

ORDINANCE #22-22:

AN ORDINANCE AMENDING THE ORDINANCE APPROPRIATING FUNDS FOR OPERATIONS OF THE VILLAGE OF PINEHURST FOR FISCAL YEAR 2023, REGARDING REVENUES AND EXPENDITURES OF THE GENERAL FUND FOR THE VILLAGE OF PINEHURST, NORTH CAROLINA (LEGAL FEES AND CONTRACT RATIFICATION)

THAT WHEREAS, the Village of Pinehurst engaged the legal services of Hartzog Law Group when defending a recent lawsuit regarding alleged open meeting law violations; and

WHEREAS, on September 29, 2022, the judge ordered in the Village’s favor; and

WHEREAS, as of November 7, 2022, total legal services expenditures for this case were \$53,304; and

WHEREAS, the plaintiff appealed the decision and additional expenditures may be incurred; and

WHEREAS, funding for these services was not included in the FY 2023 Budget when originally adopted; and

WHEREAS, when the contract was executed, expenditures were expected to be within the Village Manager’s delegated authority of \$50,000 as indicated in the annual budget ordinance #22-05; and

WHEREAS, the Village Manager signed the agreement between the Village and Hartzog Law Group for these services based on the original estimated costs;

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Pinehurst, North Carolina, in the regular meeting assembled this 15th day of November 2022, as follows:

SECTION 1. To amend the FY 2023 General Fund budget with regard to revenues and expenditures, the revenue and expenditure accounts are to be changed as follows:

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-00-210-5800	Professional Services	\$ 50,000	
10-00-190-3905	Fund Balance Appropriated		\$ 50,000

SECTION 2. Copies of this budget amendment shall be furnished to the Village Clerk, Village Manager, and Financial Services Director for their direction and implementation.

SECTION 3. The Village Council hereby accepts the agreement between the Village and Hartzog Law Group as shown in Exhibit A attached hereto and made part of this ordinance.

SECTION 4. The Village Manager’s signature is hereby ratified on the attached agreement with an effective date of May 20, 2022.

THIS ORDINANCE passed and adopted this 15th day of November, 2022.

VILLAGE OF PINEHURST
VILLAGE COUNCIL

(Municipal Seal)

By: _____
John C. Strickland, Mayor

Attest:

Approved as to Form:

Kelly Chance, Village Clerk

Michael J. Newman, Village Attorney

