

**MINUTES
FOXFIRE VILLAGE COUNCIL
WORK SESSION
Village Hall Meeting Room
October 28, 2021 – 4:30 PM**

- 1. Call to Order:** Mayor McCue called the Work Session to order at 4:30 PM.
- 2. Members Present:** Councilman Don Boito, Councilman Ed Howze, Councilwoman Janice Gregorich and Mayor Pro Tem Frusco
- 3. Others Present:** Chief Chad Shue, Mary Gilroy and Andy Moody

Mayor McCue removed *Reserve Funds Allocations* and added *Criminal Enforcement of Ordinances* and Councilman Howze added *Third Quarter Fire and Rescue Data* to the items for discussion.

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

4. Consent Agenda

- **August 24, 2021 Work Session Minutes**
- **September 14, 2021 Regular Meeting Minutes**
- **September 30, 2021 Work Session Minutes**
- **October 8, 2021 Special Meeting Minutes**

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

5. Items for Discussion

- **RTAC Update**

Mayor McCue attended the recent RTAC meeting and reported the State Transportation Improvement Program is currently on hold. Due to increasing costs, nearly half of the planned projects will be reduced.

- **Criminal Enforcement of Ordinance**

McCue is waiting for a memorandum from the Village attorney regarding the newly enacted SB 300 which amends the decriminalization of certain ordinance violations. McCue reviewed the Village General Code and noted several areas where the Village may want to maintain the possibility of criminal enforcement. Traffic and vehicles, animals (leash law, noise, cruelty), excessive noise, open burning, etc. There remains much to review, and this will fall on the new council taking over in December. The changes are effective at the end of December. Discussion continued

- **Council Turnover**

McCue spoke with Bob Hornik about conducting either a half or full “law day” to meet with the new council once the votes are certified. The fee for a full day is \$1,500. Areas for discussion will be ethics, open meetings, local authority, finances, social media use, etc. Frusco will prepare a packet of pertinent information for each of the new council members. McCue would like to put together a library of helpful books for the new council in addition to the Village Code book. McCue will speak with Bob Hornik and schedule a date. Discussion continued.

- **Drainage**

Mayor McCue and Councilman Boito discussed the latest drainage issue on Ridge Rd. The Village attorney in memorandum said that storm water goes where it goes and if the village is not negligent on building roads, we are not responsible for flooding issues. As the Village continues to build out including lower lots, council should examine taking responsibility for improving and maintaining drainage areas and create a program for improving gutters and curbing when repaving streets. Discussion continued.

- **Pickle Ball Courts Update**

Councilman Boito reported the courts were paved and in the curing process. Weather permitting, courts should be ready for play by December.

- **Manual Meter Update**

Councilwoman Gregorich gave an update on her meeting with Badger Meter, David McKew, and the part-time contractor Jessie. They spent a half day in the field looking at problem areas where meters will not read. They identified a problem with a plastic unit that stopped working. The part will be removed and sent back to Badger who will refurbish and send back to us with a 10-year full warranty and additional 10-year prorated warranty. She is waiting for a cost estimate on purchasing the units.

- **Well-site Locations**

Councilwoman Gregorich obtained a map from David McKew showing the potential well-sites on the Stonehill Pines property. Two sites close in proximity are together producing 100 gpm. One other site closer to the Village is at 37 gpm. Gregorich will meet with Bruce McFadden to discuss costs for installing a water line if we can still get permission from the property owner. Frusco asked about the potential site on Pine Ridge. Gregorich responded that David McKew informed her the county was concerned water quality might be compromised because the area is shallow. McCue asked for information on the minimum requirements for fencing around well-sites.

- **Fire and Rescue Update**

Councilman Howze presented third quarter data for West End Fire and Rescue. Data provided is still skewed and not specific to just the Foxfire Village station. Chief Stromberg said the 4th quarter data will be on the new computer software and will be for Station 65 only. A fire truck will be parked at the Trunk or Treat.

Howze suggested increasing funding for an additional police car now that we have a fourth officer. Chief Shue provided information on vehicle rotation. Discussion continued on the number of police cars needed. Chief Shue reported that Officer Christopher Judge is being considered for the full-time position. Background, drug, psychological screening etc. are complete or near complete. Shue hopes to have Officer Judge sworn in by December. With the continued competition for hiring officers in the County, Shue asked to start Officer Judge at \$36,000. He added that Officer Megan Luellan has done an outstanding job in her first 30 days and requested she receive a salary increase to \$38,000. Discussion continued.

- **Budget Amendment**

Mayor Pro Tem Frusco was approached by Mayor McCue about providing a one-time bonus for administration staff, Lisa Kivett and Sharon Sanchez. This bonus would compensate them for the extra work they have done over the past year during the COVID pandemic. The amount agreed to is \$2,500 and subject to taxes and retirement. There was brief discussion about the need to hire a someone for the budgeted part-time administration position.

Mayor Pro Tem Frusco made a motion to approve the Budget Amendment. The motion carried unanimously.

- **Authorization for Reserve Transfers**

Mayor Pro Tem would like to put in place a formal document to use for future allocations of unassigned funds. When allocating unassigned funds, a budget amendment is not necessary. Frusco provided detailed information on the process. Based on previous discussions, she is adding an additional \$50,000 to police vehicle reserves which will bring the police vehicle reserve up to \$100,000. Discussion followed.

Frusco submitted a rough draft of a Capital Reserve Ordinance for council's consideration. Frusco would like to see as part of this ordinance, a commitment to add \$20-25,000 each year into the reserve fund for a future community center. Frusco provided detailed information and steps in the process going forward. Boito commented that even if allocated, we do not have to spend it. After much discussion, council agreed to allocating \$25,000 for the next three years for a future community and recreational facility.

Mayor Pro Tem Frusco made a motion to adopt the Capital Reserve Fund Ordinance as written with adding the amendment that we will fund a recreational community center over the next three years at a minimum of \$25,000 per year. The motion carried unanimously.

Frusco continued discussion on the allocation of funds to various reserves including Street, Separation Allowance, Pool Maintenance, and Police Vehicle. Extensive discussion continued.

Mayor Pro Tem asked to accept the following authorization:

The Governing Board of Foxfire Village authorizes the following transfer of Unassigned Funds to various Reserve Accounts.

10-9200-400	Street Reserve (fencing)	50,000
10-9200-100	Capital Reserve	150,000
10-9200-600	Separation Allowance Reserve	15,000
10-9200-400	Street Reserve (paving & repairs)	135,000
10-9200-700	Pool Maintenance Reserve	50,000
10-9200-300	Police Vehicle Reserve	50,000

The Governing Board of Foxfire Village authorizes the following transfer of Capital Reserve Funds to the General Fund for the purpose of construction of the Pickleball Courts.

10-3940-003	Capital Reserve Fund	50,000
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The Council agreed to authorize the transfer.

- Personnel Policy Clarification**

Mayor Pro Tem Frusco suggested a minor clarification to the personnel policy regarding vacation accrual for new hires. The clarification needed is, “accrual on a paycheck by paycheck basis starts after completion of one-year of service”. After much discussion, council agreed to modify the personnel policy to reflect the clarification presented. In addition, the Amended Date will be added to the policy.

Mary Gilroy commented that P&Z will be looking at the Recreational District zoning to consider defining public vs. commercial recreation.

6. Adjournment

Mayor Pro Tem Frusco **made a motion to adjourn the Work Session.** The vote was called, and motion carried. The Work Session adjourned at 6:15 PM.



Lisa A. Kivett, CMC, NCCMC, CZO
Village Clerk



E.M. McCue III
Mayor