

**MINUTES**  
**FOXFIRE VILLAGE COUNCIL**  
**REGULAR MEETING**  
**Remote Meeting Via ZOOM Meetings**  
**July 14, 2020 - 4:30 PM**

1. **Call to Order:** Mayor McCue connected remotely and called the ZOOM Meeting to order at 4:30 PM
2. **Members Present:** The following members connected remotely from their homes via ZOOM Meetings: Councilman Don Boito, Councilman Mike Cole and Councilman Ed Howze
3. **Members Absent:** Mayor Pro Tem Frusco
4. **Others Present:** Lisa Kivett-Village Clerk connected remotely from the Village office and Chief Chad Shue, and resident Andy Moody connected remotely.

Mayor McCue asked to take a Moment of Silence.

5. **Approval of the July 14, 2020 Regular Meeting Agenda**  
Mayor McCue added *Police Personnel* under New Business.
6. **Councilman Howze made a motion to adopt the July 14, 2020 agenda as amended.**  
**The vote was called, and motion carried.**  
Boito- aye  
Howze- aye  
Cole- aye  
McCue- aye

7. **Consent Agenda**  
*All items listed below are considered routine and will be enacted by one motion and without discussion.*
  - A. Approval of Minutes
    - June 9, 2020 Public Hearings and Regular Meeting
    - June 25, 2020 Work Session

**Councilman Cole made a motion to approve the consent agenda.**  
**The vote was called, and motion carried.**  
Boito- aye  
Howze- aye  
Cole- aye  
McCue- aye

8. **Public Comment Period**  
There were no public comments made remotely or written.

9. **Zoning Administrator's Report - Lisa Kivett**  
Zoning Administrator Lisa Kivett reported the following activity from June 10, 2020 thru July 14, 2020.  
*Twenty-four (24) homes are currently under construction or in the beginning stage of lot clearing. Three (3) of them located within the ETJ.*

Permit applications were received and reviewed for the following:

- Two (2) Single Family Residences (one application denied)
- One (1) Pole Barn in the ETJ
- Two (2) Accessory Buildings
- One (1) Fence

Certificate of Occupancy Issued

*Pine Tree Terrace (DGH)  
Fox Ridge (J&R Residential)  
Hoffman Rd. (Gary Robinson Homes)  
Richmond Rd. (Gary Robinson Homes)  
Woodland Circle (Pinehurst Maintenance -Resener)  
Richmond Rd. (AW Homes)*

Zoning Violations

*I issued a Stop Work Order for the construction of a fence on Richmond Rd. The Contractor did not apply*

*for a permit and did not have Village approval to build. The fence was non-compliant, 6' along the property line and solid. It was approximately 95% complete when I asked the contractor to take it down. The contractor applied for a permit to build a 4' picket fence which was approved.*

*One (1) Storage of Recreational Equipment  
One (1) Trailer  
One (1) Nuisance – Trash and Unkempt Yard*

*I received several "Report a Concern" about unkempt yards, invasive bamboo encroaching from neighbor's property, a drainage concern on Ridge Rd., and speeding on Richmond Road.*

*The 2019 Water Department CCR Report was mailed to residents on June 30th. Each envelope included a copy of the "Keep Foxfire Beautiful" flyer. I added a couple short blurbs about "burying propane tanks" and "all construction activities requiring a permit" to the flyer.*

Mayor McCue pointed out that some accessory buildings are lacking the required foundation screening. Ms. Kivett advised she will contact the property owners.

## **10. Council Member Reports:**

### **A. Streets and Park - Don Boito**

#### **1. Update of Park Project**

Councilman Boito suggested that council move forward with the park restoration project and that \$4,000 be set aside for incidentals in case the Village could not get full funding. All council members agreed to move forward. The project should begin either the end of 2020 or beginning of the next year.

### **B. Public Safety-Ed Howze**

Councilman Howze received an email from Fire Chief Eric Stromberg regarding the Moore County COVID Funding Reimbursement. Stromberg requested the Village consider allowing the fire department to use some of the \$20,000 reimbursement funds and prepared a list of needed items, their costs, and vendors.

Councilman Cole asked if the Village was planning to spend the full \$20,000. Howze replied he was unsure, but the police department will purchase what they need. Chief Shue added that \$11,000 is earmarked between the Village office and Police Department.

Mayor McCue said the full \$20,000 should be used if the Village office, police or fire department have needs. Howze suggested the fire department contact Chief Shue to budget out the money. Councilman Cole said he received an email from the Fire Chief's Association about an additional award of \$20,000 to municipalities.

Councilman Howze spoke with Consolidated Oil about the fuel tank. The size of the tank is 1,500 gal. divided into 500 gal. of diesel fuel, 1,000 gal. of gasoline, and meets all EPA standards. The cost to the Village will be the electrical hookup to operate the pumps. The Village will benefit by saving between .5 to .7 cents per gallon and eliminate the need to purchase gas out of town. The 500 gal. diesel fuel will be added to the existing WEFD contract. The Village will have a separate contract for the 1,000 gal. of gasoline. Howze contacted someone about a chain-link fence but has not received a quote. Councilman Boito questioned if the Village would pay for the electric bill, or would it be pro-rated between the two departments. Howze replied the Village would handle the electric and added an emergency shut-off will be installed. Councilman Cole added the cost to run the electric would be between \$550-\$1,000.

Lisa Kivett mentioned that zoning restrictions also apply to town property. She suggested a site plan showing the tank location in relation to property setbacks be made part of the file. Howze will meet with her later in the week. Boito raised questions about the potential saving in fuel costs. Mayor McCue feels this is a win/win for police and fire and suggested moving forward with the tank.

Howze passed on Chief Shue's appreciation to the council for the salary increase. The police department received a second grant for \$25,000. Beginning in October, this money will be used to turn the conference room into an emergency response center.

Howze reported that four candidates have applied for Officer Ritter's position. Interviews will begin the first week of August. Officer Baddour is now working as a temporary full-time officer.

Officer Garner is working on compiling speed-sign data.

Mayor McCue suggested the police department not be rushed to fill the position due to lack of police coverage. They should take the time to find the right candidate for the position. Howze agreed.

C. Water Department-Mike Cole

Councilman Cole reported the well on Hoffman Road had issues with holding prime. David McKew handled the issue in addition to addressing two water leaks.

Cole asked for a status on the Boyd Annexation water line. Mayor McCue said the Boyds will handle the water line installation per the contract. Cole added that Bruce McFadden provided a quote because he was also adding an additional hydrant for the Village. McCue suggested handing over the quote to the Boyds and McFadden should be cautioned that most of the project is with the Boyds.

D. Mayor's Report - E.M. McCue III

Mayor McCue reported the Legislature has passed the new 160D. This will combine both municipalities and counties regulations and will include the many development regulation changes over the past few years. The Village needs to do an extensive analysis or possible re-write of the development regulations. McCue suggested creating a Unified Development Ordinance like many other municipalities have. He is considering preparing both inhouse but asked the Brough law firm for a cost to update and provide us with the UDO. Several years ago, they quoted a price of \$30,000

**11. Old Business**

None

**12. New Business**

- Police Personnel (Email from Mayor Pro Tem Frusco)

Mayor McCue reported that Mayor Pro Tem Frusco emailed council about police department personnel needs. Council members and Chief Shue discussed the issues she raised including, salaries, the budgeted part-time position, need for another full-time officer, and how to off-set the costs.

**13. Public Comment:**

There were no public comments.

**14. Adjournment**

**Councilman Cole made a motion to adjourn the Regular Meeting.**

**The vote was called, and motion carried.**

Boito- aye

Howze- aye

Cole- aye

McCue- aye

**The remote ZOOM meeting adjourned at 5:22 PM.**

**As so incorporated to these minutes of July 11, 2020 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