



**VILLAGE COUNCIL
AGENDA FOR REGULAR MEETING OF APRIL 23, 2024
ASSEMBLY HALL**

**PINEHURST, NORTH CAROLINA
4:30 PM**

1. Call to Order.
2. Invocation and Pledge of Allegiance
3. Reports:
 Manager
 Council
4. Motion to Approve Consent Agenda.

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

- A. Approval of Village Council Meeting Minutes
 - April 09, 2024, Regular Meeting Minutes
 - April 09, 2024, Work Session Minutes

- B. Budget Amendments Report

- C. 2024 Re-Revised Village Council Meeting Schedule

The 2024 Village Council Meeting Schedule has been revised to reflect the relocation of the May 14, 2024, Village Council Regular Meeting and Work Session to the Cannon Park Community Center – Multipurpose Room (210 Rattlesnake Trail, Pinehurst, NC 28374).

End of Consent Agenda.

5. Consider Resolution 24-15 Appointing Mr. Justin Bramlage to the Historic Preservation Commission
6. Consider Resolution 24-16 Approve Amendment to the Sandhills Metropolitan Planning Organization MOU
7. Other Business.
8. Comments from Attendees.
9. 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.



APPROVAL OF VILLAGE COUNCIL MEETING MINUTES
ADDITIONAL AGENDA DETAILS:

- April 09, 2024, Regular Meeting Minutes
- April 09, 2024, Work Session Minutes

ATTACHMENTS:

Description

- ▣ 04.09.2024 DRAFT Regular Meeting Minutes
- ▣ 04.09.2024 DRAFT Work Session Minutes



**Village Council
Minutes for the Regular Meeting of April 09, 2024
Assembly Hall
395 Magnolia Road
Pinehurst, North Carolina
4:30 p.m.**

The Pinehurst Village Council held a Regular Meeting at 04:30 p.m., Tuesday, April 09, 2024, in the Assembly Hall of Village Hall, 395 Magnolia Road, Pinehurst, North Carolina.

The following were in attendance in Assembly Hall:

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

And approximately 12 attendees, including 8 staff and 1 press.

1. Call to Order.

Mayor Pizzella called the Village Council meeting to order at 04:30 p.m.

2. Invocation by Pastor Ed Shuck and Pledge of Allegiance by Oliver Swanson and Peyton, Cooper and Willow Hocker.

3. Reports:

Village Manager

- Mr. Jeff Sanborn, Village Manager, provided an update on the Assistant Village Manager recruitment process (narrowed down to 18 candidates with hopes of narrowing down the list further to candidates eligible for interviews within the next couple of weeks).

Village Council

- Mayor Pizzella reported on the April 06, 2024, Matinee Races; the March 27, 2024, North Carolina League of Municipalities Town & State Dinner at Pinehurst Resort No. 9; the April 07, 2024, Lake Pinehurst Homeowners Association meeting; the April 04, 2024, Planning & Zoning Board meeting; the April 15, 2024, deadline to submit nominations for the Village Heritage Foundation's Historic Plaque Program; and the April 15, 2024,

Neighborhood Advisory Committee meeting.

- Councilmember Morgan reported on the April 06, 2024, Matinee Races; the April 11, 2024, Central Pines Regional Council meetings; the April 13, 2024, Military Missions in Action Founders Day Gala; and commended Staff for all the work being done behind the scenes for the upcoming U.S. Open events within the Village.
- Councilmember Ficklin reported on the March 28, 2024, Historic Preservation Commission meeting; the April 01, 2024, Beautification Committee meeting; the June 10, 2024, deadline to submit nominations for the Beautification Committee's Warren H. Manning Award; and her April 09, 2024, visit to Scotland County Library with Mayor Pizzella.
- Mayor Pro Tem Taylor reported on the April 03, 2024, UNC – School of Government Top 10 Primer on Capital Budgeting for Local Elected Officials Webinar.
- Councilmember Farrell reported on the April 06, 2024, Matinee Races; and the April 08, 2024, Bicycle and Pedestrian Advisory Committee meeting.

4. Motion to Approve Consent Agenda.

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

A. Approval of Village Council Meeting Minutes

- March 26, 2024, Regular Meeting
- March 26, 2024, Work Session

End of Consent Agenda.

Upon a motion by Councilmember Ficklin, seconded by Councilmember Morgan, Council unanimously approved the Consent Agenda by a vote of 5-0.

5. Consider Resolution 24-13 Adoption of Regulatory and Advisory Roadway Signage Policy.

Mr. Mike Apke, Public Services Director, provided background on the proposed Regulatory and Advisory Roadway Signage Policy.

Upon a motion by Councilmember Farrell, seconded by Councilmember Morgan, Council unanimously approved Resolution 24-13 adopting the Regulatory and Advisory Roadway Signage Policy by a vote of 5-0.

RESOLUTION #24-13:

A RESOLUTION ADOPTING A REGULATORY AND ADVISORY ROADWAY SIGNAGE POLICY.

WHEREAS, the Village Council of Pinehurst, North Carolina, is desirous of adopting a regulatory and advisory roadway signage policy;


WHEREAS, this policy shall be reviewed in accordance with the Village's overall policy update schedule and framework as determined by the Village Manager or directed by Village Council.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in the Regular Meeting assembled this 9th day of April 2024 as

follows:

SECTION 1. That the Regulatory and Advisory Roadway Signage Policy is hereby adopted; said policy attached hereto as Attachment A and made a part hereof; the same as if included verbatim.

THIS RESOLUTION passed and adopted this 9th day of April 2024.

	VILLAGE OF PINEHURST STANDARD PROCEDURE	
SUBJECT: Regulatory and Advisory Roadway Signage	Effective Date: 04.09.2024	
Department: Public Services	Policy No.: 55	
Prepared by: Mike Apke	Revised:	
Approved by: Village Council	# of Pages: 3	

PURPOSE: To establish a policy and procedure for the placement of regulatory and advisory roadway signage, reduce visual clutter and improve safety by eliminating unnecessary signs in the Village of Pinehurst.

POLICY:

To achieve the stated purpose, all roadway signage shall conform to the following guidelines:

- All traffic signs placed on the Village's street system shall conform to the appearance criteria of the Manual on Uniform Traffic Control Devices (MUTCD);
- Signs are generally to be kept to a minimum and are only to be used where they convey essential information;
- When a new sign is warranted, the least number of signs shall be used and, to the extent possible, located on an existing pole(s);
- The following signs will be posted at the entrance of each subdivision (where an identifiable entrance exists) or in other prominent locations and are deemed sufficiently informative for the entire subdivision. At the Village Manager's (or designee's) discretion, additional signage may be placed in larger subdivisions on collector roads, but should not be closer than 2,500 feet from another sign of similar type on the same road;
 - Speed Limit, Entire Subdivision
 - No Parking in Right-of-Way, 11PM to 7AM
- The following regulatory signs will be placed in appropriate locations based on traffic

or topographical needs. These signs are not necessarily limited in number but are contingent on the needs of the specific location.

- Stop Sign
 - Pedestrian Crossing
 - All Way Stop
 - Dead End
 - Do Not Enter
 - One Way
 - Yield
 - No Parking
 - No Parking Between Signs
 - No Outlet
 - No Through Traffic/Trucks
 - No U Turn
 - Golf Cart Crossing
 - School Crossing
 - School Zone
 - Roundabout
- The following advisory signs will be limited in their use. Placement of these advisory signs will be at the discretion of the Village Manager or designee.
 - Deer Crossing
 - Stop Sign Ahead
 - Pedestrian Crossing Ahead
 - Blind Driveway/Intersection
 - Bump
 - Caution Watch for Turning and Entering Vehicles
 - Curve Left/Right
 - Do Not Block Intersection
 - Fire Station
 - Island Ahead
 - Keep Right
- Areas with active Community Watch programs may coordinate with the Village Police Department to install “Community Watch” signs within their neighborhood. Sign locations shall be as approved by the Village Manager and Police Chief.
- The Village generally does not install “Children at Play” signs because numerous studies show that they are ineffective, create a false sense of security, and do not normally reduce the speed of traffic or make drivers more observant.

UPDATING POLICY: This policy shall be reviewed as Village Council deems necessary.

6. **Consider Resolution 24-14 Amendment of the Comprehensive Plan Adoption, Amendment, and Implementation Policy.**

Mr. Doug Willardson, Assistant Village Manager, and Mr. Alex Cameron, Planning Director, reviewed the proposed amendments to the Comprehensive Plan Adoption, Amendment, and Implementation Policy and discussed the amendment including removal of sentence 2 in paragraph 4 of page 1 of the policy.

Upon a motion by Councilmember Ficklin, seconded by Councilmember Farrell, Council unanimously approved Resolution 24-14 amending the Comprehensive Plan Adoption, Amendment, and Implementation Policy by a vote of 5-0.

RESOLUTION #24-14:

A RESOLUTION AMENDING THE COMPREHENSIVE PLAN ADOPTION, AMENDMENT, AND IMPLEMENTATION POLICY.


WHEREAS, the Village Council of Pinehurst, North Carolina, is desirous of amending Council Policy #51: Comprehensive Plan Adoption, Amendment, and Implementation;

WHEREAS, this policy shall be reviewed in accordance with the Village's overall policy update schedule and framework as determined by the Village Manager or directed by Village Council.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in the Regular Meeting assembled this 9th day of April 2024 as follows:

SECTION 1. That the Comprehensive Plan Adoption, Amendment, and Implementation Policy is hereby amended; said policy attached hereto as Attachment A and made a part hereof; the same as if included verbatim.

THIS RESOLUTION passed and adopted this 9th day of April 2024.

	VILLAGE OF PINEHURST VILLAGE COUNCIL POLICY	
SUBJECT: Comprehensive Plan, Adoption, Review, and Amendment	Effective: 10.26.2021	
Department: Planning	Policy No.: 51	
Prepared by: Doug Willardson and Alex Cameron	Revised: 04.09.2024	
Approved by: Village Council	# of Pages: 2	

PURPOSE:

The purpose of this policy is to define the process whereby the Village Council will adopt, review, and if necessary, amend a Comprehensive Plan.

POLICY:

A Comprehensive Plan sets forth goals, policies, and programs intended to guide the present and future physical, social, and economic development within the Village of Pinehurst's planning jurisdiction to ensure coordinated, efficient, and orderly development based on an analysis of present and future community needs.

In accordance with NCGS 160D-501, the Village's process for adopting and amending the Comprehensive Plan shall include opportunities for citizen engagement. To adequately guide future growth, the Comprehensive Plan must be reasonably up to date and may be amended from time to time.

The Village Council will periodically review and update the Comprehensive Plan to avoid disparities between the Comprehensive Plan, market & economic realities, actions taken as specified in the Plan, and existing and emerging conditions.

PROCEDURES:

Comprehensive Updates

The Village Council will prepare and adopt a comprehensive update to the Village's Comprehensive Plan approximately every 10 years. This includes a complete and thorough review and update of the entire plan based on reviews of existing and emerging conditions and community engagement and input.

Quadrennial Review

At a minimum, every four years the Village Council will review the Comprehensive Plan for continued applicability and any discrepancies between significant plan components and existing and emerging conditions to determine if an update or amendment is needed. This shall be done in odd numbered years and in the fall leading into the Village's strategic retreats.

Should the Village Council determine an update or amendment(s) to the Plan is required, applicable amendment(s) or updates will be developed by Council with staff guidance. At a minimum, public involvement will include a public hearing before the Planning Board and Village Council. After consultation and review by the Planning Board those updates or amendment(s) will be adopted by the Council.

Annual Implementation Review and Updates

Every year in December, the Village Council will review the status of any Comprehensive Plan Implementation Strategies in an annual strategic planning retreat.

Other Updates

The Village Council may also consider Comprehensive Plan amendments outside of the regularly scheduled Comprehensive Plan updates when necessary. This may include, but is not limited to, the following triggering events:

- Changes in legal and/or regulatory requirements.
- Related plans adopted by the Village Council, including but not limited to, small area plans, neighborhood plans, hazard-mitigation plans, transportation plans, housing plans, and recreation or open space plans.
- Significant market changes or new information that may create a demonstrated need to adjust the Plan.
- Creation of a previously non-existent land use category.

In the event that a proposed amendment to the Village's zoning map or Pinehurst Development Ordinance is inconsistent with the Comprehensive Plan, the Village Council should amend the Comprehensive Plan prior to or concurrent with approval of any such amendments.

7. FY 2025 Strategic Operating Plan (SOP) Preview

Mr. Jeff Sanborn, Village Manager, and Ms. Dana Van Nostrand, Financial Services Director, reviewed and discussed with Council the FY 2025 Strategic Operating Plan Preview, which highlighted the Areas of Focus, Opportunities for Improvement and Innovation, Initiative Action Plans FY 2025 – 2029, Projects FY 2025 – 2029, Evaluations FY 2025 – 2029, FY 2025 – 2029 Five-Year Financial Forecast, and Council Discussion / Direction (including a Key Dates table for FY 2025 SOP development and review).

Council asked that a list of all 31 Projects and 18 Evaluations be provided to Council for review and agreed to provide clear guidance to Staff during the final development stages of the FY 2025 SOP.

Additionally, Council asked that Staff provide feedback from the quarterly "Listening Sessions" conducted with local businesses so Council may include this feedback in their consideration of future Village projects or needs.

8. Other Business.

None.

9. Comments from Attendees.

Ms. Lynn Goldhammer asked that the Village consider purchasing a used ladder truck or researching other lower cost resources for fire equipment and spoke in favor of the library remaining in the Downtown area of the Village and engaging in book borrowing services with surrounding libraries.

Ms. Debbie Lalor expressed displeasure with the new sand sidewalks, asked the Village to consider Short-Term Rental tracking software, and asked Council to consider revising the Social District hours proposed for the 2024 U.S. Open.

10. Motion to Adjourn.

Upon a motion by Mayor Pro Tem Taylor, seconded by Councilmember Ficklin, Council unanimously approved to adjourn the Regular Meeting by a vote of 5-0 at 06:25 p.m.

Respectfully Submitted,

Shannon Konstantinou
Village Clerk

A videotape of this meeting is located on the Village website: www.vopnc.org

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**Village Council
Minutes for the Work Session of April 09, 2024
Assembly Hall
395 Magnolia Road
Pinehurst, North Carolina
4:30 p.m.**

The Pinehurst Village Council held a Work Session Meeting at 06:31 p.m., Tuesday, April 09, 2024, in the Assembly Hall of Village Hall, 395 Magnolia Road, Pinehurst, North Carolina.

The following were in attendance in Assembly Hall:

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

And approximately 4 attendees, including 5 staff and 1 press.

1. Call to Order.

Mayor Pizzella called the Village Council meeting to order at 06:31 p.m.

2. Discussion of Page Street Improvements Project.

Mr. Mike Apke, Public Services Director, and Mr. Alex Cameron reviewed a Staff Memo and maps outlining details on the proposed Page Street Improvements Project and discussed with Council the potential benefits or pitfalls to the Village agreeing to take on the project along with accepting dedication of the street and potential traffic circulation throughout the area should Page Street be extended in the future.

Council agreed to accepting the dedication of Page Street after improvements have been completed by the Property Owner without any monetary contributions from the Village at this time.

3. Discussion on Timed Parking in the Village Green Lot

Mr. Doug Willardson, Assistant Village Manager, reviewed a Staff Memo outlining details of how timed parking would be implemented in the Village Green Lot during the 2024 U.S. Open.

Council agreed to move forward with the implementation of timed parking in the Village Green Lot.

4. Discussion and Review of the Library Size

Mr. Doug Willardson, Assistant Village Manager, reviewed and discussed with Council a PowerPoint presentation outlining the design and cost differences between a 9,250 GSF building and an 8,400 GSF building along with the costs of a single story or a two-story Village Green library project.

Mayor Pizzella moved to approve moving forward with developing the proposal for a 9,250 GSF / 8,788 USF new library with a not to exceed amount of \$6M.

Councilmember Farrell moved to revise Mayor Pizzella's motion removing the not to exceed amount of \$6M. Seconded by Councilmember Morgan.

Mayor Pizzella rejected Councilmember Farrell's move to revise the original motion. No second given. No vote taken.

Upon a motion by Councilmember Morgan, seconded by Councilmember Farrell, Council approved moving forward with developing the proposal for a 9,250 GSF new library by a vote of 3-2 with Mayor Pizzella and Mayor Pro Tem Taylor dissenting.

5. Other Business

Mayor Pro Tem Taylor provided an update on his work to present Council and Staff with a formalized review process for SOP Projects.

6. Adjournment.

Upon a motion by Councilmember Farrell, seconded by Mayor Pro Tem Taylor, Council unanimously approved to adjourn the Work Session by a vote of 5-0 at 08:20 p.m.

Respectfully Submitted,

Shannon Konstantinou
Village Clerk

A videotape of this meeting is located on the Village website: www.vopnc.org

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BUDGET AMENDMENTS REPORT ADDITIONAL AGENDA DETAILS:

FROM:

Dana Van Nostrand

CC:

Village Managers

DATE OF MEMO:

4/15/2024

MEMO DETAILS:

One interdepartmental budget amendment less than \$25,000 was approved by the Village Manager to rebalance the Fleet internal service charges between the Fire department and the Police department. The Fire department charges will be higher than planned in the original budget and Police fleet charges are projected to be lower than budgeted.

ATTACHMENTS:

Description

📎 Budget Amendment Report



**VILLAGE OF PINEHURST
BUDGET AMENDMENTS APPROVED BY BUDGET OFFICER
FOR THE PERIOD APRIL 4 - APRIL 18, 2024**

Under Village of Pinehurst Ordinance #23-14, the Village Council grants the Budget Officer (the Village Manager) the ability to transfer appropriations under specific conditions. These conditions allow transfers between departments (including contingency) of the same fund to increase an appropriation up to \$25,000 in a single budget amendment for the FY 2024 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.

<u>ACCOUNT NUMBER</u>	<u>DESCRIPTION</u>	<u>DEBIT</u>	<u>CREDIT</u>	<u>APPROVED DATE</u>
1	Rebalance Fleet internal service charges based on actual and projected Fire fleet charges through the end of the year. Police is projected to be under budget for fleet charges.			4/12/2024
10-10-320-5903	Fleet Maintenance ISF - Fire	\$ 20,000		
10-10-310-5903	Fleet Maintenance ISF - Police		\$ 20,000	
		<u>\$ 20,000</u>	<u>\$ 20,000</u>	



2024 RE-REVISED VILLAGE COUNCIL MEETING SCHEDULE

ADDITIONAL AGENDA DETAILS:

The 2024 Village Council Meeting Schedule has been revised to reflect the relocation of the May 14, 2024, Village Council Regular Meeting and Work Session to the Cannon Park Community Center – Multipurpose Room (210 Rattlesnake Trail, Pinehurst, NC 28374).

ATTACHMENTS:

Description

- ▣ 2024 Re-Revised Village Council Meeting Schedule



2024 VILLAGE COUNCIL MEETING SCHEDULE

**Held on the 2nd and 4th Tuesdays
Assembly Hall at 395 Magnolia Road, Pinehurst, NC 28374**

January 09 at 4:30 p.m. – RM/WS
January 23 at 4:30 p.m. – RM/WS

February 13 at 4:30 p.m. – RM/WS
February 27 at 4:30 p.m. – RM/WS

March 12 at 4:30 p.m. – RM/WS
March 26 at 4:30 p.m. – RM/WS

April 09 at 4:30 p.m. – RM/WS
April 23 at 4:30 p.m. – RM/WS

May 14 at 4:30 p.m. – RM/WS**
May 28 at 4:30 p.m. – RM/WS

June 04 at 4:30 p.m. – RM/WS***
June 25 at 4:30 p.m. – RM/WS

July 09 at 4:30 p.m. – RM/WS
July 23 at 4:30 p.m. – RM/WS

August 13 at 4:30 p.m. – RM/WS*

September 10 at 4:30 p.m. – RM/WS
September 24 at 4:30 p.m. – RM/WS

October 08 at 4:30 p.m. – RM/WS
October 22 at 4:30 p.m. – RM/WS

November 12 at 4:30 p.m. – RM/WS *

December 10 at 4:30 p.m. – RM/WS *

RM/WS= Regular Meeting/Work Session

*The date or time of a meeting may be changed, or additional meetings may be called by Council.
These meetings will be given the title “Special Meetings” and will be announced.*

**August, November, and December will only have one scheduled meeting.*

*** Revised to reflect the location change to the Cannon Park Community Center – Multipurpose Room
(210 Rattlesnake Trail, Pinehurst, NC 28374).*

**** Revised due to the US Open occurring June 08-16, 2024.*



**CONSIDER RESOLUTION 24-15 APPOINTING MR. JUSTIN BRAMLAGE
TO THE HISTORIC PRESERVATION COMMISSION
ADDITIONAL AGENDA DETAILS:**

FROM:

Shannon Konstantinou

CC:

Jeff Sanborn; Councilmembers

DATE OF MEMO:

4/17/2024

MEMO DETAILS:

Please, see the attached materials relating to this item.

ATTACHMENTS:

Description

- ▣ Resolution 24-15 Appoint HPC (Bramlage)

RESOLUTION #24-15:

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

WHEREAS, the Village of Pinehurst has established an Historic Preservation Commission as authorized by North Carolina General Statutes, Chapter 160D, Article 303; and

WHEREAS, there is a need to fill a vacancy on the Historic Preservation Commission.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina in a Regular Meeting assembled this 23rd day of April 2024 that the following appointment is hereby made to the Historic Preservation Commission for the term indicated:

Mr. Justin Bramlage is appointed as a member of the Historic Preservation Commission, effective April 23, 2024, said term to expire April 30, 2026.

THIS RESOLUTION passed and adopted this the 23rd day of April 2024.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
Patrick Pizzella, Mayor

Attest:

Approved as to Form:

Shannon Konstantinou, Village Clerk

Michael J. Newman, Village Attorney



**CONSIDER RESOLUTION 24-16 APPROVE AMENDMENT TO THE
SANDHILLS METROPOLITAN PLANNING ORGANIZATION MOU
ADDITIONAL AGENDA DETAILS:**

FROM:

Doug Willardson

DATE OF MEMO:

4/17/2024

MEMO DETAILS:

As you may have heard, the Village of Foxfire does not have anyone willing to complete the state ethics filing forms and therefore has no one eligible to serve on the Governing Board of the Sandhills Metropolitan Planning Organization (SMPO). To this end, the SMPO Governing Board amended their MOU to remove Foxfire from the governing structure and have their population represented by Moore County. This MOU amendment was approved on April 17, 2024, and now needs to be approved by each of the member communities.

ATTACHMENTS:

Description

- ☐ SMPO Amended MOU
- ☐ Resolution 24-16 Approving the Amended SMPO MOU

MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE, AND CONTINUING
TRANSPORTATION PLANNING

AMONG

THE VILLAGE OF PINEHURST, TOWN OF SOUTHERN PINES, TOWN OF ABERDEEN, VILLAGE OF
WHISPERING PINES, TOWN OF PINEBLUFF, VILLAGE OF FOXFIRE, TOWN OF TAYLORTOWN,
MOORE COUNTY AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION IN
COOPERATION WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION

WITNESSETH:

THAT WHEREAS, the Village of Pinehurst, Town of Southern Pines, Town of Aberdeen, Village of
Whispering Pines, Town of Pinebluff, Village of Foxfire (represented by Moore County), Town of
Taylortown, Moore County and the North Carolina Department of Transportation (NCDOT)
desire to enter into a Memorandum of Understanding for Cooperative, Comprehensive, and
Continuing Transportation Planning, regarding the Sandhills Metropolitan Planning
Organization (SMPO);

WHEREAS, each Metropolitan Planning Organization (MPO) is required to develop a
Metropolitan Transportation Plan in cooperation with NCDOT and in accordance with 23 U.S.C.
§ 134, any amendments thereto, and any implementing regulations; and a Comprehensive
Transportation Plan in accordance with North Carolina General Statute §136-66.2; and

WHEREAS, the Metropolitan Transportation Plan serves as the basis for future transportation
improvements within the Metropolitan Planning Area (MPA);

NOW THEREFORE, in consideration of the mutual benefits afforded to each party, the parties
agree as follows:

Section 1. Naming and Boundary of the Metropolitan Planning Area

The “Sandhills Metropolitan Planning Organization” (“SMPO”) shall be the formal name for the
organization governing transportation planning for the Pinehurst-Southern Pines Urban Area as
initially defined by the United States Department of Commerce, Bureau of the Census, plus the
additional existing urbanized area beyond the existing urbanized area boundary that is
expected to become urbanized within a twenty-year planning period and as adopted by the
jurisdictions included in the MPA.

The Sandhills MPA consists of the Pinehurst-Southern Pines Urban Area as defined by the
United States Department of Commerce, Bureau of the Census, plus that area beyond the

existing urbanized area boundary that is expected to become urbanized within a twenty-year planning period. This area is hereinafter referred to as the MPA and is delineated in Exhibit A.

Section 2. Planning Responsibility within the Metropolitan Planning Area

Cooperative, continuing, and comprehensive transportation planning shall be undertaken in the MPA by the SMPO in accordance with all applicable federal and state statutes. The SMPO shall coordinate any transportation planning it undertakes which may have a regional impact with the Triangle Area Rural Planning Organization, and other municipalities in the region.

Section 3. SMPO Governing Board

The SMPO shall be governed by a Governing Board which shall be the policy making board for the MPO. The voting membership of the Governing Board shall include one elected official from each member local government (except the Village of Foxfire, which will be represented by Moore County) plus an NCDOT Board Member appointed by the Secretary, as well as non-voting members from the following agencies:

- a. Federal Highway Administration (FHWA) North Carolina Division;
- b. Moore County Airport Authority.

Section 4. Conduct of Business by the SMPO Governing Board

The SMPO Governing Board will meet as often as it deems appropriate and advisable, but at least quarterly. The Governing Board shall adopt by-laws and conduct its business in accordance with its adopted by-laws. The Governing Board will select a Chair and Vice-Chair annually at the first scheduled meeting of each calendar year. All meetings of the Governing Board will be subject to the Open Meetings Law.

Section 5. Role and Responsibilities of the SMPO

The SMPO Governing Board will be responsible for carrying out the provisions of 23 U.S.C. § 134 (Federal Highway Administration); and 49 U.S.C. §§ 5303, 5304, 5305, 5306 and 5307 (Federal Transit Administration); including the following duties and responsibilities:

- 5.1. Review and approval of the annual transportation Unified Planning Work Program and any subsequent amendments;
- 5.2. Review and approval of the annual budget;
- 5.3. Review and approval of the Transportation Improvement Program for multimodal capital and operating expenditures to insure coordination between local and State capital and

operating improvement programs and any subsequent amendments;

5.4. Review and approval of the Metropolitan Transportation Plan, and subsequent changes thereto, and the Comprehensive Transportation Plan as required by the N.C.G.S. § 136-66.2(d). Revisions in the transportation plans must be jointly approved by the Governing Board and the North Carolina Department of Transportation;

5.5. Endorsement, review and approval of changes to the Federal Highway Administration Functional Classification System, the Adjusted Urbanized Area Boundary and the MPA Boundary;

5.6. Endorsement, review and approval of a Prospectus for Transportation Planning which defines work tasks and responsibilities for the various agencies participating in the transportation planning process;

5.7. Establishment of goals and objectives for the transportation planning process reflective of and responsive to such comprehensive plans for growth and development in the MPA as are adopted by Boards of General-Purpose Local Government;

5.8. Approval and distribution of federal funds designated for the MPA under the provisions of MAP-21 and any other subsequent transportation funding authorizations;

5.9. Formation of ad-hoc and standing subcommittees.

Section 6. SMPO Voting Procedures

Any member may call for a vote on any issue provided that it is seconded and within the purposes set forth in this "Memorandum of Understanding." Each voting member of the Governing Body shall have one vote unless a weighted vote is called for as described below. A majority vote of those present and voting shall constitute approval of any motion, provided a quorum exists and provided that a super-majority vote is not required for approval of the item under applicable law, or a weighted vote is called for. Abstentions are not included in the tally of the votes.

In order for a vote, or a weighted vote, to be counted, each local government member of SMPO must be current with respect to payment of local match dues; if an entity is not current in payment of dues, then its input will be merely advisory in a non-voting capacity. Currency with respect to dues payment is defined as having paid, in total, an annual or other SMPO dues payment for which said payment's due date has elapsed. Members who are in a non-voting status because of unpaid dues will be classified as non-voting board members and will not count toward calculations of a quorum in any way. Voting privileges will be restored upon full

payment of required dues.

After any non-unanimous vote, any member may make a motion for a weighted vote on the matter. If that motion is seconded, a weighted vote will take place. If a weighted vote is taken, all local governments will have at least one vote. Those local governments with populations over 10% of the total MPA population will have one additional vote. Then, any local government with over 20% of the total MPA population will have another additional vote. Population figures shall be determined based on the most recent Federal Decennial Census. Only the non-municipal population of those portions of the county located within the MPA, plus the population of the Village of Foxfire, shall be counted for the county. As of the date of this MOU, the weighted voting structure is as follows:

<u>VOTING MEMBER</u>	<u>NUMBER OF WEIGHTED VOTES</u>
Village of Pinehurst	3
Town of Southern Pines	3
Town of Aberdeen	2
Village of Whispering Pines	1
Town of Pinebluff	1
Town of Taylortown	1
Moore County	2
Other voting members	1

Section 7. Establishment of the Transportation Coordinating Committee (the TCC)

7.1. The parties acknowledge that transportation planning is a specialized field. In order to give the duly constituted Governing Board access to the technical expertise necessary to meet the requirements of federal and state law, a Transportation Coordinating Committee (the TCC) shall be established with the responsibility for advising the Governing Board of the technical aspects of the transportation planning process, performing such technical analysis as necessary to support transportation planning and making recommendations to the Governing Board, and local and State governmental agencies for any necessary actions relating to the continuing transportation planning process.

7.2. Membership of the TCC shall include technical representation from all local and State governmental agencies directly related to and concerned with the transportation planning process for the MPA and the voting members shall consist of the following:

- a. Village Manager or designee, Pinehurst;
- b. Town Manager or designee, Southern Pines;

- c. Town Manager or designee, Aberdeen;
- d. Village Manager or designee, Whispering Pines;
- e. Town Administrator or designee, Pinebluff;
- f. Town Clerk, Manager or designee, Taylortown;
- g. County Manger or designee, Moore County;
- h. Moore County Transportation Services Director or designee;
- i. Division 8 Engineer or designee, North Carolina Department of Transportation;
- j. NCDOT Transportation Planning Division Representative

In order for a vote to be counted, each local government member of SMPO must be current with respect to payment of local match dues; if an entity is not current in payment of dues, then its input will be merely advisory in a non-voting capacity. Currency with respect to dues payment is defined as having paid, in total, an annual or other SMPO dues payment for which said payment's due date has elapsed. Members who are in a non-voting status because of unpaid dues will be classified as non-voting board members and will not count toward calculations of a quorum in any way. Voting privileges will be restored upon full payment of required dues.

Representatives from each of the following bodies will serve as non-voting members of the Technical Coordinating Committee.

- a. Integrated Mobility Division (IMD), North Carolina Department of Transportation;
- b. Federal Highway Administration (FHWA) North Carolina Division, Planning and Program Development Planner;
- c. Other local, State or Federal agencies impacting transportation in the planning area invited by or staff to a member jurisdiction or at the invitation of the TCC.

Section 8. Conduct of Business by the TCC

The TCC will meet as often as it deems appropriate and advisable, but at least quarterly. The TCC will adopt by-laws and conduct its business in accordance with its adopted bylaws. The TCC will select a chair and vice-chair annually at its first meeting of each calendar year. All meetings of the TCC shall be subject to the Open Meetings Law.

Section 9. Role and Responsibilities of the TCC

The TCC shall be responsible for development, review, and recommendation for approval of the Prospectus, Transportation Improvement Program, Federal-Aid Urban System and Boundary, revisions to the Transportation Plan, planning citizen participation, and documentation reports on the transportation study.

Section 10. TCC Personnel Subcommittee

The TCC shall appoint and maintain a subcommittee made up of three managers for the hiring, counselling, discipline, termination, performance evaluation, etc. of the SMPO Director. The Pinehurst Village Manager will always be a member of Personnel Subcommittee, while its other members may rotate as desired by the TCC.

Section 11. Designation of the Lead Planning Agency (the LPA)

The Village of Pinehurst shall serve as the Lead Planning Agency (LPA). As LPA, the Village of Pinehurst will provide the necessary facilities and administrative support to SMPO to fulfill its responsibilities. An LPA Agreement will be entered into between the Village of Pinehurst as LPA and SMPO which will further clarify the roles and responsibilities the Village will provide on behalf of SMPO. SMPO will be the sole and exclusive common law employer of all SMPO staff; however, SMPO staff shall be considered employees of Pinehurst for the purpose of NC Local Governmental Employees' Retirement System, health and welfare and other benefits, and general payroll administration.

Section 12. The Director and Staff

Administrative coordination for the SMPO Governing Board and the TCC will be performed by a Director. The Director shall be selected by a subcommittee defined in section 10. The Director will be assigned to the Village of Pinehurst Planning and Inspections Department and report to the Village's Director of Planning and Inspections for administrative purposes. As necessary, the Director shall select, with the concurrence of the Personnel Subcommittee, such other staff as may be budgeted and within the annual staffing plan. All staff selected by the Director shall be assigned to the Village of Pinehurst Planning and Inspections Department and subject to the provisions of the Village's personnel rules and policies as further defined in the LPA Agreement.

Section 13. Role and Responsibilities of the Director

The Director shall be responsible to arrange the meetings and agendas in coordination with the Village of Pinehurst Village Clerk, or as otherwise supported by the LPA. In addition, the Director shall prepare the Prospectus, the Unified Planning Work Program the (UPWP), a Transportation Improvement Program in accordance with federal and state regulations and requirements; develop a Metropolitan Transportation Plan (MTP) in accordance with federal and state regulations; maintain the MTP; execute the transportation planning process in accordance with federal and state laws and regulations; prepare invoices and progress reports in accordance with federal, state, and local requirements; structure the public involvement process needed to ensure that the UPWP, Transportation Plan, Transportation Improvement

Program, and any transportation conformity determinations meet federal requirements; and consult with the SMPO Governing Board and the TCC regarding the best approaches to performing the duties listed above.

Section 14. Additional Responsibilities of Member Governments

14.1. The representative from each General-Purpose Local Government on the SMPO Governing Board shall be responsible for instructing the clerk of his/her local government to provide to the Director copies of the minutes of any action taken by his/her local government which involves any MPO plan.

14.2. Each member signatory local government shall seek to maintain harmony between long-range plans, zoning, subdivision approval and SMPO transportation plans.

14.3. All member signatory local governments will assist in the transportation planning process by providing planning assistance, data, and inventories in accordance with the Prospectus for Transportation Planning.

Section 15. Funding and Fiscal Matters

15.1. All transportation and related federal aid planning funds available to promote the cooperative transportation planning process will be expended in accordance with the Unified Planning Work Program adopted by the Governing Board. Administration of funding in support of the Transportation Planning Process on behalf of the Governing Board will be conducted by the Village of Pinehurst as the host planning agency. The Village of Pinehurst will execute appropriate agreements with funding agencies as provided by the Planning Work Program.

15.2. The local match for the Federal Aid planning funds will be determined based on the current federal matching requirements. The signatory General Purpose Local Governments will contribute to the local match requirement proportionate to their percentage of the population within the MPA at the most recent decennial census. As of the 2020 census, those percentages are:

<u>LOCAL GOVERNMENT</u>	<u>PERCENT OF POPULATION</u>
Village of Pinehurst	29.01%
Town of Southern Pines	25.75%
Town of Aberdeen	14.04%
Village of Whispering Pines	7.92%
Town of Pinebluff	2.41%

Town of Taylortown	1.05%
Moore County (includes the Village of Foxfire)	19.82%

Only the non-municipal population of those portions of the county located within the MPA shall be counted for the county plus the population of Foxfire. Member governments may also be asked to contribute additional local funding for projects wholly within their jurisdictional limits.

15.3. This funding share shall be invoiced by August 15th of each year for actual expenses from the previous fiscal year by the Village of Pinehurst, acting as Lead Planning Agency, and as recipient of the Federal Planning funds distributed by the North Carolina Department of Transportation. All payments will be due to the Village of Pinehurst by October 1st. Annual fees are non-refundable.

Section 16. Methodology for Changes to SMPO MOU

Any changes to the MPA boundaries, Governing board membership or voting structure, or formulation of dues must be approved by the same process as for the creation of the MPO, which is as follows: the units of local government that together represent at least 75% of the affected population in the Pinehurst-Southern Pines Urban Area (including the largest incorporated city, based on population) must vote at a properly called public meeting at each local government's jurisdiction to approve such changes to reach the 75% or more approval standard.

Section 17. Duration of the Agreement

Any party may terminate its participation in the MPO and remove itself from this Agreement by giving sixty days' advance notice in a writing signed by the Chief Elected Official, if a local government, or by the chief executive officer of the agency, if not a local government. This notice shall be delivered to the Chairman of the SMPO Governing Board and to the Director.

RESOLUTION #24-16

RESOLUTION APPROVING THE AMENDED SANDHILLS METROPOLITAN PLANNING ORGANIZATION MEMORANDUM OF UNDERSTANDING

THAT WHEREAS, it is recognized that a proper transportation system to support movement within and through the Sandhills Metropolitan Planning Organization (SMPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Sandhills Metropolitan Planning Organization urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Sandhills Metropolitan Planning Organization urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a Memorandum of Understanding between the Village of Pinehurst, Town of Southern Pines, Town of Aberdeen, Village of Whispering Pines, Town of Pinebluff, Village of Foxfire, Town of Taylortown, County of Moore, and the North Carolina Department of Transportation has been entered into that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE PINEHURST VILLAGE COUNCIL,
NORTH CAROLINA:

That the Memorandum of Understanding between the Village of Pinehurst, Town of Southern Pines, Town of Aberdeen, Village of Whispering Pines, Town of Pinebluff, Village of Foxfire, Town of Taylortown, County of Moore, and the North Carolina Department of Transportation be approved and that the Mayor and Village Clerk are hereby directed to enter into and execute the Memorandum of Understanding.

Adopted by the Pinehurst Village Council in regular session this 23rd day of April 2024

Village of Pinehurst
Village of Council

(Municipal Seal)

By: _____
Patrick Pizzella, Mayor

Attest:

Approved as to Form:

Shannon Konstantinou, Village Clerk

Michael J. Newman, Village Attorney