

MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Village Hall
September 8, 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 Chad Shue-Police Chief, Greg Hankins-Seven Lakes Times, and Resident David Meldrum Jim Hathaway, and Mike Cole
- 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 Pro Tem Frusco added *Paving Contract Approval* and Councilman Kooos added *18th Fairway on the West Course on Hoffman Rd.* and Councilman Sedlak added *Water Report* to their respective reports.

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

6. Consent Agenda:

- A. Approval of Minutes
 1. August 11, 2015 Regular Meeting
 2. August 27, 2015 Work Session
- B. Re-appointments to Board of Adjustment
 - Dennis Micallef – 2 year term
 - Neil Tighe – 2 year term (ETJ)

End of Consent Agenda

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

7. Public Comment Period:
None

8. Zoning Administrator's Report – Lisa Kivett

Ms. Kivett reported the following zoning related issues for the month of August: There are currently 4 homes under construction with two of them located in the ETJ. One single family residence permit was approved for a home in the ETJ, and one single family residence application was denied due to not meeting the required minimum heated square footage on the first floor.

Twelve ordinance violation notices were mailed in August. Nine for health and sanitation and 3 for recreational equipment locations. A report of an RV Park located in the ETJ was investigated and confirmed to not be in operation.

A second ordinance violation letter regarding 2 pallets of bricks and debris was mailed to the property owner giving them until September 10th to clean up the property.

9. Councilmember's Reports:

A. Finance – Leslie Frusco

1. Finance Report

Mayor Pro Tem Frusco reported the following for the month of August. The general fund balance is \$1,304,648 which includes \$447,099 in restricted funds. The restricted funds include the debt service fund, capital reserve fund, and also the left over money from the Stonehill Pines fund. That leaves \$857,549 unrestricted general funds. The water fund balance is \$638,138. Of this amount \$161,076 is restricted for a new well(s) leaving a balance of \$477,062 in unrestricted cash. The total cash balance for the Village as of August 31, 2015 is \$1,942,786.

We've made the July payment from the general fund for the Village Park loan and out of the water fund for the restricted amount for a future well and some water lines on Richmond Rd. In addition, the Woodland Circle loan payment will be due in April of approximately \$175,000 split between the general fund and water fund.

Councilman Sedlak asked what the Stonehill Pines Fund money was paid to the Village for. Mayor Pro Tem Frusco replied it was essentially for using for future expenses such as legal and planning & zoning expenses. The only thing we have used the money for in the last couple of years has been for legal fees to re-write the Development Agreement Extensions.

2. Paving Contact

Mayor Pro Tem Frusco reported Councilman Koos solicited bids from a four paving contractors and gave them a deadline of September 8th to submit bids. Two bids were received, one from Raleigh Paving of \$49,093.30 and the other from Turner Asphalt of \$46,335.

Mayor Pro Tem Frusco made a motion to award the paving bid to Turner Asphalt in the amount of \$46,355 seconded by Councilman McCue and carried unanimously.

Mayor Pro Tem Frusco wanted to remind everyone that signed up to volunteer and anyone interested that the second Village Beautification Clean-Up day is scheduled for Friday, September 11, 2015. She asked those volunteering to meet up at 3:00 PM in the area of Foxfire Blvd. and Hoffman Rd. Those with pick-up trucks can dump in the same place as the last time. Hopefully this time it won't be as significant as the Spring event and should take less time. As of today, Appearance Committee Chair Jack Frusco reported that 20-25 volunteers have signed up.

B. Public Safety – Mick McCue

1. Fire Department Report

Councilman McCue yielded the floor to West End Fire Department Representatives Deputy Chief Eric Stromberg and Mike Cole who gave their perspective on what is going on with the Fire Commission.

Mr. Stromberg said that West End Fire Department Board member David Wilson attended a council work session to alert them to what the Fire Commission is planning to do. Mr. Stromberg gave a brief update on his background which included serving on the ESAC Committee, the predecessor to the Fire Commission.

The Fire Commission is still in the early stages of trying to identify what their actual plan will be. They meet regularly and Stromberg asked that the Village be involved as much as possible. WEFD's position is they do not want to see the level of service or the way they respond to calls diminished or lessened. They have worked very hard to obtain the level of service based on personnel and not equipment and have recently acquired three new vehicles so equipment is being brought up. He continued asking the council to be involved and listen because over the next couple of months the Commission will refine their recommendations to the Board of Commissioners. The biggest thing for Foxfire and the citizens is to tell the County Commissioners that you do not want to see any less service than what you currently get.

Mayor Durham responded that the council was surprised when Mr. Wilson showed up and shared this information. The Village knew during budget preparation that there were some financial challenges within the County Fire District budget. He asked that he or another liaison

from the fire department be actively involved with Councilman McCue and let us know of any critical meetings we should attend to be proactive instead of reactive.

Mr. Stromberg reported the next Fire Commission meeting is scheduled for Thursday evening, September 10th at 6:00 PM at the Rich Rhyme Public Safety building.

Mayor Pro Tem Frusco said she was concerned from a standpoint of finance plus service. Up until the County did a single rate, Foxfire was paying WEFD directly and receiving a level of service that matches the current level of service we have. The County increased our rate and at the same time they are looking at WEFD being the one to reduce the level of service. She feels this is a problem for the citizens that 2 years ago we were getting the same level of service and paying 6.9 mills, now paying 8 mills and now talking about paying more. Frusco said it's a real problem for the citizens in Foxfire who pay through their property tax a higher rate and now looking at potential reductions in service even though still paying the higher rate. Stromberg replied that the Commission is still working on the funding models and trying to help with asset management, lifecycle management to help departments that aren't necessarily "budget conscious". He elaborated on equipment costs and lifecycles. Discussion continued between the council and Mr. Stromberg on the funding models, level of service, etc.

Mayor Pro Tem Frusco said a lot of good points were made this evening and she suggested the Village be proactive because WEFD does not have any control over this. She suggested that a letter be drafted expressing our concerns to the Fire Commission and members of the County Commissioner.

C. Water Department – Jon Sedlak

Councilman Sedlak reported he would have an estimate for the town hall addition by the September 22nd work session

Councilman Sedlak spoke with Dave Rossman regarding the west side entrance of Foxfire Blvd to the Clubhouse. Neither one believes a Civil Engineer is needed and they can get some sort of rendition of how to redesign the road.

Councilman Sedlak asked that council be prepared to discuss the Forgiveness Policy at the work session. Suggested wording was emailed for review and he asked that any comments be emailed back prior to the work session. Sedlak also suggested that the current ordinance be amended to eliminate the section of leak forgiveness since it will now be a policy. Mayor Durham asked if the Village creates and administrative policy, would we have to do an ordinance amendment to retract the language within the ordinance. Clerk Lisa Kivett responded yes, an amendment would be needed and a public hearing is not necessary.

D. Streets and Park – Vic Koos

1. Streets Update

Councilman Koos thanked the council for approving the paving contract with Turner Asphalt. He will contact Turner for a start date and attempt to contact those residents affected

This contract will use most of the paving budget for the year. One more item that needs attention is the cement drain pipe under the road on Cardinal Drive. Tree roots under the road have grown through the pipe. Gilbert Brown has agreed to clean out the pipe for \$500. Discussion ensued on the process for removal and replacing of the pipe. Frusco asked who would repave the section of road. Koos responded that Mr. Brown would patch the area but if not good enough, have it repaved.

2. Park Update

Councilman Koos thanked everyone involved with Foxfire Days for the way the park was cleaned up. The only things left was the trash removal which Koos took to the landfill.

Councilman Koos reported the appearance committee has agreed to repaint the picnic shelters. The paint will need to be purchased. Frusco added the appearance committee will not be doing the painting themselves but will gather a group of volunteers to do the project.

3. 18th Fairway on the West Course on Hoffman Rd.

Councilman Koos reported that years ago the Village received permission from NCDOT to cut the grass on the side of the road including the 18th Fairway location. The problem is the trees dump excess amounts of pine straw making it difficult to mow. Koos has been removing the pinecones and dumping at the course dump area and removing the pine straw to allow the grass to grow and be mowed. He has been placing the excess straw in areas needing it and taking any remainder home to be placed in his personal yard. He suggested if anyone is interested in the excess pine straw to contact him and he would give them a load when available.

Mayor Durham asked for clarification that he was speaking about the area between Hoffman Rd. and the fence. Koos replied yes.

E. Mayor's Report – Steve Durham

1. PARTF Update

Mayor Durham reported having a conversation with a representative from PARTF regarding the 30-page grant application for the Village pool facility. The representative said the grant is a matching funds grant and that he is willing to come down and assist the Village with the application. Before we move forward with this, Mayor Durham asked for some direction from the council.

Frusco commented that we are not committed to taking on debt unless we are awarded the grant. At that point and time we have the option of saying we may not be able to. She doesn't feel she can give an answer until we know what kind of debt we are talking about. Councilman Sedlak suggested applying for two grants, one for the pool house and the other for the pool. Mayor Durham said he was not willing to put in a year of work to write a grant for the council to say it cannot take on \$500,000 in debt. Frusco asked if it's possible to delay the decision until further discussion at the work session. Durham added he was asking for the council's sense, if we come up with a reasonably good proposal and design, cost calculations, whether or not we could come up with the matching dollars, and then go forward. Discussion ensued on the possible costs of renovating the pool, constructing a pool and pool house and the A.D.A. compliance requirements. Mayor Durham asked Clerk Kivett to investigate other newly constructed municipal pools in the area for a ballpark figure on costs. Frusco replied that the previous PARTF grants had some cost estimates already in place and could be used again with added inflation. This item will be further discussed at the September 22nd work session.

10. Public Comment Period:

David Meldrum commented that he was interested in obtaining pine straw and willing to help Councilman Koos load it.

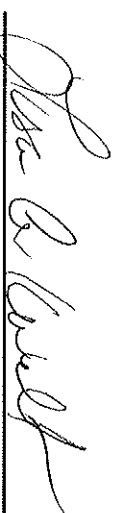
11. Old Business: None

12. New Business: None

13. Adjournment:

Mayor Pro Tem Frusco made a motion to adjourn seconded by Councilman McCue and carried unanimously. The meeting adjourned at 7:35PM.

As so incorporated to these minutes of September 8, 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