

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Town Hall
December 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, Barbara Okula, Cynthia Lathrop, John and Carole Hunter, Gladys Knight, Guy Peckitt, MJ Sheldon, and Linda Straczewski.
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 December 11, 2018 Agenda**

Mayor Pro Tem Frusco made a motion to adopt the agenda as written. 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
 1. November 6, 2018 EMERGENCY CLOSED SESSION
 2. November 13, 2018 Public Hearing and Regular Meeting
 3. November 29, 2018 Work Session
2. Adoption of the 2019 Village Council Regular Meeting Schedule

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

7. Public Comment Period

MJ Sheldon – 15 Eagle Drive spoke on behalf of the FPOA. The FPOA conducts various social events each year at the park including Foxfire Days and the Halloween Trunk or Treat. The FPOA would like the council to consider installing two or three additional electrical outlets around the picnic shelter and bathroom areas. They're having to run extension cords across the ground to reach vendors, caterers or to specific areas of the park and concerned someone may trip and fall. There was a brief discussion.

8. Zoning Administrator's Report – Lisa Kivett

Ms. Kivett reported the following Zoning related activities for November 2018:

Twenty-four (24) homes are currently under construction or in the beginning stage of lot clearing. Three (3) of them located within the ETJ.

Three (3) Single-Family Residence Construction Applications were submitted and approved.

Single story – 2,793 heated, 4,725 total foot print, zoned RE

Single story – 2,320 heated, 3,164 total foot print, zoned RE

Single story – 1,820 heated, 2,643 total foot print, zoned RS30

Other Permits Issued

Two (2) Fence

One (1) Barn

One (1) Sunroom Enclosure

One (1) Structural Alteration (located in the ETJ)

One (1) Propane Tank

One (1) Commercial Solicitation

Illegally parked trailers continue to be an issue. All complaints forwarded to the police department have been resolved.

Two illegally parked commercial tractor trailers were reported. Per the PD, one trailer is scheduled to be removed no later than Friday. The second trailer is still under investigation and remains at the location.

The following is a list of issued construction permits from January 1, 2018 through December 11, 2018.

<u>PERMIT</u>	<u>Village</u>	<u>RA</u>
Single Family Residence	25	4
Duplex	2	
Detached Garage	1	
Fence	17	
Swimming Pool	4	
Accessory Building	9	3
Barn	4	1
Run-in Shed		1
Structural Alteration	2	2
Lot Clearing	2	
Propane Tank	5	
Solar Panels	1	
Solar Farm	1	
Commercial Solicitation	1	

9. Ordinance Amendment #2018-11 – Signs

Mayor Pro Tem Frusco made a motion to Remove Ordinance Amendment #2018-11 from the table. The motion carried unanimously.

Mayor Pro Tem Frusco made a motion to adopt Ordinance Amendment #2018-11.

Mayor McCue said a “Table” and an additional “Section” were added to the previous draft amendment. There were no further comments from the public.

The Vote was called. The motion carried unanimously.

10. Connecting with Moore County Water System

Mayor McCue and Councilman Sedlak met recently with Moore County Public Works Director Randy Gould and his Professional Engineer Leonard McBryde. The purpose of this meeting was to re-open discussion about the possibility of connecting with Moore Counties water system.

The Village has been unsuccessful in its search of additional well sites. The concern is having enough water in the future, in the event there are issues with Village wells. McCue emphasized that ***“we do not have issues with wells at this time”***.

Both Gould and McBryde supported the Village connecting whether or not we continue to own and operate the system or become part of the County system. Moore County does something similar with Harnett County and purchase 8 million gallons of water daily to distribute through the county. McCue pointed out there are both plus and minuses to connecting and would like to discuss in detail at the next work session.

Councilman Sedlak mentioned that the Harnett County water would not be coming to Foxfire. He’s currently investigating six potential well sites. He will ask the well driller to narrow down to four and drill two more test wells. Other alternatives would be pulling water from the creek or from Lake Blum. Both would be a big investment because it’s considered “surface water” and requires disinfecting and filtering. The investment to accomplish this would be significant.

11. Council Member Reports:

A. Finance – Leslie Frusco

Mayor Pro Tem Frusco reported the following as of November 30, 2018. The general fund has a balance of \$1,247,300. Per the cash report, the unrestricted amount is \$832.078. However, the journal entries were not processed in November which moves money that council decided on

at the last work session. Therefore, the unrestricted amount is \$632,000 and the restricted amount \$615,021. Frusco added that council decided to move excess funds over the fund balance of \$200,000 to restricted funds of which \$100,000 goes to streets/drainage, \$80,000 to Capital Reserve, and \$20,000 to the new Reserve for Separation Allowance. The water fund has a balance on hand of \$742,175 of which \$476,098 is unrestricted. The remaining \$236,076 is restricted for future wells and \$30,000 restricted for tank maintenance.

Property tax payments continue to come in. 68% of the budgeted ad valorem taxes are collected as of the end of November. December is usually a big month for collection and where needed, Sharon Sanchez will send a friendly reminder.

B. Streets and Park – Don Boito

1. Woodland Circle Survey

Councilman Boito reported the corners are complete but other areas are not. He's waiting on a return phone call from the Surveyor.

2. Drainage Survey

Councilman Boito signed off on the drainage survey. The engineer will contact him after the first of the year.

3. Sign-off Form for Contractors

Councilman Boito forwarded a draft document he prepared. The document is for contractors to sign off that they know, understand and are committed to Village ordinance.

Councilman Sedlak felt it was unnecessary paperwork. Boito said it could be added to an existing form. Mayor Pro Tem Frusco feels every little bit helps and is in favor of using it. Mayor McCue asked Lisa Kivett to send the draft to Bob Hornik and request his opinion to whether or not we are protected from litigation in the future.

4. Drainage Plan Requirements for New Lots

Councilman Boito suggested that a drainage plan be included with every new construction application. Mayor Pro Tem Frusco suggested contacting Whispering Pines to see if they required a plan, obtain a sample plan and consider the potential cost to the property owner. Mayor McCue suggested that Councilman Boito look at drainage and grading plans for what they might entail and to contact other municipalities. Discussion continued.

C. Public Safety – Ed Howze

1. Treehouse Area Signage Recommendations from PD & FD

Councilman Howze reported that Chief Shue and Chief Stromberg are reviewing the address signage around the driving range, condos and tree houses. They would like to change signage to make it easier for emergency vehicles to locate addresses. They hope to have something for council to consider in January. Councilman Sedlak suggested changing the names of some of the roads. Chief Shue further explained the need for new address signage.

2. WEFD Board of Directors Update

Councilman Howze attended the WEFD Board of Director's meeting on December 3rd. Items pertaining to Foxfire were discussed the new Quick Response Vehicle (Brush truck) which replaces to existing vehicles. The Board continues working on a long-term budget plan as requested by the Village. They have received \$5,700 of their \$10,000 goal for the annual fund drive. Chief Stromberg submitted a FEMA reimbursement request of \$12,000 for WEFD.

Councilman Howze reported that Chief Shue transferred his K9 duties to Officer Daniel Ritter effective January 2019. Officer Ritter has expressed an interest in the K9 program and is attending necessary courses to become a Certified K9 Handler. His patrol vehicle will be fitted for transporting the K9.

Chief Shue asked to address the Council and explain the reason behind the transfer of duties. He's been the K9 Handler since 2008 and when promoted to Chief in 2012, was able to easily handle both jobs. Over time his workload has increased making it difficult to work with the K9 as needed. He feels Officer Ritter is capable of taking over the program. There was brief discussion.

Mayor McCue added that thanks to their hard work, the Police Department won \$10,000 worth of equipment from the Governor's Highway Safety Program. In addition, thanks to Chief Shue's efforts, they were awarded a \$25,000 grant from the State to renovate the Police Department. They expect a letter in the near future which outlines the instructions for receiving the funds.

Councilman Howze added that he and Guy Peckitt will once again do the "Floating Christmas Tree" on Christmas Day night from 6 to 6:30 PM.

D. Water – Jon Sedlak

Councilman Sedlak reported an issue with well #5 on Hoffman Rd. It is currently down and will be repaired in the coming weeks.

E. Mayor's Report – E.M. McCue III

Mayor McCue asked council to once again review the Long Range Plan. He would like to review it at the January work session in terms of meeting the goals. He asked for each department's facts, figures and accomplishments for 2018 that they would like to add to his yearly report at the FPOA Annual meeting in January.

Mayor McCue asked if any council members would like to attend a pre-legislative meeting on December 18, 2018 to express concerns before the upcoming General Assembly session. Mayor McCue suggested that the funding for separation allowance and lack of Village control of zoning ordinances be addressed. Councilman Boito and Councilman Sedlak will attend.

12. Old Business:

Mayor McCue reported that Ordinance Amendment #2018-08 – Fence and Wall Standards was tabled at the last meeting so that additional changes might be made. He asked for a motion to remove this item from the table.

Mayor Pro Tem Frusco made a motion to remove Ordinance Amendment #2018-08 from the table. The motion carried unanimously.

Mayor McCue listed the changes made.

Councilman Boito made a motion to adopt Ordinance Amendment #2018-08 as amended. The vote was called. The motion carried unanimously.

Mayor Pro Tem Frusco provided council with a quote for demolition of the existing pool house and construction of the new facility. She thanked all councilmembers and the residents who assisted with clearing and storing furniture and items from the pool house in preparation of demolition. Council discussed the new construction costs.

13. New Business:

Mayor McCue received a call from Bobby Edwards about the commercial tractor trailer behind the general store. Mr. Edwards was told by Village Police that parking of the trailer violated Village ordinances. He would like to keep the trailer for pine straw storage and is willing to paint it or add screening. Mayor McCue told him he would ask the council to possibly consider amending the ordinance to allow commercial trailers in the Village Business District. Mayor Pro Tem Frusco asked how this ordinance affects the maintenance facility on Richmond Road which has commercial vehicles inside. McCue responded that the strict reading of the current ordinance does not have a provision for open storage. Council should first decide whether it should be allowed. Both Councilman Boito and Sedlak feel they should be screened from public view. Council will discuss further.

14. Public Comment:

Linda Straczewski asked if in addition to the pool house, will be changes to the pool to make it ADA compliant. Mayor Pro Tem Frusco replied it would not. The sidewalk, from the parking lot to the facility will be cemented and the bathroom facilities will be handicap accessible. Pool lifts will be installed at a later date.

Barbara Okula questioned if the front entry garage at the new construction on Richmond Rd was allowed. Frusco replied yes, one thing we lost with SB25 was regulation of garage locations.

Cynthia Lathrop suggested council specify what kind of screening would be permitted if they choose to allow it.

John Hunter asked if there was a fence height requirement in VBD. He suggested that camouflage be a screening option for trailers.

Mayor McCue will ask Mr. Edwards to come to the Village with his ideas to screen or camouflage the trailer.

16. Adjournment

Councilman Boito made a motion to adjourn. The motion carried unanimously. The meeting adjourned at 5:51 PM.

As so incorporated to these minutes of December 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

