

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Village Hall
December 13, 2016 – 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, and Councilman Jon Sedlak
- 3. Members Absent** – Councilman Vic Koos
- 4. Others Present** – Lisa A. Kivett-Village Clerk, Gary Garner-Police Officer, and Casey Suggs-The Pilot
- 5. Moment of Silence:** Mayor McCue requested those present to pause for a moment of silence. This was followed by the Pledge of Allegiance to the United States Flag.
- 6. Additions and Approval of the December 13, 2016 Agenda**

Councilman Boito made a motion to adopt the December 13, 2016 Agenda as written seconded by Mayor Pro Tem Frusco and carried unanimously.

7. Consent Agenda

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

- A. Approval of Minutes
 - November 8, 2016 – Regular Meeting
- B. 2017 Village Council Meeting Schedule

Mayor Pro Tem Frusco made a motion to adopt the consent agenda as written seconded by Councilman Sedlak and carried unanimously.

8. Public Comment Period

None

9. Zoning Administrator's Report – Lisa Kivett

Nine (9) homes are currently under construction. Four (4) are located within the ETJ.

The following permit application were approved:

- One (1) Single Family Residence in the Village
- One (1) Clearing Permit
- One (1) Addition in the Village
- One (1) Barn in the ETJ
- Two (2) Certificate of Occupancy were issued for homes located in the Village and in the ETJ.

Violation Notices/Civil Citations:

I reported last month that certified letters were mailed to property owners on Eagle Drive and Meadow Court. Both certified letters were refused and returned to me. Deadlines for cleaning the properties and for the installation of the driveway on Meadow expired.

Some of the debris at the Eagle Drive location has been removed.

The house on Meadow Ct. has not been touched. I also spoke with the Moore County Building Inspector who advised they would not be the ones to pull a C/O since we govern the zoning. I will need to notify the property owner we are pulling the C/O and the house may not be inhabited until the driveway has been installed and inspected for compliance.

I spoke with Bob Hornik regarding the next step to take on fines. He said we can commence a small claims action in Moore County District Court any time to collect the civil penalties.

Typically, this is done in an action “in the nature of debt” or to collect the debt. I can get the complaint form on the Courts website but Bob offered to do this for us if we wish. The jurisdictional limit in Small Claims court is (or, at least it used to be) \$4000 (meaning anything more than that goes to District Court). I believe the house on Meadows will fall under small claims.

Beach Property Nuisance Abatement:

I’m having a difficult time getting anyone to give me a quote on removal of the picnic shelter and dock. I have contacted 4 people and told by three they would give me a quote. I’ve made return phone calls and left messages with no response. I will continue trying to find someone willing to do the work.

10. Councilmember’s Reports:

A. Finance – Leslie Frusco

1. Finance Report

Mayor Pro Tem Frusco reported the following as of November 30, 2016. The total cash balance in the General Fund is \$1,371,238 of which \$517,820 is restricted for the Debt Service, Capital Reserve, Stonehill, and Powell Bill. The unrestricted balance is \$853,418.

The total in the Water Fund is \$744,000 of which \$186,076 is restricted for a new well(s). The unrestricted balance is \$557,937. The total cash balances in the Village as of November 30th is \$2,115,000.

We have collected 71% of the budgeted ad valorem taxes. Two large tax bills are still outstanding and Sharon is contacting the property owners regarding payment. Taxes are not technically late until January 6, 2017.

2. Village Audit Report

Mayor Pro Tem Frusco presented a copy of the final Audit Report to council members. She highlighted several areas of the report and brief discussion ensued on the Woodland Circle debt. A copy of this report is available for inspection at the Village Administration office.

B. Public Safety – Vic Koos

Councilman Vic Koos was absent from the meeting. Mayor McCue asked Officer Garner for an update on obtaining a snow plow from Ft. Bragg. Councilman Sedlak added he would also like to know about a generator. Officer Garner replied that he and Chief Shue planned to go to Fayetteville in the coming week to see what equipment is available

C. Water Department – Jon Sedlak

Councilman Sedlak reported the fire hydrant at the Club is now in service.

There was a water main break on Forest Lake Drive near the dam. The break was repaired within an hour and no water service was affected. Another line coming from the lake, down the dam and under the road. This line also broke and it split the entire length of the pipe under the road requiring the road to be dug up. Councilman Boito added he would elaborate on this issue during his report.

D. Streets and Park – Don Boito

1. Forest Lake Drive

Councilman Boito reported the hole on Forest Lake Drive was drained and filled the day prior. The road is passable but very muddy as they didn’t have the equipment to compact it. The Country Club contacted ProSeal about repairing the road but crews have not yet showed up to make the repairs. He will follow up with the Club.

Mayor McCue asked who gave permission for the Club to tear up the road. Councilman Sedlak replied he did because he was told the repairs were to be made immediately, which they were not.

Mayor Pro Tem Frusco asked that all council members be made aware of any future issues with road closures.

E. Mayor's Report

1. MCTC Update

Mayor McCue reported that the last meeting of the Moore County Transportation Committee was informational. Over 20 people spoke in favor of revisiting the realignment for the Western Connector and questioned if it was needed at all. Most of these people were property owners along the proposed path. The meeting consisted of a D.O.T. briefing and public comments. The next meeting is scheduled near the end of January. Mayor McCue serves as the Village representative on the committee and feels the "no build" solution would be the best at this time.

2. 2017 Elections

Mayor McCue reported that 3 council seats will be available in November of 2017.

3. End of Year Highlights

Mayor McCue asked that council members submit their year-end information to Lisa for inclusion in the year-end report.

11. Public Comments:

None

12. Old Business:

Mayor Pro Tem Frusco reported that council members met with an architect regarding a Town Hall Addition. She asked council if they felt it necessary to ask for an estimate from the architect or to simply go with the recommendations and give the contract to the architect they met with. Brief discussion ensued. It was decided to get an estimate from a couple architects.

13. New Business:

Mayor McCue suggested revisiting the rules for usage of the Town Hall since we are now considering building a new one. The current rules were adopted in 2014 but should be looked at for updates. One area to consider is charging fees for the usage of the Town Hall when it is not used for governmental purposes.

Councilman Sedlak made a motion to go into Closed Session pursuant to NCGS §143-318.11 (a)(6) to discuss a Personnel matter seconded by Councilman Boito and carried unanimously. The Closed Session began at 7:15 PM.

Councilman Boito made a motion to Return to the Regular Meeting seconded by Mayor Pro Tem Frusco and carried unanimously. Council returned to the Regular meeting at 7:26 PM.

Councilman Sedlak made a motion to adjourn seconded by Mayor Pro Tem Frusco and carried unanimously. The meeting adjourned at 7:28 PM.

As so incorporated to these minutes of December 13, 2016 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