

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Village Hall
December 11, 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, Police Chief Mike Campbell, Police Sergeant Chad Shue, Ellen Markus - Seven Lakes Times, and residents Mr. & Mrs. Wayne Chalker, MaryAnne Lauer and 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 Comments:

Village resident and councilmember Leslie Frusco commented that the Seven Lakes Times had incorrectly reported that the Village will be paving Woodland Circle when in fact it should have read Wildwood Lane. She added that Woodland Circle has already been paved.

6. Additional Agenda Items:

Councilman Koos added *Lot Cleanup*, Councilman McCue added *Presentation to Police Department*, and Mayor Erickson added *Stonehill Pines Agreement*.

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

7. Approval of Minutes:

- A. November 13, 2012 – Regular Meeting/Public Hearing
- B. November 29, 2012 - Worksession

Councilman Durham asked that Page 2 Item 9 Approval of Minutes be corrected to read Councilman Koos instead of Councilman Durham. The correction was noted.

Councilwoman Frusco made a motion to adopt the minutes as amended seconded by Councilman Koos and carried unanimously.

8. Presentation to Police Department

Councilman McCue introduced Village residents Wayne and Marilyn Chalker. Mr. Chalker was previously in law enforcement before becoming an electrician. Councilman McCue highlighted several key areas in Mr. Chalker's career in law enforcement and added that Mr. Chalker would like to make a special presentation to the police department.

Wayne Chalker presented the police department staff with a large framed display of a variety of police department patches he acquired during his career. He further elaborated on how he obtained several of the patches and their special meaning. Chief Mike Campbell and Sergeant Chad Shue graciously accepted the gift and plan to hang it inside the Police Department Building.

9. Long Range Planning Report:

Councilman McCue reported the committee continues to work on the first year objectives of the plan. They are still obtaining information from several organizations with respect to the water study. The public relations tri-fold brochure is being worked on.

10. Council Member's Reports:

A. Finance – Councilwoman Frusco

1. Financial Report

Councilwoman Frusco reported the following. The total general fund unrestricted cash is \$915,200. The total restricted general fund cash is \$127,142 which includes three principle funds, the Powell Bill Funds, the Capital Reserve Fund, and the Stonehill Fund. The total general fund amount is \$1,042,342. The water fund balance is \$303,533. The Village continues to have an Escrow account with BB&T of \$135,700 which is money to be used for new wells. Total cash balances including the escrow account as November 30th are \$1,481,635. The Woodland Circle loan payment of \$188,431 is due in April 2013. \$173,526 of this amount comes from the general fund and the remaining balance from the water fund. Other annual loan payments are not due again until July 2013. These loans consist of a loan from BB&T for the Village Park in the amount of \$26,192 and the water fund loan of \$41,145.

In addition, as of the end of November the Village collected 72% of budgeted ad valorem real estate taxes. Reminder letters were sent out to people who have not yet paid their taxes. As of January 5th, taxes will become past due and interest will start to accrue.

Councilwoman Frusco reported that each council member received a copy of the Village's Annual Audit Report. She thanked Sharon Sanchez for spearheading and dealing with the day to day aspects of the audit. The Village received another clean opinion report. Councilwoman Frusco asked that council review the report and to forward any questions to her. The audit is still not complete until the State sends their approval letter.

2. Budget Amendment #2012-14

Councilwoman Frusco reported the Village recently sold two lots that were unused well sites. The revenue from the sale went into the water fund because from a book standpoint that is where the land was. This amendment is to increase the revenue in the water fund for the sale proceeds from the land and to also transfer that money to the general fund.

Councilwoman Frusco made a motion to adopt Budget Amendment #2012-14 seconded by Councilman McCue and carried unanimously.

3. Budget Amendment #2012-15

Councilwoman Frusco reported that council discussed and decided to assign certain funds for certain projects one of which is future debt service. This amendment increases the revenue in the general fund by the transfer from the water fund and then will take out of the general fund into an appropriated account assigned for future debt service.

Councilwoman made a motion to adopt Budget Amendment #2012-15 seconded by Councilman McCue and carried unanimously.

B. Water – Councilman Durham:

Councilman Durham reported that the Grande Pines Water Extension project has received final inspection approval from the State.

Mayor Erickson added the extension was for the two recently annexed properties and was funded by the developer and not the Village.

C. Streets – Councilman Koos:

1. Street Repair Update

Councilman Koos reported he plans to meet with a couple of paving company regarding paving and crack sealing repairs. Once he receives estimates, he will present them to the council for review. The earliest any work can begin would be in January and they are limited due to weather. Mayor Erickson asked where most repairs are needed. Councilman Koos replied on the west side and on Wildwood Lane.

2. Lot Clean-up

Councilman Koos reported receiving a complaint that a private landscape company hired by a Village resident was blowing dead leaves into the road instead of bagging them up for removal. Councilman Koos asked that residents inform those hired to perform work that leaves should be bagged and not blown into streets or neighboring properties.

D. Mayor's Report:

1. Triangle J COG Appointment of Delegate and Alternate for 2013

Mayor Erickson reported the Village must reappoint the delegate and alternate to serve on the Triangle J Council of Governments Board. Mayor Erickson is currently the delegate and Councilman Mick McCue is the delegate.

Mayor Erickson made a motion to reappoint himself as the delegate and to reappoint Mick McCue to serve as the alternate for 2013. Councilman Durham seconded the motion and carried unanimously.

2. Triangle J COG Mayors Meeting Update

Mayor Erickson attended the Mayors meeting earlier in the day and was asked to chair the meeting. He reported that speaker Dr. Robbie Sawyers from NC State University gave a power point presentation regarding tax revenue in the State. Each member of council received a paper copy of the presentation and Mayor Erickson elaborated on several areas that were highlighted.

3. Pineland Preserve Streets Update

Mayor Erickson reported speaking with Neal Smith Engineering regarding the streets in Pineland Preserve. He was informed that developer Pete Mace is working with his attorney to obtain easements particularly in two areas where there are drainage problems. Information is being prepared and will be presented to the council for consideration of accepting the streets into the Village.

4. Meeting with Brown Golf Management in January

Mayor Erickson reported that council discussed in a work session their desire to meet with Brown Golf Management to discuss the Village's working relationship with them. He asked if the council would like to schedule a special meeting to do so. Councilwoman Frusco replied that this would be more appropriate for a work session. Councilman McCue added that the council should first meet for discussion before asking to meet with Brown Golf Management.

5. Stonehill Pines Agreement

Mayor Erickson reported that the Stonehill Pines Development Agreement will need to be amended to extend the construction start date to December 31, 2013. This amendment was drafted by Village attorney Mike Brough and Stonehill Pines attorney Dave Neill.

Mayor Erickson made a motion to approve the amendment to the development agreement with Stonehill Pines to extend the construction start date to December 31, 2013 seconded by Councilman McCue.

Councilwoman Frusco asked if the only thing changing was the date. Mayor Erickson replied yes, all other items stay the same.

The vote was called and the motion unanimously carried.

6. Council Comments Newsletter

Mayor Erickson asked that council members submit their items for the Council Comments Newsletter to Lisa Kivett by December 21, 2012.

11. Old Business:

Councilman Durham asked where the Village was in regards to the amendment to the Village code relative to the water line extensions. Mayor Erickson and Village Clerk replied they were unsure and would follow up with the Village attorney.

12. New Business:

Councilman McCue made a motion to amend Section 26-2 of the Village Code which deals specifically with the composition of the Planning & Zoning Board by changing the required membership from 9 to 5 seconded by Councilwoman Frusco.

Councilman McCue reported that this has been discussed on numerous occasions. Currently the code requires 9 people on the Planning & Zoning Board. There have not been that many on the board for quite some time and there are currently five members including three from the ETJ. The NC General Statutes only require 3 people on a board. This amendment would change the amount of members and changes to required quorum per attorney Michael Brough. Discussion continued.

Councilwoman made a motion to table the vote seconded by Councilman Durham and carried unanimously.

13. Adjournment:

Councilwoman made a motion to adjourn seconded by Councilman Durham and carried unanimously. The meeting adjourned at 7:50 PM.

As so incorporated to these minutes of December 11, 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