

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Town Hall
September 11, 2018 – 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, Police Chief Chad Shue, Officer Daniel Ritter, Fire Chief Eric Stromberg, Moore County Commissioner Louis Gregory and residents: Andy Moody, Mary Gilroy, Barbara Okula, Cynthia Lathrop, Gladys Knight, John Quella, and Tom McClellan
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 September 11, 2018 Regular Meeting Agenda**

Mayor McCue announced that County Commissioner Louis Gregory was in attendance and wished to address the Council and audience. He will do so before the Consent Agenda, followed by an update on Hurricane Florence preparations from the Police and Fire departments. Mayor McCue added "Further Discussion on Service Line Warranty Program" to Old Business, and "Setbacks and Square Footage" to New Business.

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

6. County Commission Louis Gregory

County Commissioner Louis Gregory presented information to the Council about the upcoming vote for the ¼ cent sales tax increase that will be on the November 6, 2018 ballot. He would like the support of the Village. A brochure on the sales tax increase and copy of a Resolution supporting the increase from the Moore County Board of Commissioners was handed out.

Commissioner Gregory explained that the estimated 2.5 to 3 million dollars revenue generated would remain in Moore County and dedicated to Moore County Schools capital construction projects. The increase would not apply to gasoline, prescription medication or unprepared foods. There was brief discussion between the Commissioner and Council members.

7. Hurricane Florence Preparation Update

Police Chief Shue attended several meetings with Moore County Emergency Services, area Police and Fire Chiefs in the past week about Hurricane Florence. He and Village Clerk Lisa Kivett prepared a slide presentation. Chief Shue gave the presentation which included the latest National Weather Service Briefing and steps the Police Department and Administration office would take in preparing for the pending hurricane.

There was brief discussion on possible water conservation, temporary dumping sites for storm debris and the usage of CodeRed notifications.

A copy of this presentation is an "attachment" to these minutes.

Fire Chief Eric Stromberg updated Council with the Fire Departments plans. Both stations will be fully staffed and stocked with gasoline, chainsaws, food, and water for fire personnel, etc. At a minimum, they will be on duty from Wednesday evening through Sunday. Chief Stromberg said the fire department answered 96 calls during Hurricane Matthew and they expect to answer more calls with Florence.

Stromberg asked for a list of residents with health issues who may need checked on or the use of a generator. He added that, in addition to the Village's CodeRed system, the County has at its disposal, Reverse 911. He suggested residents download a phone app called Ready NC.

Mayor McCue will declare a "State of Emergency Proclamation" on Wednesday. It will be available on the Village website.

8. Consent Agenda

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

1. Approval of Minutes
 1. August 14, 2018 Regular Meeting
 2. August 30, 2018 Work Session
2. Board Re-Appointments
 1. Board of Adjustment
 - Jon Bachelder – One-year term effective 9/30/2018
 - John Hunter – (Alternate Member) Two-year term effective 9/30/2018
 2. Appearance Committee
 - Tom McClellan – Four-year term effective 09/01/2018

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

9. Public Comment Period

Cynthia Lathrop thanked the Village for the recent CodeRed message.

10. Zoning Administrator's Report – Lisa Kivett

Lisa Kivett reported the following zoning activities for August 2018:

Twenty-one (23) homes are currently under construction or in the beginning stage of lot clearing. Two (2) of them are located in the ETJ.

Village

Five (5) in Grande Pines
Two (2) in Pineland Preserve
Three (3) Forest Lake Drive
Two (2) Dogwood Ct.
Brassie Circle
Bermuda Circle
Foxfire Road
Two (2) Richmond Rd.
Dickinson Ct.
Two (2) Autumn Acres
Woodland Circle

ETJ

Richmond Rd.
Tranquility Ln.

Permits Issued

One (1) Fence
Two (2) Single Family Residence

Certificate of Occupancy

Birdie Ct.

11. Councilmember's Reports:

- A. Finance – Leslie Frusco
 1. Finance Report

Mayor Pro Tem Frusco reported the following as of the end of the Fiscal Year, August 31, 2018:

The total cash balance in the General Fund is \$895,314. Of this amount \$394,819 is restricted for the Capital Reserve, Debt Service, Capital Project, K9, Street Maintenance Funds and Police Vehicle Reserve. The remaining amount of \$504,095 is unrestricted.

The General Fund is at the “low point” of the year because property tax bills are just starting to come in. The General Fund will substantially increase as property tax payments start to come in.

The Water Fund has a balance of \$708,321 of which \$266,076 is restricted for a new well(s) and tank maintenance. The remaining balance of \$442,245 is unrestricted. The total funds on hand are \$1,603,635.

B. Streets and Park – Don Boito

1. Plantings on Foxfire Blvd.

Councilman Boito hoped to have an update but has not contacted the Club yet.

2. Woodland Circle Survey

Councilman Boito met with the surveyor earlier in the day. The original property survey showed an overlap of 6 acres with Robert Edwards property in the wetlands area. Currently, the area is deeded to the Village and we can assume this will be “dead space”.

The surveyor gave a rough draft breaking off 15 road frontage lots, each 2 acres, with one entrance road and 2 easements.

The cost for surveying just the boundaries is \$6,700, \$1,500 for the roadway, and another \$6,000 to survey the fifteen individual lots. The total for everything will be \$14,200. Council had questions about the \$1,500 charge. Mayor McCue asked that Councilman Boito receive further clarification in advance of the work session.

C. Water Department – Jon Sedlak

Councilman Sedlak had no updates. He offered to prepare a list of water restrictions to enact during the hurricane. This list will be posted on the Village website.

Mayor Pro Tem Frusco asked if a generator was available in the event we lose power during the storm. Councilman Sedlak replied yes however, conservation measures will still be in place.

D. Mayor’s Report – E.M. McCue III

Mayor McCue reported that the County Planning Board’s meeting to consider extending the Pinehurst ETJ met with much opposition from the populous in the Eastwood area. The Village passed a resolution supporting particularly the HWY 211 Corridor area, and other areas if supported by ~~effective~~ ^{affected} populous.

Mayor McCue handed out several zoning ordinance amendments, drafted from the recommendations of the Planning & Zoning Board. He asked for feedback from council.

In addition, the Planning & Zoning Board is reviewing “subdivision regulations”, “landscaping”, and “recreational district” amendments.

Mayor McCue called a Public Hearing to Consider Amending “Definitions”, “Equestrian Units”, “Fence and Wall Standards”, “Signs”, “landscaping”, and “recreational district”. The “subdivision regulations” are not part of zoning ordinances but can be included in the meeting notice. The public hearing will be scheduled as soon as public notices requirements can be met.

12. Old Business:

- Village Water System

Mayor McCue reiterated on past discussions about finding an alternative or added sources for the Village water system and the possibility of hooking up to the Moore County Water system. Foxfire will continue to study each of these efforts.

Due to the increase in building and inability to find a suitable wellsite, we need to move up the plan of action on hooking up to some other system of water. Mayor McCue emphasized there is not an immediate or imminent crisis concern about water. We are looking to alternatives for the future. He and Councilman Sedlak recently discussed the Village's options to either become part of the Counties system, or simply make our own connection to the County and look to buy water if needed. Councilman Sedlak agrees with both options but prefers to buy it.

Mayor Pro Tem Frusco added that financing programs are available through the Feds and North Carolina, that help with infrastructure. Once to that point, we could pursue this.

Extensive discussion continued including financing options, the past years consideration of going with the County, and pros and cons.

Mayor McCue and Councilman Sedlak will approach the County about how we might buy water.

- Service Line Warranty Program

Mayor McCue asked if there were any further comments on the previously discussed "Service Line Warranty Program".

Mayor Pro Tem Frusco is not favor of endorsing this program, Councilman Howze agreed. Councilman Sedlak suggested other cheaper alternatives such as the Village self-insuring.

It was the consensus of the council to not endorse the program. Mayor McCue will notify the company of this decision.

13. New Business:

- Pete Mace - Subdivision Plat Map

Realtor Pete Mace brought in a subdivision plat map for a property owner living on Tufts Vista. The normal process for subdivision plats is for the Planning & Zoning Board to first review the plat and make a recommendation to the Council for its approval. If we follow these steps, the P&Z Board would not review until tomorrow and the earliest the Council could then review is at the work session, dragging out the process.

If the council wishes to shorten the process, we can review and approve the plat contingent on P&Z's review and approval. The Reynwood Landowners Association has reviewed and approved the plat based on their covenants.

The parcel is 60 plus acres and in the ETJ. The property owner would like to break-off three individual 6 plus acre parcels to sell, keeping the remaining 38 plus acres. There is a sale pending on one of the lots. Each of the three parcels meet the acreage requirements, are along the road and need no further infrastructure.

Council had no issues with the plat. **It was "conditionally approved" and will be give to P&Z for review and approval.**

- Setbacks and Square Footage

Mayor McCue received several comments on whether the building setbacks and or square footage requirements are proper with all the new construction in the Village. He suggested council consider increasing or tightening the requirements. For reference, the setbacks in RS30 and RS40 are 35' front, 30' sides, and 50' rear and square footage requirements are 1,800 heated exclusive of garages and porches. Mayor Pro Tem Frusco said she would be interested in revisiting setback requirements. Mayor McCue asked that council further discuss at a work session

14. Public Comment:

Mary Gilroy cautioned council on making changes to setbacks because existing homes would be grandfathered in. This could cause some confusion to folks who want to build or folks who already have homes.

15. Adjournment

Councilman Sedlak made a motion to adjourn. The motion carried unanimously. The meeting adjourned at 6:17 PM.

As so incorporated to these minutes of September 11, 2018 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

