

MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Remote Meeting Via ZOOM Meetings
August 11, 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, Mayor Pro Tem Frusco, and Councilman Ed Howze
3. **Others Present:** Lisa Kivett-Village Clerk connected remotely from the Village office and Chief Chad Shue, and resident Andy Moody connected remotely.
4. **Approval of the August 11, 2020 Regular Meeting Agenda**
Mayor McCue added *Schedule Public Hearing* under New Business and Councilman Cole added *Boyd Water Extension* to his report.

Mayor Pro Tem Frusco made a motion to adopt the August 11, 2020 agenda as amended. The vote was called, and motion carried.

Frusco -aye
Boito- aye
Howze- aye
Cole- aye
McCue- aye

5. **Consent Agenda**

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

- A. Approval of Minutes
 - July 14, 2020 Regular Meeting
 - July 30, 2020 Work Session

Mayor Pro Tem Frusco made a motion to approve the consent agenda. The vote was called, and motion carried.

Frusco-aye
Boito- aye
Howze- aye
Cole- aye
McCue- aye

6. **Public Comment Period**

There were no public comments made remotely or written.

7. **Zoning Administrator's Report - Lisa Kivett**

Zoning Administrator Lisa Kivett reported the following activity from July 15, 2020 thru August 11, 2020.

Twenty-six (26) 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:

- Three (3) Single Family Residence (Bobolink, Sunset, Grande Pines)
- One (1) Barn
- One (1) Pool
- One (1) Fence

Certificate of Occupancy Issued

North Shamrock (Wood Farm Carpentry)

Zoning Violations

Several violations were addressed including:

One (1) Storage of Recreational Equipment
Two (2) Trailer
Two (2) Nuisance – Trash and Unkempt Yard

8. Council Member Reports:

A. Finance Report – Mayor Pro Tem Frusco

Mayor Pro Tem Frusco reported the following as of July 31, 2020. The cash balance in the General Fund was \$1,121,000 of which \$986,842 is unrestricted and \$134,365 is restricted. The cash balance in the Water Fund was \$881,859 of which \$683,000 is unrestricted and \$281,076 is restricted.

The final payment for the Village Green Park was paid and the Village's General Fund is debt free. Sharon will have property tax bills sent out by the end of the week. The County COVID relief application was submitted. With what we were able to do, we exhausted the max amount that was allocated to us at this point in time.

B. Public Safety-Ed Howze

1. Fire and Police Updates

Councilman Howze asked for Fire Chief Stromberg to give a situation report on the recent residential structure fire. Chief Stromberg reported that WFD responded to residential structure fire on Deer Track Rd. The fire resulted in a complete loss and a fatality of a Village resident. He further detailed that the response time from dispatch to flowing water was 5 minutes 52 seconds, three additional stations were dispatched, there were 45 responders and 8 vehicles on scene. There was adequate water flow and majority of the fire extinguished within 36 minutes. Crews remained on scene until 7:00 am and secured the garage area before leaving.

Councilman Howze suggested the fire department offer some type of fire prevention methods for residents, especially the elderly. Stromberg replied they are always willing to visit those who request assistance particularly with smoke detectors. Stromberg will work on a flier about smoke detectors etc. to be placed on the Village website and to be sent to residents beginning with the elderly. Council briefly discussed and agreed to reach out to the elderly residents.

Councilman Howze reported that interviews for a replacement police officer were conducted on August 5th. He, Chief Shue, Lisa Kivett, Officer Garner and resident Andy Moody sat on the interview board and two applicants were interviewed. Chief Shue contacted applicant Brandon Phillips who is a 5yr. veteran LEO to let him know we were moving forward with the background investigation. Mr. Phillips at that time advised Chief Shue that Taylortown offered him a \$3,000 salary increase to stay. Chief Shue elaborated on Phillips education and law enforcement experience including that he is also a Field Training Officer (FTO). Shue asked if a higher salary could be offered to Mr. Phillips. There was brief discussion between council and Chief Shue. It was agreed to offer Mr. Phillips \$34,500 as a starting salary. Chief Shue will follow up with Mr. Phillips.

Councilman Howze provided the following Speed Sign Data from May 2nd thru August 5th. The signs have been moved around and some messages are changed.

LOCATION	AVERAGE MPH	% AT OR BELOW SPEED LIMIT	#OF CARS
Richmond & Hoffman	33.96	98.56%	94,763
Bobolink Rd	22.88	99.75%	4,333
Forest Lake Dr dam	25.38	99.41%	1,370
Richmond & Ridge rd	36.62	96.32%	38,333
Hoffman & Hillside dr	37.54	96.07%	86,410
Richmond rd & Foxhill ct	36.94	90.97%	22,255

Mayor McCue asked if the signs can provide the total of cars passing the sign and the number that pass going higher than a particular speed such as 40MPH. Chief Shue replied the signs are now programmed to do just that. Mayor Pro Tem Frusco asked if they could also capture the time of day that cars are exceeding the speed limit. Shue replied yes and he is working on a shorter time-span breakdown.

C. Water Department-Mike Cole

Councilman Cole reported hearing that the Boyd's were unhappy with the quote for water line installation. The quote they received was over \$14,000 plus \$5,000 for the Engineer. The Village is responsible for at least \$3,500 for the hydrant that goes at the end of the line. The

Boyd's will still be responsible for \$12,000-13,000 and they asked if the Village would be willing to help out with the engineering costs since we own the water system. Mayor Pro Tem Frusco asked why we did not know about the engineering fee and where did that requirement come from. Cole reported that the contract with the Boyds required an engineer be hired. Council further discussed and decided to obtain a second bid for engineering services.

D. Streets and Park - Don Boito

1. Funding for Roads

Councilman Boito asked Mayor Pro Tem Frusco where he was with funding availability for paving. Frusco did not have information on revenue as of yet but suggested Boito begin scheduling the paving.

Boito spoke with the park restoration people and they will begin the planning this December. Frusco asked about possible funding sources or costs. Boito replied yes, \$4,000 which is in the budget.

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

Mayor McCue previously reported on the new 160D which combine both municipalities and counties development regulation. He spoke with Bob Hornik about doing the changeover to comply with 160D. He was told the cost to just review what we send over would be \$10,000 and increase considerably if they were to rewrite it. McCue has been working on the rewrite himself and unless told otherwise will create a new UDO that will include not only zoning but also subdivision, housing, some of the building regulation, streets, sidewalks etc. Once the UDO is drafted, P&Z will be tasked with reviewing everything. McCue suggested each council members look at the areas affecting their specific department, review and suggest changes before the rewrite.

9. Old Business

- **Ordinance #2020-08 Amending Section 35-7(9) of the Village Code (Irrigation Meters)**

This amendment stemmed from a situation with a local contractor who questioned the Village's authority to require separate irrigation meters. This ordinance wording clarifies that all in-ground irrigation systems for lots supplied with water by the Village shall be independently connected to the system and water consumption shall be measured through a separate irrigation meter.

Mayor Pro Tem Frusco made a motion to adopt Ordinance Amendment #2020-08. The vote was called, and motion carried.

Frusco – aye
Boito- aye
Howze- aye
Cole- aye
McCue- aye

10. New Business

- Set a Date for Public Hearing

Mayor McCue called a public hearing for Tuesday, September 8, 2020 to consider amendments to Section 6.10 and 8.10 of the Zoning Appendix dealing with fencing, specifically privacy and security fencing for pools. The P& Z Board will provide a draft amendment and recommendation prior to the public hearing.

11. Public Comment:

There were no public comments.

12. Adjournment

Mayor Pro Tem Frusco made a motion to adjourn the Regular Meeting.
The vote was called, and motion carried.

Frusco – yea
Boito- aye
Howze- aye
Cole- aye
McCue- aye

The remote ZOOM meeting adjourned at 5:57 PM.

As so incorporated to these minutes of August 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