

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING/PUBLIC HEARING
Foxfire Village Hall
September 10, 2013 – 7:00 PM**

1. **Call to Order:** Mayor Erickson called the meeting to order at 7:00 PM.
2. **Members Present:** Councilman Steve Durham, Councilwoman Vic Koos, and Councilman Mick McCue
3. **Members Absent:** Councilwoman Leslie Frusco
4. **Others Present:** Lisa Kivett-Village Clerk, Sharon Sanchez-Deputy Finance Officer, and Village residents David Meldrum and MaryAnne Lauer
5. **Moment of Silence:** Mayor Erickson requested those present to pause for a moment of silence. This was followed by the pledge of allegiance to the United States Flag.
6. **Public Hearing – Reduce Membership of Board of Adjustment**

Councilman McCue made a motion to open the public hearing seconded by Councilman Durham and carried unanimously.

Mayor Erickson gave a brief background on the proposed change. The option of combining the Planning & Zoning Board with the Board of Adjustment was discussed with the Village Attorney who drafted the ordinance language and also at the last council work session.

Mayor Erickson and Councilwoman Frusco met with the P&Z Board to discuss this option with them. Out of that discussion it was determined to reduce the number of members and keep the boards separate rather to combine them. This public hearing is to answer any questions or comments from the council members.

Councilman McCue commented that throughout the ordinance he recommends that Board of Adjustment, Village Clerk, and Zoning Administrator all be capitalized and a couple other reference or spelling corrections be made. He also suggested adding to Section A. (2) the following: *An alternate board member may be appointed by the council to serve in the absence or unavailability of a member. Alternate member may be appointed to a three-year term.* There were no further comments.

Councilman McCue made a motion to approve changes and additions made to the ordinance draft seconded by Councilman Koos and carried unanimously.

Councilman McCue made a motion to close the public hearing seconded by Councilman Koos and carried unanimously.

7. Adoption of Ordinance #2013-11

Councilman McCue made a motion to adopt Ordinance #2013-11 as previously amended seconded by Councilman Koos and carried unanimously.

- 8. Public Comment Period:**
None

9. Additional Agenda Items:

Councilman Koos added *Lot Appearance* and *Abandoned Dogs* to his report. Mayor Erickson added *Board Appointments to the Board of Adjustment* to his report.

Councilman Durham made a motion to adopt the agenda as amended seconded by Councilman McCue and carried unanimously.

10. Approval of Minutes:

- August 13, 2013 – Regular Meeting

- August 29, 2013 – Work Session

Councilman McCue made a motion to adopt the minutes as written seconded by Councilman Koos and carried unanimously.

11. Councilmember's Reports:

A. Councilwoman Frusco (Sharon Sanchez)

- Financial Report

Deputy Finance Officer Sharon Sanchez reported for Councilwoman Frusco who was not in attendance. She reported the cash balances as of August 31, 2013. The restricted general fund balance is \$181,698.47 which includes Stonehill of \$20,630, the Capital Reserve of \$125,149 and assigned funds for future debt of \$35,928. The unrestricted general fund balance is \$730,252. The total general fund balance of both restricted and unrestricted is \$911,961.14.

The water fund restricted fund balance in the BB&T Escrow for future wells is \$135,886.20. The unrestricted water fund balance is \$312,910.39. Total cash balance is \$1,360,757.73.

The annual bank loans from the general fund of \$25,418 and from the water fund for wells of \$28,792.43 are due in July 2014. The Woodland Circle loan payment from the general fund is \$168,514 and from the water fund is \$14,483, both due in April 2014. Payments are for principal and interest.

B. Water Department - Councilman Durham

Councilman Durham reported that Jon Sedlak has begun to flush dead ends of water lines. In the process we encounter problems from time to time as we did a few weeks prior. There were difficulties with the shut-off valves which caused us to be down on Pine Ct. and that area. The east-side is done and the west-side has some dead ends yet to be flushed. Jon hopes to finish by the end of September or early October.

He spoke with Jon about flushing the entire system which has not been done while he has been employed. They may look into doing that sometime during the winter months. It may cost a little money and require some additional manpower but is something the Village should seriously consider. It should be done on a yearly basis.

Councilman Durham reported that Lisa Kivett will email council members a copy of the current Water Superintendent's job description. It is in the process of updating and will be discussed further in a work session.

Mayor Erickson commented that Councilman Durham prepared an update on where the Village stands with the water system. This information will be on the Village website and will be sent out via email through Pat Ogren.

C. Public Safety – Councilman McCue

Councilman McCue reported that a Realtor's Breakfast and Golf Outing has been arranged with Brown Golf Management for October 10, 2013. Real estate agents will be invited to a breakfast and short informational presentation from the Village and then to play a day of golf hopefully with members of the club and residents of Foxfire Village. The purpose of this function is to tell realtors how great Foxfire Village is. Letters will be mailed to realtors in Moore County and will be asked the RSVP to Lisa Kivett by September 27, 2013.

D. Streets – Councilman Koos

- Lot Appearance

Councilman Koos reported he was contacted by a number of residents about the appearance of certain lots within the Village. He told each that the Village has an ordinance dealing with unkempt lots and asked that they file a complaint but none wanted to file one. He added in most cases the Village's hands are tied unless it is really out of control.

Some of the people want to get a committee together to clean up the lots themselves. His concern is if the council approves something like that there could be liability or trespassing issues.

Mayor Erickson said he vaguely remembered dealing with this issue in the past. The Village contacted the NCLM and were told the Village is not protected in this type of situation. Discussion continues on enforcing the ordinance, vacant undeveloped lots and sending of letters and notices of violations to property owners. This issue will be further discussed at the September 26th work session.

- **Abandoned Dogs**

Councilman Koos reported that there has been a couple of occurrences with abandoned dogs which ended up on his door step. He took one to animal control which was put down due to a skin problem. The second dog was contained in the yard waste facility overnight but was picked up by someone who takes animals temporarily until they can find a home for them. Councilman Koos asked if anyone finds an abandoned dog to contact him and he will contact the person who took the second dog.

- **Mowing Season**

Councilman Koos reported the mowing season is about over. Mayor Erickson asked if Councilman Koos was working with Gilbert Brown on some other projects during this time. He replied yes and received an estimate for one project which is in his budget and would like to proceed.

E. Mayor Erickson

- **Board of Adjustment Appointments**

Mayor Erickson reported that council members received information on those who have applied to serve on the newly formed board. He asked that the following be appointed to serve.

John Walburgh	One-year Term
William Kirk	Three-year Term
Brian Manley	Three-year Term
Dennis Micallef	Two-year Term
Helen Kirk	Three-year Term as an alternate

Councilman Durham made a motion to adopt all slated members to the Board of Adjustment seconded by Councilman McCue and carried unanimously.

Mayor Erickson added he is still waiting for a response from two people that he contacted to serve as an extraterritorial member. The Moore County Board of Commissioners will need to appoint the ETJ member at a meeting of their board.

12. Old Business

None

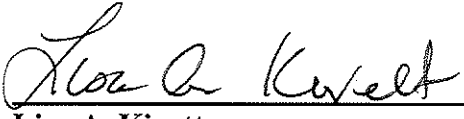
13. New Business

None

14. Adjournment:

Councilman Koos made a motion to adjourn seconded by Councilman McCue and carried unanimously. The meeting adjourned at 7:45 PM.

As so incorporated to these minutes of September 10, 2013, 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
Village Clerk



George Erickson
Mayor