

MINUTES
PUBLIC HEARINGS / REGULAR MEETING
Village Hall Meeting Room
June 8, 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, Councilwoman Gregorich, and Councilman Ed Howze.
- 3. Others Present:** Lisa Kivett-Village Clerk, Officer Gary Garner, Fire Chief Eric Stromberg, Residents Andy Moody, Mary Gilroy, Karl Bernet, Marianne Lauer, and Sue Sedlak; Foxfire Golf Course employees
- 4. 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 three separate Public Hearings would be conducted prior to entering the Regular Monthly Meeting.

5. Public Hearing

1. 2021-2022 FY Budget

Mayor Pro Tem Frusco made a motion to open the public hearing, the motion carried unanimously.

- Budget Message

Mayor Pro Tem Frusco read the 2021-2022 Budget Message and provided details on several areas. The 2021-2022 budget is based on no tax increase for Foxfire Village and the rate will remain at .38. A copy of the Budget Message is made part of these June 8, 2021 Minutes and titled "Attachment A".

Resident Sue Sedlak spoke on behalf of a pickleball players group who are requesting the Village install pickleball courts near the Village Pool. Ms. Sedlak brought the request to council at the previous month's meeting and the council requested she do further research and provide further information this evening.

Sedlak prepared a brief presentation on this request and a petition signed by over 150 residents in support of pickle ball courts. A copy of both presentation and the petition are made part of these June 8, 2021 Minutes and titled "Attachment B" and "Attachment C". Mayor Pro Tem added there are currently over 30 pickleball courts within Moore County and is growing in popularity.

Resident Warren Landis taught physical education for thirty-five years and believes in lifetime sports. He voiced his support of installing pickleball courts.

Councilman Boito made a motion to close the public hearing, the motion carried unanimously.

Mayor Pro Tem Frusco made a motion to dispense with the reading of Ordinance #2021-03, the motion carried unanimously.

Mayor McCue pointed out the new budget includes a fourth full-time police officer and a part-time administrative assistant for the Village office. The pickleball courts are included and will be funded by the reserve in the capital outlay.

Mayor Pro Tem Frusco made a motion to adopt the 2021-2022 Fiscal Year Budget and Ordinance #2021-03. The motion carried unanimously.

2. Annexation – Jeffrey and Deborah Johnson – Grande Pines Lot 60R

Mayor Pro Tem Frusco made a motion to open the public hearing, the motion carried unanimously.

Mayor McCue explained the request is to annex a parcel located within the gated community of Grande Pines. He pointed out the parcel location on the zoning map. The parcel has access to Village water which the owner is responsible for paying a connection fee and no additional roads are needed to reach the parcel.

Beverly Gentry, Realtor with Coldwell Banker was in attendance on behalf of the property owner and available for questions.

MaryAnne Lauer asked if they also received police coverage which Frusco replied they do.

Councilman Boito made a motion to close the public hearing, the motion carried unanimously.

- Adopt Annexation Ordinance #AX-2021-04

Mayor Pro Tem Frusco made a motion to adopt Annexation Ordinance #AX-2021-04 effective June 8, 2021. The motion carried unanimously.

3. Annexation – Onsite Homes, LLC -2770 Hoffman Rd.

Mayor McCue commented this request is to annex a parcel on Hoffman Rd. located across from Pineland Preserve and surrounded by other parcels located the ETJ. The property owner wishes to annex for the purpose of obtaining Village water. There were no comments.

Councilman Boito made a motion to close the public hearing, the motion carried unanimously.

Mayor Pro Tem Frusco voiced her opposition to the request for annexation. She believes by annexing the parcel, it would create spot annexation. She questioned if the request was based on an unsuccessful drilling if a well or because they did not want to expend the money to drill.

Frusco additionally pointed out issues with the current RA zoning of the parcel. She suggested the current owner, On-site Homes, would also need to apply for rezoning.

Councilwoman Gregorich is opposed to the request. She suggested water first be provided to parcels already in the corporate limits before we expand and add outside parcels to the system.

Some in attendance wished to make comments.

Mayor Pro Tem Frusco made a motion to re-open the public hearing, the motion carried unanimously.

Resident Tom Stevens asked if being zoned RA, could the property owner build what they want and use it for any purpose. Council responded there are some restrictions but for the most part, yes. Resident MaryAnne Lauer asked if tap-on fees were the same for everyone. Frusco responded it depends on the size of the water connection, ¾" or 1 inch. Resident Leslie Stein voiced her concerns with the current zoning.

Mayor McCue commented his decision on this request is based on policy and the way he views annexation. He agrees with Frusco that it creates spot zoning being surrounded by ETJ parcels. He pointed out the difference between this request and the previous annexation on the agenda. This property is technically contiguous to other annexed parcels being located across the street from Pineland Preserve however, it does not fit within the Village policies regarding annexation. He echoed council's previous comments and concerns on water availability.

Mayor Pro Tem Frusco made a motion to close the public hearing, the motion carried unanimously.

Councilman Boito made a motion to approve the request for annexation by On-site Homes.

The vote was called.

Frusco – no

Boito – no

Howze – no

Gregorich – no

McCue – no

The annexation request from On-site Homes was DENIED.

6. Approval of the June 8, 2021 Regular Meeting Agenda:

Councilman Boito added *Park Update* and Councilwoman Gregorich added *Water Rates* to their reports.

Mayor Pro Tem Frusco made a motion to adopt the June 8, 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. May 11, 2021 Citizen Participation Meeting
2. May 11, 2021 Regular Meeting
3. May 20, 2021 Work Session
4. May 27, 2021 Special Meeting

Councilman Boito 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 May 12th thru June 8th

Forty-seven (47) homes under construction in the Village and three (3) are under construction in the ETJ.

Permit applications were received and reviewed for the following:

- Two (2) Single Family Residence
Vista Ridge (Grande Pines)
Hoffman Rd (ETJ)
- Two (2) Barns
- Two (2) Fence
- One (1) Accessory Building
- Three (3) Propane Tank

10. Council Member Reports:

A. Finance – Leslie Frusco

- Financial Report

Mayor Pro Tem Frusco reported as of May 31, 2021, the general fund balance is \$1,608,547 of which \$1,229,103 is unrestricted. Restricted funds of \$387,634 are for Street Maintenance Reserve, Police Vehicle Reserve, Separation Allowance Reserve, K9 Fund and a Capital Reserve. The water fund total balance is \$1,018,063 of which \$721,987 is unrestricted. The remaining balance of \$296,076 are restricted funds for tank maintenance and future well(s). In total, the Village has one loan remaining in the water fund, none remaining in the general fund, and zero debt. We have collected a much higher motor vehicle tax than anticipated based on COVID. Sales tax revenue is considerably higher so we should have no issues meeting the budget next year. Frusco reminded council to check available funds before making purchases this month. Two budget amendments will be prepared for the new pool fence and flagpole installation. They will be adopted at the final worksession. Boito asked if there was any further information on the Covid Relief federal money disbursement. Frusco replied that nothing in the budget provides for those

funds because any money received will go into a segregated fund. Frusco and Sharon Sanchez participate in webinars whenever information becomes available from the State Treasurer's office and the LGC. There was brief discussion.

B. Streets and Park – Don Boito

- Park Update

Due to the lack of rain, the spraying has been delayed until sometime in July.

C. Public Safety – Ed Howze

- PD Update

The Moore County Fire Marshal conducted an inspection of Village facilities on May 11th. Some minor deficiencies were found and have been or in the process of being corrected. A reinspection is scheduled for June 14th.

The Police staff continues to refurbish the police department building into a command center using the grant funds. Once complete, they will be able to communicate with the County and other local municipalities during weather events or emergency situations via live stream.

Chief Shue provided a brief update of police activities. He added that once the refurbishing project is complete, they would like to set up an Open House to run in conjunction with the FPOA Foxfire Days during the Labor Day weekend. Shue also suggested scheduling a K9 Demonstration at the Village Park during the FPOA picnic. Officer Kivett continues to address ordinance violations and a State Citation will be issued for the camper on Eagle Drive. Traffic enforcement has increased.

Shue gave a brief update on K9 Maverick who is responsible for several narcotic finds both inside and outside the Village. Maverick has assisted several other departments for various issues.

D. Water Department – Janice Gregorich

- Fire Marshal Inspection/ Hydrant Issues

Councilwoman Gregorich reported the fire inspector noted a couple of issues during the recent inspection. Items stored near an electrical panel were removed and an issue with missing hardware on a hydrant is being addressed.

- Water Rates

Councilwoman Gregorich is reviewing the current water rate structure and contacted the School of Government for guidance. Three areas will be researched, the tap fees, system development fees and actual water rates.

E. Mayor's Report – E.M. McCue III

Mayor McCue and the Police Chief are reviewing the current noise ordinance for various issues. An amendment to the ordinance will be available at a later date.

McCue reminded all that the June 24th Worksession was cancelled and a Special Worksession to discuss the Unified Development Ordinance (UDO) is scheduled for June 29th.

Mayor Pro Tem Frusco added the Village Pool inspection is scheduled for June 11th and the pool should be open by the weekend. Information will be posted to the Village website.

11. Old Business:

None

12. New Business

None

13. Public Comment:

None

14. Adjournment

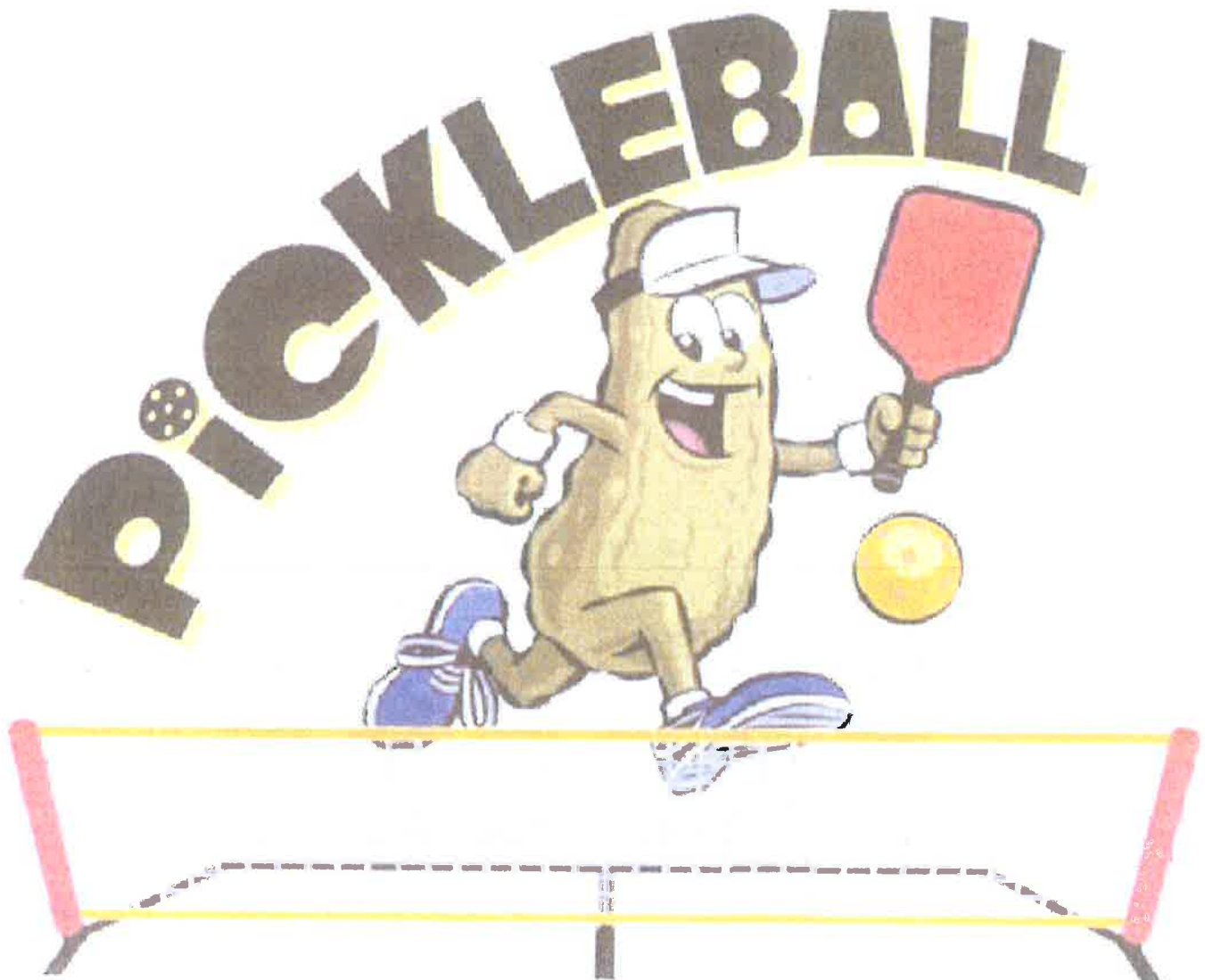
Councilman Boito made a motion to adjourn. The motion carried unanimously, and the meeting adjourned at 5:44 PM. As so incorporated to these minutes of June 8, 2021 are exact copies as so recorded in the ordinance and resolution books of Foxfire Village as if fully set out in the minutes.



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

E.M. McCue III
Mayor

Foxfire Village Additional Information For Proposed Pickleball Courts



Origins of Pickleball

JUNE 8, 2021
ATTACHMENT "B"

2021 marks the 56th anniversary of pickleball. The game was conceived by a group of dads looking for a way to keep their children occupied at a summer picnic on Bainbridge Island (WA), in 1965. The property had an old badminton court so the dads, not finding badminton equipment, improvised, and started playing with their kids using ping-pong paddles and a perforated plastic ball. At first, they placed the net at badminton height of 60 inches and volleyed the ball over the net. As the weekend progressed, the players found that the ball bounced well on the asphalt surface and soon the net was lowered to 36 inches.

Those same dads had so much fun playing the game, they later collaborated to create paddles, ball, court and net similar to the ones used today.

Pickleball Growth Highlights

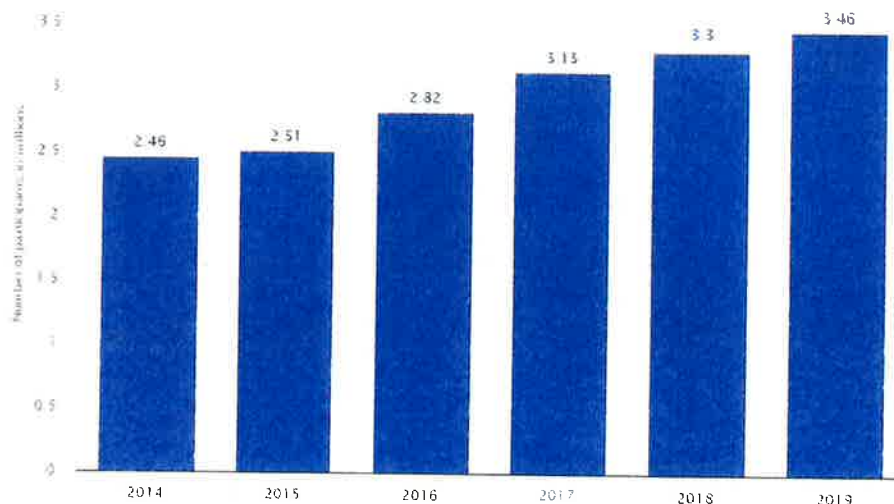
1966 – 1975: Pickleball saw some regional growth and the sport was recognized in a National Observer article in 1975.

2001 - The game was introduced for the first time in the Arizona Senior Olympics.

2005 - USA Pickleball Association (USAPA) was established.

2009 - The first USAPA National Tournament for players of all ages was held in Buckeye, Arizona. 400 players participated.

US Pickleball Growth from 2014 – 2019

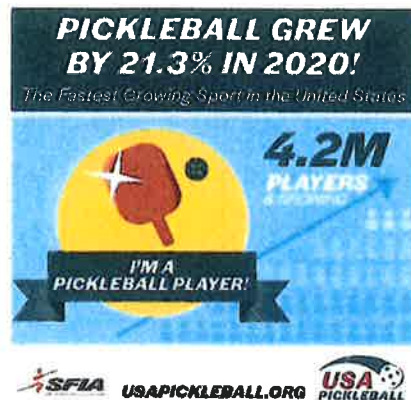


Statista 20*

* Source: Statista, November 27, 2020

US Pickleball Growth from 2019 – 2020

JUNE 8, 2021
ATTACHMENT "B"



Pickleball grew in 2020 to **4.2 million players in the US**, an incredible growth rate of **21.3% from 2019.** *

***Source:** Sports & Fitness Industry Association's (SFIA) 2021 Topline Participation Report, released in Feb. 2021.

Pickleball Courts in Moore County

Location	Number of Courts
Pinehurst, Rassie Wicker Park, (outdoor, lighted)	2
Pinehurst, #6 (outdoor)	8
Pinehurst Community Center (indoor)	2
Pinehurst Trace (outdoor)	2
Pinehurst, CCNC (outdoor)	4
Southern Pines Memorial Park (outdoor, lighted)	2
Southern Pines Recreation Center (indoor)	2
Whispering Pines Country Club (outdoor)	2
Carthage, Moore County Senior Center (indoor)	1
Carthage, Moore Co. Parks & Rec. (indoor)	1
Seven Lakes, Racquet Club (outdoor, lighted)	4
Total	30

Foxfire Village Resident Feedback

**JUNE 8, 2021
ATTACHMENT "B"**

Our core group of pickleball players measured resident support for pickleball courts through door-to-door solicitation. Our representative resident sample included a wide variety of age groups and both new and long-established Foxfire families. For those residents unfamiliar with pickleball, we also provided a verbal overview and informational flyer about the game. Both the petition and flyer appear on the following 2 pages.

To date, we've received in excess of 150 signatures supporting the project (signed petitions will provided to the council at the 6/8 meeting).

Attention Foxfire Village Residents!

JUNE 8, 2021
ATTACHMENT "B"

Explore the fastest growing recreational sport of PICKLEBALL!

Top Ten Reasons Foxfire Village Should Build Pickleball Courts for its Residents:

1. Pickleball is easy to play.
2. Pickleball is a social sport - play with friends or family. It's a great way to meet new people.
3. Pickleball is a fun game to play at any age.
4. Pickleball can be played and enjoyed by people at all skill levels.
5. Pickleball is a healthy sport.
6. Pickleball is a relatively inexpensive game to play - paddles and a pack of balls can be purchased for less than \$30.00. No special equipment or dress is required.
7. Pickleball is easy to make time for - just grab your paddle and balls when you have time and go to your local court.
8. Pickleball courts are about 1/3 the size of tennis courts (20' x 44'). More courts can fit in a smaller area allowing more people to play at the same time. And there's not as much court to cover!
9. Pickleball courts are less expensive to construct and maintain than tennis courts.
10. Pickleball is growing fast!



"If you build it, they will come" (Field of Dreams)

May-June 2021

Dear Foxfire Village Council:

I support the addition of Pickleball Courts to our Village recreational options. I and/or a family member have played this sport or would like to try this sport; but even if I/we don't end up playing this sport, I/we believe it would be a valuable asset to our Village and a recreational activity that is consistent with the Village long range plan.

SIGNATURE	ADDRESS
1. <i>[Signature]</i>	12 Forest Lake Drive
2. <i>[Signature]</i>	3 S Wren Pl
3. <i>[Signature]</i>	Bodolink
4. <i>[Signature]</i>	25 Bodolink
5. <i>[Signature]</i>	17 Bodolink Rd
6. <i>[Signature]</i>	36 Woodland
7. <i>[Signature]</i>	46 Woodland Cir
8. <i>[Signature]</i>	1 Dogwood Ct
9. <i>[Signature]</i>	4 Dogwood Ct.
10. <i>[Signature]</i>	45 Woodland
11. <i>[Signature]</i>	39 Woodland Cir
12. <i>[Signature]</i>	37 Woodland Circle

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SIGNATURE	ADDRESS
1. <i>[Signature]</i>	26 Woodland Circle
2. <i>[Signature]</i>	28 Woodland Circle
3. <i>[Signature]</i>	21 Woodland Cir
4. <i>[Signature]</i>	20 Woodland Circle
5. <i>[Signature]</i>	16 Woodland Circle
6. <i>[Signature]</i>	4 Woodland Cir.
7. <i>[Signature]</i>	4 Woodland Cir.
8. <i>[Signature]</i>	9 Forest Lake
9. <i>[Signature]</i>	52 Woodland Cir
10. <i>[Signature]</i>	52 Woodland Cir
11. _____	
12. _____	

JUNE 8, 2021
ATTACHMENT "C"

Dear Foxfire Village Council:

May-June 2021

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SIGNATURE	ADDRESS
1. Scott P. [Signature]	3 Burning Tree Place Foxfire
2. [Signature]	" " "
3. Mary Sillings	3 Bermuda Circle Foxfire Village
4. [Signature]	" " "
5. Martha Marshall	24 Woodland Circle
6. Katie Kope	4 Bermuda Circle Jackson Springs NC 27226
7. Charles Kope	" ↑
8. James Conduat	1 BERMUDA CIRCLE
9. Jennifer Conduat	↑
10. Kayla Conduat	↑
11. Kara Conduat	↑
12.	

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SIGNATURE	ADDRESS
1. Lucille Cardella	20 Deer Track Rd F.F.
2. Maury Hardy	30 Woodland Circle FF
3. [Signature]	10 Wrenn Ln
4. Judy Smith	3 So. Wrenn Pl.
5.	
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JUNE 8, 2021
ATTACHMENT "C"

May-June 2021

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SIGNATUREADDRESS

1. Warren Morgan 14 Pinetree
2. Bob Dawson 1 Deer Track
3. [Signature] 2260 Hoffman Rd
4. [Signature] 3 Pine Valley Cir
5. [Signature] 24 Woodland Cir
6. Christopher Keagle 25 PINETREE
7. [Signature] 130 Rockwell's Vist.
8. [Signature] 3 Buckhorn Rd
9. [Signature] 17 Ridge Rd
10. [Signature] 71 S Shamrock
11. Robert P. Brown 5 Foxhall Cir
12. Bill Pomplun 14 Woodland Cir

May-June 2021

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SIGNATUREADDRESS

1. [Signature] 44 Woodland Circle
2. [Signature] 1607 ADAMSON RD
3. [Signature] 52 RICHMOND RD
4. [Signature] 13 DEER TRACK RD
5. [Signature] "
6. [Signature] 29 Ridge Rd
7. [Signature] 31 Ridge Rd
8. [Signature] 23 Ridge Rd
9. [Signature] 21 Ridge Rd
10. [Signature] 21 RIDGE RD
11. [Signature] 16 Ridge Rd
12. [Signature] 12 Ridge Rd

May-June 2021

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SIGNATUREADDRESS

- | | |
|------------------------------|-----------------------|
| 1. <u>Toll Stauber</u> | <u>10 Ridge Rd FV</u> |
| 2. <u>Sherry Stauber</u> | <u>10 Ridge Rd FV</u> |
| 3. <u>Brenda Sheldon</u> | <u>27 Ridge Rd</u> |
| 4. <u>Bob Shelden</u> | <u>"</u> |
| 5. <u>Paul Cuyf</u> | <u>6 Ride Rd</u> |
| 6. <u>Chance Steen</u> | <u>8 Ridge Rd. FV</u> |
| 7. <u>Luan Williamson</u> | <u>18 Deer Track</u> |
| 8. <u>Betty Williamson</u> | <u>"</u> |
| 9. <u>Mary Hopp</u> | <u>18 Deer Track</u> |
| 10. <u>Stephanie Schulte</u> | <u>"</u> |
| 11. _____ | _____ |
| 12. _____ | _____ |

May-June 2021

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SIGNATUREADDRESS

- | | |
|-----------------------------|---------------------------|
| 1. <u>Conqu Hochstetler</u> | <u>8 S WRENN PL</u> |
| 2. <u>Ann Hest</u> | <u>8 S WRENN PL</u> |
| 3. <u>L. Hart</u> | <u>52 Richmond Rd</u> |
| 4. <u>Susan Baskholder</u> | <u>5 Hillside Dr.</u> |
| 5. <u>Yancy / Khus</u> | <u>38 W. Marshall Cir</u> |
| 6. <u>Pamela Koo</u> | <u>35 Richmond Rd.</u> |
| 7. <u>Barb Smart</u> | <u>52 Richmond Rd</u> |
| 8. <u>Jay Hochstetler</u> | <u>8 S WRENN</u> |
| 9. <u>Susan A. Manley</u> | <u>21 Cardinal Dr.</u> |
| 10. <u>Brian Manley</u> | <u>21 Cardinal Dr.</u> |
| 11. <u>Anny Becker</u> | <u>40 W. Shamrock</u> |
| 12. <u>Susan Lougee</u> | <u>68 S. Shamrock</u> |

JUNE 8, 2021
ATTACHMENT "C"

May-June 2021

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SIGNATURE	ADDRESS
1. <u>Mick Stettin</u>	<u>8 Brassie Ln Foxfire NC 27281</u>
2. <u>John Hume</u>	<u>"</u>
3. <u>Karen Bornhorst</u>	<u>10 Brassie Ln Foxfire, NC 27281</u>
4. <u>Loey & Kathy</u>	<u>12 Brassie Ln Foxfire NC 27281</u>
5. <u>Alfa</u>	<u>2 Brassie Ln</u>
6. <u>Judy McCollum</u>	<u>51 Forest Lake Dr</u>
7. <u>Pam & Ramona Keys</u>	<u>35 Forest Lake Dr</u>
8. <u>NORM STEIN</u>	<u>187 WOODLAND CIRCLE</u>
9. <u>Leslie Stein</u>	<u>187 WOODLAND CIRCLE</u>
10. <u>Sharon Williams</u>	<u>101 Fox Ridge Rd</u>
11. <u>Sandy Faye</u>	<u>23 Woodland Circle</u>
12. <u>[Signature]</u>	<u>22 Woodland Circle</u>

May-June 2021

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SIGNATURE	ADDRESS
1. <u>Dore C. Meyer</u>	<u>14 Pine Tree Terrace</u>
2. <u>Jed M Kovatch</u>	<u>2 Wildwood Lane</u>
3. <u>Dore Kovatch</u>	<u>4 Wildwood Lane</u>
4. <u>Diane Kovatch</u>	<u>4 Wildwood Lane</u>
5. <u>Pete Kovatch</u>	<u>2 Wildwood</u>
6. <u>Chris Smith</u>	<u>6 Brave Court</u>
7. <u>Mr & Mrs Bascom + Jordan Johnson</u>	<u>14 Eagle Drive</u>
8. <u>Michael R. Sudler</u>	<u>40 N Shennock</u>
9. <u>Joe Strangman</u>	<u>43 FOREST LAKE DR.</u>
10. _____	_____
11. _____	_____
12. _____	_____

JUNE 8, 2021
ATTACHMENT "C"

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May-June 2021

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SIGNATURE

ADDRESS

1. Arlene McCue 7 Oak Hill Dr.
2. Ellis Ray 9 Oak Hill Dr.
3. Ellis Ray 15 Oak Hill Dr.
4. Jeremy Kahn 15 Oak Hill Dr.
5. Henry F. Hedrick 10 Oak Hill Dr.
6. Kathleen Hedrick 10 Oak Hill Dr.
7. James Lander 23 Pine Tree Terrace
8. Kathleen Ross 18 Oak Hill Dr.
9. Kathleen (Ross) 18 Oak Hill Dr.
10. Alvin McCue 7 Oak Hill Dr.
11. Frank Holloway 12 Woodland Cr.
12. Sandra Holloway ✓

Dear Foxfire Village Council:

May-June 2021

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SIGNATURE

ADDRESS

1. Bob Link 22 Bobolink
2. Phyllis R. Stevens 3.6 Woodland Circle
3. Charles K. Stevens 25 Bobolink
4. John J. Stevens 11 Eagle
5. John J. Stevens Eagle 11
6. John J. Stevens 22 Eagle Drive
7. John J. Stevens 3 Dickinson Ct
8. Macell Moore 6 Meadow Ct
9. Donald Rossman 4 Green Valley Ln
10. Carl Hark WHITMAN CT
11. Walter Reed 22 Bobolink
12. Walter Reed 22 Bobolink

JUNE 8, 2021
ATTACHMENT "C"

May-June 2021

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SIGNATURE

ADDRESS

1. Colin Nguyen Whitman Ct
2. Sherry Helms 191 Woodland Circle
3. Ed Connelley 25 Eagle Drive
4. L. J. R. R. 4 Pine Tree Terrace
5. Ed Samuels 1 PINE TREE TER
6. Chadwick Davis 23 Deer Track Road
7. Jean Dawson 1 Deer Track Rd.
8. Frank Miller 31 N 514th Rock DR
9. James Lloyd 6 Pine Ridge Ct
10. Mark Lloyd 6 Pine Ridge Ct
11. Andrew 27 Eagle Drive
12. Joe Sedlak 21 Eagle Drive

May-June 2021

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SIGNATURE

ADDRESS

1. Alan Lee 1 Oak Hill
2. _____
3. _____
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9. _____
10. _____
11. _____
12. _____

JUNE 8, 2021
ATTACHMENT "C"