

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Village Hall
January 10, 2017 – 6:30 PM**

- 1. Call to Order:** Mayor E.M. McCue III called the meeting to order at 6:30 PM.
- 2. Members Present** – Councilman Don Boito, Councilman Vic Koos, Mayor Pro Tem Leslie Frusco, and Councilman Jon Sedlak
- 3. Others Present** – Lisa A. Kivett-Village Clerk, Chad Shue – Police Chief, Gary Garner – Police Officer, Judy McCollum, Mary Jane Sheldon, and Michael Baddour
- 4. Moment of Silence:** Mayor McCue requested those present to pause for a moment of silence. This was followed by the Pledge of Allegiance to the United States Flag.
- 5. Additions and Approval of the January 10, 2017 Agenda**

Councilman Boito added *Fema Update* to his report. Mayor McCue asked that “40th Anniversary Discussion with FPOA” under his report be put after the Consent Agenda.

Mayor Pro Tem Frusco made a motion to adopt the January 10, 2017 Agenda as amended seconded by Councilman Boito and carried unanimously.

- 6. Consent Agenda**
All items listed below are considered routine and will be enacted by one motion and without discussion

A. Approval of Minutes

- December 13, 2016 – Regular Meeting
- December 13, 2016 – CLOSED Session
- December 13, 2016 Special Work Session

Mayor Pro Tem Frusco made a motion to adopt the consent agenda as written seconded by Councilman Sedlak and carried unanimously.

- 7. 40th Anniversary Discussion with FPOA**

FPOA members Judy McCollum and Mary Jane Sheldon were in attendance to discuss ideas for the Foxfire Village 40th Anniversary celebration. It was suggested to make the celebration part of “Foxfire Days”, scheduled for September 2nd through 4th. Several ideas were presented including a “Fox Parade”, putting together a Foxfire Time Capsule, Fun Run, and a Street Fair on S. Shamrock with outside vendors including the Kyger’s Alpacas. It was also suggested to have a community yard sale at the park and charge \$5.00 for tables.

Mayor Pro Tem Frusco suggested having the vendor street fair on a Saturday, the Newcomers Picnic Saturday evening, Bunco, Bridge, Bocce Ball on Sunday, and the Golf Tournament on Monday. It was also suggested to wait on the Fox Parade until the 50th Anniversary.

Mayor McCue said a Council Liaison will be appointed at the next work session.

- 8. Public Comment Period**
None

- 9. Zoning Administrator’s Report – Lisa Kivett**

Zoning Administrator Lisa Kivett gave the following summary of zoning activities for 2016.

Ten (10) homes are currently under construction. Four (4) are located within the ETJ.

YEAR END 2016

The following permit application were approved:

Eight (8)	Single Family Residence in the Village
Six (6)	Single Family Residence in the ETJ
One (1)	Set of Duplex Units in the Village
Five (5)	Accessory Buildings
Four (4)	Fence
Four (4)	Pool/Fence
Two (2)	Barn
One (1)	Addition
One (1)	Implement Storage Building
One (1)	Alteration
Three (3)	Land Clearing
Five (5)	Wells
Two (2)	Irrigation Meters
One (1)	Solicitation Permit
Eleven (11)	Certificate of Occupancy Certificates were issued for homes located in the Village
Five (5)	Certificate of Occupancy Certificates were issued for homes located in the ETJ.

Violation and Civil Citation Notices:

Thirteen (13)	Violation Notices for Health and Sanitation Nuisances
One (1)	Violation Notice for Fence Construction without permit
Two (2)	Civil Citations issued for Chapter 16 – Health and Sanitation Nuisances
Eleven (11)	Parked Trailers/Boats/Motor Homes – Referred to Police Department

Beach Property Nuisance Abatement:

Councilman Boito is in contact with a potential contractor to demolish the beach picnic shelter and dock.

10. Councilmember's Reports:

- A. Finance – Leslie Frusco
 - 1. Finance Report

Mayor Pro Tem Frusco reported the following as of December 31, 2016

The total cash balance in the General Fund is \$1,510,890 of which \$496,411 is restricted for the Debt Service, Capital Reserve, Stonehill, and Powell Bill. The unrestricted balance is \$1,014,480.

The total in the Water Fund is \$753,434 of which \$186,076 is restricted for a new well(s). The unrestricted balance is \$567,358.

As of this day, property tax collections are about 93%. Late interest is now being posted to past due accounts. Sharon has made reminder calls to people that usually pay. We are currently about \$60,000 short on the budgeted ad valorem taxes.

Frusco added the Village is working on re-financing the Woodland Circle Loan and waiting to hear from First Bank if they will hold the interest rate. If they hold the rate, the LGC is good with their approval. If not, and the rate goes up by even a quarter of a percent, we will have to go back to the LGC again. If we do need to go back to the LGC, we want to do it by their March meeting at the latest.

2. Comp Time Policy

Mayor Pro Tem Frusco reported that Police Officer Gary Garner has asked for an exception to the council approved Comp Time Policy, allowing him to bank more than the allotted two days (24 hours). Officer Garner would like to use the extra comp time for the upcoming birth of his child in February.

Mayor Pro Tem Frusco said since the council as a whole approved the policy, council as a whole should also approve any changes or exemptions and a maximum amount allowed to be banked should be established,

Chief Chad Shue said he personally feels that Officer Garner has a legitimate reason to bank the comp time. He wrote a letter requesting the exemption and gave it to his Councilman, the Mayor and the Village Clerk. He hoped the letter would have been given to all council members for review. Discussion continued.

Mayor McCue asked that council review the policy at the next work session and the request will be considered.

B. Public Safety – Vic Koos

Councilman Vic Koos asked Chief Shue to give a summary on police activities for 2016. Chief Shue updated council on personnel issues, the Governors Highway Safety Program, Police Vehicles and snow plow issues, obtaining equipment through Fort Bragg, the K9 Program and total citations issued.

Chief Shue introduced Officer Mike Baddour who is employed full-time with Carthage PD and will serve in an Auxiliary position with Foxfire. Officer Baddour is over the Governors Highway Safety Program for Carthage and is familiar with available grants for vehicles through the program. Chief Shue asked that Officer Baddour present information on an available personnel grant which also includes a vehicle.

Officer Baddour reported that this grant is set up on a 4-year step basis. The first year is covered 100% through the Federal Government for a vehicle, first year salary, training, officer equipment, anything associated with that position. The second year is covered at 85% with a town commitment of 15%, third year is 70%-30%, fourth year at 50%-50% and the fifth year is all the town. The town would be required to carry the position for a full 365 days. It would roughly cost between 90 and 110 thousand dollars to completely outfit an officer with vehicle, uniform and everything needed to perform the job for the first year. This amount would be covered 100%. The second-year estimated cost of \$40,000 for salary and benefits would be only a \$6,000 expense. Officer Baddour continued. Chief Shue added that the equipment would include everything from guns, bulletproof vest, uniforms, car equipment, lights, etc.

If the Village is interested in applying for the grant, it will need to be submitted by January 31st and the approval will be October 2017 at the earliest. Chief Shue explained how this grant would be a benefit to the Village.

Councilman Sedlak asked Chief Shue about obtaining a generator through the Ft. Bragg program. He and Chief Shue will visit Ft. Bragg and see what's available.

C. Water Department – Jon Sedlak

Councilman Sedlak reported the water tower interior painting is scheduled to begin.

D. Streets and Park – Don Boito

1. Beach House Demolition Proposal

Councilman Boito received a quote of \$5,000 from Parson's Brothers to demo the picnic shelter, dock, remove a downed tree and debris removal. Village Clerk Kivett contacted several other folks for quotes and no one else responded. Councilman Sedlak said he received a verbal quote of \$4,000 from Bruce McFadden. Boito asked that he present a written quote.

Council further discussed the property clean up, the legal requirements, foreclosing on the property and filing of a lien and the length of time it will take to recoup money spent. Council will continue discussion at the next work session.

2. Scope of Foxfire Blvd. Paving and Notification to Condo Residents What's next?

Councilman Boito said the council briefly discussed notifying condo owners about not being able to park on Foxfire Blvd. He asked council how they want to proceed. Discussion ensued about who owns the properties, where the Village easement is located and obtaining a survey of the area etc. Boito hopes to have a survey done by the next work session. Mayor McCue added he would speak with the Village attorney regarding liability and other issues that may come up. He will also speak with Beckie Pahner, manager of Condo A building.

3. FEMA Update

Councilman Boito reported that Village Clerk Lisa Kivett received a phone call from the FEMA site inspector asking if the Village had everything needed to proceed with the reimbursement application. All invoices from Gilbert Brown will need compiled and we'll need to provide FEMA with a copy of the Village Liability Insurance and a copy of Mr. Brown's contract.

E. Mayor's Report

1. 40th Anniversary Discussion with FPOA

This item was discussed after the Consent Agenda.

2. Snow Removal

Mayor McCue suggested the Village solicit a contractor for snow removal. Councilman Boito spoke with Gilbert Brown who said he was not interested and it would not make financial sense to do snow removal. Discussion ensued on hiring a contractor vs. obtaining equipment and continuing to have the Police remove snow. Chief Shue added that with the grant he spoke of earlier, he could get a 2500 series truck for the officer and use it to plow snow with the existing blade if needed.

This will be added to the next work session for further discussion.

Mayor Pro Tem Frusco said she understands the urgency for an answer about applying for the police grant because of the January 31st deadline but doesn't feel the Village is there yet. At least not for this year. If this is talked about at the next work session, it will be too late to apply for the grant and in addition, it will be difficult selling a fourth police officer to the residents. Councilman Sedlak concurred.

Mayor McCue added that three council seats will be available in November and it would not be fair to commit them to a program for five years. He suggested that a presentation of all the facts and figures be submitted to council for review before deciding to proceed with a grant. Discussion continued between council and police chief.

3. MCTC Update

Mayor McCue received a list of approved Statewide Improvement Projects for Moore County. He read aloud a list of several local projects that have been funded. The earliest construction will begin in 2022. Moore County received approval for 19 projects including 5 bridge replacements and improvements to the Pinehurst traffic circle. The Western Connector is not on the list. He will be attending a meeting on January 25th regarding the connector.

11. Public Comments:

None

12. Old Business:

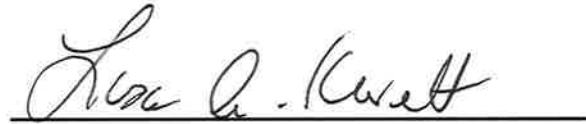
Selection of Architect

Mayor McCue asked that he and Mayor Pro Tem Frusco be approved as a sub-committee to meet with and select an architect for the new Town Hall. He added that he spoke with the new owner of the current administration office building. They are planning to do repairs and some update to the building and were asking what our intentions were.

13. New Business:

Mayor Pro Tem Frusco made a motion to adjourn seconded by Councilman Boito and carried unanimously. The meeting adjourned at 8:07 PM.

As so incorporated to these minutes of January 10, 2017 are exact copies as so recorded in the ordinance and resolution books of Foxfire Village as if fully set out in the minutes.



Lisa A. Kivett, CMC, NCCMC, CZO
Village Clerk



E.M. McCue III
Mayor