

MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Town Hall
March 12, 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, Mayor Pro Tem Frusco, Councilman Ed Howze and Councilman Sedlak were in attendance.

3. Others Present: Lisa A. Kivett-Village Clerk and several Village Residents

4. Moment of Silence: Mayor McCue requested those present to pause for a moment of silence followed by the Pledge of Allegiance

5. Approval of the March 12, 2019 Agenda:

Councilman Boito added “*Speed Limit Signs*” and Councilman Howze added “*Foxfire Blvd Signs*” to the agenda.

Mayor Pro Tem Frusco made a motion to adopt the agenda as amended. The motion carried unanimously.

6. Consent Agenda

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

1. Approval of Minutes

- February 12, 2019 Regular Meeting
- February 28, 2019 Special Meeting

2. Acceptance of the 2019 Local Government Agencies General Records and Disposition Schedule

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

7. Public Comment Period

Linda Straczewski – 43 Forest Lake Drive commented on an incident at her home the previous Saturday. Several men on the golf course behind her home refused to use the bathroom and were urinating in public. She contacted the police and an officer did respond to her home. She said this is becoming a major problem and asked if the police could do anything about it. Mayor McCue responded there is a Village ordinance prohibiting urinating in public. Councilman Howze will speak with Chief Shue and will also see what can be done about signage on the golf course.

8. Zoning Administrator’s Report – Lisa Kivett

Ms. Kivett reported the following Zoning related activities for January 2019:

- *Twenty-six (26) homes are currently under construction or in the beginning stage of lot clearing. Four (4) of them located within the ETJ.*
- *Two (2) homes located in Grande Pines are complete and have requested their final zoning inspection. Both remain on hold until I hear the “all clear” from the Grande Pines ARB.*
- *Permit applications were received for the following:*
 - *Three (3) Accessory Buildings*
 - *One (1) Burn Permit on Forest Ridge*
 - *Two (2) Single Family Residence (not part of the 26 active) Located on Hoffman Rd. and Richmond Rd. Plans were delivered on Monday and not yet reviewed for compliance.*
- *Numerous ordinance violations were addressed:*
 - *Four (4) trailers*
 - *Three (3) foundation screening around accessory building*
 - *Five (5) Removal of garbage cans*

- Two (2) piles of trash bags, appliance and misc. trash
- The following “Report a Concern” were received:
 - Broke-down Vehicle in Driveway –Sergeant Ritter had the vehicle removed
 - People not cleaning up after their dog, excessive dog droppings

Updates

- Foreclosure on 10 Brassie has been cleaned up and large tree removed from driveway.
- Still no accessory building screening at – 1 Eliot. I’ve spoken with property owner more than once and was told that deer ate what they had planted. They asked (January 15) to wait until early Spring to plant but would install lattice in the meantime, which has not been done. A warning violation will be issued.
- Accessory Building screening and remaining foundation plantings- 2 Brassie. Property owner asked for an extension on landscape plantings (which is set to expire by March 31). Sergeant Ritter went by today to issue an ordinance violation notice for a trailer and left my card with a request that they contact me asap.
- The trailer is back at the General Store. I’ve drafted an application for “Commercial Vehicle Parking in the Village Business District.” A copy of the application and the newly amended ordinance will be given to the property owner.

9. Council Member Reports:

A. Finance – Leslie Frusco

Mayor Pro Tem Frusco reported the following as of February 28, 2019. The general fund total balance was \$1,421,631 of which \$582,763 is restricted for the Capital Reserve Fund, Capital Project Fund, Debt Service Fund, the K9 Fund (which was established by and is funded by a private resident), Street Maintenance Reserve, Police Vehicle Reserve, and the Separation Allowance Reserve. The unrestricted balance is \$800,508.

The water fund balance is \$756,434 of which \$266,076 is restricted for future well(s) and tank maintenance. The unrestricted balance is \$490,358.

As of the end of February, the Ad valorem tax collection was at 101% of the budgeted amount. There are still a few unpaid. Frusco reminded council members that Sharon put new budget worksheets in their box. Initial budget requests are due to Sharon by March 22nd.

B. Streets and Park – Don Boito

- Survey Corners for Woodland Circle Property

Councilmen Boito and Howze walked the Woodland Circle property the best they could to locate survey corners. Boito prepared a site plan showing the areas walked and corners located. They have a good idea of what is there but unable to answer any questions about the possible overlapping. He suggested the council consider contacting a real estate attorney.

Mayor McCue added as an update to council, the possible overlap of the neighboring property comes from a purchase in 2016 based on a survey recorded with a possible overlap. There were no metes and bounds description on the deed. The Village acquired the property in 2011 with a metes and bounds description containing the alleged overlap of property. In 2017 when we re-financed the loan for the road, we obtained title insurance on the deed with the metes and bounds description including the entire 160 acres. We have referred this to the attorney that previously worked with us and the bank and waiting for a response.

- Options for Single Year or Multiple Year Landscape Contracts

The Village landscaping contract will be up on June 30th. Boito asked council members if they preferred a one-year or two-year contract for the next go-around. It was a consensus of the council to go with a two-year contract.

- Park Electrical Outlets

West End Electric gave an estimate of \$1,495 to install five additional electrical outlets at the park facility. Outlets will be installed on the building and picnic shelters.

- Speed Limit Signs

Boito counted speed limit signs on the Eastside. He determined needing ten, 25 mph signs to replace the existing 35 mph signs. The original poles will be re-used. The estimated cost will be \$413.00. There was brief discussion on the effectiveness of signs and possible speed bumps. Council will discuss further with the Police Chief before considering a change.

C. Public Safety – Ed Howze

- CPR Class

Councilman Howze reported a successful CPR class the previous Saturday. All but one person scheduled attended. Bill Jackson and Mike Guenther conducted the class and also provided information on the North Carolina Good Samaritan Law, File for Life and the Yellow Dot program through Moore County. File for Life is a refrigerator sticker that lists medical issues and medications taken in the event emergency responders respond to a home. The Yellow Dot program is similar but for the vehicle in case of an accident. Howze explained in detail. Howze reported that metal fluorescent address numbers are available by mail.

Mayor Pro Tem Frusco attended the class and thanked Councilman Howe for organizing it. She learned a great deal of information.

- Foxfire Blvd. Signs

Councilman Howze reported he will go to Sandhills Signs and pick up the new Foxfire Blvd. signs. He will ask the fire and police chief to ark locations to install. He hopes to have them installed in the next week.

D. Water – Jon Sedlak

None

E. Mayor's Report – E.M. McCue III

Pine Cone Pickup Day is scheduled for March 27th, 3:00 PM at the club. Volunteers are needed to pick up pinecones around Richmond, Hoffman, and Foxfire Blvd. The country club will provide hotdogs and beverages to all that participate.

Mayor McCue provided council members with a draft letter to Senator McInnis and Representative Boles on the Special Separation Allowance for Firefighters legislation. McCue gave brief details on this proposed legislation.

10. Old Business:

- Upset Bid – Woodland Circle

The Village council previously adopted a resolution accepting the final bid for the Woodland Circle property. The time for an upset bid had passed and now council must officially award the final bid. All council members were in agreement to award the final bid. There was no discussion.

11. New Business:

None

12. Public Comment:

Linda Straczewski – 43 Forest Lake suggested the Village contact the fire department before installing speed bumps which could pose a problem for their trucks.

Barbara Okula – 4 Foxhill Circle asked for a status on the trailer at the general store.

13. Planning & Zoning Board Recommendation

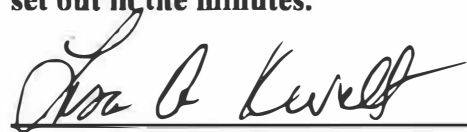
- **Residential Square Footage**
- **CUP-Strata Solar**

Mayor McCue reported that council received recommendations from the Planning and Zoning Board to consider amendments to Residential Square Footage requirements and for a Conditional Use Permit for a Solar Farm located in the ETJ. Both recommendations will require public hearings.

Mayor McCue called public hearings for both on April 9, 2019. The Residential Square Footage will be a Legislative hearing and the Condition Use Permit will be a Quasi-judicial hearing. Quasi-judicial hearings are evidence based and those speaking sworn in. Per general statutes, both meetings will be advertised in the newspaper.

14. Adjournment

Councilman Boito made a motion to adjourn. The motion carried unanimously. The meeting adjourned at 5:04 PM. As so incorporated to these minutes of March 12, 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