

MINUTES
Foxfire Village Council
Regular Business Meeting
July 9, 2024 ~ 4:30 PM
Village Hall Meeting Room

1. Call to Order: Mayor Gregorich called the meeting to order at 4:30 PM
2. Members Present: Mayor Pro Temp Janet Nauman, Councilmembers Mary Gilroy, Don Nelson, and Warren Morgan
3. Others Present: Police Chief Michael Amezquita, Fire Chief Erik Stromberg, and Several members of the public.
4. Opening Prayer and Pledge of Allegiance

Councilmember Mary Gilroy led those in attendance in the prayer followed by the Pledge of Allegiance.

5. Approval of the July 9, 2024, Regular Business Meeting Agenda

Councilmember Gilroy added *Annual Tax Settlement* to the Consent Agenda and Councilmember Morgan added *Cross Connection Program* to his report.

Councilmember Morgan made a motion to adopt the July 9, 2024 Agenda as amended, seconded by Mayor Pro Temp Nauman and 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
 - June 11, 2024 Regular Business Meeting
 - June 11, 2024 Citizen Participation Workshop
 - June 20, 2024 Special Public Hearing-2024/2025 Budget
 - June 27, 2024 Work Session
 - Annual Tax Settlement

Councilmember Nelson made a motion to approve the consent agenda as amended, seconded by Mayor Pro Temp Nauman and carried unanimously.

7. Public Comment Period

Leslie Frusco - 7 Hillside Drive suggested that under the current water situation, the council should consider a moratorium on building permits. Also, to provide details on why water restrictions are in place, what will happen if we do not conserve, and the financial impact on both the Village and its residents from running the pumps at twice their normal rate.

Robert Angeloff -58 Forest Lake Drive reported an increase in vehicles speeding on Forest Lake Drive from Eagle Drive. He watched a Harris Landscaping truck going so fast he was unable to stop and went through the stop sign. He asked if the police department could monitor the area.

Resident at 27 Eagle Drive asked what the plans are for the golf course maintenance facility landscaping. He understood the plantings were to be mature landscaping and he has concerns about the equipment being left outside.

Rosie Juliano – commented that many residents have questions and if they are not being answered now, how will they be addressed. Mayor Gregorich replied if questions are related to general operations of the Village, they should call the Village office. If the question is something on the agenda, the council will answer if appropriate.

George Hedrick – Oakhill Drive had questions about why the pool was closed, not having fireworks, the condition of the golf course and fixing potholes.

Mayor Pro Temp Nauman addressed a question that was emailed to her regarding grants for replacing the pool. She answered the Village cannot pursue a pool grant until we know what the plans are for it. This type of grant will also require a grant writer. We are however considering pursuing a grant to aid with costs for repairing the park walking trails. Nauman will respond to the question through email.

8. Zoning Administrator’s Report

Lisa Kivett provided the following report on zoning activities from June 12th through July 9th.

Currently a total of thirty-two (32) are under construction or in the beginning stages of lot clearing.

*Three (3) Single Family Residence Application:
132 Courtland Circle
44 S. Shamrock
Hartsell Lane (ETJ)*

*Two (2) Certificate of Zoning Compliance were issued:
65 Richmond Rd
139 Courtland Circle*

*Other Permits Issued:
One (1) swimming pool
Two (2) fence
Three (3) Temporary Signs*

Year to Date

Single Family Residence	19	Fence	17
ETJ	4	Pools	6
Acc Buildings	9	Zoning Compliance Issued	26
Deck	1	ETJ	3
Barn	1	Detached Garage	2
Lot Clearing	1	Propane	2
Temp Structure	1	Structure Mod	1
Temp Signs	4		

9. Council Member Reports:

A. Finance – Mary Gilroy

• Financial Report

Councilmember Gilroy is waiting for the CPA to close out the monthly financials, so she did not have a report to give. She did provide numbers for the North Carolina Capital Management Trust for the fiscal year 2023-2024. Interest earned in the general fund was \$117,520.21 and in the water fund, closer to \$48,000. The water fund interest will decrease this fiscal year because we took out money for the new well.

• Village Fee Schedule

Councilmember Gilroy briefly went over the Village Fee Schedule less the water rates, that council previously reviewed at the June work session. Village Administrator, Lisa Kivett made some additional comments and suggestions for council to consider before adopting the schedule. The suggestions include increasing the fee for a barn without living quarters and a detached garage to \$200, reducing the fee for swimming pools to \$50, and requiring a permit and \$50 fee for propane tanks that are 200 gallons or larger which must be buried. Propane tanks less than 200 gallons will require a permit, but no fee will be charged. Mayor Gregorich asked to remove water meter reading and its fee from the list. Park shelters rental, increase the extra hour fee for non-residents to \$25, and the refundable deposit to \$200. The refundable deposit for residents increased to \$100. Public records information request photocopies will increase to .25 cents per copy in black and white only. The water rates for usage of 7,000 gallons will be reviewed and considered for changes in the near future.

Mayor Pro Temp Nauman made a motion to adopt the revised Village Fee Schedule, seconded by Councilmember Nelson and carried unanimously.

B. Water Department – Warren Morgan

Councilmember Morgan explained the current water restrictions. The Village is operating under Stage 3 of the Water Conservation Response Plan which is available for public inspection on the Village website or on the North Carolina Division of Water Quality website. Morgan outlined the three stages of restrictions and the allowable pumping times for each as established by the State of North Carolina.

Morgan reported the demand has dropped since the restrictions were imposed and citizens for the most part are cooperating. At one point, we doubled our production for all six wells and went from the normal 8 hours per day this time of year to 16-17 per day. This was not a gradual climb, it shot up over a three-day period. If we continue to see it ratchet back down, the next step will be to go to Stage 2.

At this time, Stage 3 prohibits the use of all non-essential uses of water including irrigation of lawns and plantings. Plants can be hand-watered in order to ensure the survival of the plant.

We have been notifying residents of the restrictions on the CodeRed alert and also through colored signage placed throughout the Village right of ways.

We ran a consumption report when processing water bills and flagged those with high usage. We will do a follow-up reading on these meters in a week to see if consumption has decreased.

The Water Response Plan and Village Ordinances have a section about enforcement. Morgan met with Chief Amezcuita and Councilmember Nelson and discussed the enforcement steps which are a verbal warning, followed by a written warning and a fine of \$250. The last resort will be to disconnect the water service.

Mayor Gregorich emphasized the restrictions are not due to not having enough water in the aquifer. It's a matter of our wells pumping excessively, and the infrastructure of the wells being strained or possibly damaged.

Gregorich added that once plantings are established, they do not require watering all the time. A helpful list of suggested drought resistant plants and ground cover will be prepared and given to contractors when they apply for building permits. Mayor Pro Temp Nauman added that some homes in the Village have irrigation wells, and they can use them at this time. Councilmember Morgan added the golf course does not use Village water on the greens, they pull water from their lakes. Morgan said some folks have commented that the Village requires the planting of sod for lawns. He wants to make it clear; the Village does not mandate the use of sod. There are a couple of Homeowners Associations that have this requirement in their covenants.

- Cross Connection Program

Councilmember Morgan reported that information on Cross Connections was included with the Consumer Confidence Report (CCR) mailed to all Village water customers in July. Information is also available on the Village website. All irrigation systems must have a backflow preventer to prevent any cross contamination into the Village water system. Moore County requires annual inspection by a certified tester. Foxfire requests that all residents with irrigation systems provide a copy of those results to the Village water dept.

C. Streets and Park – Janet Nauman

Mayor Pro Temp Nauman thanked residents Mark and Sally Cunliffe for placing the additional American Flags in front of the Village Police/Administration buildings.

Nauman addressed a complaint she received about a pothole at the corner of Sunset and Hoffman Rd. Funds are not budgeted this year for paving repairs to Sunset. Nauman suggested placing large rocks in the pothole area, the same as what is done at the corner of Woodland Circle and Hoffman Rd. There was a brief discussion on other options for repairs.

Nauman commended the FPOA for the job they did with 4th of July Picnic. She thanked the WEFD for bringing in water from Seven Lakes to be used for the cooling station at the picnic.

D. Public Safety – Don Nelson

Police Chief Amezquita presented the following report for the month of June:

- He spoke with golf course management and advised that walking on the golf course was not permitted before, during, or after hours, unless playing golf. The police department has been asked to enforce this rule.
- Fishing on Lake McKenzie is allowed on the street side only. No fishing is allowed on the pier or golf course side. Kayaks are permitted as long as they are coming off of private property. Mayor Pro Temp Nauman brought up the issue with liability and insurance for the golf course.
- Police staff will install the new park hours sign
- The 2018 Dodge Charger was returned
- The Police Department is staffed with four full-time officers. New Officers Caleb McNeill and James Coughenour are working closely with Chief Amezquita and Corporal Kivett during their initial training period.
- Continue to participate in the Governors Highway Safety Program to earn points for the purchase of new equipment. Have saved over \$500 so far and have upgraded the radar in two vehicles at no charge.
- Addressing several traffic complaints and continuing increased enforcement
- Officers will increase setting up checking stations which assist in getting points though the GHSP
- There was an underage driver on a golf cart at the park. This young driver was visiting from another state and left the cart on the park trail because the battery died. To aid in locating owners of carts, Chief Amezquita suggested implementing a registration program for golf carts. He will research this.
- Chief Amezquita did some research on traffic cameras. He would like to do some test demos with various ones to compare their parameters. He emphasized their usefulness for both Amber and Silver Alerts and provided details on how they operate. Brief discussion followed. Mayor Gregorich suggested the council discuss the pros and cons of the cameras, costs, and if we should follow through with a trial run at the next work session.

Fire Chief Erik Stromberg presented the following report for West End Fire Department:

- He assured the council that in the event of a confirmed structure fire and they hear the terms “smoke showing”, the County will dispatch tanker trucks from other departments throughout the County to assist, so not to place a burden on the Village water system. Departments will also utilize drop tanks and static water supplies if needed.
- He provided a detailed YTD Monthly Dashboard of department incidents by type and category for both Stations 61 and 65. The dashboard also includes monthly activities and events that they participate in such as training, hydrant testing, and preplans. Stromberg answered council questions about some specific call types and response times. **A copy of this monthly dashboard is made part of these minutes.**
- Stromberg wished to thank Councilmembers Nelson and Gilroy for working with him on the annual budget which is \$1,051,575. Councilmember Gilroy asked where the extra money is coming from. Stromberg replied this is an overall budget coming from County tax, the Foxfire contract, fundraising, State motor vehicle fuel taxes and grants if they get them. Stromberg added this amount is not what they are getting because the County gives a percentage. If you take the large number and divide it by 27-30%, you will come up with the \$305,000.

Councilmember Gilroy responded she understood the operational budget to be \$664,000. She questioned how they picked up an additional \$400,000 of “fluff” money. Stromberg replied the County threw them a curveball and they are not sure how they will handle the apparatus and building allowance. Stromberg provided brief explanations and information. Discussion followed. Mayor Gregorich commented that the budget is not based purely on ad valorem tax rate numbers and not based on a line-item budget. This is concerning to her. The Village budget requires both revenue and expense to justify it to the residents. She does not see that with the Village and fire departments relationship.

Mayor Pro Temp Nauman commented she is not aware of this council nor any prior council having any input in the purchase of a new fire truck. Stromberg replied he had three letters signed by Councilmember Ed Howze and Mayor Mick McCue authorizing purchasing the vehicles through a loan. When they began the process of purchasing ne vehicles in June of 2021, IRS Section 147f requires anyone the fire department contracts with, will need this documentation.

E. Mayors Report – Janice Gregorich

- CodeRed and E-News

Mayor Gregorich reminded those in attendance to sign up for the CodeRed Alerts, E-News, and the value of doing so. Residents can register for both on the Village website.

Gregorich added the golf course is a private entity and not part of the government. Other than enforcing Village ordinances, we have no control or input on the management of the golf course.

Gregorich addressed a previous question about fireworks. In North Carolina and Moore County, there are statutes that laws governing fireworks. There must be an approved venue and a license to shoot them off. Insurance is required for both the county and for the Village if they are done here. If someone can present a plan, county permitting, proper insurance including the Village as insured, we can discuss allowing them.

10. New Business

- Planning & Zoning Board Recommendations
- Village Code Amendments

Mayor Gregorich made a motion to move both Planning & Zoning Board Recommendations and Village Code Amendments to the July 25, 2024 Work Session, seconded by Mayor Pro Temp Nauman and carried unanimously.

11. Old Business

None

12. Public Comment Period - Comments on items listed on this agenda.

Debra Page – 21 S. Shamrock asked why an email was not sent to residents about the internal savings of conserving water. She also commented that Pinehurst has registration for golf carts and it's a one-time \$20 fee for registering them.

Carlotta Young – 2 Pine Ct. questioned how the requested 20% water usage reduction will affect her because she was out of town for several days the month prior, and her usage was way down from normal usage. She asked the council to take situations like this into consideration before imposing fines on high usage.

Robert Angeloff – 58 Forest Lake Drive is concerned if the growth continues in the Village, will the new well be able to produce enough to accommodate it. Councilmember Morgan replied, the Village will continue its focus on finding additional well sites in the future to accommodate any further needs.

Rosie Juliano- 2 Burning Tree Place suggested that additional information be provided to residents, and it would be helpful if this information was provided in the mailing of the water report. She began asking multiple detailed questions of the council about the current water situation.

Mayor Gregorich briefly responded these questions will be added to the agenda because answers cannot be provided without first obtaining more information. Juliano continued she would like to see daily updates on the Village website.

Don Juliano – 2 Burning Tree Place asked if it would be cheaper to change out the pumps in each well opposed to drilling a new one. Gregorich said his question will be addressed as well.

Norma Carpenter 71 Richmond Road asked the council to consider the moratorium on building and said the Town of Cameron had done something similar. She asked if well #6 was restored and agreed with cart registration.

13. **Closed Session** pursuant to NCGS §143-318.11(a)(3) *To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.*

Councilmember Gilroy made a motion to recess the Regular Business Meeting at 6:01 PM,
seconded by Mayor Pro Temp Nauman and carried unanimously.

Mayor Gregorich made a motion to reconvene the Regular Business Meeting at 6:30 PM,
seconded by Councilmember Morgan and carried unanimously.

Councilmember Gilroy made a motion to approve the Conciliation Agreement between Lobb and Foxfire Village. The motion was seconded by Councilmember Nelson and the vote called as follows:

Gilroy	yes
Nelson	yes
Nauman	no
Morgan	no
Gregorich	yes

The motion was carried and the Conciliation Agreement between Lobb and Foxfire Village was approved.

14. Adjourn

Mayor Gregorich made a motion to adjourn, seconded by Councilmember Morgan and carried unanimously. The meeting adjourned at 6:32 PM.



Lisa A. Kivett, MMC, NCCMC, CZO
Village Administrator/Clerk



Janice Gregorich
Mayor



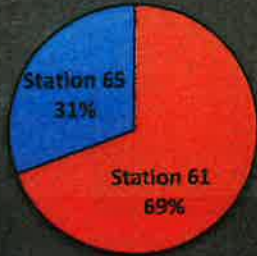
West End Fire and Rescue Village of Foxfire Monthly Dashboard (YTD 2024)

July 9, 2024

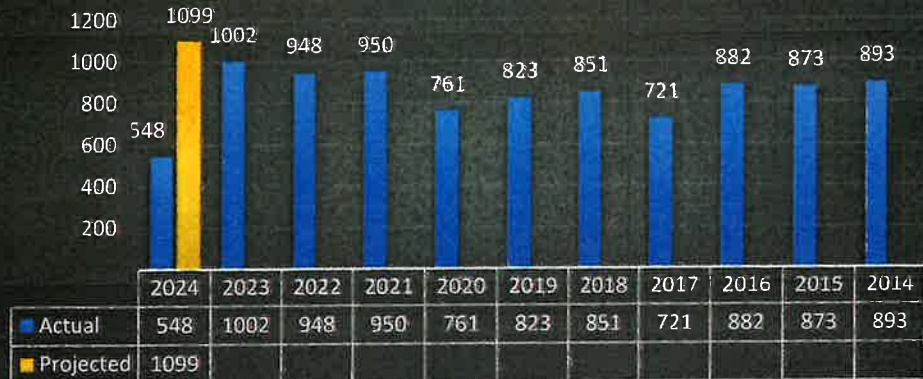
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Call % By Station YTD



Annual Demand for Services



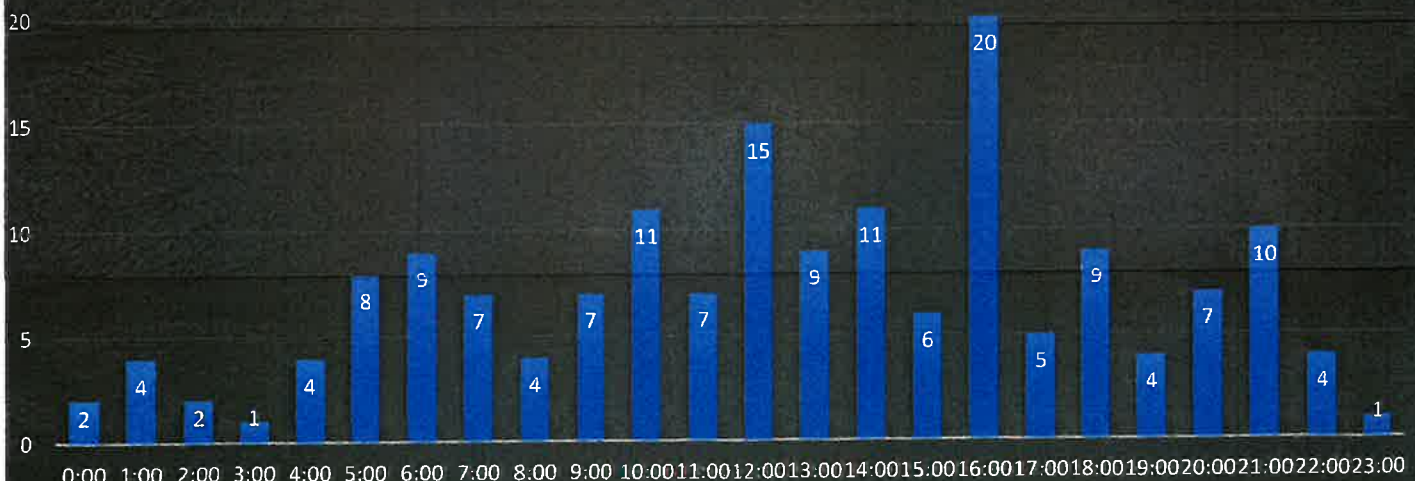
AVG Response Time
Non-Aid Incidents

6.04

Historical Call % by Station

Year	Station 61	Station 65
2024 YTD	69%	31%
2023	70%	30%
2022	65%	35%
2021	69%	31%

Station 65 Demand for service by time of day- YTD



Combined Sta 61-Sta 65 - Incident Breakdown by Type / Catatory

Month	100 Fire	200 Overheat (No Fire)	300 EMS	400 Haz. Cond.	500 Service Call	600 Good Intent	700 False Alarm	800 Severe Weather	900 Special Incident	Total Calls	Station 61	Station 65	Sta 65 %
January	5		53	3	3	14	12	2		92	72	20	22%
February	5		59	2	2	19	3			90	60	29	32%
March	9		72	1	4	7	2			95	70	25	26%
April	4		43		8	15	4	4		78	46	32	41%
May	6		71	2	6	15	1	1		102	67	35	34%
June	8		58	1	8	13	2	1		91	64	27	30%
July													
August													
September													
October													
November													
December													
TOTALS	37	0	356	9	31	83	24	8	0	548	379	168	
YTD %'s	7%	0%	65%	2%	6%	15%	4%	1%	0%		69%	31%	

Sta 65 ONLY - Incident Breakdown by Type / Catatory

Month	100 Fire	200 Overheat (No Fire)	300 EMS	400 Haz. Cond.	500 Service Call	600 Good Intent	700 False Alarm	800 Severe Weather	900 Special Incident	Total Calls
January	2		11			3	3	1		20
February	3		21		1	4				29
March	2		19		2	2				25
April	4		15		2	6	2	3		32
May	1		27	1	1	5				35
June			20		2	4	1			27
July										
August										
September										
October										
November										
December										
TOTALS	12	0	113	1	8	24	6	4	0	168
	7%	0%	67%	1%	5%	14%	4%	2%	0%	

Monthly Activities / Events

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Apparatus Checks (FF)	23	21	21	22	24	20							131
Apparatus Maint (FF)	23	21	21	22	24	20							131
Equipment Checks (FF)	31	29	31	30	31	30							182
Annual Hose Testing	0	0		206	0	0							206
Hydrant Testing	0	0	0	298	0	0							298
Meetings	8	6	9	8	8	7							46
Preplans (FF)	0	0	0	0	0	0							0
Station Maint (FF)	31	29	31	30	31	30							182
Training Hours	487	351	382	195	180	186							1781