

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Village Hall Meeting Room
November 10, 2020 – 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, and Councilman Ed Howze. Councilman Mike Cole was running late and arrived at 4:55 PM.
3. **Others Present:** Lisa Kivett-Village Clerk, Residents Andy Moody, David Meldrum, Janice Gregorich and Connie Korner
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 November 10, 2020 Regular Meeting Agenda:**

Mayor Pro Tem Frusco made a motion to adopt the November 10, 2020 agenda as written. The motion carried unanimously.

Mayor McCue added that today, November 10th is the United States Marine's 245th birthday. He brought a birthday cake and invited all in attendance to remain after the meeting to have a piece of cake.

6. Consent Agenda

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

- A. Approval of Minutes
 1. October 13, 2020 Regular Meeting
 2. October 29, 2020 Work Session
- B. Resolutions
 1. #R20-04 Adopting the Cape Fear Regional Hazard Mitigation Plan
 2. #R20-05 Approving the County-wide Recycling Standards

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

7. Public Comment Period

David Meldrum – 11 Wedgewood Drive voiced his concerns about multiple work vehicles, trailers, and unkempt yard at a neighboring home on Wedgewood Dr. Lisa Kivett replied the Village police have issued multiple violation notices and continue to address each violation.

Mr. Meldrum asked if the Village's current water supply will be enough to accommodate the growth in Foxfire. Mayor McCue replied the Village continues to explore possibly hooking up to the Moore County system.

Janice Gregorich – 335 Grande Pines Vista voiced her displeasure with the recently constructed fence on Hoffman Rd./Sunset Drive. She asked why the non-compliant fence was approved. Mayor McCue responded the original application was denied. After discussion and various conversations with the applicant, it was approved. When the fence was constructed it did not meet the opacity requirement and the applicant requested an appeal with the Board of Adjustment. The Board of Adjustment met and based on evidence provided and unclear fencing ordinance, they unanimously granted the appeal. Mrs. Gregorich feels the Village failed in staying with the Long Range Plan that envisions open space.

8. Zoning Administrator's Report – Lisa Kivett

Zoning Administrator Lisa Kivett reported the following activity for October 14th thru November 10th

Thirty (30) 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:
- Four (4) Single Family Residence (Pineland Preserve, Richmond Rd, and Fox Ridge Ct.)
- (1) Fence

Certificate of Occupancy Issued

3 Lowell Court
 27 Eagle Dr.
 187 Woodland Circle
 125 Grande Pines Ct. W
 70 S. Shamrock Drive

Zoning Violations

The Police Department has been issuing violation notices for trailers, garbage cans, etc. and following up that they are resolved.

Warning Citations were issued for accessory buildings at two separate properties. Both did not have a permit and require relocating. One may result in a BOA hearing.

The Board of Adjustment met on October 14th to consider an appeal of interpretation on a fence. The Board voted to grant the appeal.

9. Council Member Reports:

A. Finance – Leslie Frusco

Mayor Pro Tem Frusco reported that collection of ad valorem taxes is down about 3% from this time last year. The sales tax receipts are holding strong thru October and we will continue to watch this. She received the preliminary Audit Report and hopes to have copies for council at the next work session. The report shows we have about \$600,000 in un-appropriated funds over and above our 40% working capital balance. Following the Village's Fund Balance policy, she would like to allocate between \$400,000 and \$500,000 of this reserve. Replacing the S. Shamrock gate this year, putting money into the police vehicle reserve, allocate \$100,000 to \$150,000 to the street reserve and once again adding money to the capital reserve.

As of October 31, 2020, the General Fund balance was \$1,230,000 of which \$119,448 is restricted for the K-9 fund, capital reserve fund, street maintenance and separation allowance funds. The water balance was \$926,000 of which \$281,076 is restricted for future well(s) and tank maintenance. Frusco suggested banking any excess funds to help offset the cost of hooking into the Moore County Water system if we choose to in the future. The more we can save in the water fund will alleviate the monthly burden to Village residents if and when we connect.

B. Streets and Park – Don Boito

No Report

C. Public Safety – Ed Howze
 • PD Update

Councilman Howze reported the Halloween Festival on Bobolink Rd. was a success and thanked both the Police and Fire departments for their assistance. A Christmas Golf Cart Parade is planned for December. Details on the parade will be provided soon.

Howze reported that ordinance violations are beginning to level off. Officer Jeremy Blake has finished his on the job training and now on his own and doing a fantastic job. Chief Shue is still waiting for the police department grant. There are computer issues delaying the release of grant funds.

• S. Shamrock Gate

Councilman Howze provided council with examples and prices for a siren activated single gate to replace the S. Shamrock gate. Council discussed the many options of design, cost, and placing signage on the gate. It was the consensus of council to purchase a \$9,600 farm gate to replace the existing S. Shamrock gate.

D. Water Department – Mike Cole

Councilman Cole reported that NCPW has approved the water line on Richmond Road. Construction will begin once authorization to do so is received.

Mayor McCue reiterated on Mr. Meldrum's previous public comment regarding hooking up to Moore County Water.

Mayor Pro Tem Frusco commented that the increase in new construction has added a lot of extra work for Water Superintendent David McKew. David has not been in the position to handle the additional water meter installations and has relied on Bruce McFadden to complete the work. Frusco suggested alleviating meter installations from David's responsibility and go directly to Bruce McFadden.

E. Mayor's Report – E.M. McCue III

Mayor McCue reminded council about the Special Work Session scheduled for November 19th to begin discussion on the Draft UDO. Once council and the planning & zoning board have reviewed the draft, a copy will be posted on the website.

Mayor McCue received an email from TJCOG who are offering some personnel assistance to small municipalities. The person they hired and making available to assist is a qualified planner whose pay is supplemented by a TJCOG grant. The Village might be able to use this person's services in the future for grant writing or seeking funding if we decide to connect to the County water system. McCue will discuss this further with Councilman Cole.

10. Old Business:

Mayor Pro Tem Frusco commented on the documents P&Z Chair Mary Gilroy presented at the last work session about *Short Term Rentals* and the Village's lack of regulations on them. Frusco pointed out the Village does in fact have regulations under *Section 6.25-Use of Dwelling Units*. Frusco suggested changing this section to make it compatible with whatever is adopted on short term rentals or have the two mirror each other. She emphasized the need to be consistent with wording.

11. New Business


NONE

12. Public Comment:


Janice Gregorich said that she and her husband will continue to donate funding for the Police K-9 Program.

13. Adjournment

Councilman Don Boito made a motion to adjourn. The motion carried unanimously, and the meeting adjourned at 5:14 PM. As so incorporated to these minutes of November 10, 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