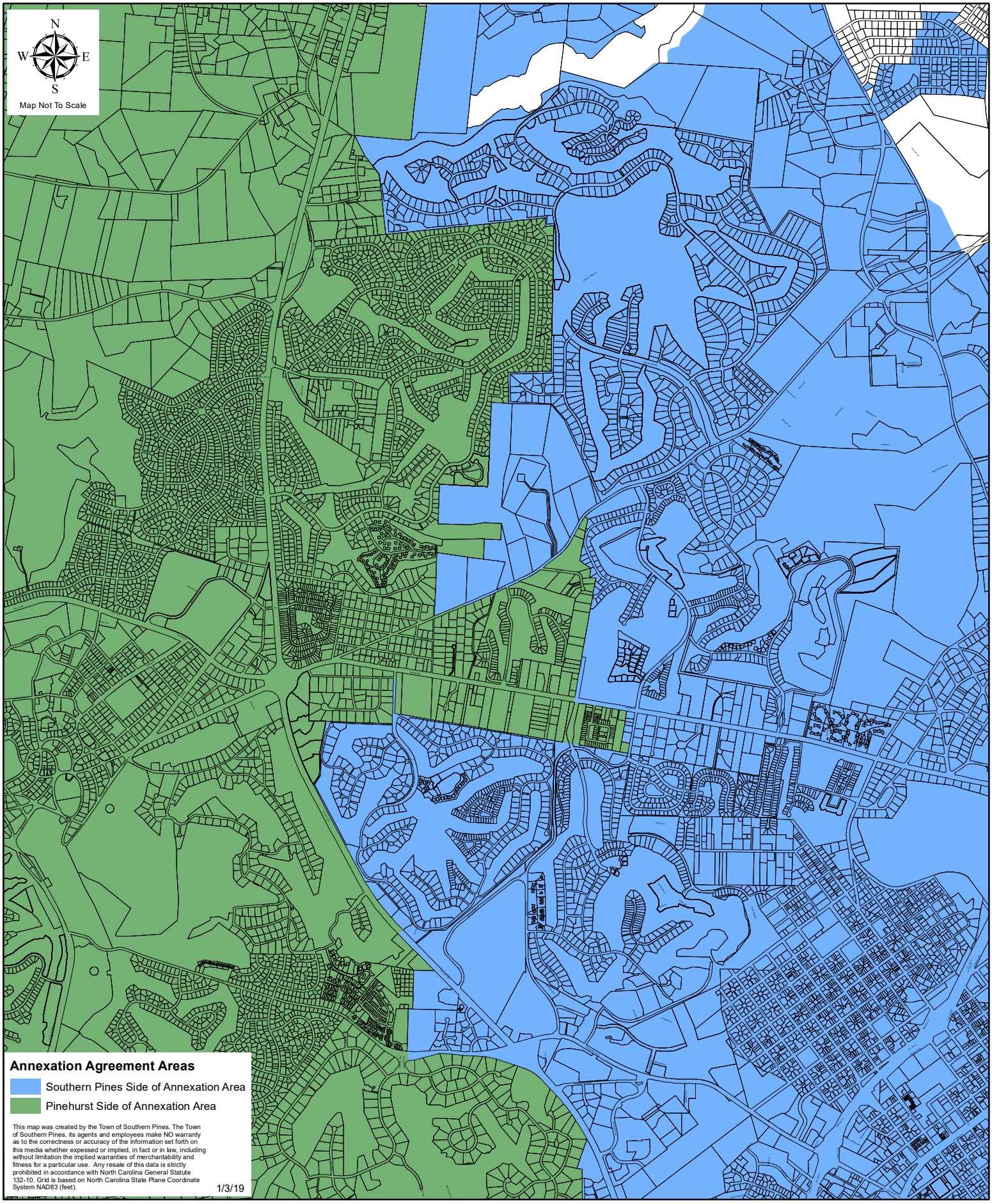
In addition to this change, the final attachment to this agenda item indicates the other areas on the proposed 2019 annexation agreement map that differ from the 2009 annexation agreement map.

This agenda item is to review the proposed 2019 annexation agreement map and the terms of the draft ordinance to ensure a mutually agreeable ordinance and map are presented to both boards for adoption.

ATTACHMENTS:

Description
Proposed 2019 Annexation Agreement Map - Southern Pines
DRAFT Ordinance 19-02 Amending Annexation Agreement with Town of Southern Pines
2009 Annexation Agreement with Southern Pines
Changes from 2009 Annexation Agreement Map

Exhibit A: The Village of Pinehurst & The Town of Southern Pines Annexation Agreement Map



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ORDINANCE #19-02

AN ORDINANCE MODIFYING AN ANNEXATION AGREEMENT BETWEEN THE VILLAGE OF PINEHURST, NORTH CAROLINA AND THE TOWN SOUTHERN PINES, NORTH CAROLINA FOR THE MUTUAL BOUNDARY LINE BETWEEN THESE TWO MUNICIPALITIES

WHEREAS, North Carolina General Statutes (N.C.G.S.) Chapter 160A, Article 4A, Part 6 authorizes two or more cities to enter into binding agreements regarding future annexation in order to enhance orderly planning by such cities; and

WHEREAS, the governing boards of the Village of Pinehurst and the Town of Southern Pines seek to carry out plans for future land uses; provision of important public facilities such as sewer and water services, roadways, and recreation; and the protection of open space and other sensitive areas; and

WHEREAS, potential conflict and confusion may occur along the interface between two jurisdictions when the future municipal boundaries between the two are unclear; and

WHEREAS, both the Village of Pinehurst and the Town of Southern Pines desire to foster good intergovernmental relations; and

WHEREAS, the governing boards and the staffs of these two communities had engaged in a process of discussion that led to determination of a municipal and utility service boundary between the two communities; and

WHEREAS, that ordinance was adopted following independent public hearings by the Village of Pinehurst on July 28, 2009 and the Town of Southern Pines on August 11, 2009, with notice provided in accordance with N.C.G.S. 160A-31(c); and

WHEREAS, the governing boards of the Village of Pinehurst and the Town of Southern Pines have agreed to modify the boundary as set out in that agreement; and

WHEREAS, this ordinance has been adopted following independent public hearings by the Village of Pinehurst on January 22, 2019 and the Town of Southern Pines on January 8, 2019;

NOW, THEREFORE, BE IT ORDAINED by the Village Council of the Village of Pinehurst, North Carolina and the Town Council of the Town of Southern Pines, North Carolina:

SECTION 1. Boundary. The areas to be included within the modified annexation agreement are depicted on Exhibit "A" of this document.

SECTION 2. Notice of Adjacent Annexations. That each participating municipality which proposes any annexation of property immediately adjacent to the boundary line that is established by this agreement must give written notice to the other municipality of such

annexation, at least 60 days before the adoption of any such annexation ordinance. The notice shall be in compliance with N.C.G.S. 160A- 58.24(a) (5) and (b) and shall be sent by mail to the Manager of the other municipality. Either Municipality may waive the time period for notice by giving a written waiver to the other party.

SECTION 3. Replacement of Prior Agreement. This agreement supersedes any previously adopted annexations that are in effect at the adoption date of this ordinance.

SECTION 4. Effective Date. That this Agreement shall become effective immediately following its adoption by ordinance by the governing board of both the Village of Pinehurst and the Town of Southern Pines.

SECTION 5. Modifications or Amendments. That this ordinance may be modified or amended with a subsequent agreement entered into by both participating municipalities pursuant to G.S. 160A-58.24(d). All modifications and amendments to this agreement shall be approved by ordinance and adopted after public hearings by both municipalities.

SECTION 6. Term of Agreement. That the term of this agreement shall be for a period of 20 years from the latest adoption of this ordinance dated below.

SECTION 7. Termination of Agreement. That this agreement may be terminated by either town in the manner prescribed by G.S. 160A-58.24(f). This agreement shall be effective until such termination occurs or 20 years, whichever comes first.

SECTION 8. **Applicability of regulations.** The Town of Southern Pines regulations and powers of enforcement shall remain in effect until the Village of Pinehurst has applied its regulations and powers of enforcement to the area that was within the jurisdiction of the Town of Southern Pines before the adoption of this ordinance.

Adopted this 22nd day of January, 2019.

VILLAGE OF
PINEHURST VILLAGE
COUNCIL

(Municipal Seal)

By: _____ Nancy
Roy Fiorillo, Mayor

Attest:

_____
Beth Dunn, Village Clerk

Approved as to Form:

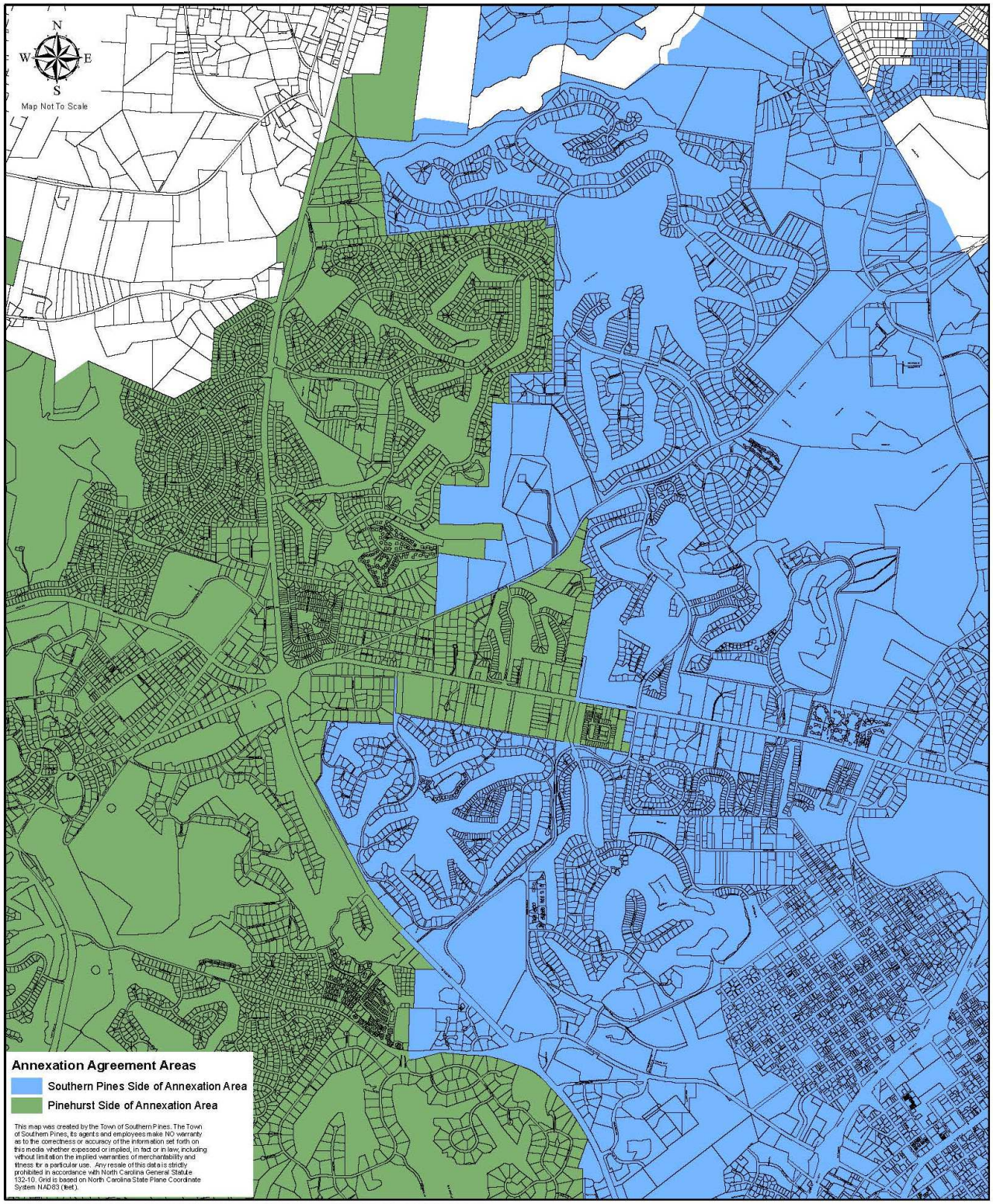
_____
Michael J. Newman, Village Attorney

Adopted by the Town of Southern Pines: January 8, 2019

_____

Mayor – Town of Southern Pines

Exhibit A: The Village of Pinehurst & The Town of Southern Pines Annexation Agreement Map



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Village of Pinehurst Ordinance # 09-29:

AN ORDINANCE ESTABLISHING AN ANNEXATION AGREEMENT BETWEEN THE VILLAGE OF PINEHURST, NORTH CAROLINA AND THE TOWN OF SOUTHERN PINES, NORTH CAROLINA FOR THE MUTUAL BOUNDARY LINE BETWEEN THESE TWO MUNICIPALITIES

THAT WHEREAS, North Carolina General Statutes (N.G.S.) Chapter 160-A, Article 4A, Part 6 authorizes two or more cities to enter into binding agreements regarding future annexation in order to enhance orderly planning by such cities; and

WHEREAS, the governing boards of the Village of Pinehurst and the Town of Southern Pines seek to carry out plans for future land uses; provision of important public facilities such as sewer and water services, roadways, and recreation; and the protection of open spaces and other sensitive areas; and

WHEREAS, potential conflict and confusion may occur along the interface between two jurisdictions when the future municipal boundaries between the two are unclear; and

WHEREAS, both the Village of Pinehurst and the Town of Southern Pines desire to foster good intergovernmental relations; and

WHEREAS, the governing boards and the staffs of these two communities have engaged in a process of discussion that has led to determination of an ultimate municipal and utility service boundary between the two communities; and

WHEREAS, this ordinance has been adopted following independent public hearings by the Village of Pinehurst on July 28, 2009 and the 'Town of Southern Pines on August 11, 2009, with notice provided in accordance with N.C.G.S. 160A-31(c).

NOW THEREFORE, BE IT ORDAINED by the Village Council of the Village of Pinehurst, North Carolina and the Town Council of the Town of Southern Pines, North Carolina:

Section1. Boundary. The areas to be included within the annexation agreement are outlined on attachment "A" of this document.

Section 2. Notice of Adjacent Annexations. That each participating municipality which proposes any annexation of property immediately adjacent to the boundary line that is established by this agreement must give written notice to the other municipality of such annexation, at least 60 days before the adoption of any such annexation ordinance. The notice shall be in compliance with N.C.G.S. 160A-59.24(a) (5) and (b) and shell be sent by mail to the Manager of the other municipality. Either Municipality may waive the time period for notice by giving a written waiver to the other party.

Section 3. Replacement of Prior Agreement. This agreement supersedes any previously adopted annexations that are in effect at the adoption date of this ordinance.

Section 4. Effective Date. That this Agreement shall become effective immediately following it adoption by ordinance by the governing board of both the Village of Pinehurst and the Town of Southern Pines.

Section 5. Modifications or Amendments. That this ordinance may be modified or amended with a subsequent agreement entered into by both participating municipalities pursuant to G.S. 160A-58.24(d). All modifications and amendments to this agreement shall be approved by ordinance and adopted after public hearings by both municipalities.

Section 6. Term of Agreement. That the term of this agreement shall be for a period of 20 years.

Section 7. Termination of Agreement. That this agreement may be terminated by either town in the manner prescribed by G.S. 160A-58.24(f). This agreement shall be effective until such termination occurs or 20 years, whichever comes first.

Adopted by the Village of Pinehurst: August 25, 2009
Date

VILLAGE OF PINEHURST CORPORATE SEAL NORTH CAROLINA

Mayor- Village of Pinehurst

Adopted by the Town of Southern Pines: August 11, 2009
Date

Mayor- Town of Southern Pines

Effective: August 25, 2009
Date

Pinehurst & Southern Pines Annexation Agreement Map July 20th, 2009

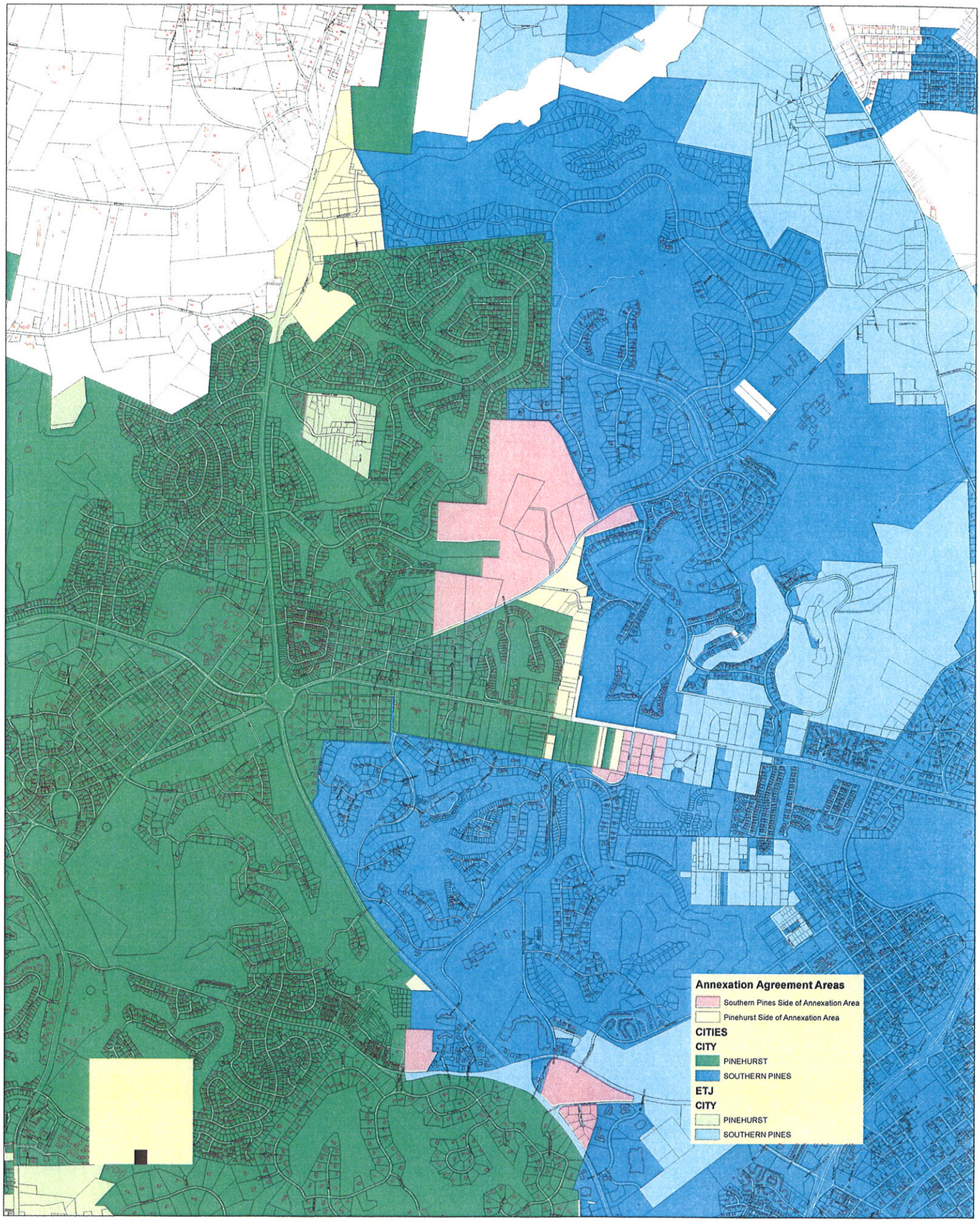
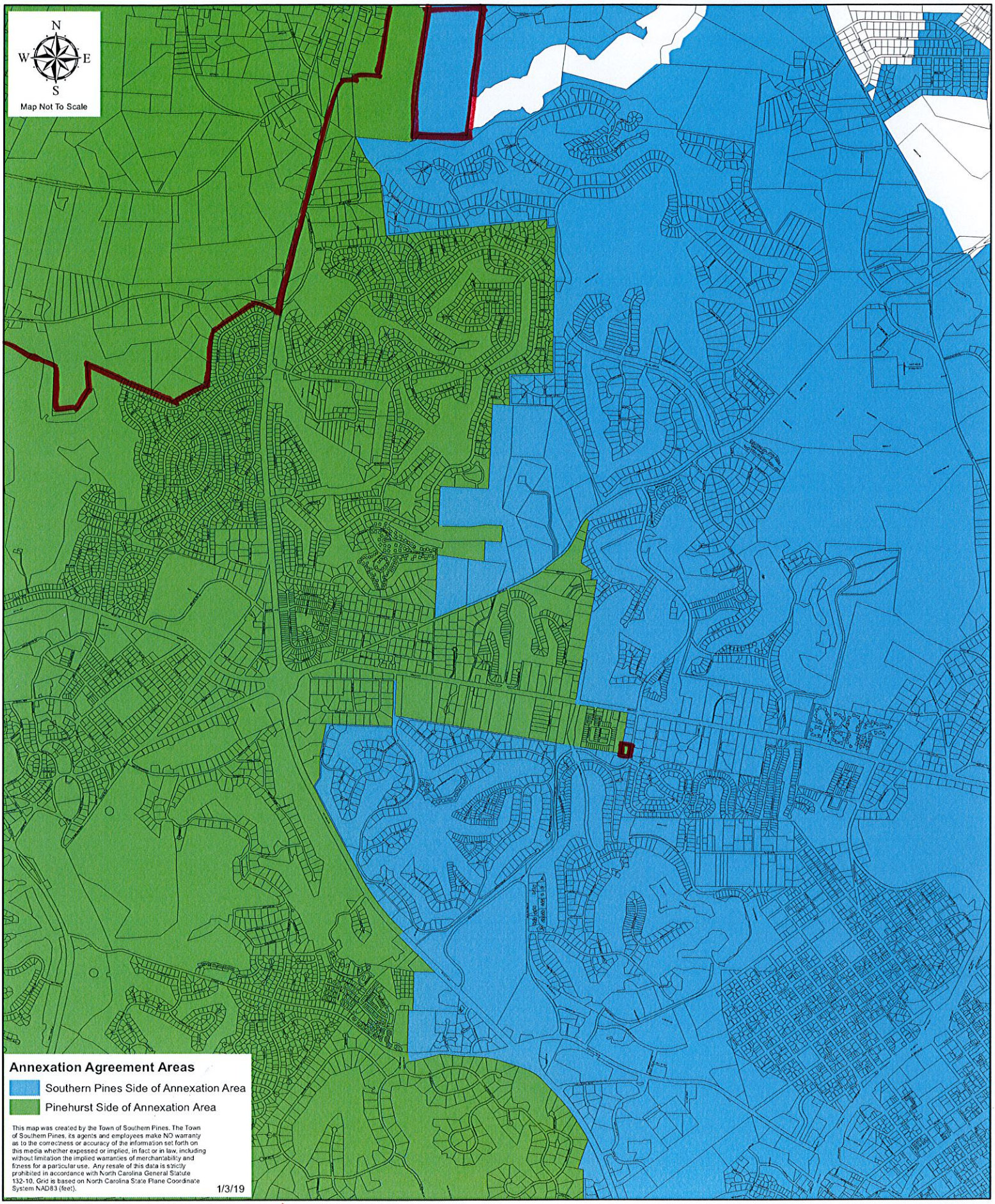


Exhibit A: The Village of Pinehurst & The Town of Southern Pines Annexation Agreement Map



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□ - Changes from 2009 map