

MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING/ORGANIZATIONAL HEARING
Foxfire Village Hall
December 10, 2013 – 7:00 PM

1. **Call to Order:** Mayor George Erickson called the meeting to order at 7:00 PM.
2. **Members Present:** Councilwoman Leslie Frusco, Councilman Vic Koos, and Councilman Mick McCue
3. **Members Absent:** Councilman Steve Durham
4. **Others Present:** Lisa Kivett-Village Clerk, Sharon Sanchez-Deputy Finance Officer, Ellen Markus-Seven Lakes Times and Village residents Mary Gilroy, MaryAnne Lauer and Dave Meldrum
5. **Moment of Silence:** Mayor Erickson requested those present to pause for a moment of silence. This was followed by the pledge of allegiance to the United States Flag.
6. **NCDOT Presentation:**

Earlier in the year, the Village was approached by the NC Department of Transportation to provide information for the Moore County Comprehensive Transportation Plan. Councilman McCue did research and worked on it over a period of several months, amending some of the earlier data submitted. The NC Department of Transportation has asked to present their report of Socioeconomic Data for Foxfire Village.

NCDOT representatives Scott Walston, Cheryl Collins, Transportation Planner Derry Sturdivant, and Division Engineer Rob Stone were in attendance to present a powerpoint presentation and to answer questions of the council. Mr. Walston commented that at some point, NCDOT will need board approval on this data which includes population, households and employment for all Moore County municipalities including Foxfire.

Data is currently being collected to project what kind of transportation the county will have in 2040 and to create a Comprehensive Transportation Plan. The CTP is a long range plan that addresses all forms of transportation and can be changed at any time. He further detailed information presented in the plan.

Councilwoman Frusco and Councilman McCue had some questions pertaining to maps in the Travel Demand Model and the “in-field survey” figures.

Scott Walston asked that council review the data provided and approve it prior to NCDOT’s scheduled deadline of February 14, 2014. He added that he or Cheryl Collins would be happy to meet with the council to further discuss if they so wished. After any deficiencies in the plan are identified, they will have a public involvement session to present the data to the public. After that they will be able to develop a CTP.

Mayor Erickson commented that council should review and tweak any data and to approve it by mid-February.

Councilman McCue added that he and Mayor Erickson recently attended the MCTC meeting with TARPO about spot prioritization and asked how the two plans intertwine. Scott Walston replied that the best way for a road project to get into the spot program is to go through a CTP. Further questions and brief discussion ensued regarding the Western Connector.

7. 2013 Municipal Election Results – Abstract of Votes

Mayor Erickson reported that elections were held on November 5th for Foxfire Village Council Members. The abstract of votes was received from Moore County and each member of council received a copy. Three incumbents ran for election and they will be taking their oaths of office this evening.

Oath of Office

- Edward "Mick" McCue
- Leslie G. Frusco
- Victor J. Koos

Village Clerk Lisa Kivett administered the oath to each of the councilmembers.

Council Appointments (4 year terms)

- Public Safety – Edward "Mick" McCue
- Finance – Leslie G. Frusco
- Streets – Victor J. Koos

Mayor Erickson made a motion to appoint Mick McCue as Public Safety Director, Leslie Frusco as Finance Director, and Vic Koos as Director of Streets, each for their four-year council terms. Councilman McCue seconded the motion and carried unanimously.

8. Public Comment Period:

Resident MaryAnne Lauer commented about two areas on S. Shamrock that have been dug up and have never recovered. Both areas have traffic cones around them and she is concerned about the safety of the areas.

Councilman Koos replied the areas were dug up for a water leak and Duke Energy dug for cable work. Riley Paving will repair the areas but first he will contact Duke Energy to see if they will pay for the repairs to pavement. Riley has provided an estimate but repairs will be done when weather permits.

9. Additional Agenda Items:

Mayor Erickson added *Appearance Committee Resignation* to his report and deleted *Request for Street Name Approval – Robert Edwards* from the agenda. Village Clerk Lisa Kivett explained the reason for the deletion of the street name approval agenda item was that Moore County GIS does not permit the same street name within a subdivision regardless if it is a Lane, Street, etc.

Councilwoman Frusco made a motion to adopt the agenda as amended seconded by Councilman McCue and carried unanimously.

10. Approval of Minutes:

- November 12, 2013 – Regular Meeting/Public Hearing

Councilwoman Frusco made a motion to adopt the November 12, 2013 minutes as written seconded by Councilman McCue and carried unanimously.

11. Request for Voluntary Annexation – Grande Pines, LLC

a) Recommendation from Planning & Zoning Board

Mayor Erickson reported that Planning and Zoning Chair Mary Gilroy submitted a recommendation from the Planning and Zoning Board to annex four properties within the Grande Pines subdivision.

Councilwoman Frusco made a motion to accept the Planning & Zoning Board's recommendation seconded by Councilman Koos.

Councilman McCue had some questions about two of the parcels that show only a portion of them to be annexed. Village Clerk Lisa Kivett explained that the Developer, Pete Mace would like to annex only portions of the two properties that abut installed water lines and plans to subdivide the area at a later date. By annexing only portions of the parcels, he would then not have to install water lines any further. Councilwoman Frusco questioned if it was possible for Mr. Mace to have the parcels subdivided before the January meeting. Planning & Zoning Chair Mary Gilroy replied it was not.

Councilman McCue said the Village should annex all of the property or annex none. We continue to piece meal and create a jigsaw puzzle throughout the Village. Discussion continued on the two parcels in question and water availability and the rushing of this annexation process.

Councilman McCue made a motion to table the motion to accept the Planning & Zoning Board's recommendation seconded by Councilwoman Frusco and carried unanimously.

12. Third Amendment to Stonehill Pines Development Agreement

Mayor Erickson said this amendment will extend commencement of construction by the developer of the northern golf course and clubhouse until December 31, 2014.

Councilman McCue made a motion to approve the third amendment to the Stonehill Pines Development Agreement seconded by Councilwoman Frusco and carried unanimously.

13. Councilmember's Reports:

A. Finance – Councilwoman Frusco

1. Finance Report

Councilwoman Frusco reported as of November 30, 2013 the general fund non-restricted cash balance is \$1,003,263. The restricted balance is \$181,651 and total general fund balance is \$1,184,914. The water fund balance which is all unrestricted is \$340,159. The BB&T escrow account balance is \$135,929 and restricted for a potential new well. Total cash balances in the Village including restricted and non-restricted is \$1,661,001.

The Village has collected 65% of budgeted ad valorem taxes. Real estate taxes are due and become past due January 4, 2014 at which time interest will begin to accrue.

The audit is complete and the audit report has been approved by the State Treasurer's Office. A copy of the report is available in PDF format on the Village website.

B. Public Safety – Councilman McCue

1. Amendment to Chapter 16, Properties to be Kept Clean, and Other Related Ordinances

The Village council previously discussed the need to amend Chapter 16-Health and Sanitation, Nuisances of the Village Code. Councilman McCue presented a draft ordinance amendment and for purposes of continued discussion, asked that a motion be made to amend it.

Councilman McCue made a motion to amend Chapter 16-Health and Sanitation of the Foxfire Village Code of Ordinances by replacing the current Chapter 16 with the draft amendment presented. Councilman Koos seconded the motion.

Councilman McCue did studies of the Southern Pines, Aberdeen, Pinehurst and Vass ordinances to assist in writing the amendment. He pointed out one change to the amendment regarding Section 16-8-Abatement by Village, Section a (1) to read "16-6" instead of 16-2. He further elaborated on changes including the uncontrolled vegetation on vacant lots issue that has been previously discussed.

The vote was called and carried unanimously.

C. Streets – Councilman Koos

1. Paving Schedule

Councilman Koos said a patching and paving schedule is being arranged. He has been in contact with contractors and received quotes which have been approved. Five areas will be repaired and weather permitting, repairs will begin within the next ten days.

Councilwoman Frusco recommended contacting Duke Energy before the work actually begins. Councilman Koos said he would go to their offices rather than call them on the phone which is difficult to do.

D. Mayor's Report

1. Re-appointment to Triangle J Board of Delegates

- George Erickson – Delegate
- Mick McCue - Alternate

Councilman McCue made a motion to re-appoint George Erickson as Delegate and Mick McCue as Alternate to the Triangle J Board of Delegates seconded by Councilman Koos and carried unanimously.

2. Triangle J Aging Committee Update

Mayor Erickson serves as the Chair for this committee. He gave council members a handout on projected population changes in NC counties for age groups 0-17 and 60+ between 2012 and 2025. The committee also discussed the "Music in My Mind" initiative which is happening across the country for people afflicted with Alzheimers.

3. Triangle J Board of Delegates Update

Mayor Erickson gave a summary of the last meeting where Carolyn Pennington was appointed Ombudsman for Moore County. Council members received handouts with information on waste reduction and working with companies to do that, and also a regional public safety training facility update.

4. Moore County Transportation Committee Update

Mayor Erickson was elected Chair of this committee on December 19, 2013. Their task is to review and finalize projects submitted by Moore County for 2014-2016.

5. Making Moore Connections Update

Mayor Erickson reported that Making Moore Connections is looking at trails and bicycle paths in the county. Aberdeen and Southern Pines have received State grants and Pinehurst has submitted a grant for trails and bike paths. Bicycles come through Foxfire nearly every day of the year so at some point we might be able to obtain funds to assist in writing a grant.

6. Appearance Committee Resignation – Patricia Hescock

Mayor Erickson reported that Appearance Committee member Patricia Hescock has submitted her resignation as committee member effective immediately.

Councilwoman Frusco made a motion to accept Patricia Hescock's resignation from the Appearance Committee seconded by Councilman Koos and carried unanimously.

14. Public Comment Period (second):

None

15. Old Business:

• Moore County Road Name and Addressing Ordinance

This issue was discussed at the previous council meeting in November. Moore County has requested that Foxfire Village approve their recently amended Road Name and Addressing Ordinance or to adopt its own and submit a copy to them.

Mayor Erickson said he prefers the County take the broad view of this issue rather than the Village.

Councilwoman Frusco expressed concerns about not permitting private roads unless there are three or more habitable structures on them. She added that the Village has allowed this in

the past with Candlewood Lane. Councilman McCue commented that even if we allow this, Moore County does not.

Councilman McCue is concerned that the county will want to change the names of a couple of roads within the Village that are very similar. Village Clerk Lisa Kivett attended the GIS meeting when the ordinance was presented. She was told at the meeting this would not happen. It will require a 100% voluntary approval from each property owner in order to change a name of a road.

Councilwoman Frusco asked if the Village would lose control over naming of streets and if someone puts a subdivision in, would they by-pass the Village and go directly to Moore County for approval. Lisa Kivett replied, no, they would still need to come to Foxfire Village and we would then check with the County to see if there are duplicate names prior to accepting the road names. Discussion continued.

Councilman McCue suggested amending the current Village Ordinance Section 30-4 Regulating the Establishment and Naming of Streets. He suggested keeping the original text and to add underneath: "The naming of new streets within the Village or the renaming of existing streets within the Village shall be done in accordance with the current version of the Moore County Road Name and Addressing Ordinance. Requests to name or rename a street within the Village shall be made to the Village Clerk."

Councilman McCue made a motion to adopt the Moore County Street Name and Addressing Protocol as part of the Foxfire Village Code of Ordinances Section 30-4 seconded by Councilwoman Frusco and carried unanimously.

16. New Business:

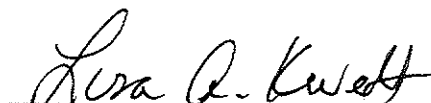
Councilwoman Frusco recommended the Village look at the zoning of the Edwards 400 acre parcel on Foxfire Rd. She asked that council approve and direct Lisa Kivett to check into whatever needs to be done to initiate the process. Discussion ensued regarding the zoning of this property and why it was not zoned within the 60 days of annexation.

Councilwoman Frusco commented the Village needs to zone this property before Mr. Edwards sells off anymore parcels and this should be referred to Planning and Zoning for review. Councilman McCue concurred.

17. Adjournment:

Councilman McCue made a motion to adjourn seconded by Councilman Koos and carried unanimously. The meeting adjourned at 8:55 PM.

As so incorporated to these minutes of December 10, 2013, 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
Village Clerk



George Erickson
Mayor