

**MINUTES  
FOXFIRE VILLAGE COUNCIL  
REGULAR MEETING  
Foxfire Village Hall  
October 14, 2014 – 7:00 PM**

1. **Call to Order:** Mayor Steve Durham called the meeting to order at 7:00 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, Ellen Markus - Seven Lakes Times, Mary Gilroy and MaryAnne Lauer
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 Durham asked that the council enter into a Closed Session at the end of the regular meeting agenda, to discuss a personnel issue pursuant to NCGS 143-318.11(a)(6).

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

6. **Consent Agenda:**
  - A. Approval of Minutes
    - September 9, 2014 Regular Meeting/Public Hearing
    - September 18, 2014 Special Work Session
  - B. Acceptance of Planning & Zoning Board Recommendation to add “solar generation facility, utility scale” as a use permitted with conditions in Residential Agricultural (RA) Zoning District
  - C. Call Public Hearing for November 11, 2014
  - D. Resolution #R14-06 – Opposing the Proposed Changes to the Rule Defining “Waters of the U.S.”

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

**7. Public Comment Period:**

MaryAnne Lauer expressed her support for allowing groups such as the Bridge Club continue to use the Village Hall for their weekly meetings. Mayor Durham responded that there are some logistical issues with the room but the council has decided to allow some groups to use the room. Issues with keys are still being addressed.

**8. Ordinance #2014-21 – Amending Chapter 14, Article I, Section 14-1 of the Village Code Relating to Fire Prevention and Protection**

**Councilman McCue made a motion to dispense with the reading of the ordinance seconded by Mayor Pro Tem Frusco and carried unanimously.**

Councilman McCue pointed out a couple of grammatical errors within the ordinance and recommended changes to the numbering system of the ordinance so it will consistent with the existing code. Discussion continued on the substantive changes to the numbering of the ordinance. He asked that the ordinance be adopted with the changes to the numbering.

**Mayor Pro Tem Frusco made a motion to adopt Ordinance #2014-21 as amended seconded by Councilman McCue and carried unanimously.**

## **9. Planning & Zoning Board Report – Mary Gilroy**

### **No Report**

## **10. Councilmember's Reports:**

### **A. Finance – Leslie Frusco**

#### **1. Finance Report**

Mayor Pro Tem Frusco reported cash balances as of September 30, 2014. The general fund total balance is \$1,251,404. Of this amount \$397,300 is restricted for the capital reserve fund, the future debt service fund, and Stonehill Pines. The unrestricted balance is \$854,104. The water fund is all unrestricted cash of \$425,276.

As previously reported, the Village has been in discussion with BB&T regarding the escrow account. We are awaiting a check from them which will come back to the Village however the caveat is we will be accounting for it in a restricted fund. Since this is part of the loan balance, the remaining amount must be used for a new well. Instead of the cash balance saying we have a BB&T escrow account, it will now show we have an internal escrow account. Councilman Sedlak commented if we are going to have restrictions for a new well, the restrictions should be for the cost of the well. He suggested adding more to the amount currently restricted. Mayor Pro Tem Frusco replied we could do that but it would take a budget amendment.

The auditor has finished with field work at this time and draft copies of the audit report are being reviewed line item by line item. Once corrections are made and given back to the auditor, a complete report will be presented to the council.

#### **2. 2014 Pool Season Financials**

Mayor Pro Tem Frusco gave a report on the pool facility financials which actually spans two budget years. This report is a breakdown of the past six years. She asked that council further discuss the pool facility at their next work session.

There were 136 season passes issued and of those 15 were individual passes and the remaining 121 were family passes. Eighty-five of the 10-visit punch cards were purchased and 935 daily admissions were charged.

She asked that council look at the report in detail especially pool repairs. Frusco said that last season we talked about keeping water in the pool during close-down and budgeted accordingly to do so. It was hoped that by keeping water in the pool and chemicals in the water it would help with saving money on opening. The maintenance company has informed us that the pool will need to be repainted next year so there is no point in keeping water and paying for chemicals during the winter. At best, we can expect about \$10,000 in repairs before we can open next year. The pool will need to be addressed in many respects during budget season.

### **B. Public Safety – Mick McCue**

#### **1. Moore County Transportation Committee**

Councilman McCue reported the committee voted to approve plans for a central park bicycle plan which includes Davidson, Randolph, Rowan, Stanley, Anson, Richmond, Montgomery and Moore Counties. They are improving and creating on existing roadways with existing bicycle paths as bike routes four large loops that will encourage biking. The plan that includes Moore County is a 155 loop from Seagrove to Hamlet and up to Aberdeen and Southern Pines and back up to Seagrove through Carthage. There are a lot of bicycle tourists not only from the state but from across and outside of the country.

There was also a brief mention about the improvements to US 1 and the Western Connector. Councilman McCue will continue attending those meetings and update the Village.

## 2. Regional Hazard Mitigation Plan

Councilman McCue reported attending a few meetings with Regional Hazard Mitigation Committee for Moore County. The counties of Lee, Hoke, Chatham, Johnston and Moore have combined to make a new hazard mitigation plan. The municipalities within those counties can also participate and that is what the Village is doing. By doing so, we do not have to make a separate plan and can adopt their plan once approved by FEMA. The benefit to the Village is if there is a disaster, we have a plan in place and can receive federal money.

Councilman McCue announced that the FPOA will once again sponsor a Halloween Trunk or Treat at the Village Green Park on Halloween rain or shine. The function will be from 6:00 to 7:30 and prizes will be awarded for best decorated golf cart, trunk, and for the best costume in three different age groups. This information will also be on the Village website.

### **C. Water Department – Jon Sedlak**

#### 1. Water Report

Councilman Sedlak reported several miscellaneous items.

A test well on the Woodland Circle property was unsuccessful. One test only produced 12 gallons per minute. According to the well driller, he does not believe the area is a good place to drill. The best alternative for a new well is on the Hoffman Rd. corridor.

Councilman Sedlak continues working on a Cross Connection Control Program and asked that it be placed again on the council work session agenda. This program is required and falls under the NCDENR requirements.

A recent leak in Grande Pines revealed a busted valve encased in concrete. The concrete will need removed and water will have to be shut off during repairs. He suggested a CodeRed message be sent to affected residents when the repairs are made.

Water production is up quite a bit. Councilman Sedlak is tracking production against rainfall and things are not lining up clearly since May of this year. He asked that Lisa Kivett provide him with usage numbers for the year through September to compare with production.

### **D. Streets and Park – Vic Koos**

#### 1. Hoffman Rd. Tree

Councilman Koos reported a large dead tree on a vacant lot on Hoffman Rd. just beyond Foxfire Blvd. appears to be rotten. The tree is out of the Village's easement and is a hazard if it were to fall. Councilman Koos spoke to Gilbert Brown about removing it however Mr. Brown does not have the proper equipment to properly remove the tree. He suggested the Village attempt to contact the property owner to have it removed. Mayor Durham suggested contacting the DOT.

#### 2. East Side Entrance

Councilman Koos reported being contacted by several folks regarding the appearance of the East side entrance. There is a large Bradford Pear tree at the entrance that is in bad shape and in need of pruning or removal. If the tree is pruned, it will rejuvenate branches very quickly. After brief discussion, it was decided to leave the tree as is.

#### 3. Foxfire Boulevard

Councilman Koos said a large ditch at the edge of the blacktop on Foxfire Blvd. was repaired. Property owners of condos in the area expressed concern about the ditch and said some tires have been damaged.

#### 4. Park Entrance Sing

Councilman Koos reported that wood peckers have destroyed some of the signs in the park. The signs are made out of a resin type material and not wood. Officer Patterson made new signs from metal and they have been installed. The large park entrance sign is now starting to be pecked by the birds. Councilman Koos suggested the council discuss this issue at the next work session and find a way to cover or protect the sign before further damage is made.

#### E. Mayors Report – Steve Durham

##### 1. Community Pool

Mayor Durham reported that Mayor Pro Tem Frusco is the liaison from the council for the pool and she will report to them any issues they need to be aware of over the course of the year.

##### 2. Personnel Manual

Mayor Durham said it would behoove the Village to have a well-articulated personnel manual. Fellow council members were asked to review job descriptions in their departments.

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

MaryAnne Lauer suggested that the large Bradford tree at the East side entrance be removed. She said they are cheap trees and they grow fast but can be dangerous in a storm.

#### 12. Old Business:

None

#### 13. New Business:

Mayor Durham was approached by a local realtor about the Village considering the purchase of property for sale where the Village Administration office is located. Mayor Durham asked that this issue be discussed at the next Council Work Session.

#### 14. Closed Session

Mayor Pro Tem Frusco made a motion to enter into Closed Session Pursuant to NCGS 143-318.11(a)(6) to Discuss a Personnel Matter seconded by Councilman McCue and carried unanimously.

The council entered Closed Session at 8:10 PM.

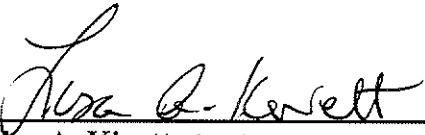
Councilman McCue made a motion to close the Closed Session and Return to the Regular Meeting seconded by Mayor Pro Tem Frusco and carried unanimously.

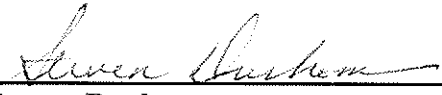
The council returned to the Regular Meeting at 8:55 PM.

#### 15. Adjournment:

Councilman McCue made a motion to adjourn seconded by Mayor Pro Tem Frusco and carried unanimously. The meeting adjourned at 8:56 PM.

As so incorporated to these minutes of October 14, 2014 are exact copies as so recorded in the ordinance and resolution books of Foxfire Village as if fully set out in the minutes.

  
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Lisa A. Kivett, CMC, NCCMC  
Village Clerk

  
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Steven Durham  
Mayor