

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Village Hall
May 13, 2014 – 7:00 PM**

1. **Call to Order:** Mayor George Erickson called the meeting to order at 7:05 PM.
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, Ellen Marcus - Seven Lakes Times, MaryAnne Lauer, and Jim Hathaway
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. **Additions and Approval of Agenda**

Councilman McCue made a motion to adopt the agenda as written seconded by Councilwoman Frusco and carried unanimously.

6. Consent Agenda:

- A. Approval of Minutes
 - April 8, 2014 Regular Meeting/Public Hearing
 - April 24, 2014 Work Session
- B. Resolution #R14-02 Consent to Transfer Control (Time Warner-Comcast)
- C. Budget Amendment #2014-12 - \$600 General Fund
- D. Schedule Public Hearing for June 10, 2014 to Consider an Amendment to the Village Zoning Ordinance Provisions Relating to Animals
 - Re-appointment to Appearance Committee - Jack Frusco – 4 yr. term (expires May 2018)

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

7. Public Comment Period:

MaryAnne Lauer thanked the residents who volunteer their time to sit on the various boards and committees in Foxfire Village.

8. Councilmember's Reports:

A. Finance – Councilwoman Frusco

1. Finance Report

Councilwoman Frusco reported an unrestricted general fund balance of \$975,816 and restricted funds of \$281,272. Restricted funds consist of the Stonehill, capital reserve, debt service fund and an assigned fund for future debt service. The water fund has a balance of all unrestricted funds in the amount of \$384,524. The Village continues to hold in a BB&T Escrow account \$135,998 which is restricted for a new well. The total cash balances of both restricted and unrestricted funds is \$1,777,610.

Two bank loans are due in the next budget year, one for the Village park in the amount \$25,418 and the other for the water fund loan for \$28,792. The next payment on the Woodland Circle loan is due in April 2015 in the amount of \$179,000 divided between the general and water fund.

Councilwoman Frusco reminded council members that the citizen participation meeting is scheduled for 6:30 PM on May 15th at the Village Hall. She asked that council members bring the packets they received at the previous meeting.

Village Clerk Lisa Kivett added that a CodeRed message would be sent out on May 14th to remind residents of this meeting.

B. Public Safety – Councilman McCue

1. Open Burning

Councilman McCue said that a resident approached the Village requesting to burn in the Village limits. The Village has had an informal policy to not allow burning because we have a yard waste facility available for the residents. He said the council needs to decide if we want to allow burning in the incorporated areas of the Village or reserve that for outside the Village only. He suggested that council further discuss this at the next work session and presented a draft ordinance regarding open burning and a draft permit to members of the council for their review. He elaborated on the proposed ordinance and permit drafts.

Councilwoman Frusco added there was great discussion on this subject about six years ago. She would like to go back and review the minutes from the discussion. Councilman McCue would also like to review any previous minutes.

C. Water Department – Councilman Durham

1. Ordinance #2014-08 (Amending Chapter 35 (Utilities) Section 35-13 (e) of the Village Code)

Councilman Durham asked the council to consider amending Chapter 35 of the Village Code or otherwise known as the “forgiveness policy” for qualified leaks. He would like to add the language “in the event the usage exceeds 70,000 gallons, the user will be billed at the current estimated cost of water for 1,000 gallons in Foxfire Village”.

Without this language the forgiveness policy requires us to charge \$6.50 for every 1,000 gallons. With this proposed change, that language hold true up to the 70,000 and then beyond that it converts to a much lower figure which is the estimated cost of water per 1,000 gallons in the Village. The actual cost is estimated by using the cost of chemical, utilities, and the water superintendent’s salary as a direct cost.

He feels the forgiveness policy should be more forgiving. The policy is a one-time event and should give a little more consideration to the resident.

Over the past few months, there were a couple of significant leaks. One particular leak totaled well over 100,000 gallons and the bill was almost \$2,000. With the current forgiveness policy the bill was still over \$1,000. This resident was on vacation when the leak happened and they had a broken supply line from the meter to the house and no one was checking the property while the resident was away.

Councilwoman Frusco asked where the figure of 70,000 came from. Councilman Durham said it was arbitrary and could be less or more. By looking at some of the major leaks, the big ones seemed to exceed 70,000. Discussion continued on the 70,000 amount.

Council will further discuss the ordinance amendment at the next work session.

2. Proposed Changes to the Water Rate Schedule

Councilman Durham gave council members a packet of information to review regarding proposed changes to the water rate schedule.

This issue was prompted by the Long Range Planning committee’s research. They found that several people felt the water rates were very fair at the lower and middle end but at the higher end they indicated they were high. That along with the other discussion of creating a

greater curb appeal in the Village and encouraging people to take better care of their landscapes he began to think if there was a way the council could look at the water rate schedule to entice people to spend more in water to keep landscaping up to standards.

The General Assembly passed legislation in 2008 saying that in order to be eligible for funding in terms of water resources, the municipality or utility needed to make sure the rate structure implemented did not get residential water customers lower prices per unit as water prices increase. This is what we currently have in Foxfire and he is not advocating that we change that but it is not necessarily consistent throughout the State.

The packet given to council is 2012 data provided by the Environmental Finance Center at the School of Government. This information being a couple of years old is still relevant in terms of basic concepts.

Councilman Durham displayed the information about rate structures in NC on the projector screen and elaborated on each slide. He asked that council members review the information and analysis tool. Discussion continued.

Councilman Durham said he would continue to look at the rate schedule and bring council other things for consideration in the future.

The council members thanked Councilman Durham for the tremendous amount of information that he provided.

D. Streets & Park – Councilman Koos

1. Reynview Vista

Councilman Koos reported that the contractor promised they would complete the entrance to Reynview Vista two weeks ago but they have yet to do the work. He is considering using a different contractor to complete the work.

2. Foxfire Road

Councilman Koos reported there have been some complaints about the condition of the shoulders of the road and trash along Foxfire Rd. He wanted to clarify that the Village is not responsible for Foxfire Road after the Village limits which is well before the church property on the left leaving the Village. The State DOT is responsible for this.

The entrance curbing off Linden Road coming to Foxfire Village was damaged. He spoke to DOT and they are repairing the area. Once again, the Village is not responsible for this, the DOT is.

3. New Speed Limit Signs

New 25 MPH speed limit signs were purchased to be placed before and after the dam on North Shamrock. Councilman Koos will do the installation.

The small logo signs in front of the police department and on the east side entrance will be replaced. We are dealing with two contractors and waiting on prices.

9. Public Comment Period (Comments on Council Member Reports Only):

MaryAnne Lauer commented that the person with the large water bill due to a leak should have requested the water be turned off while they were away. She also commented on the proposed water rate structure.

10. Old Business:

Councilwoman Frusco commented that the remaining Foxtail foundations were removed and the area was filled with dirt and reseeded with grass.

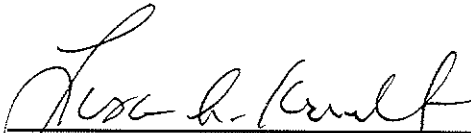
11. New Business:

None

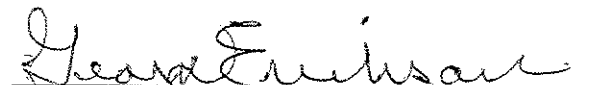
12. Adjournment:

Councilman McCue made a motion to adjourn seconded by Councilwoman Frusco and carried unanimously. The meeting adjourned at 8:03 PM.

As so incorporated to these minutes of May 13, 2014, 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
Village Clerk



George Erickson
Mayor