

**MINUTES
REGULAR MEETING
Village Hall Meeting Room
October 11, 2022 – 4:30 PM**

- 1. Call to Order:** Mayor Boito called the meeting to order at 4:30 PM
- 2. Members Present:** Mayor Pro Tem Janice Gregorich, Councilmembers Janet Nauman, Don Nelson and Gary Samuels
- 3. Others Present:** Chief Shue, Mary Gilroy-P&Z Chair, and several members of the public
- 4. Moment of Silence:** Mayor Boito requested those present to pause for a moment of silence followed by the Pledge of Allegiance.
- 5. Approval of the October 11, 2022 Regular Meeting Agenda**

Councilmember Nauman added *Report a Concern Updates* to her report and Mayor Boito added *Appointment of Al Taylor to the Planning & Zoning Board* to the Consent Agenda and *Temporary Emergency Water Connection* under New Business.

Councilmember Nelson made a motion to adopt the October 11, 2022 agenda as amended. The motion carried unanimously.

6. Consent Agenda

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

- A. Approval of Minutes
 1. September 13, 2022 Regular Meeting
 2. September 29, 2022 Work Session
- B. Appointment – Planning & Zoning Board
 - Al Taylor – 1-yr term effective November 1, 2022

Mayor Pro Tem Gregorich made a motion to approve the consent agenda as amended. The motion carried unanimously.

7. Public Comment Period

None

8. Zoning Administrator Report

*The report covers Zoning Activity for From August 10, 2022 through
Currently a total of Sixty-four (64) homes are under construction or in the beginning stages of lot clearing. Fifty-nine (59) in the Village Corporate Limits and Five (5) in the ETJ.*

Permit applications were received and reviewed for the following:

Five (5) Single Family Residence (included in the total above)

*4 Buckhorn
1 Birdie Ct.
15 Deer Track
7 Brassie Lane
11 Oak Hill Dr*

Nine (9) Certificate of Occupancy were issued:

*162 Woodland Circle
185 Woodland Circle
172 Woodland Circle
180 Woodland Circle
5 Birdie Ct
6 Meadow Ct.
74 Richmond Road
112 Fox Ridge
2004 Foxfire Rd. (ETJ)*

Other Permits Issued

*Five (5) fences
Three (3) Swimming Pools
One (1) Propane
One (1) Implement Storage Building
One (1) Structure Alteration
-One (1) Accessory Building*

9. Council Member Reports:

A. Finance – Janice Gregorich

Mayor Pro Temp Gregorich reported as of September 30, 2022, the general fund balance is \$2,114,255 of which \$985,209 is restricted funds. The water fund balance is \$1,261,186 of which \$361,076 is restricted funds.

- NC Municipal Trust Investment Policy

Gregorich supplied information she received from John Frye from Capital Management located in Charlotte, and information on the fund basics of the investment, details of the fund and their investment policies. She added the Village must follow NCGS 169-30 which states we can only invest in certain thing. She does not recommend moving money until after the audit is complete. We will receive higher interest rates than we would with a bond. There was brief discussion.

B. Streets and Park – Janet Nauman

- Storm Damage Clean-up

Councilmember Nauman reported the Village landscaping company has done a good job with storm clean-up however some areas still need work. Boito added there is a lot of sand remaining on Village roads.

- Report a Concern Updates

Nauman reported that several Report a Concern issues were forwarded to her recently and each was addressed. Areas addressed were the Woodland Circle entrance rut caused by vehicles running off the road and removal of a tree on Ridge Rd. that fell from the past storm. She additionally provided an update on a drainage complaint on Bobolink, originally submitted in 2020. This issue was addressed by a previous councilmember and advised it was not Village responsibility. The resident has again reported the drainage issue. Nauman has met with the resident on multiple occasions and provided contact information for several contractors that might be able to help with the issue. Nauman emphasized the Village does not ignore Report a Concerns, each one is reviewed.

C. Public Safety – Don Nelson

Chief Shue provided the following report on department activities:

- Two police officers will be available at the FPOA Trunk or Treat event.
- A somewhat reasonable quote was received for a new patrol car. A Dodge Charger is on order with an expected build date of December and delivery date sometime in January or February.
- Repairs were made to the Tahoe and it is now operational. This vehicle will transfer to the water department once the new patrol car is received.
- Chief Shue just closed out this year's grant. He and Mayor Pro Tem Gregorich started the paperwork for the 2023 grant which should come open later in the month. This will put the department over the \$100,000 mark in grants.
- Points were submitted to the Governors' Highway Safety Program for participation in the "Booze it or Lose It" and "Click it or Ticket" campaigns in the State. Approximately \$7,000 worth of credit can be used for new cameras or radar in the upcoming year.
- A new fulltime officer was hired and is now out on patrol. Michael Amezquita comes from Lee County Sheriff's office with over 10-years of experience. He is experienced in narcotics and patrol among other areas of law enforcement. Michael also briefly worked for Apex Police Department.
- Now that the department is fully staffed, more license checks and traffic enforcement will be conducted.
- Chief Shue provided updated Police Activity numbers from January to October. There were 1,104 vehicle stops, issued 1,250 citations and 50 of those resulted in arrest. A copy of the call summary will be available on the Village website. The officers have been busy trying to address concerns about speeding throughout the Village and the numbers show they are working.
- Chief Shue suggested that a guardrail be installed on the backside of the new road located in the Windy Ridge development. He sees a huge safety risk for drivers because of the road curvature and lack of lighting. Boito suggested this be considered during the plat review.

- The American Flag in front of the administration building was destroyed during the last storm. A new one will be ordered.
- Officers are now wearing body cameras and are learning the ins and outs of their operation. A body camera policy will be established.
- Lieutenant Garner recently participated in a domestic violence round-table meeting at Sandhills Community College. This was a Q and A session for the community to put law enforcement in the hot seat on their stance of domestic violence.

Gregorich asked the police K8, Maverik would be at the Trunk or Treat as well. Shue replied that Lt. Garner is planning to attend with his children but he will ask if it's possible to bring along the K9. Nauman suggested that a K9 demonstration be given. Shue will work on this.

Samuels questions what "store closing" on the call summary meant. Shue replied that several years ago, the general store was robbed at gunpoint during closing. Since then, the police department stays in the parking lot for 20-30 minutes before closing to deter a possible robbery.

Nelson added he spoke to Lt. Garner who ticketed a speeder (resident) on Woodland Circle traveling 65 mph.

Nelson reported the fire department had 19 people in duty the night before the hurricane. They all stayed at the West End Fire station on 73. Two trees fell onto homes in the Village during the storm. Fire department personnel used chainsaws to cut and move trees blocking roads. They additionally answered fire alarm calls in the Village during the storm.

D. Water Department – Gary Samuels

Councilmember Samuels reported the potential well-site on the old Stonehill Pines property was drilled and came up zero. The cost to run a line from this area would have been costly and further exploration on the property will cease. The Village is looking at another potential location on the eastside. Samuels will have more information at the next meeting.

Due to COVID, the Village has been behind on meter installation. As of today, 48 meters were received and will be installed on those properties waiting. Jesse continues to meet and exceed our expectations as an employee for the Village. Gregorich asked how many meters were yet to be installed. Samuels replied, somewhere in the low twenties.

E. Mayors Report – Don Boito

None

10. Old Business:

- Personnel Policy Update

Mayor Boito reported council worked on a reimbursement policy for new hires and a couple minor personnel policy changes were being considered for inclusion in the personnel policy. Nelson suggested changing the word "shall" to "may" within the reimbursement policy.

Councilmember Nelson made a **motion to approve the changes to the personnel policy, including the change in wording from "shall" to "may" in the reimbursement policy.** The motion carried and the policy changes were approved.

- Windy Ridge

Mayor Boito reported the contractor would provide a final plat within the next 30-days. The contractor will be asked about installing a guardrail.

- Use of Water Technician

Boito suggested the newly hired water technician be used in other areas of the Village. Suggestions would be for him to inspect new construction such as fences and accessory buildings. Samuels added his number one priority is water however his job description will be changed to include other duties. Extensive discussion followed.

- Pool Update

Councilmember Nauman reported she, Mayor Boito and Lisa Kivett spoke with USA Pool Management. The management company answered all our questions, and we have a lot of

information to dissect before making a decision to use them. Nauman added the cost to run the pool will be anywhere between \$121,000 to \$125,000 (including Village projected costs) if we decide to use them. The 2022 pool revenue numbers were prepared, and council will review them at the upcoming work session.

11. New Business

- Foxfire Village Appearance Committee

Councilmember Samuels suggested once again setting up an Appearance Committee. He provided details on the suggested committee formation and duties. Gregorich added she was at one time on the Appearance committee several years ago. Their main duties included zoning compliance review and reviewing house plans for aesthetics which we no longer have the authority to enforce. Council will further discuss at the upcoming work session.

- Emergency Water Connection

Mayor Boito reported a property owner requested temporary emergency water connection due to their well requiring abandonment. There is no cost to the Village. **Councilmember Nauman made a motion to allow the emergency water connection.** The motion carried unanimously.

12. Public Comment:

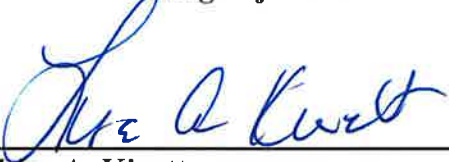
Tom McClellan – 3 Dogwood Ct. reported he was once a member of the Appearance Committee. The committee at that time did things like pinecone pick-up and Village fence repair. A group of ladies not associated with the committee, would plant and keep flowers at the entrances.

Cynthia Lathrop – 1 Magnolia Circle asked if the Village has enough water to support all the new construction. Boito responded we are, but we continue to look for an additional well. Samuels added we are doing very well with our wells but agreed we need to look forward as we continue to get new residents.

Barbara Okula – 4 Foxhill Circle asked if the Village was considering closing the pool. Nauman replied we are trying everything possible to keep it open as it's a great asset to the community.

13 Adjournment

Councilmember Nauman **made a motion to adjourn.** The motion carried unanimously, and the meeting adjourned at 5:25 PM.



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

Don Boito
Mayor