

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Town Hall
May 14, 2019 – 4:30 PM**

- 1. Call to Order:** Mayor McCue called the meeting to order at 4:30 PM
- 2. Members Present:** Councilman Don Boito, Councilman Ed Howze and Councilman Sedlak were in attendance.
- 3. Members Absent:** Mayor Pro Temp Frusco
- 4. Others Present:** Lisa A. Kivett-Village Clerk, Sergeant Gary Garner, his wife, daughter and parents, Chief Shue and several Village Residents
- 5. Moment of Silence:** Mayor McCue requested those present to pause for a moment of silence followed by the Pledge of Allegiance
- 6. Promotion Ceremony for Gary Garner**

Councilman Howze welcomed the family of Corporal Gary Garner who were in attendance for the promotion ceremony. Howze provided a background of Corporal Garner's law enforcement career which began at the Moore County Sheriff's Department. Gary has been employed with Foxfire for three years and is the point man for the Community Highways Safety. Through his efforts, Foxfire has earned the maximum allowed points from the North Carolina State Highway Commission. These points equate into dollars and for the past two years, Foxfire Police Dept. has earned \$20,000 from the NC State Highway Commission. IN addition, Officer Garner issued 392 traffic citations in 2018. Due to his recognized performance, he will be promoted to the rank of Sergeant.

Village Clerk Lisa Kivett administered the Oath to Corporal Garner while his wife held the Holy Bible. Chief Shue and Mrs. Garner pinned the Sergeant Rank Chevrons to his collar. Mayor McCue presented Corporal Garner with a framed Certificate of Rank.

7. Approval of the May 14, 2019 Agenda:

Councilman Howze asked to remove *Fire Department Budget* from the agenda.

Councilman Howze made a motion to adopt the agenda as amended. The motion carried unanimously.

8. Consent Agenda

All items listed below are considered routine and will be enacted by one motion and without discussion

1. Approval of Minutes
 - April 9, 2019 Public Hearing – Conditional Use Permit
 - April 9, 2019 Public Hearing – Square Footage
 - April 9, 2019 Regular Meeting
 - April 19, 2019 Special Meeting
 - April 25, 2019 Worksession
 - April 25, 2019 CLOSED

Councilman Boito made a motion to approve the consent agenda. The motion carried unanimously.

9. Public Comment Period

None

10. Zoning Administrator's Report – Lisa Kivett

Ms. Kivett reported the following activity from April 10, 2019 thru May 14, 2019.

Twenty-four (24) homes are currently under construction or in the beginning stage of lot clearing. Four (4) of them are located within the ETJ.

Permit applications were received for the following:

- *One (1) split rail fence*
- *One (1) Propane Tank*
- *One (1) Deck*
- *One (1) covered horse arena (ETJ)*
- *One (1) structure modification- barn (ETJ)*

Numerous ordinance violations were addressed:

One (1) trailer

One (1) Public Nuisance (dog - excessive barking)

Two (2) Removal of garbage cans

One (1) Recreational equipment in front yard

One (1) Public Nuisance – trash, construction debris, old air conditioner in yard. Re-inspection resulted in Warning Citation from Sgt. Ritter.

One (1) Public Nuisance – trash pile left in yard

Citizen Concerns/Complaints:

- *Parking lot lights at Park not working (Councilman Boito resolved issue)*
- *Trash pile in rear yard (seen from golf course)*
- *Land clearing activity on S. Shamrock (Researched and found they were only cleaning up dead fall)*
- *Street Name Signs in Pineland Preserve (paint peeled off)*

Updates

Chief Shue delivered a Warning Citation to the owner of the trailer parked at the General Store. We have requested a site plan showing location of trailer and screening information.

11. Council Member Reports:

A. Streets and Park – Don Boito

Councilman Boito reported that Council awarded the Landscape Contract to Leland (Gilbert) Brown for the next two years.

B. Public Safety – Ed Howze

- **Speed Limit in Village**

Councilman Howze reported that in past meetings, there was discussion about lowering the speed limit within the Village from 35 mph to 25 mph. Hoffman and Richmond Roads would not be affected. He asked if there was any interest in moving forward with this change. Mayor McCue replied he was interested and suggested putting a request for comments from the public on the Village website prior to making a change.

- **Treehouse Units**

Councilman Howze reported there was a third medical call in one of the treehouse units the week prior. Emergency vehicles had a difficult time reaching the treehouse units from the narrow access road. Discussion ensued on who owns the cart path/access road and possibly widening the area. Mayor McCue suggested researching who owns what and then figure out what to do about widening the path. Chief Shue offered to assist.

A. Water – Jon Sedlak

Councilman Sedlak reported he spoke to the property owner of a potential well-site. He and the owner Angie McKew will walk-off where the test well would go. Mrs. McKew will establish a price for the portion of the parcel. If all goes well with a test well, we will contact a surveyor to actually mark the property.

B. Mayor's Report – E.M. McCue III

- **Village Pool Update**

Mayor McCue reported there is a possibility the Village Pool would not be open by the Memorial Day weekend but did not elaborate on reasons. He did point out that residents will be happy with the new pool house and bathrooms when it does open.

- Legislative Update

Mayor McCue reported the State Legislature introduced both on the Senate and House side a number of legislative proposals that weaken the authority and responsibilities of local municipalities and takes authority up into the General Assembly. The Village along with other municipalities have passed a resolution voicing concerns about a number of these proposed bills.

McCue gave updates on each of the following and elaborated on how each affects Foxfire:

S 367 – Clarify Property Owners’ Rights

H 492 – Simplify Builder Inventory Exclusion

S 534 / H 645 – Revisions to Outdoor Advertising Laws

H 675 – Building Code Regulatory Reform

H 722 / S 355 – Land Use Regulatory Changes

S 406 – Limit Conditional Zoning

S 571 – Local Governments / Unsafe Buildings

1. Old Business:

None

2. New Business:

None

12. Public Comment:

Mary Gilroy – 32 S. Shamrock commented on S406 and asked if council wanted the Planning and Zoning Board to consider scrubbing the list of conditional uses. She added the P&Z board sent recommendations for changes to the LUP several months prior. She asked if they should consider removing PUDs.

Andy Moody -17 Bobolink commented he is in favor of lowering speed limits to 25 mph throughout the Village.

Don Hawke – 1 Dogwood Ct. is also in favor of lowering the limit to 25 mph. He also liked that the Police department promoted within.

Mary Gilroy suggested putting in gradual speed bumps to force people to slow down.

MaryAnne Lauer – 22 Deer Track thanked the council for writing letters to Legislators and expressed her appreciation to the police department.

Barbara Okula – 4 Foxhill Circle thanked council for their hard work on all the issues. She asked about clearing of a lot on Ridge Rd.

14. Adjournment

Councilman Boito made a motion to adjourn. The motion carried unanimously. The meeting adjourned at 5:11 PM. As so incorporated to these minutes of May 14, 2019 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