

MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Foxfire Golf Country Club ~ 9 Foxfire Blvd
February 13, 2018 – 6:30 PM

1. **Call to Order:** Mayor McCue called the meeting to order at 6:30 PM.
2. **Members Present** – Councilman Don Boito, Mayor Pro Tem Leslie Frusco, Councilman Jon Sedlak, and Councilman Ed Howze,
3. **Others Present** – Lisa A. Kivett-Village Clerk, Police Chief Chad Shue, Floyd and Thelma Geisert, Adam Cornell, Cynthia Lathrop, Andy Moody, and Barbara Okula
4. **Moment of Silence:** Mayor McCue requested those present to pause for a moment of silence followed by the Pledge of Allegiance
5. **Additions and Approval of Regular Meeting Agenda**
6. Councilman Sedlak added *Foxtail Units 18 and 20* to his report and Mayor McCue said he had several items to report on.

Mayor Pro Tem Frusco made a **motion to adopt the agenda as amended.** The motion 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

- January 9, 2018 Regular Meeting/Public Hearing
- January 9, 2018 CLOSED SESSION
- January 22, 2018 Work Session

B. Authorization of Tax Liens

C. Budget Amendment #2018-01 – Capital Reserve Fund-K9 Unit

Councilman Sedlak made a **motion to adopt the consent agenda as written.** The motion carried unanimously.

8. **Public Comment Period**

Adam Cornell-8 Cardinal Drive commented that he was unhappy the Village did away with early absentee voting. He travels a lot and was not able to vote the last election because he was out of town.

9. **Zoning Administrator's Report – Lisa Kivett**

A total of sixteen (16) homes are currently under construction or in the beginning stage of lot clearing. Fifteen in the Village and one ETJ.

Village

Two (2) located in Autumn Acres (Edwards property)

Two (2) located in Pineland Preserve

N. Shamrock

S. Shamrock

Deer Track

Bermuda Circle

Whitman Court

Eagle Drive

Wildwood Lane

Richmond Rd.

Birdie Ct.
Green Valley
Grande Pines

ETJ

Tufts Vista

Ordinance Violations

Two trailer ordinance violation notices were issued. One notice of Construction Hours violation was issued.

10. Councilmember's Reports:

A. Finance – Leslie Frusco

1. Finance Report

Mayor Pro Tem Frusco reported the following as of January 31, 2018:

The total cash balance in the General Fund is \$1,704,850 of which \$832,028 is restricted for the Debt Service Assigned Funds, K9 Funds, Street Maintenance Funds, and Police Vehicle Reserve leaving an unrestricted amount of \$872,822.

The total in the Water Fund is \$663,705 of which \$226,076 is restricted for a new well(s) and tank maintenance. The total cash balances in the Village as on January 31, 2018 are \$2,368,555.

As of the end of January we have collected 99% of the budgeted ad valorem taxes. Past due property tax letters will be mailed out and thirty days after that, tax liens will be advertised. An "Authorization to Advertise" was approved as part of the earlier Consent Agenda.

Mayor Pro Tem Frusco reminded council of the budget work session and asked that they give their department's preliminary figures to Sharon.

B. Public Safety – Ed Howze

1. Update on Unauthorized Dumping

Councilman Howze reported the police have a couple of suspects and the investigation is ongoing.

On January 24th, one suspect was seen leaving a Village cul-de-sac after illegally dumping yard waste. Officer Ritter located the suspect in the Pinehurst area off of Highway 5 and as he was attempting to stop the suspect, was involved in an auto accident. His patrol car was hit while entering an intersection while running lights and sirens. The patrol car's frame is bent and is a total loss and Officer Ritter was placed in light duty for a couple of weeks as a precaution.

Councilman Howze gave two options for replacing the patrol car. Replace the vehicle with a 2018 Two Wheel Drive (2-WD) Dodge Charger for roughly \$1,000 more than insurance will cover. With this option is that all the interior equipment that was not damaged can be transferred to the new car.

The second option is to purchase the same vehicle in an All-Wheel Drive (AWD) which will be \$4,000 more than the insurance will cover. As with the 2-WD vehicle, all the undamaged equipment can be transferred.

Mayor Pro Tem Frusco added the insurance company said if we chose to keep the damaged vehicle, they would take a \$1,000 off what they would pay us. A benefit to keeping the damaged vehicle is we could use it for parts. She asked Chief Shue for his thoughts on the replacement car.

Chief Shue listed the pros and cons of both vehicles and the option of keeping the damaged vehicle. His personal preference is to purchase the AWD vehicle especially for use during inclement weather. The AWD handles better and gets the same gas mileage as the 2-WD. He asked the council to consider purchasing the AWD and not keeping the damaged vehicle.

Mayo Pro Tem asked about the delivery date of a new vehicle. Chief Shue replied the only dealer at this time with State Contract is Performance Dodge located in Clinton, NC. They are currently waiting on 80 cars from the manufacturer, so it may be a while, but we have the older blue Dodge Charger as a back-up.

Following further discussion, the council felt it would make sense to follow Chief Shue's recommendation.

Councilman Boito made a motion to purchase a 2018 AWD Dodge Charger. The motion carried unanimously.

C. Streets and Park – Don Boito

1. Recommendations for 2018 Paving

Councilman Boito received a quote to pave from Hoffman Rd. to the water tower gate in the amount of \$26,000 and the first portion of South Shamrock from Richmond Rd. to Bobolink in the amount of \$59,000. Both are recommended projects for 2018.

2. 5-10 Year Plan

Councilman Boito prepared and distributed to council a copy of a 5-10 year plan for paving of Village streets. The plan was based on recommendations from a survey conducted in 2005 by B&F Consulting. He asked council to review the plan and give any suggestion they have.

3. Police Department Parking Lot

Councilman Boito asked if the Police Department parking lot would be paved as part of the new town hall paving project. Mayor Pro Tem Frusco replied its her intention to pave it if the Village does not have to utilize its contingency fund in the Capital Project Fund. It is do-able if we do not run into any situations.

Councilman Howze asked if there would be two entrances into the parking lot. Frusco replied no, only one. The second entrance off Hoffman Rd. is for fire department vehicles only. Chief Shue recommended a Do Not Enter sign be placed at the entrance to the fire department road.

D. Water Department – Jon Sedlak

Councilman Sedlak said he planned to walk the 1,500-acre property with the well driller again this coming Saturday and hopes to pick a location for a well.

11. Mayor's Report

Mayor McCue reported that the Draft Long Range Plan and the 2017 Year in Review were available for download on the Village website. He asked that residents review the LRP which is just a guide for the future of Foxfire.

The February 22nd work session will be held at the Village Administration office because the Club is hosting another event that evening.

Mayor McCue attended the TARPO meeting last week with other municipalities and counties. Jackson Springs Rd. is currently closed for bridge replacement and the next bridge project will be on Roseland Rd. Both bridge projects are scheduled to be complete by September 2018. When the Roseland Rd. project begins, notice to residents will be on the Village website and sent via CodeRed.

A small piece from the sign on Foxfire Blvd. came off during the cold weather. He is waiting for warmer weather to glue the piece back on.

The County is lining up the next 10 projects for the State Transportation Improvement Program which isn't for another year or so. Council needs to check off the items they feel are most important. None of the projects on the list are in Foxfire Village nor is the Western Connector.

We will also provide input on the Counties Comprehensive Transportation Plan (CTP) in April. This plan includes the Western Connector.

12. Old Business:

A. Approval of Public Comment Procedures

Mayor Pro Tem Frusco made a motion to adopt the Revised Public Comment Procedure for Regular Meetings and the New Public Comment Procedures for Work Sessions. The motion carried unanimously.

B. Village Pool

Mayor McCue reported the pool management company the Village was planning to contract with pulled out of the offer citing potential difficulty with staffing lifeguards. In addition, there was significant damage to the plumbing in the pool house from the recent cold weather. Council needs to decide if we can fix the pool house or sufficiently fix it to pass County inspections. Another option is to tear down the current pool house and build a new one but that is a lot of unbudgeted money.

Council had decided at the last work session to not use lifeguards this year and hire only attendants and a pool manager. The facility will be “swim at your own risk” and proper signage will be displayed.

Mayor McCue said the issues right now are, can we open the pool, do we want to open the pool, or give up this season to put into a new pool house. Once we have a new pool house, it will need to be to A.D.A. compliant from the parking lot to the inside of the pool including chair lifts and handicapped bathroom facilities.

Both Councilman Boito and Sedlak provided information on the pool house and condition of the plumbing and repairs. Boito presented a list that resident Warren Morgan prepared of things that should be done at the pool facility, some of which would require additional funding. Extensive discussion ensued on necessary repairs.

Frusco asked if there was an estimate to repair the plumbing. Sedlak said he did not have an estimate yet but approximately \$1,000 to repair the water lines. In addition, there would be a cost for the electrical. Frusco said we have been putting band-aids on the pool for several years. She is okay with spending \$1,500, but not anymore. Discussion ensued on building a new pool house and its potential cost. She suggested to once again “band-aid” the pool this year, Councilman Sedlak concurred.

Mayor McCue added that we must first find pool staff and pass the County inspection before it can open. Discussion continued on staffing and preparing the pool for County inspection. Job advertisements for a pool manager and attendants will be put in the paper. The plumbing and electrical will be repaired.

13. New Business:

A. Foxtail Units 18 and 20

Councilman Sedlak gave a brief background on the property.

Plans to construct a set of duplexes at 18 and 20 Foxtail were recently received by the Village Zoning Administrator. The contractor submitting plans had intentions of building several years prior and paid the permit fees including the tap-on fee which at that time was \$1,000. Foundations were poured but there was no further construction and the permits eventually expired. Permit fees were not refunded to the contractor.

The foundations were left exposed causing a safety concern for the Village. The properties were eventually taken over by a bank and they had the exposed foundations removed at the request of the Village.

The original contractor re-purchased the property and now wants to build. Current water tap-on fees are \$1,450. Zoning Administrator Lisa Kivett asked that the difference of \$450 per each unit be paid for the water connection. The contractor is protesting the tap-on fees calling them "impact fees" and threatening a potential lawsuit. Mayor McCue commented that since there is potential litigation, this issue not be discussed in an open session.

14. Public Comment:

Thelma Geisert commented the pool is amenity and a selling point for realtors.

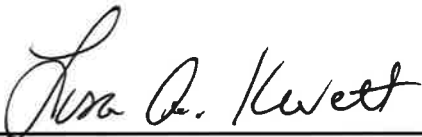
Cynthia Lathrop asked if there were figures on the previous year's pool season, if the pool came out ahead and if we kept track of return customers. Mayor Pro Tem Frusco replied we keep detailed records of pool expenditures and pool passes sold for each season. The pool never makes money and we are fortunate to cover the cost of payroll.

Barbara Okula asked why the Village didn't put Christmas wreathes on Village signs this past year. Mayor Pro Tem Frusco replied they were on the Village entrance signs but not on street name signs.

15. Adjournment

Councilman Boito made a motion to adjourn. The motion unanimously carried. The meeting adjourned at 7:55 PM.

As so incorporated to these minutes of February 13, 2018 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