

MINUTES
REGULAR MEETING
Village Hall Meeting Room
November 8, 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:** 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. **Presentation: John Frye-NC Capital Management Trust**

Mr. Frye gave a brief presentation and provided handouts to the council. NC Capital Management Trust is a certified investment pool established under NCGS 159-30 and certified by the State Treasurer. They have been in business for 40 years and serve several municipalities all over North Carolina. They are a 2A7 Money Market Mutual Fund purchasing high quality government issued and government agency issued money market instruments. Over 840 North Carolina Municipal governments, all 100 Counties and a majority of cities participate. Mr. Frye provided much of the information detailed in the NC Management Trust Government Portfolio which is made part of these minutes.

Mayor Pro Tem Gregorich asked in the event of low interest rates and the threat of going below a dollar, will the management fee be reduced. Mr. Frye responded, yes and over the last two years they nearly completely waived the management fees to keep yields above. Council will further discuss at the upcoming work session.

6. Approval of the November 8, 2022 Regular Meeting Agenda

Mayor Boito added *Road Name for Windy Ridge* to his report.

Councilmember Nauman made a motion to adopt the November 8, 2022 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. October 11, 2022 Regular Meeting
2. October 27, 2022 Work Session

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

8. Public Comment Period

Chris Lobb - 6 Eagle Drive asked council to consider allowing chickens within the Village. Due to the economy and having a family of 6 with one income, groceries are becoming more expensive. Chickens' productivity outweighs any negative that he personally sees. They are clean if maintained, less noisy or destructive than dogs or cats. He understands they are not allowed in most areas of the Village but in discussing with neighbors and others in the community, they have shown interest in allowing chickens for both egg and meat production.

Barbara Okula - 4 Foxhill Circle asked if there was anything new on the Village pool. Councilmember Nauman replied that council will discuss the pool this evening.

Vincent Grady – 2 Cardinal Drive echoed Mr. Lobbs comments about chickens in the Village. He conducted research and found that Southern Pines and Aberdeen both allow chickens on lot sizes smaller than those in the Village. In Aberdeen, if you have an acre, you can have a cow or

goat. He added that chickens are in a coop at night and let out during the day, and not noisy. He added his neighbors did not know he had chickens until someone snooped in his yard.

Mr. Grady asked what the next step would be to have chickens in the Village. Mayor Boito replied he should approach the P&Z Board and ask for a review of the ordinance.

9. Zoning Administrator Report

Currently a total of Sixty-one (61) homes are under construction or in the beginning stages of lot clearing. Fifty-six (56) in the Village Corporate Limits and Five (5) in the ETJ.

NO Single-family construction plans were received.

Three (3) Certificate of Occupancy were issued:

2 Milla Ct

4 Dickinson

21 S. Shamrock

Other Permits Issued

Three (3) Fence

One (1) Propane Tank

One (1) Dog Run

One (1) Accessory Building

10. Council Member Reports:

A. Finance – Janice Gregorich

Mayor Pro Temp Gregorich reported as of October 31, 2022, the general fund balance is \$2,165,160 of which \$985,235 is restricted funds. The water fund balance is \$1,269,420 of which \$361,076 is restricted funds.

- Upcoming County Revaluations

Gregorich reported that Moore County was in the process of property revaluations. She explained the process to clear up confusion. The County reviews current market values of homes and properties to revalue the tax base for next year. Foxfire will receive notices in March of 2023, telling us what the old and new value is. All property owners have 30-days to challenge the values through the County. Foxfire has nothing to do with revaluations or challenging of them. The only thing Foxfire can do is set the tax rate. Gregorich added the Village budget must be finalized by the end of June so its imperative we have the final numbers before. The mil rate may change but will need to be revenue neutral. She further explained.

- Fiscal Year Audit Highlights

The fiscal year end audit is complete. According to the Village Charter, we must keep between 35-40% of expenses in fund balance. Our audit shows \$663,000 available for reserving or using. When we prepare the budget, we do not know what income we will receive from the State. Mostly through money received from the State, we ended up with \$397,000 more in revenue than budgeted. This is not constant or predictable income, income coming through State line items like cable, phone, alcohol, and sales tax. The auditor sent the complete audit to the League of Municipalities for approval. We should receive copies of the audit by the following council meeting.

B. Streets and Park – Janet Nauman

- Village Pool

Councilmember Nauman reported she and Lisa Kivett spoke with the pool management company to address several questions. She feels confident they will be a good fit for Foxfire and the pool. Of the three options, it was recommended the best fit for Foxfire would be the “Gold Package”. Nauman provided details of the package which includes an aquatic cleaning agreement, opening and closing agreement, and options for an aquatic director, call-team member. We will not use the aquatic cleaning agreement and instead have negotiated to have the pool “monitors” do the cleaning daily. Additionally, we have the flexibility of keeping Danny Jackson as the Pool CPO. Within their scope of services includes advertising for recruitment of staff and all HR, uniforms, scheduling, risk management and payroll. There will be a local facility manager available at the pool. Pool fees and how we will charge for the pool were discussed. Nauman said both Southern Pines and Town of Biscoe’s pools are pay-as-you-go. Nauman contacted other pool facilities currently using USA Pool Management and they too do pay-as-you-go. Nauman suggested doing pay-as-you-go at the pool gate. We have an option to lock into a three-year agreement which averages \$26,000 per year for their services. The other option is a one-year

contract for \$30,000. The Village can opt-out at any time without any penalty. Nauman suggested going with the Gold Package for one-year at \$30,000. With added Village operating expenses, needed pool repairs, new pool furniture will total \$96,000 to run the pool this coming season. The pool management rep will be coming here in December to review the facility and to discuss the contract. Mayor Pro Tem Gregorich pointed out a few costs to eliminate bringing the operating expense numbers down. Nauman will revise her numbers. Councilmember Samuels raised questions on staffing and if they have reserve staffing. Nauman asked that council further discuss the pool management contract at the upcoming work session in December.

C. Public Safety – Don Nelson

Councilmember Nelson gave a brief report on the fire and police departments.

Nelson attended the fire department monthly meeting this week. They are conducting their 5-year ISO inspection. They currently have a 5 Rating and shooting for a 4 to 3 Rating. This rating affects homeowner's insurance and the lower the number, better the rate. Nelson added that fulltime firefighters received a 13.5% wage increase, costing them an added \$30,000.

Nelson reported that police staff are currently at the pistol range qualifying. The new Dodge Charger was ordered and will be built and delivered in January.

D. Water Department – Gary Samuels

Councilmember Samuels reported that Jesse Southard was in Kenosha Wisconsin this week attending training at Badger Meter. The Village continues its search for a new wellsite on the eastside of the Village. A major water leak at the condominium building was detected and repaired.

E. Mayors Report – Don Boito

• Road Name for Windy Ridge

Mayor Boito reported the developers for the Windy Ridge subdivision have requested a street name from Moore County. Their request is for Courtland Lane. Boito suggested instead, Courtland Circle as the road does not have the appearance of a lane.

The consensus of the council was to approve "Courtland Circle" as the street name.

11. New Business:

• Consideration of Meeting Hours

Mayor Boito reported that community surveys show a mix in desired hours for council meetings. He added that many people did not answer the question which tells him they would not attend a meeting at any time. When he first came onto council, meetings were scheduled later in the evening, but no one attended. Council will discuss at the upcoming work session.

• Planning & Zoning Board Approval Process

Mayor Pro Tem Gregorich suggested council review the process for approval of subdivision, recreational or business developments. Currently the P&Z Board reviews and recommends approval to council, but Gregorich would like council to be more informed and part of the review process. Boito replied this will require an ordinance amendment. Council will further discuss at the upcoming work session.

• Review Process of Applicants for P&Z Board

Mayor Pro Tem Gregorich suggested that board applications be reviewed by the council and have an opportunity to interview the applicant or ask questions. Mayor Boito added the current process is for P&Z to review the applications, interview the applicants and make recommendations to the council on appointments. P&Z will continue their process, the council review will be in additions. Council will further discuss at the upcoming work session.

12. Public Comment:

Andy Moody – 17 Bobolink Rd commented if the Village would like to add value to the pool, extend the hours and offer season passes.

Mick McCue – 7 Oak Hill Drive reported he is currently serving on the County P&Z Board. The County P&Z Board suggested he contact the County Commissioners individually and introduce himself. Foxfire should consider doing something similar.

Mary Gilroy – P&Z Chair asked if the pool management company would handle the county inspection. Nauman replied they would.

Gilroy suggested sitting down with council as a whole or individually to walk through the Windy Ridge review process.

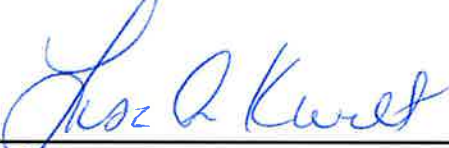
Vincent Grady - 2 Cardinal commented on the pay-as-you-go at pool. He asked if rates would be discounted if someone was not able to attend a full day. Nauman said to put his questions in writing, and they would be considered. Mr. Grady had questions about pool staffing and the need for them.

Gabriella Lobb – 6 Eagle Drive was concerned about costs for the Village pool. She has six children, and the cost is important. She asked if there was something showing the breakdown of pool costs. Nauman replied the information is in the budget and available online.

Ms. Lobb questioned the difference in ordinances. Mayor Boito explained we have both Village Code and Zoning Ordinances. Councilmember Samuels explained the process for requesting an ordinance change. Ms. Lobb questioned how to get on the P&Z Board. Gregorich replied that when we have an opening, it will be advertised on the Village website. Anyone living in the Village can apply.

13. Adjournment

Councilmember Nauman made a motion to adjourn. The motion carried unanimously, and the meeting adjourned at 5:34 PM.



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



Don Boito
Mayor