

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR WORKSESSION
Foxfire Village Hall
August 31, 2017 – 6:30 PM**

1. **Call to Order:** Mayor E.M. McCue III called the meeting to order at 6:30 PM.
2. **Members Present:** Councilman Don Boito, Mayor Pro Tem Leslie Frusco, Councilman Vic Koos and Councilman Jon Sedlak
3. **Others Present:** Jon Heckethorne-Architect, Pilot Newspaper Reporter, Mary Gilroy, Lydia Conard, Jerry Lee, and Beckie Pahner
4. **Town Hall – John Heckethorne**

John Heckethorne presented bid information for the new Town Hall to the Council. Five bids for construction were received from:

1. McFadden Homes: Base bid \$431,115. alternate #1 \$13,250
2. Omega Development: Base Bid \$448,100. alternate #1 \$3,200
3. O'Conner Co of NC: Base bid: \$494,589. alternate #1 \$2,800
4. S&S building & Dev: Base Bid: \$597,753. alternate #1 \$21,800
5. Garanco construction: \$598,700. alternate #1 \$0.00

Mr. Heckethorne said he completed due diligence with Bruce McFadden and feels confident in requesting that Mr. McFadden be awarded the bid for the construction project.

Mayor Pro tem Frusco made a motion to award the bid for construction of the new Town Hall to the lowest bidder Bruce McFadden in the amount of \$431,115 (Base Bid) and \$13,250 (#Alternate #1) seconded by Councilman Sedlak.

Council briefly discussed the parking lot paving. There will be at the minimum, monthly meetings with Mr. McFadden, Mr. Heckethorne, Mayor Pro tem Frusco, and Mayor McCue. Mr. McFadden be required to give a Schedule of Values and a monthly paper request.

The vote was called and carried unanimously and Bruce McFadden was awarded the bid.

5. Items for Discussion

- Triangle Property VBD Zoning

Mayor McCue reported that Lynne Williams, owner of Courtyard Properties approached the Village about subdividing her 4.1 acres which includes a single-family residence and zoned Village Business District (VBD). She would like to sell the portion containing the home to the current renter. The Village Clerk, Lisa Kivett pointed out some possible legal issues about the VBD district not including single-family residential as a permitted use. There could be issues for the renter with the appraisal and mortgage if zoned commercial.

A history file on this property was located and contained a Conditional Use Permit issued in 1994 to allow the single-family home in the VBD district. This information was given to the Village Attorney, Kevin Hornik and there was extensive communication with the Mayor and Clerk. Mr. Hornik prepared a final memo of findings which said that the CUP is valid and allows the continued use of the home in the VBD. The home is not “non-conforming” even though the VBD does not list it as a permitted use. The Planning Zoning Board is asked to review and recommend to either rezone the property to RS30 or allow the CUP to continue. Discussion ensued between the Council, Lynne Williams, Lydia Conard and the property renter Jerry Lee.

The P&Z Board will review the subdivision map once it is available and make a recommendation to the Village council on the property division and zoning.

- FWA Beautification Proposal

Mayor Pro Tem Frusco reported the Foxfire Women's Association would like to do plantings at the entrance of Foxfire Blvd. Frusco suggested they wait until the paving project is complete. She also suggested that any committee doing beautification projects also maintain the area in the future.

- Foxfire Blvd. Condos
Mayor McCue spoke with both Beckie Pahner and Guenther Baerje about the vegetated screening on Foxfire Blvd. Pahner and Baerje will split the cost of \$3,360.00

- Branch Bill
Mayor Pro Tem Frusco said the General Store Owner, Joe Kyger, has requested the Village consider adopting the “Branch Bill” ordinance (S.B. 155) which allows the sale of alcohol beginning at 10:00 am on Sundays. A draft ordinance will be presented for consideration at the September Regular meeting.

- Houston Texas
Councilman Koos raised concerns about residents using power equipment to do storm clean-up. He would like to have rules and restrictions put in place. Mayor McCue said he could list certain restrictions in an Emergency Declaration if it gets to that point. He added that Chief Shue was working with Moore County Emergency Services on a “table-top” exercise for natural disasters. The council and Village employees will all be involved.

- MCTC Update
Mayor McCue updated the council on the recent TARPO meeting and the Moore County Transportation Plan. Some projects have been moved up on the priority list.

- WEFD Second Amendment to Lease Agreement
Mayor McCue prepared a Second Amendment to the Lease Agreement for West End Fire Department. It has been signed by the Village and sent to the Fire Department for their signature.

- Village Pool
Mayor McCue is committed to keeping the pool facility open and operating but it will cost a lot of money to do so. He suggested hiring a pool management company, who would not only maintain the pool but also provide lifeguards. The cost of using a management company would be roughly \$10,000 more than what is currently spent. He also suggested eliminating the walk-ins and make the poll membership only. There will be much discussion on this in the future. Mayor Pro Tem Frusco said she should have the final cost figures by the September work session.

- Stonehill Pines Property
Mayor McCue and Village Clerk Lisa Kivett met with some folks who are interested in restarting the Pinehurst Gun Club on the Stonehill Pines property. The Gun Club would be members only, gated and have un-improved roads. There would be clay and trap shooting, up to 20 Equestrian sized lots, and 200 to 300 smaller size RS30 lots near the Lake Diamond side, and much open space. One issue is discharging of firearms in the Village is not permitted but the council can change the ordinance if so wished. Council discussed water and the PUD zoning of the property.

6. Adjournment

Councilman Koos made a motion to adjourn seconded by Mayor Pro Tem Frusco and carried unanimously. The meeting was adjourned at 8:01 PM.



Lisa A. Kivett, CMC, NCCMC, CZO
Village Clerk



E.M. McCue III
Mayor