VILLAGE COUNCIL
MINUTES FOR REGULAR MEETING OF JANUARY 8, 2019
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, January 8, 2019 in the Assembly Hall of Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina. The following were in attendance:

Ms. Nancy Roy Fiorillo, Mayor
Ms. Judy Davis, Councilmember
Mr. Kevin Drum, Councilmember
Mr. Jack Farrell, Councilmember
Mr. Jeffrey M. Sanborn, Village Manager
Ms. Beth Dunn, Village Clerk

Excused Absence: Mr. John Bouldry, Treasurer

And approximately 19 attendees, including 7 staff and 1 press.

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

2. **Reports:**

Manager

- Updated Council on some personnel changes. Mike Apke is the new Public Services Director and Glenn Webb is the new Deputy Chief. The interviews for Planning and Inspection Director are complete they have narrowed the applicant pool down to two highly qualified candidates.

Council

- Mayor Nancy Fiorillo announced at Kate Sanborn, Jeff Sanborn's daughter, has qualified for the Olympic Trials for her outstanding finish time for a marathon. She will go to Atlanta to compete in the trials.
- Councilmember Judy Davis stated the Library working group has been meeting and will have an interim report for Council at the next meeting on January 22nd.
- Councilmember Kevin Drum reported that Partners in Progress is working on an entrepreneurship hub, recruiting golf and medical businesses. Stated the Airport Authority was funded a strategic plan.

3. **Oath of Office for Newly-Appointed Councilmember Jack Farrell and Election of Mayor Pro Tem and Treasurer.**

Beth Dunn, The Village of Pinehurst Clerk, administered the oath of office to newly-appointed Councilmember Jack Farrell.

Mayor Nancy Fiorillo opened the floor for nominations for Mayor Pro Tem. Councilmember Drum nominated Councilmember John Bouldry. Upon a motion by Councilmember Drum, second by Councilmember Davis, Council unanimously appointed Councilmember John Bouldry as Mayor Pro Tem by a vote of 4-0.

Mayor Nancy Fiorillo opened the floor up for nominations for Treasurer. Councilmember Drum nominated Councilmember Judy Davis. Upon a motion by Councilmember Drum, seconded by Councilmember Farrell, Council unanimously appointed Councilmember Judy Davis as Treasurer by a vote of 4-0.

4. **Motion to Approve Consent Agenda.**

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

A. Approval of Draft Village Council Meeting Minutes.
- December 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.

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

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

Natalie Hawkins, Assistant Village Manager, explained the draft resolution 19-01 was to establish an interlocal agreement for The Town of Southern Pines, Town of Aberdeen and The Village of Pinehurst to coordinate plans and development regulations for highway corridors and land on the adjacent borders, within a quarter-mile. The efforts would include items such as design standards, buffers, sign regulations and driveway's. This is the first agreement to come from the Tri-Cities Working Group. Triangle J Council of Governments will facilitate the process, convening a working group from all jurisdictions beginning in 2019. Mayor Nancy Fiorillo stated it was always good to share information. Councilmember Farrell asked what impact this would have on Planning Staff. Ms. Hawkins stated staff would work with other members in the Tri-Cities Group along with Councilmember Drum and Davis.

Upon a motion by Councilmember Davis, seconded by Councilmember Drum, Council unanimously approved Resolution 19-01 establishing an interlocal cooperation agreement with the Town of Aberdeen, the Town of Southern Pines and the Village of Pinehurst by a vote of 4-0.

6. **Motion to Recess Regular Meeting and Enter into a Public Hearing.**
Upon a motion by Councilmember Farrell, seconded by Councilmember Davis, Council unanimously approved to recess the regular meeting and enter into a public hearing by a vote of 4-0.

7. **Public Hearing No. 1**
Alex Cameron, Senior Planner, explained 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. The Planning and Zoning Board voted unanimously, on December 6th, to recommend approval of the amended Conditional District Rezoning to Village Council.

Public Comments:

- Mr. Hoffman, of Evertt Rd. in Pinehurst, asked if the border would go around the entire property. He also stated he had concerns that the church has plans to pave the parking area which, he believes, will cause storm water issues.

Alex Cameron, Senior Planner, confirmed that this specific amendment is just for the buffer change. However, it is his understanding that the Church has hired a consulting engineering firm for a full site plan submittal. His office is yet to receive those plans, but once they do the Village engineer will review and a full storm water review will take place. Councilmember Davis asked if the public would have access to those documents. Mr. Cameron stated they are public documents and anyone would be welcomed to review them. Councilmember Farrell asked if there are certain criteria's for landscape buffer requirements. Mr. Cameron stated there are certain criteria's and they would depend on the use and the abutting uses of the property.

8. **Motion to Adjourn Public Hearing and Re-Enter Regular Meeting.**
Upon a motion by Councilmember Davis, seconded by Councilmember Drum, Council unanimously approved to adjourn the public hearing and re-enter the regular meeting by a vote of 4-0.

9. **Discuss and Consider Ordinance 19-01 Amending the Conditional District Rezoning for Community Presbyterian Church.**
Upon a motion by Councilmember Drum, seconded by Councilmember Farrell, Council unanimously approved Ordinance 19-01 amending the Conditional District Rezoning for Community Presbyterian Church by a vote of 4-0.

10. **Discuss Damaged Roads Resulting from County Water Leaks**
Jeff Batton, Assistant Village Manager, stated currently the County has offered $9,000 in restitution for the Pine Vista Drive road repair and Moore County is unwilling to accept any responsibility for the Lake Shore Court damages. The Village has spent approximately $85,000 on these two repairs, $13,000 for Pine Vista Drive and $72,000 for Lake Shore Court.

Mr. Batton explained there was a leak that Moore County responded to the day the Lake Shore Court road bed collapsed. Moore County filed a claim, for the repair cost the Village incurred, with their insurance company, however the claim was denied. The Village appealed the County's insurance company's decision and to date they still refuse to accept responsibility for this repair. Councilmember Davis asked about the repairs the Moore County made the day the leak happened. Mr. Batton stated the leak was not on the main line but an extension line. Randy Gould, Moore County Public Works Director, spoke on the County's view of the damaged roadway. Mr. Gould believes that the damages were not caused by the County's water leak. He stated there was erosion under the road bed that had when there for a while and he believes heavy traffic and hot weather possibly played a role in the damage. Mr. Batton stated the soil under the road was completely saturated at the time the road collapsed. Mr. Batton offered Council a few different options to move forward. Council agreed to accept the proposed settlement only for the Pine Vista Drive repairs and work with the County's Officials to resolve the repair costs for the damages on Lake Shore Court.

11. **Discuss an Amendment to the Annexation Agreement with the Town of Southern Pines.**
Natalie Hawkins, Assistant Village Manager, explained 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. 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.

Ms. Hawkins also stated that an area of concern came up when trying to define the boundary line, which is a parcel located in the middle of the 2 jurisdictions. The Southern Pines Council is meeting tonight to review the proposed amended agreement and were asked not to vote until Village Council had a chance to review and discuss this particular parcel in question as well.
Jeff Sanborn, Village Manager, asked if the land owner has ever been asked which side they would like to be on. Ms. Hawkins stated that she doesn't believe they have been asked, as they are currently in the County's jurisdiction. Chris Kennedy, Assistant Manager of The Town of Southern Pines, stated that there is no reason that this particular parcel be addressed at this time. If the need ever arises to change those boundary lines the agreement could be amended at that time. Council agreed with Mr. Kennedy and proposed no changes to that particular parcel, unless the need arises in the future.

Council came to an agreement that the proposed changes, for the 1.15 acre tract on Knoll Rd., were suitable and to move forward with a public hearing on January 22nd.

12. **Other Business.**
    - Councilmember Drum stated that Leo Santanwasso, Planning and Zoning Director, asked him to report back to Council any updates from the minimum square footage subcommittee.

13. **Comments from Attendees.**
    - Art O'Conner asked were we stood on the County irrigation value issue. He heard that letters were going out January 1st but he also heard the January 1st date had been extended. Village Manager, Jeff Sanborn stated said he had heard the same but hasn't heard the official word if that was true. Mayor Nancy Fiorillo stated that is something else maybe the officials needed to discuss.
    - Tom Campbell, asked about the cuts in the roads caused by County water leaks and if there was a certain time period to get those fixed. He said there has been one on Saddle Place that has been there for at least 2 months and still isn't fixed.
    - John Strickland stated he hoped the finial candidates for the Planning and Inspections Director position had experience with Historic Districts.

14. Motion to Adjourn.

Upon a motion by Councilmember Davis, seconded by Councilmember Drum Council unanimously approved to adjourn the Regular Meeting by a vote of 4-0 at 6:02pm

Respectfully Submitted,

Beth Dunn

Beth Dunn,
Village Clerk

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