

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Village Hall Meeting Room
December 13, 2022 – 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, 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 December 13, 2022 Regular Meeting Agenda

Mayor Boito added *Wedgewood Road* under New Business.

Councilmember Nauman made a motion to adopt the December 13, 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. November 8, 2022 Regular Meeting
- B. 2023 Village Council Meeting Schedule
- C. Appointment – Planning & Zoning Board ETJ
 - Tashe Jarusinski - 4-yr term effective

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

7. Public Comment Period

Leslie Frusco – 7 Hillside Drive expressed her gratitude to the police department staff for staying on duty 24/7 during the recent power outage.

8. Zoning Administrator Report,

The report covers Zoning Activity for From November 9, 2022 through December 13, 2022

Currently a total of Sixty (60) homes are under construction or in the beginning stages of lot clearing. Fifty-seven (57) in the Village Corporate Limits and Three (3) in the ETJ.

Single-family Construction Plans Received:

*185 Pineland Vista
27 Forest Lake Drive*

Three (3) Certificate of Occupancy were issued:

*66 Woodland Circle
655 Tufts Vista – ETJ
1050 Tufts Vista – ETJ*

Other Permits Issued

Two (2) Accessory Building

9. Council Member Reports:

A. Finance – Janice Gregorich

Mayor Pro Temp Gregorich reported as of November 30, 2022, the general fund balance is \$2,468,058 of which \$985,209 is restricted funds. The water fund balance is \$1,283,226 of which \$361,076 is restricted funds. Cash on hand is up due to receiving property tax payments.

- NC Municipal Trust Transfer Amounts

Gregorich provided council with a cash balance report as of December 12, 2022 showing a total cash balance of \$3,774,947. She and Sharon Sanchez completed paperwork to open two NC Municipal Trust accounts, one for general fund and the other for the water fund. Gregorich

suggested moving \$1,949,377 into the general fund trust account and \$868,297 into the water fund trust account. Moving funds into the NC Municipal Trust will, at this time earn 3.6% and, expected to go to 4% in mid-January. Gregorich suggested keeping a million dollars in First Bank, \$500,000 in checking, \$300,000 in a general fund money market, and \$200,000 in a water fund money market. Sharon will add a line item to the monthly cash balance report that will show the interest earned on this money. The trust accounts should be setup the beginning of next week and we could then transfer funds. Gregorich will work with Sharon and keep council advised when the money is transferred.

- **Review of Budget**

Gregorich reported that property taxes will generate around \$728,000. At this time, about \$150,000 is outstanding. Motor vehicle taxes are unpredictable but expected to generate \$80,000. In total, \$800,000 is generated in tax revenue and on pace to receive \$500,000 in sales tax revenue from the State.

- **Employee Compensation**

Gregorich suggested when reviewing employee compensation, we should pay our employees as much as we can to stay competitive. She asked council to be conscious of numbers and prepare to discuss at the next work session.

- **Foreclosure County Auction – Drivet Properties**

Gregorich reported the Drivet properties located on Forest Lake Dr. and Woodland Circle have tax liens dated back several years. One of the joint property owners died and the other was difficult to locate. The County conducted a foreclosure sale earlier today and properties sold for \$70,000, however, she has not received confirmation of numbers from the attorney. Pandage Construction made the purchase.

Gregorich reported receiving the final 2021-2022 Audit and provided bound copies for council to review. A PDF of the audit will be posted to the Village website.

B. Streets and Park – Janet Nauman

Councilmember Nauman thanked resident Jack Frusco who made EXIT signs to be placed at the park trails, and resident Ron Nauman for installing them.

Nauman reported the landscaping contract expires the end of June 2023. A Request for Bids will be mailed out in January to contractors who ask.

Nauman asked that residents consider volunteering to open/close the yard waste facility. Residents should contact Lisa Kivett to put their name on the schedule.

Nauman reported the scheduled meeting with USA Pool Management was cancelled by the representative. She provided a handout to council regarding pool costs, recommendations for the coming year, and challenges for 2023. She elaborated on projected costs for operation and management, staffing, and a water leak issue followed by brief discussion. Council will further discuss in detail at the upcoming work session.

C. Public Safety – Don Nelson

Chief Shue provided the following report on department activities:

- Shue updated council on the recent power outage affecting most of Moore County. The FBI and Sheriff's office are currently working the case. All area departments are assisting in any way they can. All four Foxfire Police and two auxiliary officers responded immediately and stayed over 24 hours assisting in several areas.
- Shue explained the purpose of auxiliary officers and the benefit of having them.
- Shue pointed out that when the power is out, fuel pumps will not work, The Village currently uses one gas credit card for Exxon, and during the outage, not one Exxon in Moore County had power. He suggested that council consider using a different card, not specifically for one station. All other surrounding counties use a card called "Fuel Man". This card is taken at all gas stations. Gas prices in the areas Village officers reside are lower than those in West End. Using the Fuel Man card can lower the costs of fuel by being able to gas up in other areas than West End. There is a monthly service charge of \$7.99 per card, however, there is an

immediate .10 per gallon saving off the top. Council will discuss further at the upcoming work session.

- Shue will work with the water department on a contract for generators.
- Shue reported the department answered slightly over 7,000 calls for the year. Included are 1,600 traffic citations and 65 arrests.
- Shue reported the car being stored inside the yard waste facility was stolen in South Carolina and is evidence in a crime. It will be released to South Carolina after it has been resolved in court.
- Shue received notice from the Governor's office that Foxfire was able to secure another grant for \$25,000 for 2023.
- Councilmember Nelson provided a six-month spreadsheet on vehicle mileage for all police vehicles.
- Councilman Nelson gave a brief report on Fire Department responded to 31 incidents last month that include one fire, calls that included one fire, and 22 EMS calls among others. They responded to 294 calls within Foxfire for the year.

D. Water Department – Gary Samuels

Councilmember Samuels reported that he, Jessie Southard, and Charles Underhill were able to locate the wellsite on the Sackman property. The next step in the process is for the State to survey the site, tap it to see what we have and then make a decision to move forward.

Samuels reported that most everything worked as expected during the recent power outage. The Village purchased a second generator in the recent past and both generators kicked in and performed as expected. They ran at a rate giving us a minimum of seven days pumping before needing to be refueled with propane. Both Jessi Southard and David McKew were onsite within an hour after the outage. One challenge did surface relating to the tank itself. The water level after hitting a certain point will send out data to the pumps. A battery back up to the transmitter failed and the tank was overfilling. Jessie stayed onsite to manually shut-off the pumps until the power was restored. Samuels and water personnel will determine what should be done to eliminate this in the future. Mayor Boito asked about fencing around the wellhouses. Samuels answered that all well houses and pumps are secure with a minimum of a lock. All security issues have been addressed and will be further looked at.

E. Mayors Report – Don Boito

Mayor Boito added how pleased he was with the way residents offered to assist or volunteer during the power outage.

Boito reviewed the FPOA Newcomers Welcome Packet and made several revisions to update and streamline the packet. Nauman reported she had updated the packet during the past year and would provide a copy. Mayor Boito asked council to review and make changes before a final copy is prepared. He also asked for ideas on getting the packet out to new residents.

Mayor Boito asked council members for anything they could provide to prepare an after-action report stemming from the recent power outage.

10. Old Business

None

11. New Business

- Wedgewood Drive

Mayor Boito reported that Wedgewood Drive is paved up to a point. A developer wishes to build two homes on the unpaved area. They are asking the Village to do the same thing as done with both Saddle and Bridle Trail; not require paving as the Village ordinance states and deeding the dirt portion to the property owners. This dirt extension would be considered a private road and not kept by the Village however we will have utility easements. There was brief discussion. Lisa Kivett added that with both Saddle and Bridle Trail, the Board of Adjustment made the decision to deed the property to the developer and not require paving. She also provided a brief background on why the roads were never paved. **It was the consensus of council to require the developer to pave the road before allowing construction.**

- Windy Ridge Sign

Council reviewed two options for the Windy Ridge entrance sign. Council agreed to go with the script wording. Gregorich questioned if the Village is responsible for upkeep of the sign once we accept the new street. Boito responded they will have an HOA responsible for things like signage, mailbox areas, etc. This will be made part of their covenants.

- Fireworks

Mayor Boito reported that council previously discussed the continuation of fireworks in the Village and there are several questions that need addressed. Boito met earlier in the week with Ed Howze and Guy Peckitt to discuss what was required to continue having firework on July 4th. Council member Nauman did much research on State and local requirements and pointed out issues with the required permitting, training, and the amount of liability insurance required to conduct a firework show. The was extensive discussion.

Howze and Peckitt additionally requested the Village budget \$2,000 to cover training, fees and the fireworks. It was suggested that funding should be private and generated through fundraising by the FPOA.

Council discussed and the consensus was to not support the fireworks financially.

The council agreed that if both Ed Howze and Guy Peckitt could comply with all required training, permitting, and obtaining the amount of liability insurance required, they could proceed with having the fireworks show.

12. Public Comment:

Guy Peckitt – Forest Lake Drive asked about the leak at the pool. He suggested turning off the water at the pool in the off season.

Ed Howze – 13 Brassie had comments on council's previous discussion and decision about the fireworks.

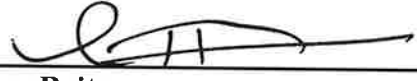
Brad Streets – 4 Ridge Road asked if Saddle Lane was in the Village if the road was not maintained by the Village. He also had questions about the zoning of the property. He questioned why the police personally deliver ordinance notices. Chief Shue replied, the Village does not have a code enforcement department. Mr. Streets asked if the name of the person who makes a complaint could be provided. Ms. Kivett replied it is public record and would be provided if asked. Many times, people will not include their name when submitting a Report a Concern.

13. Adjournment

Councilmember Nauman made a motion to adjourn. The motion carried unanimously, and the meeting adjourned at 6:05 PM.



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



Don Boito
Mayor