

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING / PUBLIC HEARING
Foxfire Village Hall
October 9, 2012 - 7:00 PM**

1. Call to Order: Mayor Erickson

2. Members Present: Councilman Steve Durham, Councilwoman Leslie Frusco, Councilman Vic Koos and Councilman Mick McCue

3. Others Present: Lisa Kivett – Village Clerk, Sharon Sanchez – Deputy Finance Officer, Laura Douglas-Seven Lakes Times, and resident Brian Manley

4. 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.

5. Public Hearing – Amendment to Zoning Ordinance to Allow Temporary Maintenance Facilities - #2012-12

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

Village resident Brian Manley said he had questions about a permanent structure, not the temporary one. Mayor Erickson replied that this ordinance only deals with the temporary building and allows the petitioner, Brown Golf Management up to thirty six months to complete a permanent facility which they will have to submit plans for and the appearance committee will have to review. He added that the petitioner spoke to the council at the last worksession and said they have a few possible locations for the permanent “state of the art” structure. There were no further comments.

Councilwoman Frusco made a motion to close the public hearing seconded by Councilman Durham and carried unanimously.

Councilman McCue made a motion to dispense with the reading of the ordinance seconded by Councilman Durham and carried unanimously.

Councilwoman Frusco made a motion to adopt Ordinance #2012-12 seconded by Councilman Durham.

Councilman McCue and Councilwoman Frusco both commented that they support this amendment and elaborated on their reasons.

The vote was called and carried unanimously.

6. Public Comments:

Village resident Brian Manley said he read a recent article where the Town of Carthage is prohibiting *Internet Sweepstake Cafés* within the corporate limits of Carthage. He is concerned that with the Foxfire General Store being up for sale, it might be used to open such an establishment. He asked that the Village consider the same restrictions in Foxfire.

7. Additional Agenda Items:

Mayor Erickson added *Record Retention* to his report.

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

8. Approval of Minutes:

A. September 11, 2012 – Regular Meeting

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

9. Resolution #R12-11 – Authorizing the Sale of Two Lots

Mayor Erickson reported that a bid was submitted to purchase two lots the Village owns located on Woodland Circle in the amount of \$18,000 per lot. The bid was advertised for upset bid and none were received. He asked that a resolution authorizing the sale be adopted by the council.

Councilwoman Frusco made a motion to dispense with the reading of the resolution seconded by Councilman McCue and carried unanimously.

Councilwoman Frusco made a motion to adopt Resolution #R12-11 seconded by Councilman Durham.

Mayor Erickson added that the lots being sold were at one time a well site that was closed due to low water production.

Councilman Durham questioned what fund the proceeds will go to. Councilwoman Frusco replied that proceeds will go to the water fund.

The vote was called and carried unanimously.

10. Long Range Planning Report:

Councilman McCue reported the committee continues to work on the water study and is looking at various options for the water department to consider. A resident contacted Councilman McCue and questioned why the Village was “selling” the water department. Councilman McCue said that is not what the Village is doing and the council has not even taken this issue up and will not for some time.

In addition, they continue to work on the tri-fold brochure draft that will be presented to the council very soon.

11. Council Member’s Reports:

A. Finance – Councilwoman Frusco

1. Financial Report

Councilwoman Frusco reported as of September 30th, the general fund balance is just under \$900,000 with \$778,837 in unrestricted funds. The balance of just over \$100,000 is in a capital reserve fund and \$21,000 in the Stonehill fund which are both restricted. The water fund balance is \$253,715 and is all unrestricted. The Village has \$135,730 in an escrow account which is restricted for a new well if needed. The total cash balance is \$1,289,379.

The annual loan payments were made in July for both the general fund loan for the Village Green Park and the water fund loan for wells and water lines. The next loan payment for the Woodland Circle loan and is April 2013. The total amount of the payment will be made from both the general and water fund.

Thirty eight percent of budgeted ad valorem taxes have been collected so far. In September, the Village received the first payment on the Powell Bill fund in the amount of \$20,153.

Councilwoman Frusco reminded the council that each month they receive a Budget vs. Actual for their respective department and asked that they each department be monitored.

2. Pool Season Report

Councilwoman Frusco presented a pool season report encompassing the past four pool seasons. Each season is partly in one budget year and partly in. The information was consolidated to give an idea of where we are.

Pool revenue was up a very small amount from 2012. Fees and season membership rates were not raised. Payroll expenses were down due to the pool being shut down more days this

year due to weather. Operating expenses were up and the largest increase was in the purchase of various non capital assets such as security cameras for the pool facility, a new pool cleaner, umbrellas and chairs. She asked that the council review the report and contact her if there are any questions.

Councilwoman Frusco thanked Village Clerk Lisa Kivett for the work she puts into preparing the pool for opening and running the facility for the season.

B. Water – Councilman Durham:

Councilman Durham gave an update on the water line extension in Grande Pines. The developer has started the extension and is half way complete. There are meter boxes on the line to three properties that will be serviced from that line once they are annexed into the Village.

C. Streets – Councilman Koos:

1. Streets

Councilman Koos reported that the crack sealing project started by previous Councilmember John Eltschlager will continue.

Some of the road edges are beginning to crack. Councilman Koos is speaking with someone about repairing the damaged areas by extending blacktop an additional foot. He asked that a quote for repairs be given.

Councilman Koos has followed up with several complaints on drainage problems. In visiting some of the problem locations, he noticed a build up of pinestraw in ditches near drains in front of the house. The Village easement is 30' from the center of the road to the property line and these drainage issues surpass this area. Many residents have extended their lots with pinestraw out to the street and this is what is causing the build up of water.

2. Street Signs

Councilman Koos reported that the green street name sign located on N. Shamrock has one of the paddles completely torn from the post and a sign on S. Shamrock has a paddle that is bent 60 degrees. The cost for a new paddle is approximately \$278 plus installation. The one on N. Shamrock can be reinstalled by a slightly different method. The paddle on S. Shamrock will need to be remade. He knows of someone that can make a similar sign paddle for about half the price.

3. Park Trail Signs and Shelter Painting

Councilman Koos received a quote of \$150 to repair the park trail signs that were damaged by woodpeckers. New signs will be the same shape but will be made of metal.

Weather permitting Councilman Koos said he will clean and repaint the facing of the park shelters. He plans to use left over paint but may need to purchase additional to complete the job.

Councilman Koos reported that Gilbert Brown will give a quote to seal the cracks and holes on Woodland Circle. He also reported that Mr. Brown has finished the demolition of the tennis courts and putting down the pinestraw. Mr. Brown used some of the dirt from the tennis court area to create a berm on the Hoffman Rd., S. Shamrock entrance.

D. Public Safety – Councilman McCue:

1. Trunk or Treat

Councilman McCue reported that the Trunk or Treat will be held at the Village Green Park on October 31, 2012 from 5:00 to 6:30PM. There will be a costume contest beginning at 5:30PM. He asked that residents bring their cars and golf carts decorated if possible to distribute candy. The Trunk or Treat is sponsored by the Foxfire Property Owners Association.

2. Disposition of Excess Police Vehicle

Councilman McCue reported that the West End Fire Department has expressed interest in obtaining the excess police vehicle once the Village receives their new vehicle. The Fire

Department plans to keep the vehicle within the Village, outfit it and use it for answering medical calls. This would be more cost effective for them than using a fire truck. Councilwoman Frusco and Councilman Durham both commented that this would be beneficial to both the Village and the Fire Department. A resolution will be prepared for the next meeting to transfer the vehicle to the Fire Department.

3. Planning & Zoning Board Restructuring

Councilman McCue reported that he would like to see the current Village ordinance requirement of nine members on the Planning & Zoning Board be changed to "from three to five members". It has been difficult to meet the nine person requirement and we recently lost the Chair of the committee. If we went down to three people, and possibly four or five, we would only need one ETJ member.

Councilwoman Frusco commented that Village ordinances stipulate that the ETJ members are proportionate to the residents based on the Census. She added that the General Statutes do not require that we have ETJ members. Discussion continued.

Councilwoman Frusco added that if we amend the ordinances to change the number or composition of the board, we should look at figuring out a better way to come up with the composition of residents vs. ETJ. Mayor Erickson suggested that this be forwarded to Mike Brough. Councilman McCue said he will continue researching and working with the Clerk and Village Attorney on this.

E. Mayor's Report:

1. Triangle J Manager's Meeting

Mayor Erickson reported that sixteen units throughout the state were asked to develop an economic plan under the headline "North Carolina Tomorrow". Each received an update of where they are and the final report from the Triangle J Region will be complete by January.

2. Proclamation – Day of the Girl

This proclamation was an outgrowth from the Triangle J where we were dealing with issues like trafficking and things of that nature that are happening within suburban areas and in rural areas of North Carolina. Out of that came a more positive approach resulting in the "Day of the Girl". Mayor Erickson read aloud the proclamation and said even though he can just make the proclamation, he asked that the council support the proclamation and vote to adopt it.

Mayor Erickson made a motion to adopt the Proclamation seconded by Councilwoman Frusco and carried unanimously.

3. Records Retention Schedule - Resolution #R12-12

Mayor Erickson reported that The NC Department of Cultural Resources has updated the Municipal Records and Retention Schedule. The last time this schedule was updated was 2009. They have asked that each municipality adopt a resolution supporting this schedule. Mayor Erickson read aloud the resolution.

Councilwoman Frusco made a motion to adopt Resolution #R12-12 seconded by Councilman McCue and carried unanimously.

12. Old Business:

A. Resolution #R12-10 – Moore County Solid Waste Management Plan

Councilman McCue made a motion to remove Resolution #R12-10 from the table seconded by Councilwoman Frusco and carried unanimously.

Councilman Durham made a motion to adopt Resolution #R12-10 seconded by Councilwoman Frusco and carried unanimously.

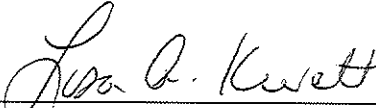
13. New Business:

Councilman McCue reiterated the earlier comment from Brian Manley regarding the internet sweepstakes cafés. He said this is a time sensitive issue and requested that it be forwarded to attorney Mike Brough for action.

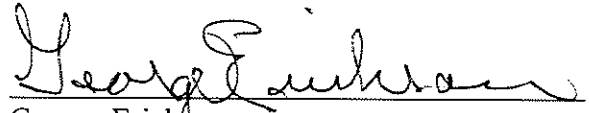
14. Adjournment:

Councilman McCue made a motion to adjourn seconded by Councilwoman Frusco and carried unanimously. The meeting adjourned at 8:00 PM.

As so incorporated to these minutes of October 9, 2012, 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