



## MINUTES

Tuesday, August 12, 2025: 6:00 PM

Town Council Business Meeting

E.S. Douglass Community Center: 1185 W. Pennsylvania Ave

### 1. CALL TO ORDER

Mayor Clement called the meeting to order. The following members of Town Council were present: Mayor Taylor Clement; Bill Pate; Ann Petersen; Debra Gray; and Brandon Goodman.

### 2. PLEDGE OF ALLEGIANCE

### 3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda and requests the removal of Item 8d.

Mayor Pro Tem Pate moved to adopt the Consent Agenda with the removal of Item 8d, seconded by Councilmember Goodman. The vote was unanimous. Motion passed.

### 4. PUBLIC COMMENTS

No public comments were voiced.

### 5. CONSENT AGENDA

Mayor Pro Tem Pate moved to approve the Consent Agenda, seconded by Council member Goodman, the vote was unanimous. Motion passed.

#### a. Articles Lease - Weymouth

Request for adoption of a new lease with the Weymouth Center for the Arts regarding a number of books, memorabilia and various items owned by the Town of Southern Pines to be displayed at the Center.

#### b. Approve Resolution #1122 -Adopting an Electronic Records Retention Schedule

Staff requests the approval of Resolution #1122 - Adopting an Electronic Records Retention Policy

#### c. Approve Meeting Minutes

Staff has prepared the meeting minutes from the July 22, 2025, Town Council Business Meeting for your approval.

#### d. Approve Resolution #1124 -Setting a Public Hearing Date for Annexation Application AX-02-25 - 1271 Old US 1 Hwy.

The Clerk has issued a Certificate of Sufficiency for annexation application AX-02-25 and is requesting to proceed with setting a public hearing date.

#### e. Approve Resolution #1125 - Declaring the Badge and Service Weapon of Deputy Chief Charles Campbell Declared Surplus and Awarding to him upon his retirement

Staff request approval of Resolution #1125- Declaring the Badge and Service Weapon of Deputy Chief Charles Campbell Declared Surplus and Awarding it to him upon his retirement on October 1, 2025, after serving the Town of Southern Pines for 29 years.

Motion passed.

Mayor Pro Tem Pate moved to approve Special Use Permit SU-01-25 with the following condition: Condition #1: that areas outside the required planting area and within the yellow circled area shown in presentation (Exhibit B) shall be planted to the buffer standard found in Unified Development Ordinance 4.3.4.

The motion was seconded by Councilmember Gray and the vote was unanimous.

Motion passed.

## **8. ACTION ITEMS**

### **a. PD-01-25: Written Decision for Tommy's Car Wash PDP**

Planning staff have prepared a draft Written Decision for application PD-01-25, Tommy's Car Wash PDP, for the Town Council's review and approval. The PDP was approved at the July 22, 2025 Regular Meeting.

Councilmember Goodman questioned if the applicant was shown the written decision prior to the meeting. Tommy's staff were present at the meeting and verbally agreed to the conditions.

Councilmember Goodman moved to approve PD-01-25: Written Decision for Tommy's Car Wash PDP, seconded by Mayor Pro Tem Pate; the vote was unanimous.

Motion passed.

### **b. MAPP-01-24: Written Decision for Hale Street Cottages Major Subdivision Preliminary Plat**

Planning staff have prepared a draft Written Decision for application MAPP-01-25, Hale Street Cottages Major Subdivision Preliminary Plat, for the Town Council's review and approval. The Preliminary Plat was approved with a Conditional Zoning District rezoning at the July 22, 2025 Regular Meeting.

Councilmember Goodman questioned if the applicant was shown the written decision prior to the meeting. The decision was published as part of the meeting packet on Friday and therefore available for review.

Councilmember Goodman moved to approve MAPP-01-25: Written Decision for Hale Street Cottages Major Subdivision Preliminary Platt, seconded by Mayor Pro Tem Pate; the vote was unanimous.

Motion passed.

### **c. AR-05-25: Architectural Compliance Permit for Pinehurst Hyundai at 1480 US Highway 1**

Penney Design Group, is requesting an Architectural Compliance Permit on behalf of the legal property owner Southern Pines Automotive, LLC for a 23,688 square foot single story automotive dealership building. The address is 1480 US-1 which is located in the General Business (GB) zone.

This item was continued at the June 10, 2025 Regular Meeting.

Mayor Clement opened the hearing, which is a continuation from June 10, 2025.

Planner II Gene Ruiz presented the application and staff report.

Discussion ensued.

Lauren Krupsaw, Penney Design Group presented on behalf of the applicant.

Councilmember Goodman moved to approve AR-05-25: Architectural Compliance Permit for Pinehurst Hyundai as set forth in the building elevations dated July 31, 2025, with one deviation to building materials as specifically described in the August 12, 2025, staff report, seconded by Councilmember Gray; the vote was unanimous.

Motion passed.

## 6. PUBLIC HEARINGS - LEGISLATIVE

### a. OA-02-25 Proposed Amendments to the Unified Development Ordinance (UDO)

The Town of Southern Pines Planning Department is proposing to amend multiple sections of the UDO related to sign regulations and the Engineering Department is proposing to amend Appendix B of the UDO.

Mayor Clement opened the hearing.

Planning Director BJ Grieve presented the proposal to the Council.

Discussion ensued.

Public Comments were opened and none voiced.

Councilmember Goodman moved to continue the hearing to the August 26, 2025, Town Council meeting, seconded by Councilmember Gray, the vote was unanimous.

Motion passed.

### b. PD-02-25 Penick Village Planned Development - Conceptual Development Plan

The purpose of the application is to establish a unified framework for the existing continuing care retirement community and to support its ongoing operations and future expansion.

Mayor Clement opened the hearing.

Planner Mason Mattox presented the application and staff report to the Council.

Planner Mattox noted that Penick Village is currently listed as *Horse Country* under the Character District Map, which appears to be an error, so staff recommends the Council consider a joint amendment to the character district's map of the 2040 Comprehensive Plan, changing it to *Suburban Settlement*.

Discussion ensued.

Bob Koontz, of Koontz Jones Design, V3, along with Tony Bournehorst and Chip Carmarti of Penick Village presented the project to the Council.

Councilmember Petersen questioned the stormwater management plans, the proposed building height and the total number of buildings on the property.

Mr. Koontz proceeded to address some of the neighbors' concerns that were previously submitted to the Planning Dept. and stressed that the majority of the concerns were a result of Hurricane Chantal, a 500-yr. storm, and were not likely to occur again. Additionally, the stormwater system was under construction as the time resulting in additional issues.

Mayor Pro Tem Pate questioned the setback for Section E.

Public Comments:

Unknown = expressed concern regarding drainage and dirt run off. Also concerned regarding the height of the proposed build on Ridge Street as well as the lack of buffer between homes.

Maureen O'Hara, 560 E. Delaware, shared a packet with the Council detailing items of concern, mostly surrounding water run-off.

Discussion ensued.

Jim Lewis, Penick Village resident and Board of Directors member, supports the project.

Jacob Kaufman, 385 E. New Jersey, has stormwater concerns. Mr. Kaufman also complained about the fire trucks and ambulances using their sirens throughout the night while waiting for the gates to Penick Village to be opened. The issue of traffic was also raised with concerns over construction employees parking and blocking half the road.

Bill Jackman, 350 E. Main, is unhappy with the construction workers using the roads to stage their equipment while spilling oil all over the roads, making the area very messy. Mr. Jackman also addressed the building height, stormwater runoff and traffic.

Anne Hocutt, Penick Village and member of the Board of Directors, spoke about how much they enjoy living at Penick.

Emily Galbraith, Bishops Ridge, is not opposed to the development, just opposed to a building of 70 feet being built right behind her.

Holly Kriegan, 530 E. Delaware, is worried that her backyard will be affected by the construction.

Ian Kriegan, 530 E. Delaware, is just asking that the retention pond won't be able to be seen from their property. Mr. Kriegan also expressed his displeasure at the removal of old growth pines for the development.

Joel Carter, 465 E. Delaware, shared his displeasure of the project, the building height and number of units proposed. Mr. Carter asked for a 90-day continuance on any decision on the project.

Jim MacInerney, 460 Crest Road, is opposed to the proposed height deviation requested for the project.

Mayor Clement listed a number of questions she had about the project and requested a continuance for the hearing.

Councilmember Gray would appreciate additional input from the Town Engineer.

Councilmember Petersen feels more than a 30-day continuance is needed and a 90-day continuance should be scheduled.

Discussion ensued.

Mr. Koontz requested a 30-day continuance.

Councilmember Gray feels a 30-day continuance is sufficient.

Discussion ensued.

Councilmember Goodman moved to continue PD-02-25 Penick Village Planned Development Project to the October 14, 2025, Town Council Business Meeting, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

**c. Z-04-25 Rezoning of 0.23 acres on N. Hardin Street from RS-1 to RM-1CD**

Tony Fairley, authorized agent for Sandhills Community Action Program Inc., has submitted a request to rezone a single parcel from RS-1 to RM-1CD (Conditional Zoning District) to allow for the development of four single-family attached dwelling units, configured as two structures with two dwelling units each.

Mayor Clement opened the hearing.

Town Planner Mattox presented the application and staff report to the Council.

Councilmember Goodman questioned the need for an environmental survey. Discussion ensued.

The applicant verbally agrees to the addition of Condition #8 regarding the environmental survey.

Mayor Pro Tem Pate moved that after reviewing the proposed Conditional Zoning district, considering UDO §2.17.9, and the applicant's voluntary conditions, the amendment is consistent with the 2040 Comprehensive Plan, per the reasons set forth in the Planning Board's resolution that was included as an attachment for the staff report for Z-04-25. The motion was seconded by Councilmember Gray and the vote was unanimous.

Motion passed.

Councilmember Pate then moved to approve Z-04-25 with the applicant's conditions to include Condition #8, if needed, as presented during the meeting.

**d. RA-01-25: Abandonment of 852 square feet of S. Bennett St. right of way**

A public hearing regarding abandonment of 852 square feet of right of way at the intersection of South Bennett Street and West Wisconsin Avenue. A staff error in the abandonment process in 2022 is being corrected by repeating the abandonment process as set forth in North Carolina law and the Unified Development Ordinance.

Mayor Clement opened the hearing.

Councilmember Petersen reiterates that she is opposed to abandoning right-a-way without any benefit to the Town.

Public comments were asked for and none voiced.

Councilmember Goodman moved to approve RA-01-25 Abandonment of 852 sq. ft of S. Bennett St Right-of-Way, seconded by Councilmember Gray; the vote was as follows: The Council voted as follows:

- Mayor Clement: aye
- Mayor Pro Tem Pate: aye
- Councilmember Petersen: nay
- Councilmember Gray: aye
- Councilmember Goodman: aye

Motion passed.

## **7. PUBLIC HEARINGS - EVIDENTIARY**

### **a. MAPP-02-25: Murray Hill Road Townhomes Major Subdivision Preliminary Plat (continued from July meeting)**

Mr. Paul Saathoff of Koontz Jones Design, PLLC, on behalf of On Your Lot, Inc. (Value Build Homes), has submitted a Major Subdivision Preliminary Plat application pursuant to the Town of Southern Pines Unified Development Ordinance (UDO) §2.20. The plat intends to subdivide the two parent tracts into 20 townhomes and 1 single-family dwelling. Per the Moore County tax records, the property is identified as PARID 00052146 and 00048691, which comprise 2.06 total acres. This hearing was continued at the July 22, 2025 Regular Meeting.

Mayor Clement swore in pending witnesses for the hearing.

Town Attorney Mac McCarley asked the members to disclose the following relative to the application and property: any specialized knowledge; a fixed opinion not subject to change; close relation to the applicant or property owner; and/or a financial interest in the outcome. The answer was unanimously no.

Attorney McCarley entered into the record a copy of a letter (Exhibit D) sent to the Council and Town staff by Mr. Koontz questioned the ability of the Council to remain objective and questioned the Council about their objectivity. All members stated that they would remain objective during the hearing. The applicant was asked if they wished to object to any of the Councilmembers and the applicant responded no.

Planner I James Broadwell presented the August 12, 2025, staff report (Exhibit E) and presentation (Exhibit F) to the Council.

Issues that have been worked on since last meeting:

- Unit 21's driveway now exits into a 20ft alley.
- sidewalk along Murray Hill Rd to connect the Units to the crosswalk
- Pine and Shady replaced Penny and Blue Jay to offer continuity.
- preserve all trees that don't interfere with essential grading, the buildings or utilities
  - Councilmember Petersen reiterated her preference to design buildings around the trees rather than remove the trees.

- the applicant will complete red-cockaded woodpecker study before any trees are removed.  
Councilmember Petersen questioned the repercussions to the development if the 5ft reduction of buffer was allowed along the back of units #15-20.

- Planner Broadwell replied that the western setback was a result of Engineering commenting that the proximity of the 4-way stop required the clearance and the other buffer was a result of providing the detached structure.

Councilmember Petersen feels that granting deviations is a mistake, allowing applicants to not follow rules that were put in place for a reason.

Mayor Clement feels matching the roads to the existing roads makes sense.

Town Manager Parsons asked if the name changes had been vetted, though Moore County and Planner Broadwell replied negatively.

Paul Saatoff, Koonz Jones Design, reviewed the changes made to the plan from the previously presented plan.

Councilmember Petersen asserted that the shown diagrams of the property do not accurately show what the property will look like when completed but rather what the property may look like 10 years from completion. Mr. Saatoff confirmed that the diagrams shown are what the property will look like once the landscaping has matured.

Mayor Clement clarified that the Town Council can only consider expert testimony and that Councilmember Petersen does not hold a degree in landscape design.

Mayor Pro Tem Pate questioned if the project would be phased and Mr. Saatoff was unable to confirm. Planning Director Grieve added that it was common practice for builders to phase out such projects.

Discussion ensued.

Mayor Clement closed the hearing.

Mayor Pro Tem Pate moved to approve Attachment 1 of the staff report, as drafted, as Findings of Fact regarding the proposed Preliminary Plat MAPP-02-25; seconded by Councilmember Gray; the vote was as follows:

The Council voted as follows:

- Mayor Clement: aye
- Mayor Pro Tem Pate: aye
- Councilmember Petersen: nay
- Councilmember Gray: aye
- Councilmember Goodman: aye

Motion passed.

Mayor Pro Tem Pate moved to approve Preliminary Platt MAPP-02-25 with the conditions set forth in staff report MAPP-02-25, seconded by Councilmember Gray; the vote was as follows:

The Council voted as follows:

- Mayor Clement: aye
- Mayor Pro Tem Pate: aye
- Councilmember Petersen: nay
- Councilmember Gray: aye
- Councilmember Goodman: aye

Motion passed.

**b. SU-01-25: Remove Buffer and Setback Requirement for Lot 9 of Tyler's Ridge**

On behalf of Trustee James B. O'Malley, Paul Saathoff with KoontzJones Design has applied for a Special Use Permit to amend the 2011 Conditional Use Permit for the Tyler's Ridge development (i.e., file #CU-01-11) for Lot 9. The amendment being proposed would remove a required 30' landscaping buffer and 50' building setback.

Mayor Clement swore in pending witnesses for the hearing.

Town Attorney Mac McCarley asked the members to disclose the following relative to the application and property: any specialized knowledge; a fixed opinion not subject to change; close relation to the applicant or property owner; and/or a financial interest in the outcome. The answer was unanimously no.

Planner II Gene Ruiz presented the Staff Report (Exhibit A) and the Staff Presentation (Exhibit B) to the Council. Planner Ruiz shared that the staff had worked diligently with the developer on this project since the 2040 Comprehensive Plan mandates that existing landscaping be protected. Discussion ensued regarding protecting the existing landscape buffer and planting a new buffer. Planning Director Grieve added that the Town Arborist was consulted on any tree removal. US Fish & Wildlife Agency letter (Exhibit C) was presented to the Council that requires a survey only if taking down any Longleaf Pines over 10inches in diameter and no Longleaf Pines are being removed.

Mayor Pro Tem Pate questioned the need for the removal of the buffer and setback requirements just to add parking and asked if the lot was undevelopable without the removal? - Planner Ruiz stated that the site would be developable without removing the buffer.

- Mayor Pro Tem Pate clarified that a 30 ft buffer was required per the existing standards and Planner Ruiz concurred.

Discussion ensued

Bob Koontz, Koontz Jones Design plus V3, addressed the items discussed during Planner Ruiz's presentation.

Mayor Pro Tem Pate asked for clarification on what would be planted in the yellow circle area of the slide. Mr. Koontz answered that the plan is 2 pines and 3 understory trees.

Discussion ensued regarding landscaping plans.

Mayor Clement asked for clarification on the setback requirements, residential versus commercial.

- Mayor Pro Tem Pate questioned if the applicant was threatening to cut down mature trees if the request wasn't approved and discussion ensued.

Councilmember Goodman feels a condition should be added regarding the planting in the area highlighted yellow on the presentation slide and discussion ensued.

Mayor Clement closed the hearing.

Mayor Pro Tem Pate moved to adopt Attachment 1 of the staff report as Findings of Fact regarding the proposed Special Use Permit SU-01-25 with the following changes in Finding of Fact #3 in the final sentence of the final paragraph, insert the following: These improvements, plus the additional landscaping in the cleared area on the north side of the site will maintain the intent of the original buffer to soften the appearance of commercial development and ensure compatibility with nearby properties.

The motion was seconded by Councilmember Gray and the vote was unanimous.

**d. Approve Resolution authorizing the use of Design-Build for the proposed Fleet Maintenance Facility**

Approve Resolution #1121 authorizing the use of the Design-Build procurement method for the proposed Fleet Maintenance Facility

This item was removed from the Agenda prior to Agenda adoption.

**e. Closed Session as authorized in N.C.G.S. §143-318.11(a)(5)**

Mayor Clement cancelled the closed session with no new information to be discussed.

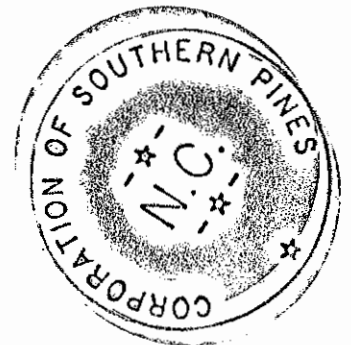
**9. ADJOURNMENT**

Upon motion by Councilmember Goodman, seconded by Mayor Pro Tem Pate and carried unanimously, Council adjourned at 12:32 pm.

Motion passed.

Respectfully submitted:

  
Elizabeth Robertson, Town Clerk





**CASE NUMBER: MAPP-01-24**

**FINDINGS OF FACT, DECISION OF THE BOARD, AND ORDER IN THE MATTER  
OF A MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION FOR THE  
HYLAND HILLS TOWNHOMES**

**DESCRIPTION OF MATTER**

Mr. Trevor Hansen, on behalf of Moore HL Properties, Inc., submitted a Major Subdivision Preliminary Plat application pursuant to the Town of Southern Pines Unified Development Ordinance (UDO) §2.20 for 24 townhomes on 2.42 total acres on parcels identified as PARID 00035711, 20190609, and 00991774. The developer plans to accomplish this project in two phases. Per the Moore County tax record, the subject property is owned by Moore HL Properties, Inc.

A public evidentiary hearing regarding the proposed Major Subdivision Preliminary Plat (MAPP) for the Hyland Hills Townhomes was called to order with four members present on October 8, 2024. The oath was administered to all witnesses choosing to speak. Planning staff entered the October 8, 2024 Staff Report as Exhibit A and staff's October 8, 2024 presentation as Exhibit B. The authorized agent, Trevor Hansen of KoontzJones Design, entered their presentation as Exhibit C. After closing the hearing, Town Council discussed and voted on the draft findings of fact. Detailed discussion during the evidentiary hearing can be found in the meeting minutes on record in the Town Clerk's office and online.

**FINDINGS OF FACT**

1. The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the request for the Major Subdivision Preliminary Plat approval has met the specified submittal requirements as required in the Town of Southern Pines UDO Appendices, the applicants have submitted adequate evidence addressing criteria for a Preliminary Plat, and the evidence submitted was sworn testimony by qualified experts or provided through substantiated documentation.
2. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 1 (the application is consistent with the Comprehensive Plan, as well as any other adopted plans for streets, alleys, parks, playgrounds, and public utility facilities) in that the townhomes will provide additional housing diversity in the area. The proposed subdivision is also consistent with the General Framework Map and Conservation and Development Maps, which each categorize the site as an Area to Enhance and Neighborhood within the town's extraterritorial jurisdiction. The open space will serve the community by preserving natural character and buffering between residential zones and a major highway. The applicant will improve Dover Street to NCDOT and town standards, and the Moore County

Public Works Department will install a water and sewer framework. Therefore, the project is also consistent with its surrounding open space, street, and utility plans.

3. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 2 (the proposed subdivision complies with the UDO and applicable state and federal regulations) in that once the project receives a Watershed Exemption Allocation it will comply with UDO Exhibit 3-14. By consulting with US Fish and Wildlife to conduct a Red Cockaded Woodpecker analysis and modifying the Hyland Hills site plan accordingly if necessary, the development will comply with federal Endangered Species Act regulation. Given the UDO requirements for 50' highway yard and 15' side yard buffers, the unique layout of the parcels, and the challenge imposing a 50' highway yard buffer will involve, buffer modification (pursuant to UDO §4.3.8) as depicted on the Preliminary Plat is appropriate. Employing a deed of easement for buffer area that overlaps with private lots is also appropriate to ensure the buffer's longevity.
4. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 3 (the proposed Subdivision, including its Lot sizes, density, access, and circulation, is compatible with the existing and/or permissible zoning and future land use of adjacent property) in that the 24 townhome lots and their respective dimensions meet density standards. RM-1 zoning standards call for 10-12 units per acre and this site is 2.42 acres, which is well within the prescribed density. The unique layout of the site also makes for an equally unique access plan. By making one alley access from Dover Street and the other from Hyland Hills Road, the circulation plan will minimally impact adjacent properties.
5. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 4 (the proposed subdivision will not have detrimental impacts on the safety or viability of permitted uses on adjacent properties) in that the project improves the entirety of Dover Street and timely installs landscaping buffers to protect privacy. The applicant will improve asphalt thickness to NCDOT standards and access width to the Town of Southern Pines standards (pursuant to NCGS 160D-804 and UDO §4.11.14). This ensures the increased vehicle traffic resulting from the project doesn't further erode Dover Street. Installing HOA controlled 15' side yard buffers prior to issuing final plats will ensure the development's coexistence with adjacent residential properties. The buffers mitigate the negative impact to adjacent properties' privacy and viability. Restricting the use of a bond or extension of compliance for the side yard buffers will ensure this mitigation measure is in place prior to vertical construction.
6. The Town Council finds that the application complies with UDO §2.20.4(G), Criterion 5 (the proposed public facilities are adequate to serve the normal and emergency demands of the proposed development, and to provide for the efficient and timely extension to serve future development) in that the proposed utility plan adequately meets water, fire flow, and sewer requirements. Utility development in the manner proposed, though installed by an outside agency, is consistent with town standards and will serve this part of the community efficiently and adequately. The 10-inch fire flow connection is also adequate to serve emergency demands.

## CONCLUSION AND DECISION

Therefore, by a vote of 3-1, the Town Council voted to approve with conditions the Hyland Hills Townhomes MAPP-01-24 with the following additional conditions:

### **Condition 1 – Improve Dover Street**

- The project developer shall execute two improvements to the entirety of Dover Street:
  1. Pave asphalt to the current NCDOT thickness standards.
  2. Widen the street's access width to town standards.

The applicant may conduct these improvements according to the approved phasing plan.

*This condition is pursuant to NCGS 160D-804, UDO §4.11.14, and MAPP Criteria 1 and 4.*

### **Condition 2 – Conduct the Red Cockaded Woodpecker Study and Protection Measures**

- The applicant shall conduct the necessary Red Cockaded Woodpecker (RCW) study to identify any cavity trees, sensitive foraging area, and overall impact to the active foraging area prior to any lot clearing.
- The applicant must modify the site's design according to any findings resulting from the study including, but not limited to, preserving identified RCW cavity trees. Town staff shall also verify the US Fish and Wildlife letter and any applicable site adjustments prior to lot clearing.  
*This condition is essential in complying with federal Endangered Species Act regulation, and therefore, MAPP Criterion 2.*

### **Condition 3 – Install Western Landscape Buffers Prior to Final Plat**

- The applicant shall install all 15' side yard landscape buffers on the western side of the subject property, separating townhomes from existing RS-2 residences prior to the town issuing final plats. To ensure a level of privacy is timely restored to adjacent neighbors before vertical construction, the applicant may not employ a landscaping performance guarantee in these areas to receive a final plat. However, the applicant may complete landscape requirements and apply for a final plat separately by phase.  
*This condition is pursuant to UDO §4.3.4, UDO Exhibit 4-3, and MAPP Criteria 2 and 4.*

### **Condition 4 – Develop According to the Phasing Plan**

- The applicant will develop the Hyland Hills Townhomes project by phase according to sheet L-1.2, per the boundaries indicated on the approved Overall Development Plan, sheet L-1.1. Final plats for each phase will be issued once all site development components are complete and verified by town staff. The project will be phased according to the following description:
  - Phase 1
    - Completion of site development around lots T-1 through T-14 per the submitted Preliminary Plat Overall Development Plan, sheet L-1.1. Inclusive of site grading, stormwater installation, landscape requirements, and installation of the alley road off Hyland Hills Dr, Pikesville Ct.
    - All proposed sewer and water utility improvements for the entire project including the proposed sewer lift station at the loop of Whistle Pig Cir.
    - Improvements to Dover St, per NCDOT standards, up to and including lot T-6, which will provide fire service access for Townhome Lots T-1 through T-6.

- Phase 2
  - Completion of site development around lots T-15 through T-24 per the submitted Preliminary Plat Overall Development Plan, sheet L-1.1. Inclusive of site grading, stormwater installation, landscape requirements, and installation of the alley off Dover St, Whistle Pig Cir.
  - Remainder of the Town required improvement of Dover St up to Whistle Pig Cir.
- Construction Sequence for Townhome Units Following Final Plat Approval and need for Certificate of Occupancy
  - First will be construction of the townhomes on lots T-7 through T-14
  - Second will be construction of the townhomes on lots T-1 through T-6
  - Third will be construction of the townhomes on lots T-15 through T-24

**Condition 5 – Allocate Watershed Exemption**

- 2.42 acres of 5/70 exemption allocation are granted with the Hyland Hills Townhomes preliminary plat, MAPP-01-24.

This is the 22<sup>nd</sup> day of October, 2024.

FOR THE TOWN COUNCIL:

  
Taylor G. Clement, Mayor



**CASE NUMBER: PD-01-25**

**FINDINGS OF FACT, DECISION OF THE BOARD, AND ORDER IN THE MATTER  
OF A PRELIMINARY DEVELOPMENT PLAN APPLICATION FOR TOMMY’S CAR  
WASH**

**DESCRIPTION OF MATTER**

Bob Koontz, on behalf of Carolina Car Wash, LLC, has submitted a Planned Development District – Preliminary Development Plan application pursuant to §2.18.5 of the Town of Southern Pines Unified Development Ordinance to develop an express car wash facility on +1.84 acres situated on the south side of Morganton Road between Patriot Boulevard and Carolina Green Parkway. The parcel is identified as PIN857100588078 (PARID 98000749) and is owned by MSP Outlots, LLC. The proposal includes a ± 5,484 square-foot automated car wash building with three drive-through stacking lanes, 15 self-service vacuum stalls, and 8 parking spaces.

The public evidentiary hearing for the proposed Preliminary Development Plan (PDP) for Tommy’s Car Wash was officially called to order on July 22, 2025, with five Council members present. The oath was administered to all witnesses intending to speak. Planning staff entered the Staff Report dated July 22, 2025, as Exhibit A, followed by staff’s presentation from the same date, which was entered as Exhibit B. Paul Saathoff, affiliated with Koontz Jones + V3 Design and authorized as the applicant’s agent, entered the applicant’s presentation into the record. Staff subsequently designated this document as Exhibit C for clarity in the official record.

Following the close of the hearing, Town Council discussed and voted 5-0 to approve the draft findings of fact as prepared by staff. Detailed discussion from the evidentiary hearing is available in the meeting minutes on file in the Town Clerk’s office and online.

**FINDINGS OF FACT**

1. The Town Council finds that the application is complete and that the facts submitted are relevant to the case because the Preliminary Development Plan application has met the specified submittal requirements in accordance with the Town of Southern Pines Unified Development Ordinance (UDO). The applicant has submitted sufficient documentation and narrative addressing the applicable criteria for a Preliminary Development Plan, and staff has reviewed the materials for accuracy and consistency with adopted regulations.
2. The Town Council finds that the application complies with the purposes of the Planned Development (PD) district in that it contributes to a coordinated mix of uses, including commercial services compatible with the existing Morganton Park South PD. The express car wash is a permitted use under the CDP and aligns with the intent to promote economic development, provide open space, and implement an organized land use pattern. The proposed

deviations related to building orientation and frontage are reasonable given site constraints, and are consistent with the PD's purpose.

3. The Town council finds that the Preliminary Development Plan complies with the approved Conceptual Development Plan (PD-08-21) and conforms to applicable provisions of the UDO. Staff has noted that open space has been properly accounted for, and that deviations related to frontage and orientation are justified due to overlay buffer requirements and pedestrian enhancements.
4. The Town Council finds that the proposed development is located in an area of the Town that is appropriate for the proposed use. The site lies within a designated Retail Center and Community Activity Center per the adopted 2040 Comprehensive Plan, and is surrounded by existing and planned commercial uses. The car wash use is consistent with the retail/office designation established in the CDP, and permitted under Land-based classification standard (LBCS) 2117.
5. The Town Council finds that the proposed development will not require inefficient extensions of public facilities, utilities, or services. Infrastructure such as water and sewer will be made available through the extension of Old Morganton Road, and the Conceptual Plan illustrates general utility connection locations in accordance with CDP Section 5.5.5.

#### CONCLUSION AND DECISION

Therefore, by a vote of 5-0, the Town Council voted to approve with conditions the Tommy's Car Wash Preliminary Development Plan, i.e., PD-01-25. The final conditions were as drafted by the Planning Department staff for the Applicant, and written as follows:

1. **Condition 1** - That a deviation from the Building Orientation and Entry Requirements of UDO §4.10.4(A) is approved to allow the primary customer entrance to be oriented from the extension of Old Morganton Road instead of West Morganton Road.
2. **Condition 2** - That a deviation from the Frontage Requirements of UDO §4.10.5 is approved to reduce the required total frontage width from 16' to 12' in total, as displayed in the PDP site plan. This shall include a 4.75' planting area, leaving 7.25' of concrete for pedestrian use.
3. **Condition 3** - That no deviations from the applicable architectural standards of the UDO, with the exception of the deviations granted in Conditions 1 & 2, shall be permitted.
4. **Condition 4** - That no deviations from the conditions or layout approved under the Major Subdivision Preliminary Plat (MAPP-04-24) shall be requested or permitted at the time of site plan review.
5. **Condition 5** - That the site plan shall conform in all respects to the approved Preliminary Development Plan.

This is the 12<sup>th</sup> day of August, 2025.

FOR THE TOWN COUNCIL:

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Taylor G. Clement, Mayor



**ORDINANCE #3140**  
**AMENDING THE ZONING MAP OF THE TOWN OF SOUTHERN PINES**  
**Z-04-25**

**THAT WHEREAS**, after notice duly given according to law, a public hearing was held before the Town of Southern Pines Town Council at its regular business meeting on August 12, 2025, at 6:00 PM for the purpose of considering and passing of an ordinance amending the Zoning Map of the Town of Southern Pines, North Carolina; and

**WHEREAS**, after the completion of said public hearing, and upon consideration of the reasonableness of the request, compliance with the criteria for a zoning map amendment found in UDO §2.17.9, as well as consistency with the adopted 2040 Comprehensive Plan, the Southern Pines Town Council approved petition Z-04-25 to amend the Zoning Map of the Town of Southern Pines;

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED** by the Town of Southern Pines Town Council, in regular session assembled on the 12<sup>th</sup> day of August, 2025:

**Section 1.** That the Zoning of the Town of Southern Pines on file in the office of the Town Clerk be amended to reflect that the parcel fronting N. Hardin Street identified as PARID 00040522 is zoned Residential Multi-Family One Conditional Zoning District (RM-1CD) with the following final list of conditions on that district:

**Condition 1.** That the land use shall be limited to: Land-Based Classification Standard (LBCS) #1120: "Two-Family (double or Duplex)," which may be manufactured and permanently affixed to the ground or built on-site.

**Condition I.** That the parcel shall be developed in accordance with the narrative and plans submitted with the application for this Conditional Zoning District.

**Condition II.** That the permitted land use shall be limited to: Land-Based Classification Standard (LBCS) #1112: "Single-Family Attached (Townhouses)," and LBCS #1120: "Two Family (double or Duplex), which may include manufactured homes permanently affixed to the ground or built on-site structures.

**Condition III.** That Parcel ID 00040522 may be subdivided into four (4) lots, subject to the approval of this Conditional Zoning District and in accordance with all applicable subdivision regulations of the Town.

**Condition IV.** That all dwelling units shall be constructed within the setbacks illustrated in the "Proposed Sketch Plan for Tony Fairley for Lot No. 99," dated June 12, 2025 and submitted with this application. The minimum lot size requirement, additional area required per additional dwelling unit requirement, and lot width requirements of UDO Exhibit 4-1 shall not apply.

**Condition V.** That a 10-foot-wide undisturbed buffer shall be maintained along the three exterior sides of the parent parcel not adjacent to North Hardin Street. The buffer shall remain vegetated and comply with the Town's adopted UDO landscaping standards, as applicable. All existing trees within the buffer that are 6 inches in diameter or greater shall be preserved.

**Condition VI.** That the architecture and design of all proposed structures shall be consistent with the "Architectural Rendering" attachment included in the Town Council Staff Report dated July 22, 2025, as depicted below for reference.



**Condition VII.** That concurrent with the approval of Z-04-25, watershed allocation is hereby granted to allow for up to seventy percent (70%) built-upon area on the subject parcel.

**Condition VIII.** If necessary, the applicant shall conduct the necessary Red Cockaded Woodpecker (RCW) study to identify any cavity trees or sensitive foraging area, and determine the overall impact to the RCW prior to any lot clearing. The applicant shall modify the site's design according to any findings from the study including, but not limited to, preserving identified RCW cavity trees. Town staff shall also verify the resultant US Fish and Wildlife letter and any applicable site adjustments prior to lot clearing.

The subject parcels are as recorded in the Moore County Registry as follows:

- (1) Lot as recorded in Deed Book 6250, Page 1 and as identified as Parcel Identification Number 00040522


BEING Lot Number Ninety-Nine (99) and fronting on Hardin Street as shown on a map entitled "A Map of West Southern Pines Addition to Southern Pines, Property of H. A. Page, Jr.", which is recorded in Map Book 2, Page 4 in the Office of the Register of Deeds of Moore County, North Carolina.

BEING the same property conveyed to Grantor recorded on April 22, 1980, in Book 460, Page 162 in the Moore County Registry.

**Section 2.** That this Ordinance shall be and shall remain in full force and effect from the date of its adoption until otherwise amended.

Adopted this 12<sup>th</sup> day of August, 2025.

I certify that this Ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting on August 12, 2025 as shown in the Minutes of the Town Council meeting for that date.

  
Elizabeth Robertson, Town Clerk





**ORDER 2025-01**  
**TO VACATE SECTIONS OF TOWN RIGHT-OF-WAY FOR WEST WISCONSIN AVENUE**  
**AND SOUTH BENNETT STREET**  
**(RA-01-25)**

**WHEREAS**, North Carolina General Statute 160A-299 authorizes towns to vacate streets or portions thereof; and

**WHEREAS**, the has adopted, at its Business Meeting on July 22, 2025, a Resolution Declaring Its Intent to Vacate a Section of Town Right-of-Way for West Wisconsin Avenue and South Bennett Street; and

**WHEREAS**, the Town of Southern Pines published legal notice in the local newspaper; and

**WHEREAS**, the Town has held a public hearing at which the Town Council found, and hereby finds, that vacating a portion of right-of-way for West Wisconsin Avenue and South Bennett Street in not contrary to the public interest and that no individual owning property in the vicinity of the street or in any subdivision in which it is located will be deprived of reasonable means of ingress and egress to that individual's property by the vacation of that portion of right-of-way.

**NOW THEREFORE, BE IT ORDAINED** by the Town of Southern Pines Town Council at its regular business meeting held on August 12, 2025, that:

1. That the portion of right-of-way in the Town of Southern Pines is hereby vacated and closed as a public street, but the Town reserves all of its right, title and interest in any and all utility improvements or easements within the street, together with utility improvements or easements.
2. That the section of right-of-way to be vacated is an approximately 852sq ft portion of West Wisconsin Avenue and South Bennett Street and is described as follows:

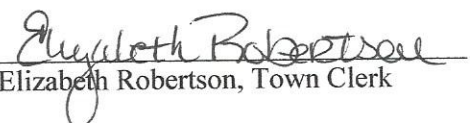
Beginning at a new iron stake located S 60°51'29" E 14.61' from an existing iron stake in the Southern Right of Way of S. Bennett St., thence S 60°51'29" E 13.72' to an existing iron pipe, thence N 53°28'34" E 65.32' to an existing concrete monument in the Southern Right of Way of W. Wisconsin Ave., thence N 36°31'52" W 12.50' to a new iron stake in the Southern Right of Way of W. Wisconsin Ave., thence S 53°28'34" E 70.97' to the Beginning. Containing 852sq.ft. and being the South Eastern portion of a Deed to the Town of Southern Pines recorded in Deed Book 5469, Page 128.

3. That this Order shall be and remain in full force and effect from and after the date of its adoption.

Adopted this the 12<sup>nd</sup> day of August, 2025.

I certify that this Order was adopted by the Town Council of the Town of Southern Pines at its meeting on August 12, 2025, as shown in the Minutes of the Town Council meeting for that date.



  
Elizabeth Robertson, Town Clerk



**RESOLUTION #1122**  
**ADOPTING THE ELECTRONIC RECORD RETENTION SCHEDULE**

**WHEREAS**, the Town of Southern Pines recognizes the growing importance and prevalence of electronic records in the conduct of public business, including records that are born-digital and those generated through imaging systems; and

**WHEREAS**, the Town acknowledges its responsibility under North Carolina General Statutes Chapter 132 (Public Records Law) and Chapter 121 (Archives and History Act) to preserve, protect, and make accessible public records regardless of format; and

**WHEREAS**, the North Carolina Department of Natural and Cultural Resources, Division of Archives and Records, Government Records Branch has issued guidance entitled *Guidelines for Managing Trustworthy Digital Public Records*, to assist public agencies in ensuring electronic records are reliable, authentic, and preserved for as long as required; and

**WHEREAS**, the proposed **Electronic Records Retention Policy** provides a framework for managing electronic records in compliance with applicable legal, operational, and archival requirements, and is modeled upon state guidance to ensure records are accurate, secure, and retrievable throughout their retention period; and

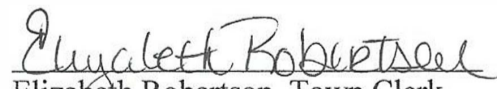
**WHEREAS**, adopting this policy will promote consistency, transparency, and accountability in the management of the Town's digital records, and improve overall efficiency in records administration;

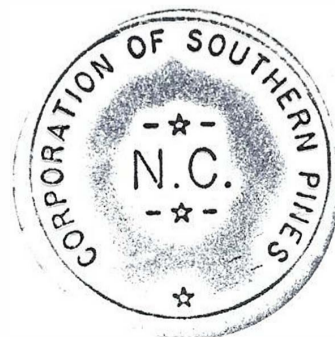
**NOW, THEREFORE, BE IT RESOLVED by the Town of Southern Pines Town Council that:**

1. The **Electronic Records Retention Policy**, as presented in Exhibit A attached hereto, is hereby adopted and shall take effect immediately upon passage of this resolution.
2. The Town Manager, or their designee, is authorized and directed to implement the policy and to ensure that all Town departments comply with its provisions.
3. The policy may be periodically reviewed and amended to reflect changes in technology, legal requirements, and best practices, subject to Council approval.
4. A copy of this resolution and the adopted policy shall be maintained in the official records of the Town and made available to the public in accordance with applicable public records laws.

Adopted this the 12<sup>th</sup> day of August 2025.

I certify that this Resolution was adopted by the Town Council of the Town of Southern Pines at its meeting on August 12, 2025, as shown in the Minutes of the Town Council meeting for that date.

  
Elizabeth Robertson, Town Clerk



# Electronic Records and Imaging Policy and Procedures

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Town of Southern Pines

Adopted: August 2025  
Reference Resolution #1122





The North Carolina Department of Natural and Cultural Resources requires that any agency that images its records as part of its records retention practices sign this policy after tailoring it to meet agency needs. This policy is also a requirement for agencies maintaining electronic records that have retention periods of ten or more years.

Effective date: August 12, 2025 Modified date: n/a

Type of Government Office: Municipal  
County/Municipality/Agency: Town of Southern Pines  
Name of Office: Town Clerk  
Office Address: 125 SE Broad Street, Southern Pines, NC 28387  
Phone: 910-692-7021 Fax: \_\_\_\_\_ Email: admin@southernpines.net

\*Includes assigned and unassigned offices (authorities, boards, bureaus, commissions, councils, private/public hybrid entities, etc.)

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## 1. Purpose

The records covered by this policy are in the custody of the Town of Southern Pines and are maintained for the benefit of agency use in delivering services and in documenting agency operations. This electronic records policy reflects guidelines established in the North Carolina Department of Natural and Cultural Resources publication *Guidelines for Managing Trustworthy Digital Public Records*.<sup>1</sup> Complying with this policy will increase the reliability and accuracy of records stored in information technology systems and will ensure that they remain accessible over time. Exhibiting compliance with this policy will enhance records' admissibility and acceptance by the judicial system as being trustworthy.

All public records as defined by North Carolina G.S. § 132-1 are covered by this policy. This includes permanent and non-permanent records, including both confidential and non-confidential records. These classifications may warrant different treatments when processing the records. This policy serves as basic documentation of the procedures followed by the department in imaging, indexing, auditing, backing up, and purging electronic records in accordance with the disposition schedule, and in handling the original paper records, if applicable.

This policy also serves to protect those records digitized by the agency's in-house scanning and server stored imaging system, which reduces required storage space for original documents as the agency transitions to a "more paperless" digital system and provides instant and simultaneous access to documents as needed.

The form provided in Section 10 of this document, *Request for Disposal of Original Records Duplicated by Electronic Means*, is completed and submitted to the Department of Natural and Cultural Resources whenever this agency wishes to dispose of a series of paper records that have been digitized.

This policy will supersede any electronic records system policy previously adopted. This policy will be reevaluated at a minimum of every five years, or upon the implementation of a new information technology system, and will be updated as required. A copy of this policy will remain on file at the Department of Natural and Cultural Resources.

## 2. Responsible Parties

### Town Clerk

Responsibilities include:

1. Determining access rights to the system
2. Approving system as configured by IT
3. Assist in training of records creators
4. Periodically auditing imaged records for accuracy, readability, and reproduction capabilities before the original documents are destroyed

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<sup>1</sup> <https://archives.ncdcr.gov/documents/guidelines-managing-trustworthy-digital-public-records>

## Assistant Town Manager

Responsibilities include:

1. Ensuring training of records creators
2. Approving system as configured by IT
3. Periodically auditing imaged records for accuracy, readability, and reproduction capabilities before the original documents are destroyed.

## IT Department

Responsibilities include:

1. Installing and maintaining equipment and software
2. Configuring the system according to agency needs, including creating and testing applications and indexes
3. Controlling permission rights to the system
4. Maintaining documentation of system hardware and software
5. Establishing audit trails that document actions taken on records stored by the information technology system
6. Providing backups for system records and recovering deleted imaged records when necessary
7. Completing a disaster recovery backup at least once every two years
8. Establishing and providing training on equipment and software, documenting such training, and providing remedial training as needed
9. Creating and updating detailed procedural manuals describing the imaging process and equipment
10. Conducting any necessary batch conversions or batch renaming of imaged records

## Records Creators

Responsibilities include:

1. Attending and signing off on training conducted by IT staff or by the Department of Natural and Cultural Resources
2. Creating passwords for computers that are long, complex, and frequently changed
3. Creating and managing electronic records in their purview in accordance with the policies and other guidance issued by the Department of Natural and Cultural Resources and complying with all IT security policies
4. Reviewing system records annually and purging records in accordance with the retention schedule
5. Guaranteeing that records, regardless of format, be retained for the period of time required by local records retention schedules
6. Carrying out day-to-day processes associated with the agency's imaging program, including:
  - Designating records to be entered into the imaging system
  - Noting confidential information or otherwise protected records and fields
  - Removing transitory records from the scanning queue
  - Completing indexing guide form for each record being scanned
  - Reviewing images and indexing for quality assurance
  - Naming and storing the scanned images in designated folders
  - Once approved, destroying or otherwise disposing of original records in accordance with guidance issued by the Department of Natural and Cultural Resources

### 3. Availability of System and Records for Outside Inspection

The Town recognizes that the judicial system may request pretrial discovery of the information technology system used to produce records and related materials. Agency personnel will honor requests for outside inspection of the system and testing of data by opposing parties, the court, and government representatives. Records must be available for inspection and audit by a government representative for the full period required by law and approved records retention schedules, regardless of the life expectancy of the media on which the records are stored. Records must continue to exist when litigation, government investigation, or audit is pending or imminent, or if a court order may prohibit specified records from being destroyed or otherwise rendered unavailable.

In order to lay a proper foundation for the purposes of admitting the agency's electronic records into evidence, the agency will be able to provide up-to-date, detailed documentation that describes the procedural controls employed in producing records; procedures for input control including tests used to assure accuracy and reliability; and evidence of the records' chain of custody. In addition to this policy, such documentation includes:

- Procedural manuals
- System documentation
- Training documentation
- Audit documentation
- Audit trails documenting access permission to records

The agency will also honor inspection and copy requests pursuant to N.C. G.S. § 132. The agency should produce the records created and used in the course of business, maintaining established folder structure as applicable. The agency should produce records in any format it is capable of producing if asked by the requesting party; however, the agency is not required to create or compile a record that does not already exist. If it is necessary to separate confidential from non-confidential information in order to permit the inspection or copying of the public records, the public agency will bear the cost of such separation.

### 4. Maintenance of Trustworthy Electronic Records

#### Produced by Methods that Ensure Accuracy

All platforms used by the agency to create and manage electronic records, including e-mail clients, social media platforms, and cloud computing platforms, conform with all Department of Natural and Cultural Resources policies and all applicable IT security policies.

Electronic files are named in accordance with the Best Practices for File Naming published by the Department of Natural and Cultural Resources. Currently, all electronic documents and records reside on a Windows server with a shared file system.

Electronic files are saved in formats that comply with the DNCR's *File Format Guidelines for Management and Long-Term Retention of Electronic Records*.<sup>2</sup> File formats used by the agency are identified as standard by DNCR and are well-supported and have robust metadata support. Specifically, the Town of Southern Pines uses the .PDF file format.

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<sup>2</sup> <https://archives.ncdcr.gov/documents/file-format-guidelines-management-and-long-term-retention-electronic-records>

## Maintained in a Secure Environment

Security of the system and the records it holds is maintained in the following ways:

- Access rights are managed by the IT department and are assigned by a supervising authority to prevent unauthorized viewing of documents.
- Data creators must organize and name file systems in such a way to identify confidentiality of the documents.
- Folders with confidential information are restricted, and access rights to confidential data are carefully managed. Confidential material is redacted by the record creators before it is shared or otherwise made available.
- Physical access to computers, disks, and external hard drives is restricted.
- All system password and operating procedure manuals are kept in secure off-site storage.

## Associated and Linked with Appropriate Metadata

Metadata is maintained alongside the record. At a minimum, metadata retained includes file creator, date created, title (stored as the file name), and when appropriate, cell formulae and e-mail header information. Employees are not instructed to create metadata other than metadata that is essential for a file's current use and/or retention.<sup>3</sup>

## Stored on Media that are Regularly Assessed and Refreshed

Data is converted to new usable file types as old ones become obsolete. The following steps are taken to ensure the continued accessibility of records kept in electronic formats:

- Data is audited and assessed annually. If there is evidence of file corruption, data should be migrated to new media.
- Records are periodically verified through hash algorithms. This is required before and after transfer to new media to ensure the records were not altered.
- Media is refreshed every four to seven years. The agency documents when and how records are transferred from one storage medium to another. Once the new media has been sampled to assure the quality of the transfer, the original media may be destroyed according to the guidelines of 07 NCAC 04M .0510.
- Records are periodically migrated to new file types, particularly when a new information technology system requires that they be brought forward in order to render the file properly.
- Metadata is maintained during transfers and migrations.
- Storage media are maintained in a manner and in an environment that promotes bit-level preservation. Humidity does not exceed 50% and should not fall below 30%. Room temperature is set between 65° F to 75° F. The agency adheres to the media manufacturer's recommendations for specific environmental conditions in which the media should be stored.
- Whatever media is used to store data is clearly labeled with enough information that its contents can be determined (e.g., optical media should have a physical label; data stored on a server should be indexed).

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<sup>3</sup> For more information, see DNCR's guidance document *Metadata as a Public Record in North Carolina: Best Practices Guidelines for Its Retention and Disposition*

## 5. Components of Information Technology System

### Training Programs

The IT department will conduct training for system use and electronic records management, using material published by the Department of Natural and Cultural Resources when appropriate. All employees will be made aware of system procedures and policies and trained on them; employees will acknowledge by initialization or signature that they are aware of the policies and have received training on them. When appropriate, employees will also attend trainings offered by the Department of Natural and Cultural Resources on the maintenance of electronic records. Documentation will be maintained for the distribution of written procedures, attendance of individuals at training sessions and refresher training programs, and other relevant information.

### Audit Trails

At a minimum, the IT department will maintain documentation on who has read and/or write permission to files maintained by the agency. Ideally, a log of activities on the system is maintained, which shows who accessed the system, how and by whom records were created and modified, and whether standard procedures were followed.

### Audits

Audits are designed to evaluate the process or system's accuracy, timeliness, adequacy of procedures, training provided, and the existence of audit trails. Internal audits are conducted regularly by agency IT staff, at least annually.

## 6. Documentation of Information Technology System

### System Design

The agency maintains documentation that describes system procedures, practices, and workflows. This documentation also identifies system software and hardware and captures the system environment in terms of the organizational structure, functions and responsibilities, and system processes. It explains how the system operates from a functional user and data processing point of view. Documentation is reviewed and updated by IT staff annually or upon implementation of a new information technology system. Such documentation maintained by the agency includes:

- Procedural manuals
- System documentation
- Security backup and disaster recovery procedures as a part of the Continuity of Operations Plan
- Service level agreements for contracted information technology services

### Retention of System Documentation

One set of all system documentation will be maintained during the period for which the records produced by the process or system could likely be subject to court review and until all data created by every system instance has been destroyed or transferred to a new operating environment. All such documentation is listed in the Town of Southern Pines records retention schedule.

## 7. Digital Imaging Program Documentation and Procedures

### System and Procedural Documentation

The IT department is responsible for preparing and updating detailed procedures that describe the process followed to create and manage imaged electronic records. This documentation will include a description of the system hardware and software. A current procedural manual will be maintained to ensure the most current steps are followed and to ensure reliable system documentation will be available for judicial or similar proceedings.

Each workstation designated as a scanning station will have, at a minimum, the following hardware and software, unless the scanner is collocated by means of a network interface:<sup>4</sup>

- Document/image scanner authorized by IT
- Driver software for scanner authorized by IT
- Imaging software authorized by IT
- Instructions manual, maintained by IT staff, describing in detail the steps required in the scanning process. This manual will also define:
  - The resolution of scanned images, as well as any compression standard used
  - The file formats of scanned images
  - The file naming conventions used for scanned images
  - Whether batch conversion or batch file re-naming will be necessary, and what tool is used for such conversions
  - Whether any image enhancement techniques should be conducted after imaging

### Training

Only designated staff that have been formally trained by IT staff and have signed off on training documentation on the use of the imaging software and equipment will be allowed to scan records. Components of the training will include basic techniques for image capture, indexing, quality control, security configuration, auditing, use of equipment, and general system maintenance. Permissions to image and index records will not be assigned until the user has been trained. If a user improperly indexes or scans a document, an auditor will address this occurrence with the user, and remedial training will be required.

### Indexing and Metadata

All imaged records must be indexed in order to facilitate efficient retrieval, ease of use, and up-to-date information about the images stored. This index should capture the content, structure, and context of the imaged records and will be developed by IT staff prior to the implementation of any imaging system. Metadata will be maintained in accordance with the guidelines provided in Section 4, *Maintenance of Trustworthy Electronic Records*.

### Auditing and Audit Trails

Staff trained to conduct imaging will conduct a quality control audit following the imaging of a record to ensure that the following features of the imaged record are legible:

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<sup>4</sup> If your scanner is networked, you will only have one response to each of the first three items. If you have separate workstations throughout your agency, we recommend an inventory that specifies the equipment and software used at each workstation. [specify scanner manufacturer and model number]

- Individual letters, numbers, and symbols
- Combinations of letters, numbers, and symbols forming words or sentences
- Graphics such as signatures, logos, and pictures
- Other features of records such as color, shape, texture, etc., that relate to the content of the information

Managerial staff for the various units of the agency will also periodically audit imaged records for accuracy, readability, and reproduction capabilities. Written quality control documentation will be prepared indicating the sampling of records and what remedial procedures were followed if the expected level of accuracy was not achieved.

Managerial staff will document by position title employees that have the authority to complete each of the tasks listed.

### **Retention of Original and Duplicate Records**

To obtain permission to destroy original records following imaging, this agency will complete Section 10 of this document, *Request for Disposal of Original Records Duplicated by Electronic Means*. For each records series identified for scanning, the Department of Natural and Cultural Resources must approve the destruction of the original records. Permanent records may be imaged for ease of access, but the original documents may not be destroyed unless an analog copy exists prior to the records' destruction.<sup>5</sup>

Destruction of original records is allowed only after quality assurance has been conducted on the imaged records, necessary corrections have been made, the electronic records system is audited for accuracy, and the destruction of records has been approved.

If digital images replace the original records and assume all legal authorities, these scanned records will be considered the record copy and must be maintained for the specified retention period defined in the appropriate records retention and disposition schedule.<sup>6</sup> The retention period is considered to have begun when the original document was created, not when the electronic version was produced. Any hard copy generated from the imaged records will be considered the agency's duplicate "working" record or reference copy.

## **8. Other Electronic Records Management Practices**

### **System Planning**

The Town uses traditional paper media, electronic systems, for the creation and storage of records, based upon which media best serves the records retention requirements of unique records groups, as well as the administrative needs of the Town. Any document that is considered to be a permanent record must be kept either as a paper media or microfilm. Permanent records may be scanned and become a part of the document imaging and electronic records systems to provide for greater efficiency; however, they will still be maintained in either a paper media or microfilm form. The Town monitors all computing resources and information systems for performance, storage, and

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<sup>5</sup> Any permanent records maintained in electronic form must also exist as a paper or microfilm preservation duplicate copy in compliance with the Department of Natural and Cultural Resources *Human-Readable Preservation Duplicates* policy.

<sup>6</sup> The Society of American Archivists *Glossary of Archival and Records Terminology* defines record copy as "the single copy of a document, often the original, that is designated as the official copy for reference and preservation." Available at <http://www2.archivists.org/glossary/terms/r/record-copy>.

supportability. Those systems identified as requiring upgrading or additional resources, are part of annual budgeting process within the Town.

### Shared Drive Management

Employees use shared storage for collaboration and access. Procedures for the use of this shared storage comply with DNCR's guidance document *Global Shared Storage Guidelines*.<sup>7</sup>

### Security and Disaster Backup and Restoration

The agency has a disaster recovery plan for its electronic data in place, which includes contact information for data recovery vendors and information about backups of all data. Security backups to protect against data loss are generated for all but the most transitory of files. Routine backups are conducted daily and are stored on the Town's on-premise secure Storage Area Network device with duplication to the on-premise "Backup and Disaster Recovery" (BDR) appliance. Backups stored locally are synchronized to a cloud-based system managed by Town IT. A key feature of this system is that images may be restored from either the local set of data or the data stored off site in the cloud. All images are transmitted using 128-bit SSL encryption and all stored images (local and cloud) use AES 256 for data at rest. Furthermore, this system offers "points in time" recovery options data from the servers may be recovered from a previous date/time and not just the current state of the servers. The cloud-based system also allows for virtual cloud-based servers to be spun up at any time in the event of a local server disaster. The above referenced systems are monitored on a daily basis. Data retention period is maintained as required with transitory data overwritten every six months. Imaged documents will be synchronized to a secure data center immediately upon document changes or upon document scanning

## 9. Compliance and Electronic Records Self-Warranty

The completion of this form by all signing employees signals that all employees will adhere to the rules set forth in this policy. Furthermore, this section is to be used as a self-evaluation tool to ensure that electronic records produced by the agency are created, reproduced, and otherwise managed in accordance with guidelines for electronic public records published by the North Carolina Department of Natural and Cultural Resources. The self-warranting of records in itself does *not* authorize the destruction of records, originals or copies, *nor* does it change current records retention and disposition scheduling procedures. Destructions of records are authorized when your agency approves the current retention and disposition schedule(s). If scanned records are intended to take the place of original paper records, local agencies must submit the *Request for Disposal of Original Records Duplicated by Electronic Means* form.

Each signatory should initial each element for certification, print his/her name on the Approved by line, fill in the job title, and sign and date the form.

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<sup>7</sup> <https://archives.ncdcr.gov/documents/global-shared-storage-guidelines>

## Town Clerk/Managerial Staff

The Town Clerk is the person responsible for creating records or managing the staff who create records.<sup>8</sup> The records custodian certifies that:

\_\_\_\_\_ The records created or duplicated by electronic means in this office are prepared in accordance with these guidelines as indicated by the following statements:

- Quality - Records are legible, accurate, and complete.
- The records are produced or reproduced as part of a regularly conducted activity.
- The records conform to DNCR guidance regarding file formats, file naming, and if applicable, digital preservation guidance produced by DNCR.
- Detailed, documented procedures are in place and followed when the records are created, copied, modified, or duplicated.
- The person who creates, copies, modifies, or duplicates records receives formal training on detailed system procedures prior to records preparation.
- Details of the training received are adequately documented through written policies and procedures.
- Employees sign training records after receiving training.

\_\_\_\_\_ This agency will comply with the best practices and standards established by the Department of Natural and Cultural Resources as published on its website.

\_\_\_\_\_ This agency will submit to the Department of Natural and Cultural Resources Section 10 of this policy, *Request for Disposal of Original Records Duplicated by Electronic Means*, to seek approval for the destruction of original records that have been converted from paper to electronic record.

\_\_\_\_\_ Affected records creators will be trained on the proper creation and maintenance of electronic records.

\_\_\_\_\_ Imaged records will be periodically audited for accuracy, readability, and reproduction capabilities before the original documents are destroyed.

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

\_\_\_\_\_

<sup>8</sup> G.S. § 132-2 specifies, "The public official in charge of an office having public records shall be the custodian thereof." G.S. § 160A-171 specifies that the city clerk is the custodian of all city records. Therefore, the individual signing this section will likely be the clerk at the local level or the head of the organizational unit.

### IT Director/ IT Professional

The IT Professional is the person responsible for providing technical support to the records custodians and who may be involved in infrastructure and system maintenance. In the absence of an IT department, the supervisor of the records custodian should verify the following items. The IT Professional certifies that:

\_\_\_\_\_ Audit trails document the identity of the individual who creates, duplicates, modifies, or otherwise prepares the records, what actions are taken by the individual during the course of the process, when these actions are taken, and what the results of these actions are.

\_\_\_\_\_ Audits:

- are performed periodically to confirm that the process or system produces accurate results.
- confirm that procedures followed are in accordance with the agency's documentation.
- are performed routinely on files to ensure no information has been lost.
- are performed by an independent source (i.e., persons other than those who create the records or persons without an interest in the content of the records. Acceptable sources may include different department or authorized auditing authority).
- are adequately documented.

\_\_\_\_\_ The process or system hardware and software are adequately documented.

\_\_\_\_\_ Permanent records conform to all file format, file naming, and digital preservation guidance produced by the Department of Natural and Cultural Resources.

\_\_\_\_\_ Backup procedures are in place and comply with best practices as established by the Department of Natural and Cultural Resources.

\_\_\_\_\_ Successful disaster recovery backup is completed at least once every two years.

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

**Assistant Town Manager**

The Assistant Town Manager is the person responsible for approving internal policies and procedures related to the creation and maintenance of electronic records. The Assistant Town Manager director certifies that:

\_\_\_\_\_ Determinations are made regarding employees' permission rights to the electronic records system.

\_\_\_\_\_ IT's configurations for the electronic records system are reviewed and approved before the electronic records system becomes operational.

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

**FOR DEPARTMENT OF NATURAL AND CULTURAL RESOURCES USE**

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

## 10. Request for Disposal of Original Records Duplicated by Electronic Means

This form is used to request approval from the Department of Natural and Cultural Resources to dispose of **non-permanent** paper records that have been scanned, entered into databases, or otherwise duplicated through digital imaging or other conversion to a digital environment. This form does not apply to records that have been microfilmed or photocopied.<sup>9</sup>

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<sup>9</sup> Please contact a Records Analyst with any questions about the destruction of original paper records.

# Request for Disposal of Original Records Duplicated by Electronic Means

*If you have questions, call (919) 814-6900 and ask for a Records Management Analyst.*

This form is used to request approval from the Department of Natural and Cultural Resources to dispose of non-permanent paper records that have been scanned, entered into databases, or otherwise duplicated through digital imaging or other conversion to a digital environment. This form does not apply to records that have been microfilmed or photocopied or to records with a permanent retention.

<b>Agency Contact Name:</b>		<b>Date (MM-DD-YYYY):</b>
<b>Phone (area code):</b>	<b>Email:</b>	
<b>County/Municipality:</b>	<b>Office:</b>	
<b>Mailing address:</b>		

<b>Records Series Title</b> A group of records as listed in records retention schedule	<b>Description of Records</b> Specific records as referred to in-office	<b>Inclusive Dates</b> (1987-1989; 2005-present)	<b>Approx. Volume of Records</b> (e.g. "1 file cabinet," "5 boxes")	<b>Retention Period</b> As listed in records retention schedule

Requested by:

\_\_\_\_\_  
Signature Title Date

Approved by:

\_\_\_\_\_  
Signature Requestor's Supervisor Date

Concurred by:

\_\_\_\_\_  
Signature Assistant Records Administrator State Archives of North Carolina Date

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**DIVISION OF ARCHIVES AND RECORDS — GOVERNMENT RECORDS SECTION**

MAILING ADDRESS:  
4615 Mail Service Center  
Raleigh, N.C. 27699-4615

<http://archives.ncdcr.gov>  
Telephone (919) 814-6900  
Facsimile (919) 715-3627  
State Courier 51-81-20

LOCATION:  
215 N. Blount Street  
Raleigh, N.C. 27601-2823



**RESOLUTION #1125  
DECLARING THE BADGE AND SERVICE WEAPON  
CARRIED BY DEPUTY CHIEF CHARLES CAMPBELL AS SURPLUS AND  
AWARDING IT TO HIM ON HIS RETIREMENT**

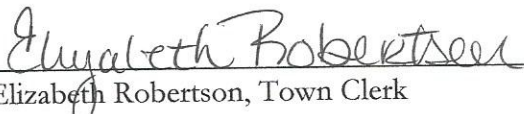
**WHEREAS**, G.S. 17F-20 provides that the governing body of the municipal law enforcement agency may, in its discretion, award to a retiring member the badge and service sidearm of such retiring members; and

**WHEREAS**, Deputy Chief Charles Campbell has been a sworn law enforcement officer for 29 years, and has served as a member of the Town of Southern Pines Police Department for a period of 29 years, and will retire from the Town of Southern Pines Police Department on October 1, 2025.

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Southern Pines that the badge, "Deputy Chief", and service weapon, a **9mm Glock, model number 45, serial number CBSM354**, issued to and carried by Deputy Chief Charles Campbell, be declared surplus and awarded to him on the occasion of his retirement.

**BE IT FURTHER RESOLVED** that appreciation be expressed to Deputy Chief Charles Campbell for the dedicated service rendered by him during his employment with the Town of Southern Pines.

Adopted this 12<sup>th</sup> day of August 2025.

  
Elizabeth Robertson, Town Clerk

