

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Village Hall Meeting Room
February 9, 2021 – 4:30 PM**

- 1. Call to Order:** Mayor McCue called the meeting to order at 4:30 PM
- 2. Members Present:** Councilman Don Boito, Mayor Pro Tem Frusco, and Councilman Ed Howze.
- 3. Members Absent:** Councilman Mike Cole
- 4. Others Present:** Lisa Kivett-Village Clerk, Residents Karl Bernet, Janice Gregorich, and Andy Moody
- 5. Moment of Silence:** Mayor McCue requested those present to pause for a moment of silence followed by the Pledge of Allegiance.

Mayor McCue announced that Councilman Cole submitted a Letter of Resignation from the Council effective today, February 9, 2021. Cole cited conflicts with work and family schedules as the reason for his resignation. We are looking for a new council member to fill Coles unexpired term which expires in 2023.

6. Approval of the February 9, 2021 Regular Meeting Agenda:

Councilman Boito added *Water Training* to his report.

Mayor Pro Tem Frusco made a motion to adopt the February 9, 2021 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
 1. January 12, 2021 Regular Meeting
 2. January 28, 2021 Work Session
- B. Authorization to Advertise Tax Liens
- C. Budget Ordinance Amendment #2021-01 General Fund

Mayor Pro Tem Frusco made a motion to approve the consent agenda. The motion carried unanimously.

8. Public Comment Period

NONE

9. Zoning Administrator's Report – Lisa Kivett

Zoning Administrator Lisa Kivett reported the following activity for January 13th thru February 9th

Thirty-five (35) homes are currently under construction or in the beginning stage of lot clearing. One (1) of them located within the ETJ.

Permit applications were received and reviewed for the following:

*Four (4) Single Family Residence
(Eagle Drive, Grand Pines Vista, Oak Hill Drive, Forest Ridge Lane)
One (1) Accessory Building
One (1) Barn
One (1) Implement Storage Building*

Certificate of Occupancy Issued

*Tufis Vista (ETJ)
Forest Ridge (EU)*

10. Council Member Reports:

A. Finance – Leslie Frusco

- **Financial Report**

Mayor Pro Tem Frusco reported as of January 31, 2020, the General Fund balance was \$1,638,530 of which \$134,472.81 restricted for the K-9 fund, capital reserve fund, street maintenance and separation allowance. The water balance was \$948,150 of which \$281,076 is restricted for future well(s) and tank maintenance.

Frusco commented the Budget vs. Actual shows we have collected well over the budgeted ad-valorem property tax amount however we are slightly below the actual budgeted amount. Frusco pointed to the delinquent tax list which will be advertised. The 2020 portion of the list consists of a couple larger homes that are consistently an issue in addition to the fifteen timeshare units around the pool. The timeshare units owned by Resort Properties is in the process of bankruptcy and word is that there may be three prospective buyers. The bankruptcy court has specified that all fifteen units must be sold together and not piecemeal. Once the units are sold, the Village will be in a first position to receive the 2019-2020 delinquent taxes totaling close to two \$11,000. Sharon continues to actively contact and collect from those who are delinquent.

Frusco was pleased to report that sales tax revenue by the end of the year should far exceed the budgeted amount. Projections from the School of Government and other sources did not materialize as much as they thought. Unless we experience a major lockdown in the State, Frusco anticipates easily exceeding the revenue for the year. We have already exceeded the motor vehicle tax for the entire year. From a revenue standpoint, the Village is in a very good position for the current fiscal year.

The yearly audit report is complete, and the Village is in a good financial position. Frusco pointed out a remaining fund balance of \$640,000 and asked members of the council to start thinking about where they want to allocate some of the funds. Frusco suggested allocating to street maintenance, police separation allowance, the purchase of a fourth police vehicle, and \$400,000 to \$425,000 to capital reserve account.

- **Allocation of Fund Balance**

Mayor Pro Tem Frusco reported at the end of fiscal year 2019-2020, we had an un-allocated fund balance of a little more than \$600,000. This amount is after the required working capital minimum which is 40% of our current year's budget.

Frusco suggested keeping a significant portion of the amount in unrestricted funds that could be used for issues that may come up. She recommended allocating \$200,000 into the street reserve for possible paving needs, \$40,000 to the police vehicle reserve with hopes of increasing the police force in the coming budget year and allocating \$20,000 to the police separation allowance.

Council discussed the police department needs including the separation allowance and hiring of a fourth officer.

Council members agreed to allocate the following amounts from the fund balance: \$200,000 to Streets Reserve, \$20,000 to Separation Allowance, and \$40,000 to the Police Vehicle Reserve.

B. Streets and Park – Don Boito

- **Park Burn Update**

Councilman Boito met with three representatives about the park burning. They have established a timeline of how the burn will be conducted. The Village will need to notify the residents in the immediate area and contact a contractor who will be doing the burn. We will need to sign a contract with them however not pay for it. They would like to have the burn completed by March 6th. They anticipate the burn to last around two hours but the smoke to linger a bit longer. The burn is anticipated to last about two hours, but the smoke may linger a bit longer. Boito drafted a letter to be mailed to residents on Tufts Vista, S. Shamrock, Cardinal Drive and a portion on Bobolink. A CodeRed should be sent out Village wide. The letter and background

information on the burn will need to be mailed out by weeks end. Fire personnel will be on site during the burn and Boito suggested police personnel as well to keep people away from the burn site.

- Water Training

The School of Government recently sent an email about water management and grant writing training. The three-day workshop will be conducted via Zoom. Mayor McCue said unless we have a substitute for Councilman Cole, he would attend.

C. Public Safety – Ed Howze

- PD Update

Councilman Howze reported that Chief Shue has tested positive for COVID. He has been out for the past couple of weeks and hopes to return this week if tests are negative,

The police department grant was approved, and funding should be released shortly.

The police department's new K9, a 8-9month old Yellow Labrador, will be here next week. Lieutenant Garner is the K9 Officer and in March, attend a four-week K9 Handler school in Lexington that will give him a National Certification. The dog kennel at Garner's home is almost complete. A concrete company located in Carthage donated the 3 yards of concrete needed for the kennel slab.

- FD Update

The new gate on S. Shamrock is complete and operational. It can be opened three different ways, by siren, radio channel, or a key which the fire department will be the holders of. Chief Stromberg installed some temporary barriers to prevent people from driving around the gate. The large boulders on the berm will need to be removed. Boito commented that Gilbert Brown had originally placed the boulders there and has the equipment to remove them. Boito will ask Mr. Brown if he would remove the boulders. Howze added that the Emergency Vehicle signs will be attached to both sides of the fence.

Mayor McCue added that he received information on his desk about the police department flagpole. He commented that a 50' flagpole which is intended for 5-6 story buildings is too tall. A 30' flagpole with the solar light should be sufficient for the area. He suggested Councilman Howze move forward with ordering one.

D. Water Department – Mike Cole

No report

E. Mayor's Report – E.M. McCue III

Mayor McCue reported we once again have received information from the National League of Cities Service Line Warranty Program. The program charges a monthly fee for residents to basically insure their portion of the water line from the meter to their house. If the Village mails out information about the program on Village letterhead and more or less endorse the program, we would receive .50 on each monthly charge. McCue will get more information on the program for Council to discuss at the next work session.

The Planning & Zoning Board has agreed to tackle the review of Table 6.1 of the new Unified Development Ordinance. Council will continue review of the draft at the next work session including Definitions, and Section 10 and 11.

10. Old Business:

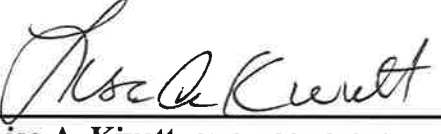
Councilman Howze asked if there was any further contact with Dr. Brenner about the proposed restaurant on the triangle property. McCue replied that Dr. Brenner has hired Bob Koontz Engineering to work with on the project and he would keep in touch.

11. New Business

12. Public Comment:

13. Adjournment

Councilman Boito made a motion to adjourn. The motion carried unanimously, and the meeting adjourned at 5:25 PM. As so incorporated to these minutes of February 9, 2021 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