

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Village Hall
February 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:** Mayor Pro Tem Leslie Frusco, Councilman Don Boito, Councilman Vic Koos and Councilman Jon Sedlak
3. **Others Present:** Lisa Kivett-Village Clerk, Sharon Sanchez-Tax Collector, Chad Shue-Police Chief, Bryan and Sue Manley, Greg Hankins-Seven Lakes Times
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 Agenda**

Mayor Pro Tem Frusco added *Budget Amendment* to her report.

Mayor Pro Tem Frusco made a **motion to adopt the 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
 1. January 12, 2016 Regular Meeting
 2. January 12, 2016 CLOSED Meeting
 3. January 28, 2016 Work Session
- B. Authorization to Advertise Tax Liens

End of Consent Agenda

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

7. **Public Comment Period:**

No comments

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

Ms. Kivett reported the following zoning related issues for the month of January:

There are twelve (12) homes beginning or currently under construction, eleven are in the corporate limits and one in the ETJ. One set of Duplex units is under construction.

The following permit application were approved in the month of January:

- Four (4) Single Family Residence
- Two (2) Propane Tanks
- One (1) Irrigation Well
- One (1) Commercial Solicitation

One (1) Certificate of Occupancy was issued for Single Family Residences.

9. **Councilmember's Reports:**

- A. Finance – Leslie Frusco
 1. Finance Report

Mayor Pro Tem Frusco reported the following as of January 31, 2016. The general fund balance is \$1,758,461. Of this amount, \$1,311,413 is unrestricted. The remaining \$447,000 restricted funds are for the Debt Service Fund, the Capital Reserve Fund, assigned funds and the remaining money left from the Stonehill fund. The water fund has a total balance of \$698,964, of this amount \$537,888 is unrestricted. The restricted amount of \$161,076 is for new well(s). The total cash balance is \$2,457,425.

2. Loan Refinancing

Mayor Pro Tem Frusco and Sharon Sanchez met with First Bank to review a proposal to refinance all three current loans. We are not extending the length of the loans, just decreasing the interest rate of each. By the time the process is complete, it will be after the next payment is made to BB&T.

First Bank is offering a 2.45% rate for the Woodland Circle Loan with 10-years remaining, 2.35% for the Village Green Loan for the remaining 5-years, and 2.35% for the Water Loan for the remaining 8-years. The refinancing is a lengthy process but moving forward. A public hearing will be required and she asked that one be scheduled for March 9, 2016. This must take place before submitting the application to the State Treasurers office who only meet once a month to review applications.

Mayor McCue asked if the public hearing was to discuss the intent to refinance. Frusco added that resolutions are being drafted and will be presented for approval at the next work session in advance of the public hearing. She further explained the process.

Council Boito asked what the savings would be with the lower interest rate. Frusco replied a rough estimate is \$67,000.

3. Budget Amendments

Council members previously passed a resolution to establish a minimum fund balance policy and discussed options for the excess funds over the minimum balance. One decision made was to take \$300,000 and put as a principle payment on the Woodland Circle loan. The first budget amendment is for the \$300,000. The second budget amendment is for the portion of the loan coming from the water fund due to the cost for laying water lines. The total payment will be just over \$320,000. Further discussion ensued on the creation of the fund balance policy.

- Budget Amendment #2016-02 General Fund
- Budget Amendment #2016-04

Mayor Pro Tem Frusco made a motion to adopt Budget Amendment #2016-02 and Budget Amendment #2016-03 seconded by Councilman Sedlak and carried unanimously.

- Budget Amendment #2016-04

Mayor Pro Tem Frusco reported the council has committed to continue supporting the pool and do what is necessary to get it open. A budget amendment for \$50,000 was recently approved for the re-plastering, painting and tiling of the pool. These repairs should last approximately 10 years. The repair work has begun but in the process of the preliminary work, it was found that behind the tile and under the coping, the brick and mortar was completely falling apart. The contractor had a plasterer look at the problem and said it would cost an additional \$23,000 to repair the pool.

Mayor Pro Tem Frusco made a motion to adopt Budget Amendment #2016-04 seconded by Councilman Boito.

Councilman Boito asked if it was possible to cut back on the \$50,000 put aside earlier, or is that the bare-minimum to do the repairs. Frusco replied the bare-minimum to do the work already in progress was \$50,000. There is not anything we can cut back on. Brief discussion continued.

The vote was called and carried unanimously. Budget Amendment #2016-04 was adopted.

B. Water Department – Jon Sedlak

Councilman Sedlak reported receiving a report on the elevated tank. Some work will need to be done on it and he would like to do some of the smaller items in the Spring. It will not impact us budget wise.

C. Streets and Park – Don Boito

1. Requests for Quotes - Landscaping

Councilman Boito reported that the quote packets for the landscaping contract will be ready in the next week. He asked if council would review the existing contract's scope of work and make additions to it if they have any.

2. Road Weight Limits

Councilman Boito reported council has discussed road weight limits at the last work session. He spoke with people at DOT, researched online and spoke to other municipalities about the criteria they use when putting in roads. They all referred him to the State's requirements. The Village recently had issues with logging trucks on N. Shamrock. He will ask that Turner Paving take a look at the area for any damage and then contact the owner of the property if necessary. Boito still cannot get a definitive answer on the 6 1/2 ton requirement and continues to search for an answer.

D. Mayor's Report

Mayor McCue plans to attend the Rural Transportation Advisory Committee meeting in Sanford during the day on February 11th and the Fire Commission meeting later that evening

10. Public Comment Period:

Brian Manley brought up the logging trucks weight issue. He said the heaviest part of the log rests behind the cab of the truck. The load is spread out on the trailer between axels.

Manley asked if there might be something more to pop-up at the pool requiring more money to be spent on repairs. Frusco replied there is no guarantee that something else wouldn't pop up.

No further comments

11. Old Business: None

12. New Business:

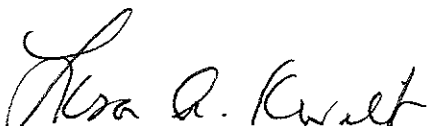
Mayor McCue reported that council received an ordinance amendment draft for discussion regarding the square footage requirements for residential buildings. This issue has been a topic of discussion since SB25 was passed. The Planning & Zoning Board looked at this and gave the council a recommendation to change RS20,30 and 40's square footage requirements. Mayor McCue took the recommendations and applied it to other zoning districts he thinks are in need of review. Square footage requirements are defined differently in several zoning districts. McCue elaborated on each and asked for some discussion on this so Planning & Zoning will have some direction on what to do. McCue added he would like to see something clearly written, simple and consistent for each of the zoning districts, and easily enforceable. McCue asked that council give some individual feedback so he could give some guidance to the Planning & Zoning Board. Extensive discussion ensued.

Mayor McCue reported that a second ordinance amendment draft in regards to sizes of accessory buildings was up for discussion. The current ordinance has several anomalies in it and McCue elaborated on each. He would like to see some consistencies in the ordinance. Extensive discussion ensued on the current ordinance and proposed changes.

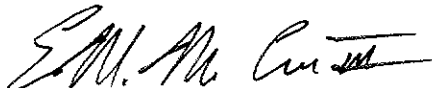
McCue will give the ordinance amendment drafts to the Planning & Zoning Board and ask that they make comments and recommendations to the council.

Mayor Pro Tem Frusco made a motion to adjourn seconded by Councilman Boito and carried unanimously. The meeting adjourned at 7:32 PM.

As so incorporated to these minutes of February 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.



Lisa A. Kivett, CMC, NCCMC
Village Clerk



E.M. McCue III
Mayor