

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Village Hall
January 12, 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, MaryAnne Lauer, 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.

Mayor McCue announced the Council Appointments which were made shortly after the December meeting. Vic Koos is now over Public Safety, Don Boito will oversee the Streets and Parks Department, Jon Sedlak will remain as Director of the Water Department and Mayor Pro Tem Frusco will remain as Finance Director.

5. Additions and Approval of Agenda

Mayor McCue added a Closed Session to discuss confidential communications from the Village attorney with respect to litigation strategy.

Mayor Pro Tem Frusco made a motion to adopt the agenda as amended seconded by Councilman Sedlak 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. December 8, 2015 Special Organizational Meeting
2. December 8, 2015 Regular Meeting/Public Hearing

End of Consent Agenda

Mayor Pro Tem Frusco made a motion to adopt the consent agenda seconded by Councilman Boito 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 December:

There are eight (8) homes beginning or currently under construction, seven are in the corporate limits and one in the ETJ. One set of Duplex units will begin construction within the month.

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

- One (1) Single Family Residence
- Two (2) Land Clearing Permits
- One (1) Burning Permit

Two (2) Certificate of Occupancy were issued for Single Family Residences. One (1) permit was denied for an accessory building due to setback encroachments. This particular building was under construction without a permit and a zoning violation was issued. The building will be removed.

9. Councilmember's Reports:

A. Finance – Leslie Frusco

1. Finance Report

Mayor Pro Tem Frusco reported the following as of December 31, 2015. The General Fund total balance is \$1,743,633 of which \$447,101 is restricted for the Capital Reserve Fund, the Debt Service Fund, the Stonehill Fund, and assigned funds for future debt service. The unrestricted balance is \$1,296,532. The Water Fund has a total balance of \$697,295, of which \$161,076 is restricted for a new well(s). The unrestricted balance is \$536,219. The annual bank loan payments have been made for both the Village Park and the Water Fund loan for wells and waterline project. Payments were made in July. The Woodland Circle loan payment of \$174,927 will be made in July.

The Village has collected 97% of the budgeted ad valorem taxes and has received the second and final payment of Powell Bill Funds.

Frusco asked to clarify a misconception in the community that payments on the Woodland Circle loan have been interest only. The Village has been making significant principal payments since 2012. Every year of the \$174,000, which will decrease yearly as the balance decreases, \$126,000 is principal. The Village has been diligent in paying off the loan in accordance with the terms of the loan.

B. Public Safety – Vic Koos

1. Operating Within the Budget

Councilman Koos reported the police department is on track with their budget and has spent approximately 50% of the budgeted amount.

The police department obtained three rifles and two bullet-proof vests at no cost. Officer Adams was able to procure a new radar system at no cost and by doing so, has assisted the department with staying within their budget.

Koos reported that K9 Bu was injured several months prior and taken out of service. Chief Shue rehabilitated the dog himself saving the Village from additional costs. Bu is now about 95% percent.

2. Part-time Officer

Koos reported that Jim Childers was hired to fill the part-time officer position. Officer Childers began his law enforcement career in 2010 working for Taylortown Police Department and most recently worked for the Vass Police Department. Officer Childers is currently in the field training process and will be on his own within a couple of weeks.

C. Water Department – Jon Sedlak

Councilman Sedlak reported the Village came in at nearly one-half million gallons less usage than the previous year.

Sedlak reiterated on the lead and copper testing issue two months prior where two vacant homes were included in the testing. These homes have copper piping and should not have been included in the testing. The Village is on the way to resolving this issue. Part of the process required by DENR is to check all the wells for lead and copper. The report came back and no detectable lead or copper is coming from the wells. To remediate the potential problem, the pH has been slightly increased to improve the corrosion resistance for houses that have copper pipes. Water coming from the wells to the system and onto the houses were tested for contamination and passed. All results so far suggest we have excellent water quality and we will re-do the lead and copper tests this month. Brief discussion ensued on the testing process.

1. Woodland Circle Property Surveyor Estimate

Councilman Sedlak provided the council with an estimate from a surveyor for the Woodland Circle property. The council will discuss the estimate at the January work session.

D. Streets and Park – Don Boito

1. Streets Update

Councilman Boito reported meeting with Evan McKinnon from the DOT to inspect the large hole at the intersecting corner of Foxfire and Tie Rd. Mr. McKinnon said that DOT would install additional signage around the area and may add some fill in the hole to prevent any further erosion.

A contractor has been contacted to quote a price for repair of the large pot hole on Sunset Drive. In the meantime, a fluorescent red circle was painted around the hole. Mayor Pro Tem Frusco suggested that a traffic cone be placed in the hole so no one would drive over it. Chief Shue would handle this.

2. Park Trails

Councilman Boito reported that a couple areas of the park trail were washed out due to the heavy rains. He is meeting with Gilbert Brown to review those areas.

E. Mayor's Report

1. County Commissioners Summit

Mayor McCue attended a portion of the County Commissioners Winter Summit. The commissioners received briefs from each County department and discussed the financials for the proposed sports complex in Aberdeen and the school construction issues.

2. FPOA Annual Meeting

Mayor McCue reported the FPOA Annual meeting is scheduled for January 19th. He will present a yearly report on Village activities.

The January work session will be full and include several major items. Frusco added that preliminary budget information will also be added to the agenda.

10. Public Comment Period:

MaryAnne Lauer asked where the new duplexes are being constructed. Clerk Kivett responded on Foxtail Lane.

Ms. Lauer asked if residents who asked for additional water testing lived in older homes. Sedlak responded, for the most part yes, with copper pipes.

Ms. Lauer asked if the plant identification signs at the park were still there. Boito responded he would look at the pricing for replacing signs.

11. Old Business: None

12. New Business: None

Mayor Pro Tem Frusco made a motion to go into Closed Session pursuant to G.S. 143-318.11 (a) (3) to discuss communications from our attorney regarding litigation strategy in order to preserve attorney-client privilege. The motion was seconded by Councilman Sedlak and carried unanimously. The council entered into Closed Session at 6:56 PM.

Mayor Pro Tem Frusco made a motion to return to the Regular Meeting seconded by Councilman Boito and carried unanimously.

Councilman Sedlak made a motion to adjourn seconded by Councilman Boito and carried unanimously. The meeting adjourned at 7:29 PM.

As so incorporated to these minutes of January 12, 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