

MINUTES
FOXFIRE VILLAGE COUNCIL
Regular Business Meeting
June 09, 2026 ~ 5:30 PM
Village Hall Meeting Room

Call to Order: Mayor Gregorich called the meeting to order at 5:30 PM. Members present included Councilmembers Mary Gilroy, Stephen Gunn, Chris Kragel, and Kevin Robbins. Others Present: Police Chief Michael Amezcuita, and Several members of the public.

Opening Prayer and Pledge of Allegiance

Councilmember Mary Gilroy led the opening prayer followed by the Pledge of Allegiance.

Approval of the June 09, 2026 Regular Business Meeting Agenda

Councilmember Gilroy added *House Bill 189* under her financial report and Councilmember Robbins added *Estimates for Park Grills* to the agenda.

Councilmember Gilroy **moved to approve the June 09, 2026 Agenda as amended**, seconded by Councilmember Gunn and unanimously carried.

A. Consent Agenda

All items listed below are considered routine and will be enacted by one motion and without discussion.

a) Approval of Minutes

- March 10, 2026 Regular Business Meeting
- March 26, 2026 Regular Work Session
- April 2, 2026 Special Work Session (Revenues and Police Salaries)
- April 14, 2026 Special Budget Work Session (Departmental Review)
- April 14, 2026 Regular Business Meeting
- April 30, 2026 Regular Work Session
- April 30, 2026 Special Budget Work Session
- May 5, 2026 Special Meeting
- ~~May 12, 2026 Special Work Session (Budget and Auditor Review)~~

b) BA #02 GF - Police Salaries and Water Meters

c) BA #03 WF – Salaries and Water Meters

d) Audit Contract

e) ~~MOU, Brough Law Firm~~

Mayor Gregorich commented that on the March 26th work session minutes, Councilmember Robbins said his request to add the Village pool to the agenda, was denied a couple of times. Gregorich said she sent out two emails to the Council regarding the pool on the 23rd and 24th basically stating that talking about the pool prior to speaking with our attorney will void attorney-client privilege. That's why those items were pulled, not for any other reason other than client attorney privilege. She requested amending the March 26th work session minutes to reflect these comments.

Councilmember Robbins asked to remove the *May 12, 2026 Work Session minutes* as they were not in the packet and to also move the *MOU- Brough Law Firm* to discuss and vote on under legislative actions.

Councilmember Gilroy **moved to approve the consent agenda as amended**, seconded by Councilmember Gunn and unanimously carried.

B. Public Comment Period

Sally Cunliffe – 1 Ridge Road thanked the council and the community for coming together during the Build a Bed event at the park. She also expressed her concerns with the recording of meetings ending in June and hoped the village would start recording them.

Leslie Frusco - 7 Hillside Drive provided a brief history on the community’s pickleball courts, explaining that residents conducted outreach to assess interest, collected petitions and provided cost estimates from professional contractors. All of this information was then provided to council for consideration. She also addressed the village pool, stating that Council’s earlier decision to permanently close and demolish the pool was made without resident input and without fully understanding the pool’s value to the community. She stated that residents formed a task force, conducted outreach, and collected petitions requesting that Council pause the pool’s demolition, determine the requirements and costs to reopen or replace the pool, and involve residents in the final decision. She presented a petition signed by 636 adult residents and emphasized that preserving the pool supports young families and may help protect property values. A verbatim transcript of Ms. Frusco’s comments are made part of these minutes as **Attachment #1** and copies of the signed petition are made part of these minutes as **Attachment #2**.

Discussion between council followed.

Councilmember Kragel **moved that council stop the current plan for the demolition of the pool, investigate what is required to repair or replace the pool and all the associated costs, and lastly, have the mayor appoint an independent committee from the concerned and knowledgeable residents to conduct the investigation,** seconded by Mayor Gregorich.

The vote was called as follows:

Councilmember Gunn	yes
Mayor Gregorich	yes
Councilmember Kragel	yes
Councilmember Gilroy	no
Councilmember Robbins	yes

Leslie Frusco thanked the Council and said the committee will be structured and organized to investigate requirements, including ADA compliance, and obtain multiple quotes. She also stated that committee meetings will be advertised, open to the public, and managed with a chair.

James Burrow – 35 Richmond Road said he recently moved to Foxfire from California. He is concerned about the appearance and condition of the general store’s parking lot. He encouraged residents not to patronize the store until the parking lot is repaired.

Diane Cray – 13 Forest Lake Drive also spoke about the general store parking lot. She spoke with the store’s manager about it on three separate occasions. The owners are aware of it.

Zoning Administrator’s Report

Lisa Kivett provided the following report on zoning activities from May 13th through June 9th.

Currently a total of eleven (11) homes under construction or in the beginning stages of lot clearing.

*No Single-Family Residence Applications Received
No Certificate of Zoning Compliance issued*

*Other Permits Issued:
One (1) detached garage
Five (5) accessory buildings
One (1) Screened porch*

Planning & Zoning Board Update - Tashe Jarusinski

P&Z Board Chair Tashe Jarusinski reported that the board would meet next to work on municipal sign regulations, including corrections to the signs table, continue working on suggested procedural rules for local appointed boards, and reviewing the table of authorized uses. She also noted that the meeting date was changed to Tuesday the 23rd, at the same time and location, to accommodate the council’s scheduled budget public hearing. The board has recommended a new board member be appointed by the council and finish with additional procedural recommendations, which are expected to be submitted by Thursday.

Council Member Reports:

A. Finance – Mary Gilroy

- Financial Report

Councilmember Gilroy reported the following cash balance report as of May 31, 2026:

General Fund:

Petty Cash: \$100
First Bank Checking: \$313,796
First Bank Money Market: \$206,006
Total First Bank: \$519,803.50

Capital Trust Accounts:

General Fund: \$1,752,794
Street Reserve: \$1,032,000
Police Vehicle Reserve: \$11,570
Capital Reserve: \$517,068
Separation Allowance Reserve: \$85,000
Pool Maintenance Reserve: \$65,000
Employee Compensation Fund: \$125,000
Total Capital Trust: \$3,588,433
Total General Fund Cash: \$4,108,336

Water Fund:

Petty Cash: \$100
First Bank Checking \$250,716
Capital Project Fund Well #13 (\$98,601)
First Bank Money Market \$20,086
Total First Bank: \$172,201.62

Capital Trust Account:

Water Fund: \$749,750
Tank Maintenance: \$75,000
Infrastructure: \$100,000
Total Capital Trust: \$924,750
Total Water Fund Cash: \$1,097,051.62

- House Bill 189

Councilmember Gilroy spoke briefly about House Bill 189 that will be a constitutional amendment on the November ballot limiting property tax increases by local government. She warned that if it passes, the General Assembly will enact laws restricting future tax levy growth, so the village should plan carefully for how to use existing funds.

- WF Budget Amendment #2026-04

Councilmember Gilroy presented a budget amendment that increases Fund 85-Capital Project Account and decreases the New Well Construction account by \$64,317.75.

Councilmember Gunn **moved to adopt Budget Amendment #2026-04**, seconded by Councilmember Kragel and unanimously carried.

B. Streets and Park – Kevin Robbins

Councilmember Robbins reported that the Forest Lake Drive paving project is scheduled to take place between June 26th and July 2nd, with the timeline allowing for possible weather delays. The project is expected to come in under budget, with an estimated cost of about \$153,000 compared to the \$175,000 budgeted. In addition, road conditions will be coded and prioritized to create a priority matrix for the village's future road improvements.

Councilmember Robbins requested approval to replace the park's aging barbeque grills, noting that the existing grills are rusted, have reached the end of their service life, and are susceptible to weather

damage. The proposal would replace them with four commercial-grade, powder-coated swivel grills installed on the existing concrete pads. The total cost of the project, including freight, taxes, materials, and installation, is approximately \$4,890.

Mayor Gregorich suggested waiting for council to approve until her report when the one-month trial with Legion Construction Services is discussed. Robbins commented that there are still hours to use under the pilot, and this could potentially be completed during that time.

C. Public Safety – Stephen Gunn

- Fourth of July Events Update

Councilmember Gunn thanked the *Events in Foxfire* group for putting together about 90% of the Fourth of July event and noted the remaining item is a budget assistance request pending a final number from Sally Cunliffe. *Events in Foxfire* said all park restrictions will be followed, there will be water available, water balloons, possibly a roaming magician and a grand marshal. The event is scheduled for 11:00 a.m. to 3:00 p.m. on July 3rd. The Fourth is being avoided due to a golf tournament.

- Fire Department Report

Councilmember Gunn reported that the fire department could not attend tonight due to other calls. There was a fire on the yellow trail at the park possibly caused by smoking. Cigarette butts were found near the bench. The exact cause of the fire is unknown. Gunn thanked Councilman Robbins for having the park trails widened, allowing access for the fire department to reach the fire.

- Police Department Report

Chief Amezquita thanked citizens and volunteers for the Build a Bed event, noting strong attendance based on staff reports.

There were no major highlights from the past month, aside from staffing coverage due to an officer being out for more than half the month (now returned) and another officer being on vacation. There was a fire at the Village park and Officer Coughenour assisted with the response.

D. Water Department – Chris Kragel

- Production

Councilmember Kragel reported that pumping levels rose to just above Stage 1 before Memorial Day but declined after significant rainfall and remain within acceptable levels. Residents were encouraged to conserve water by using it wisely, particularly by avoiding lawn watering during the hottest part of the day.

- SCADA Update

Kragel reported the second SCADA project meeting was complete and additional vendor quotes are being obtained.

- Water Meters

New water meters have been delivered and are expected to be installed by the end of July, with advance notice provided to residents.

- RFP/RFQ

Kragel reported receiving responses to the engineering services feasibility study and elevated water tank project. Jesse will follow up with an engineering firm for clarification and begin pursuing grant funding to assist with engineering and related project costs.

Mayor Gregorich suggested that the water department truck be marked and a decal be made for it.

E. Mayors Report – Janice Gregorich

Mayor Gregorich thanked both Mark and Sally Cuncliffe and the Brown family for putting out the American flags for Memorial Day.

- Purchasing Policy

Mayor Gregorich initiated a discussion on the Village's purchasing policy, emphasizing the importance of clear communication regarding projects and expenditures. She stated that while funds may be included in the approved budget, significant purchases and projects should be communicated to the Council before proceeding to ensure transparency and avoid misunderstandings. The proposed pickleball fence replacement was used as an example, and discussion followed regarding project approval and communication expectations. The Council agreed that providing advance notice of planned projects, including scope, timing, and costs when appropriate, will improve transparency, reduce misunderstandings, and keep both the Council and the community informed.

- Police Liability Coverage

Mayor Gregorich stated that there were questions regarding police officer liability related to officer-involved shootings. Lisa Kivett has contacted the Village's insurance carrier who will be able to provide answers. The insurance carrier requested specific questions from the Police Department to ensure that the appropriate information is provided.

- One-month Trial for Legion Construction Services

Mayor Gregorich reported the one-month trial with Legion Construction Services, LLC has ended and asked that council make a decision on whether to continue or not.

Councilmember Gunn supports continuing the relationship and believes having the maintenance team together, despite some controversy, is beneficial.

Councilmember Gilroy agreed the Village needs a maintenance program desperately. However, until there is a better understanding of the needs, timetable, and costs involved, the Village should consider a reduced scope or fewer hours at a lower cost.

Councilmember Robbins explained that the proposed maintenance program was not a \$75,000 increase in spending, but rather a consolidation of existing budget lines for facilities, trails, heavy equipment, and other services. He stated that combining services would improve efficiency, reduce reliance on multiple vendors, provide better project control, and potentially reduce legacy costs. He noted that the program would allow the Village to prioritize work based on assessments and approved needs. Discussion also occurred regarding yard waste costs, with current spending reported at approximately \$20,500 as of the end of April and additional invoices expected.

Councilmember Kragel stated that he supports the concept of a managed maintenance program but does not believe Legion is the appropriate provider. He expressed concerns regarding the vendor's qualifications, costs, and conduct during a previous work session, stating that he felt disrespected during the discussion. He noted that he had not seen qualifications, comparable quotes, or sufficient information to evaluate the vendor's abilities, including trail maintenance. Councilmember Kragel stated that, in his opinion, the vendor's behavior during interactions with the Council did not reflect the qualities he expects from a Village supplier or service provider.

Councilmember Gunn stated that he supports continuing the relationship with Legion. He noted that concerns about disrespect should be considered in context and stated that disrespect has occurred on both sides. He did not believe that this alone should determine whether to continue the relationship.

Mayor Gregorich **moved to not continue our relationship with Legion as the supplier**, seconded by Councilmember Kragel. The vote was called.

Councilmember Gunn	no
Councilmember Robbins	no
Mayor Gregorich	yes
Councilmember Kragel	yes

Councilmember Gilroy stated she would vote no at this time but recommended seeking bids from other providers to compare options and costs. She suggested continuing with Legion until the bidding process is complete.

Councilmember Gilroy no

Councilmember Robbins said he will seek other bids. It was agreed by the council that the bid deadline would be the end of July.

Councilmember Gunn **moved to approve the purchase of the barbeque grills at the park**, second by councilmember Robbins and unanimously carried.

- Call Closed Session

Mayor Gregorich would like to call two special closed meetings to discuss personnel performance pursuant to NCGS §143-318.11 (a)(6) and to meet by phone with the Village attorney pursuant to NCGS §143-318.11 (a)(3). She asked all council to provide her with dates and times est to conduct these meetings, and she will schedule in accordance with Bob Hornik's availability.

- Public Comments

Mayor Gregorich reported a public comment was received regarding the recording of meetings. The Village is currently in the process of contracting with an IT provider and reviewing contractors to fill this position. Due to the transition, there will likely be an interruption in recorded meetings, as the necessary resources are not currently available to continue recording without assistance. Brief discussion followed regarding legality of conducting live streaming meetings and retention.

Mayor Gregorich addressed public comments made during the previous work session, including concerns regarding perceived scoffing or reactions from Council members. She apologized if any of her actions were perceived that way and reminded all members to remain professional and mindful of their behavior and reactions during public comments.

She also addressed comments regarding alleged political enforcement of zoning ordinances related to a resident's flower farm. She stated that ordinance enforcement is not political and is part of the sworn duty of staff, Council members, and law enforcement to uphold federal, state, and local laws. She clarified that the violation involved on-site sales in a residential district, not the operation of a flower farm itself, and explained that agricultural exemptions do not apply within Village limits. Mayor Gregorich stated that enforcement occurs when violations are reported or discovered and emphasized that ordinances must be applied consistently.

Unfinished Business and Legislative Actions

- WEFD Contract and Lease

Council members Gilroy and Gunn provided an update on the contract and lease. They reported the county approved an 8.75% fire tax rate, resulting in payments to WEFD of approximately \$321,000. Staff reviewed contract revisions and noted that several requested items were already addressed in the existing lease.

There is some potential pushback regarding responsibility for major building systems, including HVAC and bay doors, and the risk that significant lease changes could jeopardize the current agreement. The year-end true-up request was removed to ensure payments remain consistent with the approved fire tax rate.

The revised contract will go before the West End Fire and Rescue Board before returning to Council for approval. Council agreed that finalizing the contract first and addressing any lease changes separately may be the best approach.

- Park Rules

Councilmember Robbins presented the revised park rules, noting that the document incorporated feedback from previous work sessions. Discussion included sunrise and sunset references, existing

UDO alcohol regulations, the addition of a no-weapons provision, and clarification that weapon determinations would remain a law enforcement matter based on circumstances and intent. Noise, parking, and overnight parking provisions remained unchanged, while pet regulations emphasized leash requirements, control, and cleanup responsibilities. The group also discussed trash responsibilities, noting that regular park users should dispose of waste properly, while approved special event hosts would be responsible for event-related trash removal and restocking supplies.

Councilmember Gunn **moved to approve the revised park rules with the minor suggested changes, including removing the website link, updating the contact information to the designated email address, and incorporating clarification regarding the emergency phone reference**, seconded by Councilmember Gilroy and unanimously carried.

- Accept Planning & Zoning Board Recommendations / Call Public Hearing for August 11, 2026

Mayor Gregorich **moved to schedule a public hearing for the Planning and Zoning recommendations, as revised in the 6/8/26 version, for the August 11th meeting**, seconded by Councilmember Gilroy and unanimously approved.

C. New Discussion Items

- Planning & Zoning Recommendation – Short Term Rentals

Mayor Gregorich noted that short-term rentals were removed from the Planning and Zoning recommendations pending additional research. Further review is needed regarding notification procedures for affected property owners who may need to obtain a conditional zoning permit, as well as documentation requirements to verify short-term rental status. Additional work will be completed before bringing forward recommendations on this matter.

- MOU – Brough Law Firm

Council briefly discussed renewal of the current law firm agreement. Councilmember Robbins is concerned that the firm should be evaluated using a process similar to the one applied to Legion Construction Services, LLC, including a review of performance, consideration of comparable firms, and confirmation that services and fees remain fair and reasonable. Discussion followed regarding the need to maintain legal representation and determine the best course of action if the current agreement is not renewed and consider community requests to explore additional legal options.

Mayor Gregorich reported on the current law firm’s qualifications, noting that the firm is recognized as a leading expert in municipal law. Additional legal options could be considered; however, maintaining legal representation through the next fiscal year is necessary. It was noted that the current agreement allows the Village to discontinue services if needed, and clarification was requested regarding the existing contract terms.

Mayor Gregorich **moved to accept the MOU-Memo of Understanding from the Brough Law Firm**, seconded by Councilmember Kragel. The vote was called

Mayor Gregorich	yes
Councilmember Kragel	yes
Councilmember Gilroy	yes
Councilmember Gunn	no
Councilmember Robbins	no

The motion carried by majority vote. It was agreed to pursue other legal firms for possible legal representation.

D. Public Comment Period - Comments on items listed on this agenda.

Dan Leary, 73 North Shamrock Drive, commented on legal services, noting that changing firms could create additional costs and encouraged the Council to continue evaluating the current arrangements before making changes. He also encouraged further communication regarding Legion services and consideration of the value provided.

Sue Sedlak, 21 Eagle Drive, commented on the pickleball fence replacement project, stating that she believed the fence only required repairs rather than a full replacement. She noted that the courts are well regarded by users and that no concerns about the fence had been raised by players.

Michael Metz, 2 Eagle Drive, spoke on behalf of Jason Kaiser regarding concerns related to the pool project and questions about recovering costs associated with the work performed. The Council responded that the funds paid for the pool project were for completed work, while current concerns involve issues with the concrete that are being addressed.

Sally Cunliffe – 1 Ridge Road asked whether meeting audio recordings or minutes could be posted online during periods when video recordings are unavailable. She asked about enforcement options for the general store parking lot with significant potholes. Council explained the limitations on existing nonconforming properties under state law and noted that current and future developments must comply with applicable ordinances.

Ms. Cunliffe asked about the July 3rd parade plans, noting that the parade had not been included in previous discussions. She suggested that a brief announcement be prepared for the website and community communications outlining the route, event details, and traffic control information. The Council discussed the proposed route, which would include participants from both sides of the community meeting at the park, with police assistance for traffic control. It was noted that parades generally do not require formal approval as long as appropriate traffic control measures are in place.

Dan Leary, 73 North Shamrock Drive raised concerns regarding the general store driveway that repeatedly washes sand and debris into the state roadway, creating a potential public safety issue. He questioned whether the county or state could be contacted for assistance or enforcement.

Colleen Schlenker- 2 Sunset Lane commented on the importance of maintaining access to meeting recordings, noting that residents rely on recordings to stay informed.

14. Adjourn

Councilmember Gunn **moved to adjourn the meeting**, seconded by Councilmember Robbins and unanimously carried. The meeting adjourned at 7:53 PM.



Lisa A. Kivett, MMC, NCCMC, CZO
Village Administrator/Clerk



Janice Gregorich
Mayor