

**MINUTES  
FOXFIRE VILLAGE COUNCIL  
REGULAR MEETING  
Foxfire Village Hall  
August 9, 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 Vic Koos

Councilman Jon Sedlak joined the meeting 10 minutes late.

3. **Others Present** – Lisa A. Kivett-Village Clerk, Casey Suggs-Pilot Newspaper and Resident Bill Patterson
4. **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.

5. **Additions and Approval of the August 9, 2016 Agenda**  
Councilman Koos added *Fire Department Update* to his report.

Mayor McCue commented that one thing not on the agenda this evening is the Accessory Buildings Public Hearing. Final changes have been made to the draft amendment but there wasn't enough time to run the required public notices in time for the August meeting. The public hearing will be in September. He added that all the amendments to the current accessory building ordinance will not restrict homeowner's rights but will allow larger accessory buildings on every residential lot, and multiple buildings on certain lots and strengthening the appearance requirements. The proposed ordinance amendment draft will be on the website for public review on August 17<sup>th</sup>.

**Mayor Pro Tem Frusco made a motion to adopt the August 9, 2016 Agenda as amended seconded by Councilman Boito and carried unanimously.**

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

A. Approval of Minutes

- June 14, 2016 – Regular Meeting/Public Hearing
- June 30, 2016 – Work Session
- July 28, 2016 – Work Session

B. Call Public Hearing for September 13, 2016-Accessory Buildings

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

7. **Public Comment Period**  
None

8. **Zoning Administrator's Report – Lisa Kivett**

Ten (10) homes are approved for or currently under construction. Five (5) of those are located in the ETJ

Two (2) Certificate of Occupancy were issued for the Foxtail Duplex Units

Two (2) minor lot subdivision maps were reviewed and approved by P&Z and the Village Council

***The following permit application were approved:***

One (1) Single Family Residence  
One (1) Single Family Residence in the ETJ  
Three (3) Swimming Pools/Fence  
Three (3) Wells

Notice of Abatement – Beach Property

The thirty (30) days has expired. The Village is now permitted to enter the property and have the nuisance removed and assess the actual costs to the property owner. I have been in contact with Bob Hornik on the next steps in this process.

Nuisance Letters/Phone Calls

I've received few complaints about unkempt properties in the Village. All issues have been addressed in writing. Personal contact was made on two issues with no resolve. A second phone was made and property owner were notified they have until August 15<sup>th</sup> to clean up the property or face possible penalties.

**9. Councilmember's Reports:**

- A. Finance – Leslie Frusco
  - 1. Finance Report

Mayor Pro Tem Frusco reported the following as of June 31, 2016. The total cash balance in the General Fund is \$1,050,911 of which \$496,409 is restricted for the Debt Service and Capital Reserve. The unrestricted balance is \$554,502. This amount is down because the Village made two loan payments in July that were due the beginning of August, one for the Village Park and one for the wells project. We completed the refinancing on the two loans as well in July.

We also did the budgetary transfers of funding the capital reserve plan and the future wells out of the water funds. This money has gone from unrestricted to restricted. July is also a month where we have significant cash outflow because all insurances, workers comp, property and liability insurance, and loan payments are due and we have not yet sent out tax bills. Tax bills are projected to go out hopefully the beginning of next week. The Woodland Circle payment will also be made in this fiscal year.

The water fund has a total balance of \$685,917 of which \$186,076 is restricted for future well(s). This amount does include the budgetary allotment for the new fiscal year which is transferred from unrestricted to restricted. The unrestricted balance is \$499,841. We are looking at somewhere between \$50,000 and \$60,000 having to come out of fund balance to do maintenance. All total, cash balances in the Village are \$1,736,828 of which \$682,045 is restricted and \$1,054,000 unrestricted between the two funds.

- B. Public Safety – Vic Koos

- 1. Full-time Police Officers

Councilman Koos reported the Police Department now has three full-time officers. Chief Shue and new Officer Gary Garner were unable to attend the meeting due to off-site training. The third Officer Daniel Ritter is a re-hire and council members have met him.

- 2. Fire Department Update

Councilman Koos recently attended a meeting at the West End Fire Department. He reported that there are changes to the fire district. WEFD service will now encompass 10 square miles and include parts of the former Pinebluff district and the Lake Diamond area. There is some talk about the WEFD possibly merging with Eagle Springs Fire Dept.

- C. Water Department – Jon Sedlak

- No Report

D. Streets and Park – Don Boito

1. Park Swings and Bulletin Board

Councilman Boito reported that two youth size and one infant swing seats have been replaced at the Park. A fourth seat will be replaced once he is able to remove the bolts.

A new Park Rules sign was made and will be placed in the Park bulletin board once the keys are located to unlock it. Mayor Pro Tem Frusco suggested calling a locksmith.

2. S. Shamrock Gate

Councilman Boito measured the gate on Hoffman Rd. and S. Shamrock today. Inside both poles is eleven feet, not wide enough for a fire truck to enter. Boito is getting a quote to replace the gate.

3. Trimming of Trees Encroaching on Roads

Tree trimming will take place on Bobolink, S. Shamrock and Dogwood Ct.

Mayor Pro Tem commented that the S. Shamrock gate would be open during the fishing tournament to let people on the S. side of the damn enter and exit. She suggested phone calls be made to these residents in lieu of using CodeRed. This information will also be posted on the Village website and sent by email blast.

E. Mayor's Report

1. Land Use Plan

Mayor McCue reported the Council discussed the LUP at their last work session and suggested some minor changes. Mayor McCue put the changes in draft form and said he would forward to each council member individually for their comments and suggestions. He would like their comments by the next work session and asked that each council member email him back separately. He briefly listed the proposed changes.

The LUP does not require a public hearing and Mayor McCue hopes that it can be adopted in September. He thanked Planning & Zoning for doing the work and feels this will be a help to future councils. He also suggested that we address annexations in the LUP and add a policy statement. Discussion ensued.

**10. Public Comments:** None


**11. Old Business:** None

**12. New Business:** None

**Mayor Pro Tem Frusco made a motion to adjourn seconded by Councilman Boito and carried unanimously. The meeting adjourned at 7:00 PM.**

**As so incorporated to these minutes of August 9, 2016 are exact copies as so recorded in the ordinance and resolution books of Foxfire Village as if fully set out in the minutes.**

  
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Lisa A. Kivett, CMC, NCCMC, CZO  
Village Clerk

  
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E.M. McCue III  
Mayor