

MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Village Hall
July 14, 2015 – 6:30 PM

1. **Call to Order:** Mayor Steve Durham called the meeting to order at 6:30 PM.
2. **Members Present:** Mayor Pro Tem Leslie Frusco, Councilman Vic Koos, Councilman Mick McCue and Councilman Jon Sedlak
3. **Others Present:** Lisa Kivett-Village Clerk, Sharon Sanchez – Deputy Finance Officer Greg Hankins-Seven Lakes Times, and Residents Pat Malay, Marcia Scafuri, Pete and Sharon Thingstad, and Bill and Sandy Williams
4. **Moment of Silence:** Mayor Durham requested those present to pause for a moment of silence. This was followed by the pledge of allegiance to the United States Flag.
5. **Additions and Approval of Agenda:**

Mayor Durham added "*Board Appointment for Tom McClellan*" to the Consent Agenda.

Councilman McCue made a motion to adopt the agenda as amended seconded by Councilman Koos and carried unanimously.

6. **Consent Agenda:**

A. Approval of Minutes

- June 9, 2015 Regular Meeting/Public Hearing
- June 25, 2015 Work Session

B. Annual Tax Settlement

C. Board Appointment – Tom McClellan, Appearance Committee 3 year term

End of Consent Agenda

Councilman McCue made a motion to adopt the consent agenda as amended seconded by Councilman Koos and carried unanimously.

7. **Public Comment Period:**

Residents Pat Malay, Pete and Sharon Thingstad, Bill and Sandy Williams, and Marcia Scafuri spoke in opposition to the recent prohibition of yard waste facility usage by their lawn care contractor Mike Kivett.

Pete Thingstad mentioned that many folks in the Village are physically unable to carry off their own debris and that by having Mr. Kivett do it for them, it is a real benefit. He also asked if an ordinance was in place prohibiting contractors from using the dumpsite. Councilman Durham said that an ordinance was not in place but an administrative policy was.

Sharon Thingstad said she heard that Mr. Kivett was not allowed to ride in her vehicle to the dumpsite to assist with unloading of debris and wanted to know if that was true. Durham said it has not been discussed between the council. He further explained the issue at hand with private contractors and said the Village is trying to find an equitable solution. So at this time, no private contractors who do yard work for pay are to be allowed to dump in the yard waste facility. This will be further discussed at the next work session.

8. **Planning & Zoning Board Report – Mary Gilroy**

Planning & Zoning Chair Mary Gilroy was absent from the meeting but did tell Mayor Durham that she would be at the work session on July 30th to give an update.

9. Councilmember's Reports:

A. Finance – Sharon Sanchez, Deputy Finance Officer

1. Finance Report

Deputy Finance Officer Sharon Sanchez presented the financial report in Mayor Pro Tem Frusco's absence. Ms. Sanchez reported the following cash balances as of June 30, 2015. The restricted general fund balance is \$397,098 which includes the Stonehill Pines fund of \$19,972, the Capital Reserve Fund of \$141,179, the Debt Service Fund of \$200,018 and assigned funds of \$35,928. The unrestricted balance is \$1,027,086.

The water fund restricted balance is \$136,076 and assigned for future wells. The unrestricted balance is \$530,692. The total cash balance is \$2,068,610. The annual bank loan payments are due in July 2016, \$24,644 from the general fund and \$28,792 from the water fund. The Woodland Circle loan payment is due in April 2016, \$161,082 from the general fund and \$13,844 from the water fund.

Mayor Durham asked when the Woodland Circle loan will be finished based on our payment schedule. She replied about 10 years.

B. Public Safety – Mick McCue

Councilman McCue recognized resident Tom McClellan who was appointed to the Appearance Committee this evening. On more than one occasion he has seen Mr. McClellan out picking up pinecones on his own. Mr. McClellan is obviously someone willing to work and concerned about the appearance of the Village and McCue appreciates his efforts.

1. Update of Police Personnel

Councilman McCue reported that Clerk Kivett, Chief Shue and he interviewed three potential candidates for the full-time police officer position. One candidate was selected and offered the position which he has agreed to take. This candidate has three years law enforcement experience and prior military service and will be a great fit for the department.

2. Design Standards Legislation

Councilman McCue reported that SB25, Architectural Standards for Zoning was passed by the Legislature. It clearly restricts the Village's ability to control the design standards on homes. The Village attorney is looking at our current zoning ordinances for possible amendments to comply with the new State statute.

McCue suggested the Village have a policy book of standards that we would like to suggest to new home builders to possibly influence them to keep the community looking the same. McCue also suggested looking at the minimum sq. footage requirement ordinance. Discussion ensued.

C. Water Department – Jon Sedlak

Councilman Sedlak reported that a well was out due to a short circuit in the motor. Sedlak explained the process for replacing a well motor.

D. Streets and Park – Vic Koos

1. July Paving Schedule

Councilman Koos reported that the July scheduled was changed to August. The contractor will begin paving on Woodland Circle and continue to the other side of Wildwood Lane. A number of other areas will be addressed including cleaning out the drainage on N. Shamrock and repaving part of it, the Eastside dam area, and the West Side dam.

2. Removing Stickers From Street Signs

Koos reported that each street name sign has four Village logo stickers which cost \$7.00 each to replace. A majority of the stickers are peeling completely off. Koos has been removing the damaged stickers from the signs and suggested they not be replaced.

3. Re-Staining of Park Pavilions

Councilman Koos reported that Village volunteers will re-stain the park pavilions.

Mayor Durham suggested that the Appearance Committee should be more involved in the issues such as the street name sign stickers and the re-staining of the pavilions. He encouraged Koos to contact Jack Frusco, Chair of the Appearance Committee and ask for help in getting a volunteer core together. In addition, there needs to be a connection between the Appearance Committee and the FPOA who reached out to the Village asking to be more involved.

10. Mayor's Report – Steve Durham

1. Update on Village Pool

Mayor Durham asked that Lisa Kivett report on the Village pool. Ms. Kivett reported that the NCLM Liability Insurance Field Rep Michael Young visited the pool facility for a spot inspection. This is the first inspection of this kind in her 10 years of running the pool facility. The inspection was basically the same as the Counties pre-opening inspection and the pool facility was ready.

Mr. Young was pleased with the inspection and did not find anything wrong with the facility. He commended the Village on all the safety precautions being taken with lifeguards and safety equipment on site.

Ms. Kivett reported that Southern Pines Pool applied additional underwater epoxy to a couple more areas in the shallow end that have cracked. The rubber mats will remain in the pool as a precaution. She added the pool remains busy with only a slight decrease of patrons this week due to year round schools being back in session.

11. Public Comment Period:

Resident Sandy Williams asked if her private yard maintenance contractor was permitted ride with her to the yard waste facility to unload debris. Mayor Durham said this would be addressed under old business.

12. Old Business:

Mayor Durham asked if any council members had an opinion about an earlier question if a resident drives their own vehicle to the yard waste facility and the contractor is with them to unload the vehicle. Koos objects to this based on his earlier comments. Sedlak does not object however he is concerned that all contractors will do this and the yard waste budget will go through the roof. McCue objects because it would be preferential treatment for one contractor.

Durham added that the general feeling of the council is that no general contractors should be permitted to dump in the facility. He feels the best solution to this issue is for folks to continue using their contractor and have him put the debris in their containers. The Village will establish a volunteer core between the Appearance Committee and FPOA that every Tuesday and Friday, someone could pick up the debris and carry it off to the dump facility. Discussion continued on this. Durham reported this will be further discussed at the next work session.

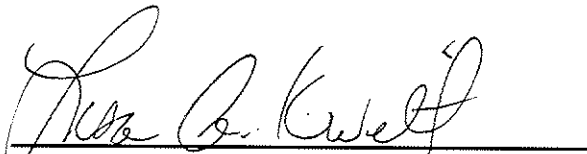
13. New Business:

None

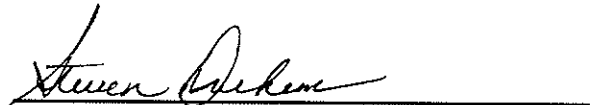
14. Adjournment:

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

As so incorporated to these minutes of July 14, 2015 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
Village Clerk**



**Steven Durham
Mayor**