

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Golf Country Club**

November 14, 2017 – 6:30 PM

- 1. Call to Order:** Mayor Pro Tem Frusco called the meeting to order at 6:30 PM.
- 2. Members Present** – Councilman Don Boito and Councilman Jon Sedlak
- 3. Members Absent** – Mayor E.M. McCue III and Councilman Vic Koos
- 4. Others Present** – Lisa A. Kivett-Village Clerk, Officer Gary Garner and Linda Straczewski
- 5. Moment of Silence:** Mayor Pro Tem Frusco requested those present to pause for a moment of silence.
- 6. Additions and Approval of Agenda**

Mayor Pro Tem Frusco added *Police Report* immediately following the first public comment period and an item under Councilman Boito's Streets Report.

Councilman Sedlak made a motion to adopt the November 14, 2017 agenda as amended seconded by Councilman Boito and carried unanimously.

- 7. Consent Agenda**
All items listed below are considered routine and will be enacted by one motion and without discussion
 - A. Approval of Minutes
 - October 10, 2017 Regular Meeting
 - October 26, 2017 Work Session

Councilman Boito made a motion to adopt the consent agenda as written seconded by Councilman Sedlak and carried unanimously.

- 8. Public Comment Period**
None

- 9. Public Safety Report**

Officer Gary Garner reported that a vehicle was recently stopped for a loud muffler. This stop resulted in multiple charges. Officer Garner filed the following, three incident reports, three arrests, twelve citations, seizure of 2 paintball guns, 5 paint cylinders, 6 grams of marijuana, paraphernalia, beer, and vodka. He charged two 18 yr. old passengers with underage drinking. In addition, the occupants in the vehicle were responsible for the recent street sign vandalism on Hoffman, Richmond and Foxfire Rd. Mayor Pro Tem Frusco added that these individuals are not Foxfire residents, they were traveling through and doing no good.

Officer Garner reported that Foxfire is part of Region Six Traffic Task Force which includes nine counties and 26 agencies. Earlier in the afternoon, the task force conducted a speeding check on Hwy 211 between West Pine Elementary and Hoffman Rd. One hundred citations for speeding were issued in 4 hours and the average speed was 67 mph.

- 10. Zoning Administrator's Report – Lisa Kivett**

As of today, a total of ten (10) homes are currently under construction. All are located in the Village:

Village

Two (2) located in Autumn Acres (Edwards property)
Two (2) located in Pineland Preserve
Deer Track

N. Shamrock
S. Shamrock
Bermuda Circle
Whitman Court
Eagle Drive

The following permits were issued in the month of September:

- One (1) single family residence (N. Shamrock)
- One (1) covered porch (Wildwood)

Ordinance violations addressed

- Five (5) Trailer Violations
- One (1) Recreational Equipment

Cardinal Drive Trailer

The trailer continues to be stored on the property. I filed with Moore County Small Claims Court on Tuesday, November 7th and a court date of December 5, 2017 has been set. I will be representing the Village in this matter. As of November 7th, penalties total \$3,000.

11. Councilmember's Reports:

- A. Finance – Leslie Frusco
1. Finance Report

Mayor Pro Tem Frusco reported the following as of October 31, 2017:

The total cash balance in the General Fund is \$1,343,000 of which \$857,060 is restricted for the Debt Service Assigned Funds, K9 Funds, Street Maintenance Funds, and Police Vehicle Reserve leaving an unrestricted amount of \$485,993.

The total in the Water Fund is \$633,784 of which \$226,076 is restricted for a new well(s) and tank maintenance leaving an unrestricted amount of \$407,708. The total cash balance in the Village is \$1,000,976.

At this point we have collected 30% of the ad valorem taxes. November is historically a big month because all of the mortgage companies send out their large checks.

2. Village Audit Report

Mayor Pro Tem Frusco provided a copy of the Village Audit report to each council member. Frusco reported as of June 30, the Village increased its total net position by \$341,795. We increased fund balance by \$144,000 last year due to increased revenue and keeping expenses in check. We established a Fund Balance Policy a couple years prior which says we'll keep a minimum of 35 to 40% of budgeted general fund expenses as our working capital balance. Based on our budget for this year and the findings at the end of the audit, our required capital balance is \$393,000 and leaves us with \$140,000 over that amount. This amount, at the discretion of the council, can be transferred to other funds such as street maintenance, capital reserve etc. She would like to see what the numbers are at the start of budget talks before making any transfers. We decreased our debt 12% last year by \$165,400. That did not include anything coming from the reserves, that was strictly debt service. The fund balance changed by \$144,000 which basically a total of the difference of revenues and expenses. She continued, elaborating on the Budget vs. Actual, long term debt and the Village's legal debt margin of 12.2 million dollars.

She asked that council members review the report in detail and let her know if there are any questions or desire to further to discuss. Councilman Boito asked if there was legal requirement that we change auditors every so often. Frusco replied no, the last time we did was in 2010 because the auditor was not catching things. The only reason we would consider going out for bid now is due to dollars and cents.

Councilman Boito asked if the bill for the Moore County elections had come in. Frusco replied no, we usually don't get it for several months and it will be approximately \$4,500.

B. Streets and Park – Don Boito

Councilman Boito spoke to Sean at the Club about watering the new plantings on Foxfire Blvd. Sean said that was a December project. Frusco asked if there have been any issues with cars backing into the new plants. Boito was not aware of any. Frusco suggested installing a temporary orange fence along the area while the plants are small to prevent vehicles from knocking over the plants. Council discussed fencing location and type of fence. Don will research this further.

Mayor Pro Tem Frusco suggested putting stone or gravel in the yard waste facility because people drive their personal vehicle inside the gate and there's a lot of potholes and mud. She suggested the cost be split between the water fund and the general fund. She would like this further discussed at a work session.

C. Water Department – Jon Sedlak

Councilman Sedlak reported that David McKew spoke with Mr. Barefoot regarding a test well on his property. Mr. Barefoot is not interested in selling any land. There may be another potential well site nearby that could yield up to 70 gpm. He will look into this further as usage over the last two years has gone up substantially due to all the new construction.

12. Public Comments:

Linda Straczewski asked when the newly elected council will be sworn in. Mayor Pro Tem Frusco replied in December. There will be an organizational meeting right before the regular meeting in December. The new council will be sworn in at that time and the Mayor and Mayor Pro Tem will be appointed from within the new council.

13. Old Business:

None

14. New Business:

None

Councilman Boito made a motion to adjourn seconded by Councilman Sedlak and carried unanimously. The meeting adjourned at 7:07 PM.

As so incorporated to these minutes of November 14, 2017 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, NCCMC, CZO
Village Clerk



E.M. McCue III
Mayor