

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Village Hall Meeting Room
March 14, 2023-4:30 PM**

- 1. Call to Order:** Mayor Boito called the meeting to order at 4:30 PM
- 2. Members Present:** Mayor Pro Temp Janice Gregorich, and Gary Samuels
- 3. Members Absent:** Councilmembers Janet Nauman and Don Nelson
- 4. Others Present:** Chief Shue, Mary Gilroy-P&Z Chair, and several members of the public
- 5. Moment of Silence:** Mayor Boito requested those present to pause for a moment of silence followed by the Pledge of Allegiance.
- 6. Approval of the March 14, 2023 Regular Meeting Agenda**
Mayor Boito added MPO Meeting and ARP Resolution to his report.

Mayor Pro Tern Gregorich made a **motion to adopt the March 14, 2023 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 26, 2023 Work Session
 2. February 3, 2023 Regular Meeting
 3. February 14, 2023 Regular Meeting
 - B. Authorization to Advertise Tax Liens**
 - Tom Walburgh, Regular Member- effective February 21, 2023
 - Neill Tighe, ETJ Member- effective March 3, 2023
 - Mary Kragel, Alternative Member - effective March 14, 2023
 - C. Appointments - Board of Adjustment**
 - Mary Kragel, fill unexpired regular member term left by Tom Walburgh, Term expires November 1, 2023.

Councilmember Samuels made a **motion to approve the consent agenda as written.** The motion carried unanimously.

- 8. Public Comment Period**
None

9. Zoning Administrators Report - Lisa Kivett

Lisa Kivett provided the following zoning activity from January 1, 2023 through March 14, 2023

Currently a total of Fifty-eight (58) homes are under construction or in the beginning stages of lot clearing. Fifty- seven (57) in the Village Corporate Limits and One (1) in the ETJ.

Permit applications were approved for the following:

Twelve (12) Single Family Residence (included in the total above) 163

Grande Pines Vista

550 Grande Pines Vista

263 Porterfield Lane 180

Vista Ridge West

209 Grande Pines Ct. West 54

Forest Lake Drive

20 Forest Lake Drive 27

Forest Lake Drive 3

Birdie Ct.

3 Magnolia Circle
10 Cardinal Drive
73 N. Shamrock

Eight (8) Certificate of Occupancy were issued: 141

Reynwood Ct.
32 Woodland Circle
2 Eagle Drive
158 Woodland Circle
2731 Hoffman Rd
929 Richmond Rd
135 Reynwood Ct.
24 Pine Tree Terrace

Other Permits Issued One

(1) Clearing Permit
One (1) Structure Modification One
(1) Deck
Two (2) Swimming Pool
Five (5) Fence
Four (4) Accessory Buildings
Two (2) Propane Tank
One (1) Permanent Sign

10. Council Member Reports:

A. Finance - Janice Gregorich

Mayor Pro Temp Gregorich reported as of February 28, 2023: The balance in the general fund is \$2,709,394 of which \$983,108 is reserved. The balance on the water fund is \$1,322,492 of which \$361,076 is reserved. The total in the Capital Trust funds is 2.7 million with an added \$200,00 into the fund. February's general fund interest is \$6,173 and the water funds interest is \$2,631. Gregorich suggested increasing reserves in streets, wells and infrastructure. This can be done through the budget process.

B. Public Safety - Lieutenant Garner

Lieutenant Garner reported the new patrol car was shipped and should be received soon. K9 Maverick was sold for \$4,000 to American K9 located in Molock, NC. Once they complete training with Maverick, he will be sent to the Carnival Cruise Port in Miami, Florida, checking cargo on cruise ships.

C. Water Department - Gary Samuels

- Water Infrastructure Presentation

Councilmember Samuels reported that Underwood Drilling is running behind on jobs but we are still on deck for them to drill a test well on the Sackman property. There was discussion on the amount of water we should expect from the well in order to put a contingency offer on the property. David McKew suggested it be no less than 27 gpm, however he felt it could produce 50 gpm or above.

Samuels provided an update on the meeting he had with David McKew, Chief Shue, and Jesse Southard regarding the security status of the Village water infrastructure. All locks on doors have been upgraded and electrical wiring was complete for two well-house locations. Some cosmetic and structural repairs were also made to the exterior of some buildings. When we had the power outage, several issues were brought to our attention which prompted him to further look at other potential problems. He provided a PowerPoint presentation with photos of wellhouse pumps and equipment in need of repairs, upgrades or complete replacements. He provided details on each picture. A copy of his presentation is made part of these March 14, 2023 Minutes.

Gregorich suggested having a maintenance plan and budget the money needed to make the repairs. Samuels replied he believes the bids for repairs will be high and wants council to be ready for what the costs may be. Gregorich suggested adding \$100,00 in reserves to the \$50,000 already there. Samuels added that one electrical contractor will appraise the electrical panels and exterior lighting. McFadden will provide an estimate on installation of a switch for the updated system and one pipe. We will go out for bids on remaining work.

D. Mayor's Report - Don Boito

- Metropolitan Planning Organization

Mayor Boito attended an MPO meeting in Carthage the previous week. This organization is put together by Federal mandates and includes Southern Pines, Pinehurst, Aberdeen, Whispering Pines and Taylor Town but does not include Foxfire Village at this point. The goal of the MPO is to this organize transportation plans for the entire area. It is possible we will be involved in this organization in the future but currently we are involved in the Rural Planning Organization. Brief discussion followed.

- American Rescue Plan Resolution

The Village was notified by the League of Municipalities that our procedures for the American Rescue Plan money should be worded differently than we did. He provided a *Resolution to Adopt a Technical Assistance Memorandum of Agreement* for council to adopt. This resolution updates policies using government supplied templates. Policies affected are Personnel, EEO, ad No- discrimination.

Mayor Pro Tern Gregorich made a **motion to adopt the Resolution to Adopt a Technical Assistance Memorandum of Agreement.** The motion carried unanimously.

- Quit Claim Deed Draft

Mayor Boito reported receiving an updated draft Quit Claim Deed for the Wedgewood road. The updated deed removes the easement for the water. If council is okay with the wording, our Attorney will send to Mr. McSwain's attorney for signatures.

11. Old Business

- Review of After-Action Report

Mayor Boito provided council with draft copies of the After-action report on the power outage. It summarizes things we should have done better and things we will do in the future. Boito asked for any modifications to be emailed to him. Gregorich asked if Foxfire has a disaster recovery plan. Boito responded yes, as part of the county plan.

- Table 6.1 Review

P&Z Chair Mary and council members discussed further changes to the proposed Table 6.1 amendment. The draft revisions will be emailed to council.

12. New Business

- Planning & Zoning Board Recommendations
 - Call for Public Hearings

Mary Gilroy explained the Conditional Zoning addition to the UDO. Conditional Zoning is and overlay district requested by the property owner that puts special or certain conditions on a development. Both Windy Ridge and Pineland Preserve would have been good candidates for Conditional Zoning. This does not apply to a single-family structure. Mary will provide details prior to a public hearing being conducted.

Mayor Boito suggested that with the volume and complexity of things, we will need more than one date for public hearings. The RF-200 minimum acreage and Subdivision Approval Process will be heard on April 11, 2023 and Table 6.1, Definitions, Conditional Zoning and RA-5 Rezoning will be heard on April 25, 2023.

13. Public Comment:

None

14. Motion to Recess the Regular Meeting

Mayor Pro Tern Gregorich made a **motion to recess the regular meeting.** The motion carried unanimously, and the meeting recessed at 5:30 PM.

15. Closed Session Pursuant to NCGS 143-318-11 (5) (i)

"...negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase ... "

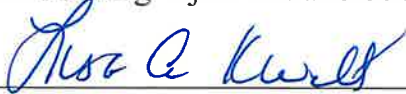
Councilmember Samuels made a motion to go into Closed Session. The motion carried unanimously.

16. Motion to Close the Closed Session and Return to the Regular Meeting

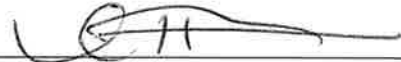
Mayor Pro Tern Gregorich made a motion to close the Closed Session and return to the Regular Meeting. The motion carried unanimously.

17. Adjournment

Mayor Pro Tern Gregorich made a motion to adjourn. The motion carried unanimously, and the meeting adjourned at 6:00 PM.



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



Don Boito
Mayor