

**MINUTES
FOXFIRE VILLAGE COUNCIL
PUBLIC HEARINGS / REGULAR MEETING
Village Hall Meeting Room – June 13, 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 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. Public Hearings:
 - Public Hearing #1 – 2023-2024 FY Budget
Budget Message
Budget Ordinance #2023-10

Councilmember Nelson made a motion to open Public Hearing #1. The motion was carried unanimously.

Mayor Pro Tem Gregorich read the 2023-2024 Budget Message and provided details on several areas. The Moore County revaluation resulted in a 47% increase in Foxfire Village real property assessments. State law requires that we produce a revenue neutral budget and based on that, the 2023-2024 mil rate is .29 per 100. Gregorich further explained how the new rate was established.

A copy of the Budget Message is made part of these minutes as Attachment #1.

Councilmember Nelson made a motion to close Public Hearing #1. The motion was carried unanimously.

Councilmember Samuels made a motion to adopt Budget Ordinance #2023-10 and adopting the 2023-2024 Fiscal Year Budget. The motion was carried unanimously.

- Public Hearing #2 – ARTICLE VIII – Sec. 21-8-1. (3) – Accessory Buildings
Zoning Ordinance Amendment #2023-11

Councilmember Nauman made a motion to open Public Hearing #2. The motion was carried unanimously.

Mayor Boito explained the purpose of the zoning amendment is to increase the size of allowable accessory structures on lots more than one-acre but less than two-acres, from 450 sq. ft. to 600 sq. ft. There were no public comments.

Councilmember Nauman made a motion to close Public Hearing #2. The motion was carried unanimously.

Mayor Boito read aloud the consistency statement, *“The amendments in the following document are consistent with applicable elements of the 2021 Foxfire Village Land Use Plan and Long-Range Plan and are reasonable and in the public interest in order to provide clear and consistent guidance to property owners.*

Councilmember Nelson made a motion to adopt the consistency statement and to adopt Zoning Ordinance Amendment #2023-11 as written. The motion was carried unanimously.

6. Scott Walston – NCDOT Presentation

Scott Walston from NCDOT gave a brief presentation about the new Metropolitan Planning Organization that Foxfire Village will be part of. Mr. Walston provided a paper copy of his PowerPoint presentation and an area map. A copy of this presentation and map are made part of these minutes as

Attachment #2. If the Village wishes to participate, a Resolution Adopting the Metropolitan Planning Area (MPA) for the Sandhills Area Metropolitan Planning Organization would need to be adopted.

7. Approval of the June 13, 2023, Regular Meeting Agenda

Councilmember Nelson made a **motion to adopt the June 13, 2023 agenda as written.** The motion carried unanimously.

8. Consent Agenda

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

a. Approval of Minutes

- May 9, 2023 Public Hearing/Regular Meeting
- May 24, 2023 Special Meeting

b. Board Appointments:

- Rick Montes – Planning & Zoning Board Member – 3-year term

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

9. Public Comment Period

Mary Gilroy – P&Z Chair commented that Rick Montes was a good choice for the P&Z Board. She added the P&Z Board will continue reviewing the family and limited subdivisions and get back to council with a recommendation later. She spoke to Debra Ensminger at Moore County and told the county does about three family subdivisions each year.

Caroline Kaplan – new resident on Pinetree Terrace suggested adding a No Outlet sign on her street. She raised concerns about someone driving on her street and taking pictures of her home.

10. Zoning Administrators Report - Lisa Kivett

Lisa Kivett provided the following zoning activity from May 10, 2023 through June 13, 2023.

Currently a total of Sixty-three (63) homes are under construction or in the beginning stages of lot clearing. Two (2) of these are located within the ETJ.

Thirteen (13) Single Family Residence Applications:

Ten(10) located in Windy Ridge

61 Richmond Rd

4 Fawn Circle

1655 Hoffman Rd (ETJ)

Three (3) Certificate of Occupancy were issued:

185 Pineland Vista

65 N. Shamrock

491 Grande Pines Vista

Other Permits Issued:

Three (3) Swimming Pool

Four (4) Fence

One (1) Accessory Buildings

One (1) Propane Tank

Three (3) Clearing (Wedgewood)

One (1) Deck

11. Council Member Reports:

A. Finance - Janice Gregorich

- Financial Report

Mayor Pro Temp Gregorich reported as of May 31, 2023: The balance in the general fund is \$2,630,829 of which \$1,276,237 is reserved. The Street reserve has been increased. The balance in the Capital

Trust account is 1.9 million and year to date in interest as earned \$36,000. The balance in the water fund is \$1,331,861 of which \$361,076. The Capital trust account for the water department has \$825,241. Year to date interest earned is \$15,391. The interest earned in the Capital Trust account between general and water funds is over \$51,000.

B. Streets and Park – Janet Nauman

Councilmember Nauman reported a majority of her projects will begin in July. Mayor Pro Tem Gregorich asked for an update on the new playground equipment. Nauman replied it is scheduled for delivery and installation at the end of July. Nauman thanked Councilmember Nelson for power washing the swing set, park sidewalks and the pool facility deck area. The trim around the park shelters needs to be replaced. Nauman will get bids for the needed work.

C. Public Safety – Don Nelson

▪ Department Updates

Chief Shue gave an update on Police Department activities for the previous month. His officers have remained persistent with traffic enforcement, having initiated 129 vehicle stops resulting in 170 citations. Most of the stops were for speeding.

Shue provided an update on the grant and some of the equipment ordered is starting to come in. Items purchased with grant funds include updated bullet-proof vests for officers and \$12,000 in new uniforms including Class-A uniforms. The evidence room will be purged, and evidence destroyed once approved by the Superior Court Judge. Councilmember Samuels asked where the vehicles-stops were primarily happening. Shue replied 95% on Richmond and Hoffman Roads. Samuels thanked the police department for parking in areas known for speeding and for their assistance with well-site checks.

Mayor Pro Tem Gregorich asked what constitutes a “foot patrol”. Shue replied, a good example would be an officer getting out of the vehicle to check on or speak with people, at the general store, the park, or golf course area.

Councilmember Nelson reported the Village finalized the contract with West End Fire at the rate of .0715. Residents will see a slight increase in taxes however it is still cheaper than having the County take over. The fire department building was power washed, and they are cutting down and spraying the bamboo.

Mayor Boito added, if residents haven’t already done so, they should check with their homeowner’s insurance company to see if they will get a break on their premiums. The fire department increased their ISO rating from a 5 to a 3 and this should result in lower insurance premiums of between \$50-\$150 for the year.

D. Water Department - Gary Samuels

▪ Sackman test Well Update

Councilmember Samuels reported we are on the verge of drilling the test well. He added a pump was replaced at well-site #11. All wells are running at 100% capacity. We are continuing with the infrastructure upgrade with the Scata system, which is the reporting system. We are preparing to go through the process of lead evaluation to be sure our lead content is where it should be. Lisa Kivett added the Consumer Confidence Report (CCR) on drinking water quality will be mailed to all residents on July 1st. She will work with Jesse to complete the report and Jesse will take over completing the report the following year.

E. Mayor's Report - Don Boito

▪ Update on Moore County Board of Commissioners Meeting

Mayor Boito reported attending the previous week’s MC Board of Commissioners meeting. An item on their consent agenda would have eliminated the ETJ. A number of folks spoke against this, and it was removed from the consent agenda. A county task force meeting is scheduled for this upcoming Friday morning to discuss this, Boito plans to attend.

Boito updated council on SB675 which has been referred to the rules calendar and operations committee in the House. HB 409 which addresses accessory dwellings has moved over to the Senate.

▪ Review of Remaining LRP

Boito prepared an After-action report on the council review of the first year of the LRP. He asked the council to look it over and for the upcoming work session to be exclusively for review of the remaining years 2-5. He would like to get the approval of the LRP by the end of the year.

12. Old Business

NONE

13. New Business

- Resolution #R23-06 – *Adopting the Metropolitan Planning Area (MPA) for Pinehurst-Southern Pines Urban Area*

Boito reported that Scott Walston from NCDOT spoke earlier about a resolution adopting the Metropolitan Planning Area. Once the resolution is adopted, it will be sent to NCDOT.

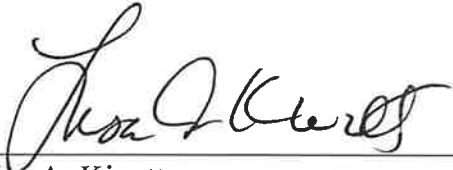
Councilmember Samuels made a motion to adopt Resolution #R23-06. The motion was carried unanimously and Resolution #R23-06 was adopted.

14. Public Comments:

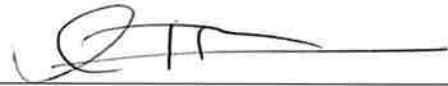
NONE

15. Adjournment

Mayor Pro Tem Gregorich made a motion to adjourn. The motion was carried unanimously, and the meeting adjourned at 5:26 PM.



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



Don Boito
Mayor

BUDGET MESSAGE

FOXFIRE VILLAGE, NORTH CAROLINA

2023 – 2024 BUDGET

In accordance with G.S. 159-11, for your consideration is the proposed FY 2023-2024 budget for Foxfire Village. This budget has been prepared in accordance with the NC Local Government Fiscal Control Act.

The 2023 Moore County revaluation resulted in approximately a 47% increase in Foxfire Village real property assessments. State law requires that units of local government publish a revenue-neutral tax rate to provide citizens with comparative information. The revenue-neutral rate, as defined by G.S. 159-1(e), is the rate that is estimated to produce revenue for the next fiscal year equal to the revenue for the current fiscal year if no reappraisal had occurred. The rate is then adjusted by a growth factor equal to the average annual percentage increase in the tax base due to improvements since the last general reappraisal. Based on the revaluation the tax rate per \$100.00 of property assessments has been adjusted to reflect budget neutral tax revenue.

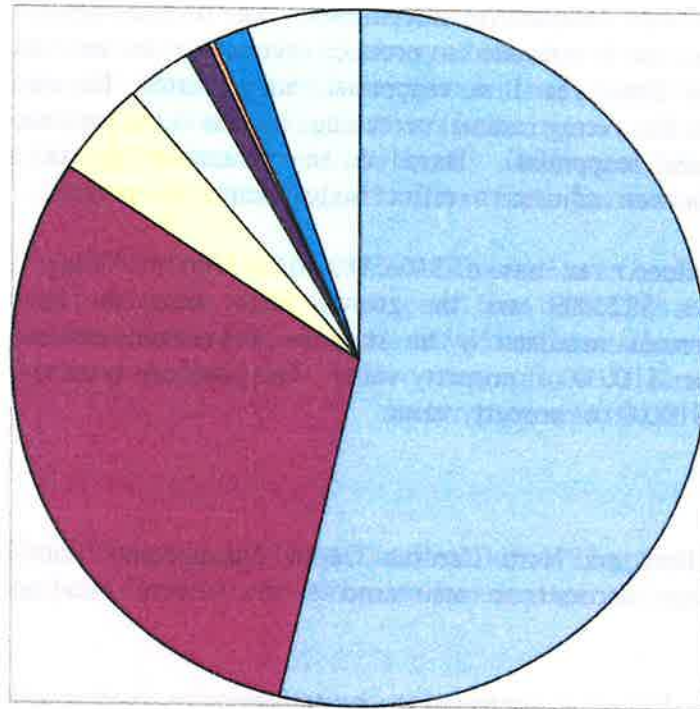
The Moore County revaluation produced a tax base of \$306,518,503 for Foxfire Village. The tax levy for 2022-2023 fiscal year is \$825,860 and the growth factor since the last general reappraisal is 6.67%. Using the formula mandated by the state law, the revenue-neutral tax rate for Foxfire Village is 28.7 cents per \$100.00 of property value. The proposed property tax rate for FY 2023-2024 is 29 cents per \$100.00 of property value.

Other Information

- The Village will use First Bank and North Carolina Capital Management Trust for their banking needs. The depository accounts are maintained for the General Fund and Water Fund monies.
- The annual audit of Foxfire Village is contracted to be performed by Anderson Smith & Wike PLLC, 220 East Washington St. Rockingham, NC 28380
- The Village has an outstanding Water Fund Loan for new wells in the amount of \$25,629 with an annual note payment of \$25,629 plus interest of \$ 602 (2023-2024).
- Appointment of Janice Gregorich as the Council member designated as the Finance Officer, as Budget Officer for year 2023-2024.

General Fund

Revenue 2023-2024



- Net Ad Valorem & MV Tax
- Sales Tax
- Unrestricted Inter Gov
- Restricted Inter Gov
- Permits & Fees
- Sales & Scvs
- Misc Rev & Interest
- Trans from Cap Res

<u>Revenue Source</u>	<u>Amount</u>	<u>% of Total Revenue</u>
Net Ad Valorem & MV Taxes	\$ 872,000	53%
Sales Tax	\$ 500,000	31%
Unrestricted Intergovernmental	\$ 73,500	5%
Restricted Intergovernmental	\$ 50,000	3%
Permits & Fees	\$ 15,000	1%
Sales & Services	\$ 5,100	0%
Misc. Rev & Investment Earnings	\$ 30,100	2%
Transfer from Capital Reserve	\$ 84,000	5%
Total Budgeted Revenue	\$ 1,629,700	100%

Revenue Notes

In general, we anticipate that revenue for the Village will increase for the 2023-2024 Budget due to the volume of homes currently under construction and the increase in Local Option Sales Tax.

Real Property and Motor Vehicle Taxes

The property valuation used in this budget are estimates obtained from the Moore County Tax Department; total valuation of \$306,518,503. This is an increase of \$823,149 Motor vehicle and an increase of \$ 90,010,027 real property over the prior year.

- Net Ad Valorem tax revenue of \$872,000 is based on our current valuation of \$306,518,503 and the proposed tax rate of 29 cents per \$100 of real property value
- Assumes a collection rate of 98% of real and personal property tax based on all past experience

Local Option Sales Tax

Sales tax revenue is currently estimated at 31% of our total budgeted revenue.

There is an expected increase of 6.3% over the prior year; however, this could be reduced or increased based on economic conditions.

Unrestricted Intergovernmental

- Beer & Wine Tax: expect to stay the same
- Telecommunications Tax: expect a decrease of 9.4% due to loss of landlines, as consumers opt to go solely wireless.
- Utility Franchise Tax: expect to increase 1%; is sensitive to weather conditions.
- Local Video estimated to decrease by 2.9%.

Restricted Intergovernmental

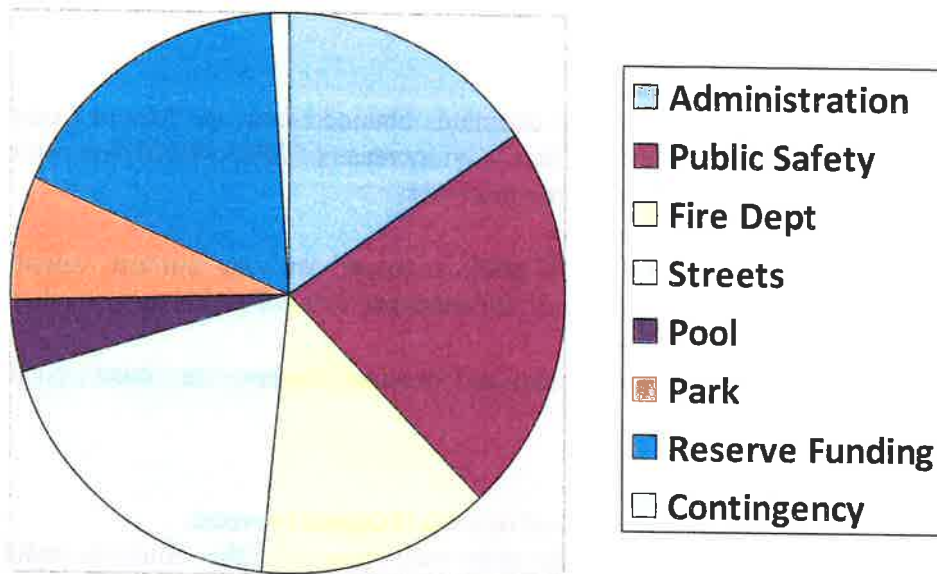
- The projected Powell Bill funds is uncertain at this time; therefore expect to remain the same.

Transfer from Capital Reserves

- \$60,000 allocated to new playground equipment scheduled for July 2023 installation
- \$24,000 allocated to installing a stabilization base on the park walking trails; this project has a planned July 2023 completion date

General Fund

Expenses 2023-2024



TOTAL EXPENSE SUMMARY

<u>Department</u>	<u>Amount</u>	<u>% of Total Expenses</u>
Administration	\$ 247,100	15%
Public Safety	\$ 369,900	23%
Fire Dept	\$ 222,850	14%
Streets & Roads	\$ 307,100	19%
Pool	\$ 64,800	4%
Park	\$ 117,600	7%
Reserve Funds	\$ 285,000	17%
Contingency	\$ 15,350	1%
Total Expenses	\$ 1,629,700	100%

Expense Notes

Administration

Overall administration expenses increased 24% from the current year's budget primarily due to a proposed additional administrative clerk and 5% salary increases.

Public Safety/Police Protection Services

Overall public safety budget will decrease 12% due to the purchase of police vehicle in the current year's budget FYE 2023. The current police force of the Village includes a full-time police chief, 1 full time lieutenant, 2 full-time officers, and 1 part-time officer.

Fire Protection Services

The budget includes an increase in fire district expense based on the increased Real property values along with an adjusted fire tax rate. The West End fire rate, which is applied to all Ad Valorem tax valuations within the Village boundaries, is proposed at 0715 cents per \$100.00 of real property value. The previous rate was 0885 cents per \$100.00.

Streets & Roads

Major projects for 2023-2024 budget.

- Paving of Bobolink Rd \$168,000
- Widening the shoulders of Woodland Cir entrance \$30,000

Pool

Pool management company contracted at a cost of \$30,000.

Park

- This year's budget includes \$60,000 for park playground refurbishment and new playground equipment
- \$24,000 for installation of a stabilization base for the walking trails

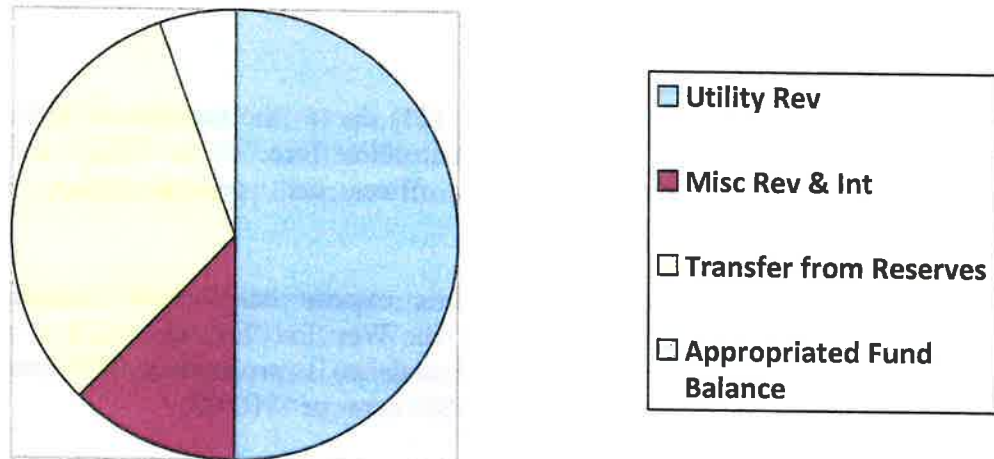
Reserve Funding

- \$25,000 Capital Reserves
- \$20,000 Police Vehicle
- \$15,000 Separation Allowance
- \$200,000 Streets **
- \$25,000 Employee compensation set aside

** Planned paving project for next fiscal year 2024-2025, Pine Tree Terrace @ \$100,000

Water Fund

Revenue 2023-2024



<u>Revenue Source</u>	<u>Amount</u>	<u>% of Total Revenue</u>
Utility Revenues	\$ 310,000	50%
Misc. Rev/Investments	\$ 76,000	12%
Transfer from Well Reserve	\$ 100,000	16%
Transfer from Future Wells	\$ 75,000	12%
Transfer from Infrastructure	\$ 25,000	4%
Appropriated Fund Balance	\$ 34,675	6%
Total Budgeted Revenue	\$ 620,675	100%

Revenue Notes

Utility Revenue

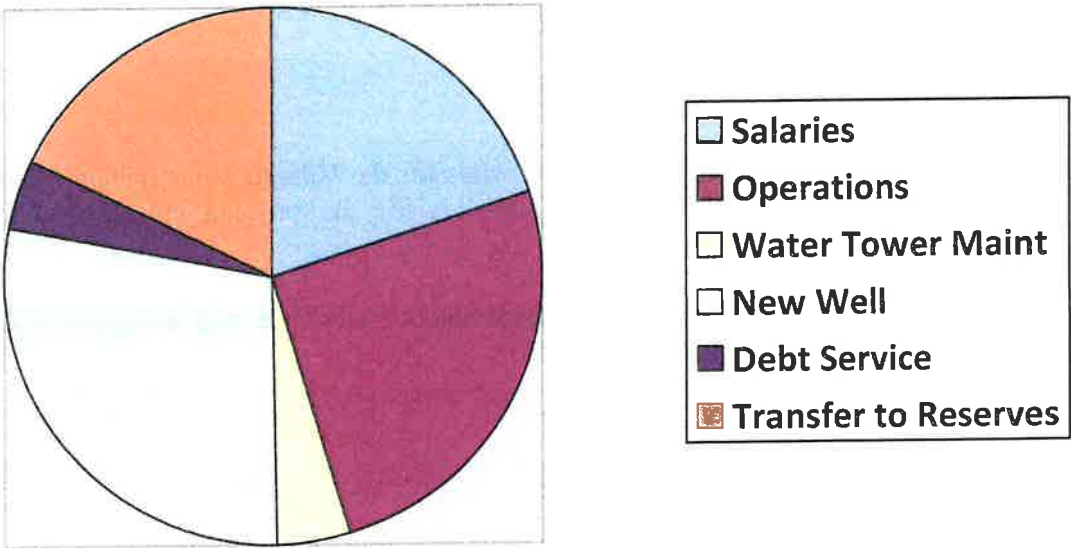
Projected Utility Revenue (water billing) for 2023-2024 reflects an expected 18% increase due to the construction of new homes.

Misc. Rev/Investments

Overall revenue increase of 15% due to the building of new homes (tap fees) and interest on investments

Water Fund

Expenses 2023 - 2024



Total Expense Summary

<u>Expenditure</u>	<u>Amount</u>	<u>% of Total Expenses</u>
Salaries & Wages	\$ 124,500	20%
Current Operations	\$ 156,825	25%
Water Tower Main	\$ 28,000	5%
New Well Construction	\$ 175,000	28%
Debt Service	\$ 26,350	4%
Transfer to Future wells	\$ 60,000	10%
Transfer to Infrastructure	\$ 50,000	8%
Total Expenses	\$620,675	100%

Expense Notes

Total Expense Summary

Overall expenses increase of 15%; this includes the addition of \$50,000 transferred to infrastructure maintenance and \$ 60,000 to future wells.

There will be a significant investment in upgrading well security and upgrades, repairs and maintenance of all well houses.

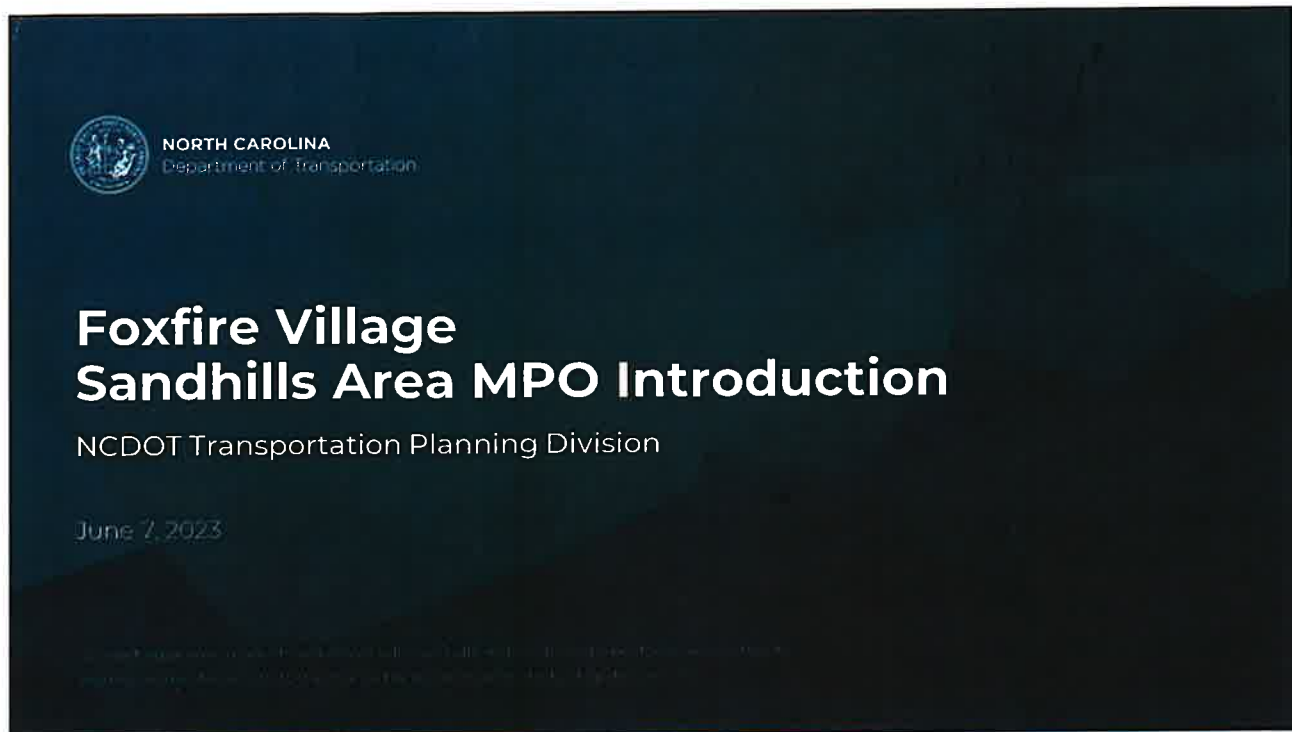
New Well Construction

We continue to look for new suitable well sites for the Village water system. Some promising sites do exist and testing is planned to confirm viability and proceed with construction of a well.

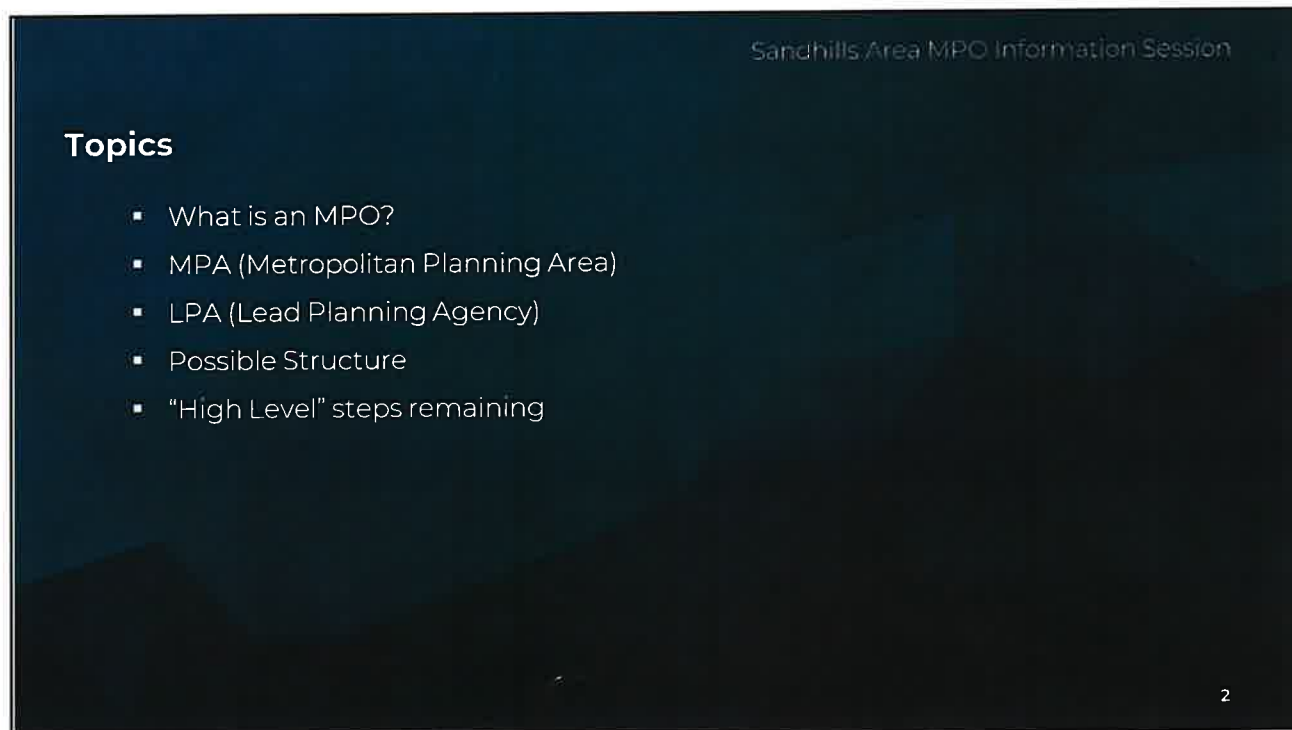
Debt Service

The final payment on the Village Water Department loan will be paid in August of 2023.

Janice Gregorich
Director of Finance/ Budget Officer



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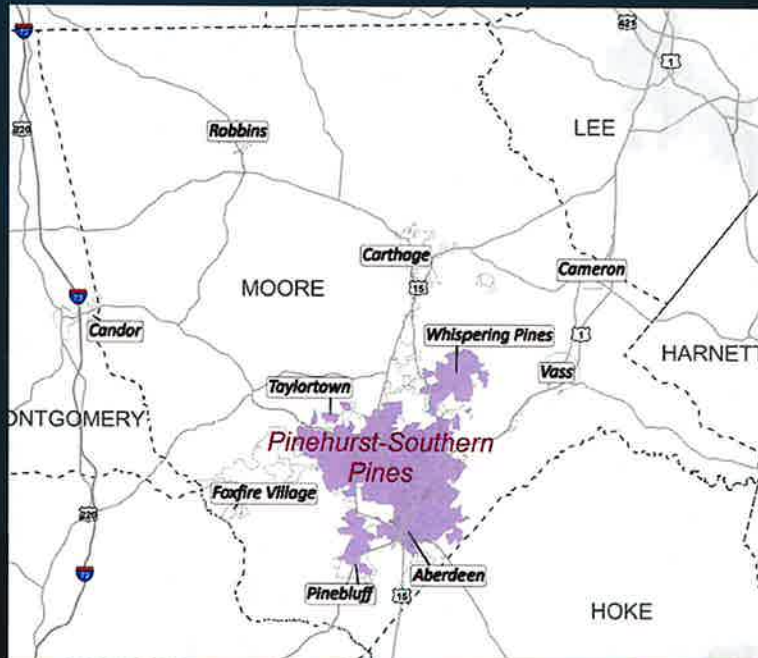
What is an UA and an MPO?

- An **Urban Area (UA)** is any densely settled area consisting of **2,000 or more housing units or 5,000 or more people** as determined by the US Census Bureau (redefined for 2020)
- **Urbanized Areas with population of over 50,000 are designated as Metropolitan Planning Organizations (MPOs)**
 - UA boundaries for MPOs usually includes a center city but does not follow legal boundaries such as city limits, Extra Territorial Jurisdiction (ETJ) or County boundaries
 - Areas outside of the MPO boundaries are considered rural
 - About 67% of all North Carolinians live in 87 Urban Areas (~7 million)
 - About 57% of all North Carolinians live in 20 or 21 MPOs (~6 million)

Source: <https://www.mtpa.gov/2020/06/02/making-sense-of-the-new-urban-area-definitions/>

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- Municipal Boundaries
- Pinehurst-Southern Pines
- Other 2020 UA
- - - County Boundaries

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Metropolitan Planning Area (MPA)

At a minimum, the MPA shall encompass the entire existing urbanized area(s), as defined by the Bureau of the Census, plus the contiguous areas expected to become urbanized within a 20-year forecast period

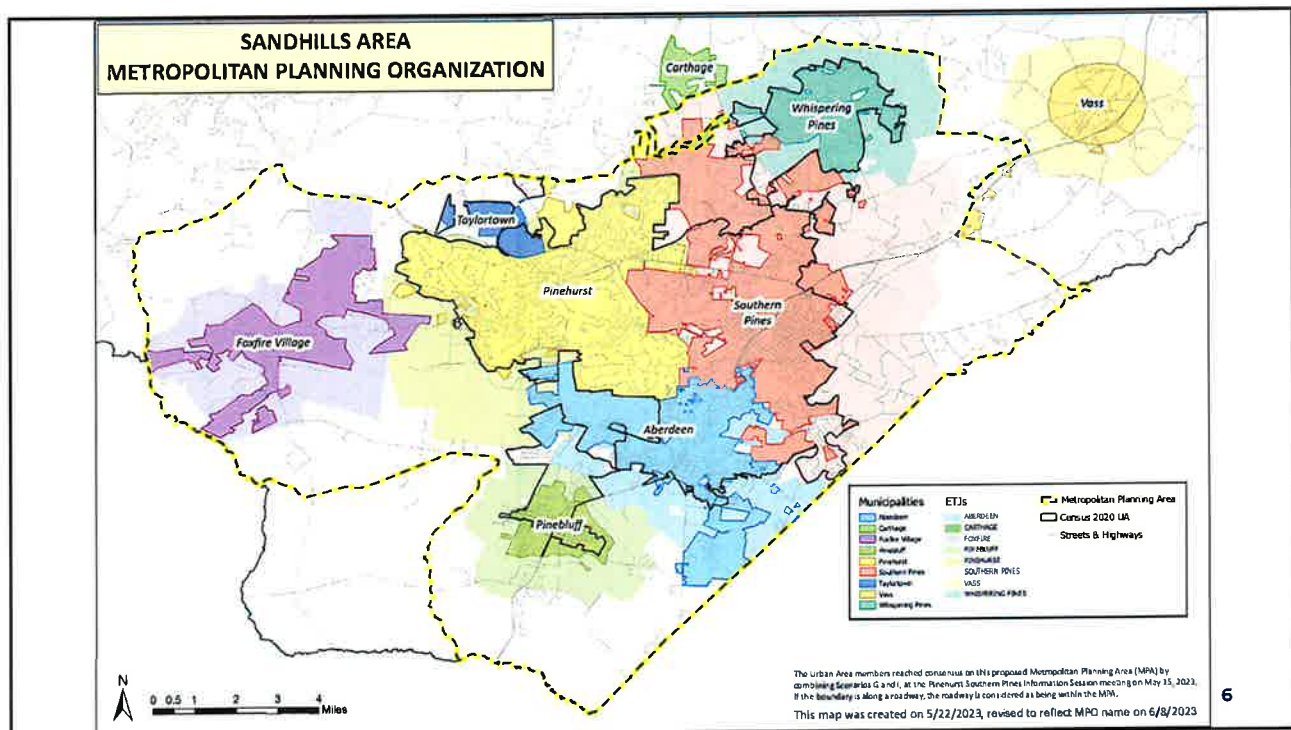
- Determined by an agreement between the MPO and the Governor

$$\text{Metropolitan Planning Area (MPA)} = \text{Existing Urbanized Area} + \text{Area expected to be urbanized in 20 years}$$

Source: 2010 US Census

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Sandhills Area MPO Introduction

Designation of an MPO

- MPO designation shall be made by agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of the Census) or in accordance with procedures established by applicable State or local law.

**NOTE: In NC, the Governor's Office has delegated this authority to the NCDOT Secretary*

Source: 23 CFR 450.31(b)

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Sandhills Area MPO Introduction

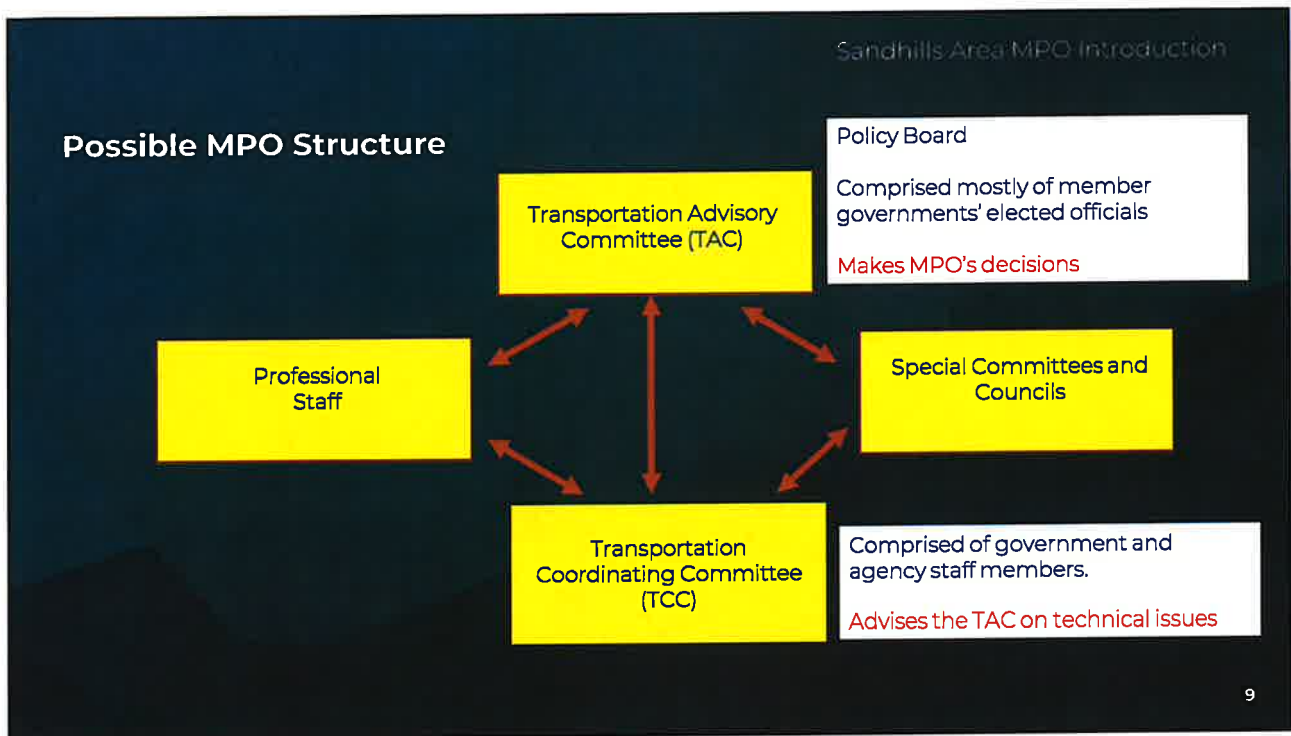
MPO Lead Planning Agency (LPA)

The LPA is designated for each MPO

- It provides staff support and carries out the programs, activities, and functions for the MPO
- The LPA administers the federal planning funds that are provided to the MPO
- Identifying an LPA and hiring staff will initiate the process of establishment of the MPO and its funding.
- Pinehurst was chosen on June 7 to be the LPA for the MPO

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Sandhills Area MPO Introduction

Funding Estimates (Based on similar sized MPOs)

PL (Planning Funds)	
FY 24	\$200,000 (160,000 FED PL + 40,000 Local Match)
FTA (Federal Transit Administration)	
FY 23 – 5303	- \$48,064
FY 23 – 5339	- \$101,015
FY 23 – 5307	- \$870,763
Section 5303 – planning activities only eligible.	
Section 5307 – planning, capital and operating expenses eligible	
Section 5339 – capital activities only eligible	
Carbon Reduction \$115,000/year	

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“High Level” Actions Remaining

- MPA, LPA, and name - June 7
- Jurisdiction approval of LPA – ~August 15 (send resolution to Scott, PDF is OK)
- Work with LPA to set up TAC & TCC - ~August 15
 - (need TAC/TCC members & alternates from jurisdictions – send to Scott)
- Conduct first TAC and TCC - ~ late August or early September
- Develop MOU and MOA – October/November
- Designation – December 29, 2023

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“High Level” Tasks Needed from Foxfire

- MPA, LPA, and name - June 7
- Jurisdiction approval of LPA – ~August 15 (send resolution to Scott, PDF is OK)
- Work with LPA to set up TAC & TCC - ~August 15
 - (need TAC/TCC members & alternates from jurisdictions – send to Scott)
- Conduct first TAC and TCC - ~ late August or early September
- Develop MOU and MOA – October/November
- Designation – December 29, 2023

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Contact Us

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[NCDOTcommunications](#)

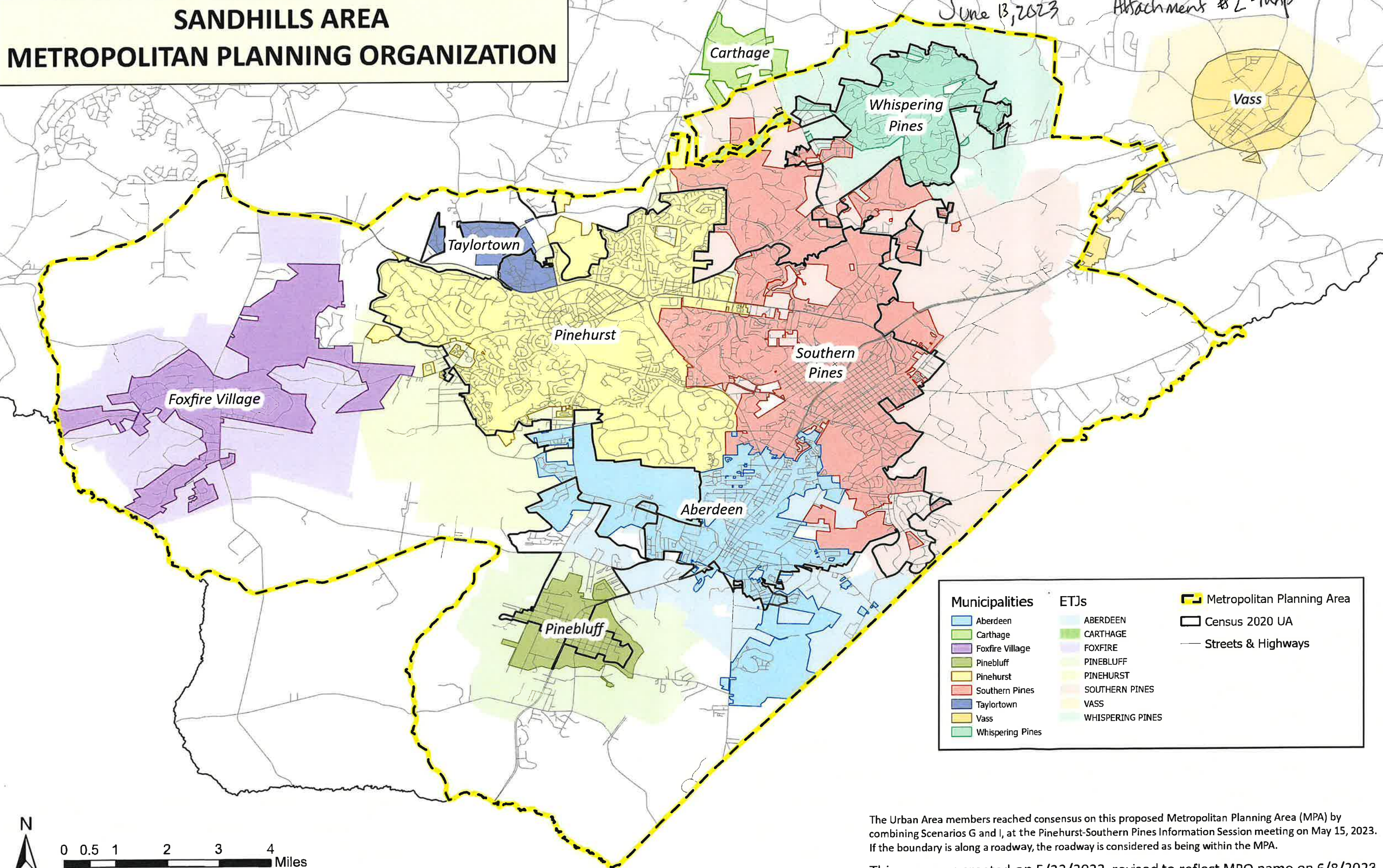
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SANDHILLS AREA METROPOLITAN PLANNING ORGANIZATION

June 13, 2023 Attachment #2-map



The Urban Area members reached consensus on this proposed Metropolitan Planning Area (MPA) by combining Scenarios G and I, at the Pinehurst-Southern Pines Information Session meeting on May 15, 2023. If the boundary is along a roadway, the roadway is considered as being within the MPA.

This map was created on 5/22/2023, revised to reflect MPO name on 6/8/2023