

**MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Village Hall Meeting Room – October 10, 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, Councilmembers Janet Nauman, Don Nelson, and Gary Samuels
3. Others Present: Chief Chad 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 10, 2023, Regular Meeting Agenda

Councilmember Nauman made a motion to adopt the October 10, 2023 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
 - August 31, 2023 Work Session
 - September 12, 2023 Regular Meeting
 - September 28, 2023 Work Session
 - September 28, 2023 CLOSED Meeting

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

7. Public Comment Period
None

8. Zoning Administrators Report - Lisa Kivett

*This report covers zoning activities from September 13, 2023 through October 10, 2023.
Currently a total of Sixty-one (61) homes are under construction or in the beginning stages of lot clearing.*

Seven (7) Single Family Residence Application:

*185 Vista Ridge East
312 Mary Jane Lane (ETJ)
159 Courtland Circle
170 Courtland Circle
17 Woodland Circle
136 Woodland Circle
198 Woodland Circle
19 Forest Lake Dr.*

Three (3) Certificate of Occupancy were issued:

*Porterfield Lane
Grande Pines Vista
Foxfire Rd. (ETJ)*

Other Permits Issued:

*One (1) barn
One (1) propane tank*

9. Council Member Reports:

A. Finance – Janice Gregorich

Mayor Pro Tem Gregorich reported cash balances as of September 30, 2023. The general fund balance is \$2,441,043 of which \$1,478,239 is reserved. The water fund balance is \$1,377,912 of which \$471,076 is reserved. Property tax payments are starting to come in. Total interest earned this month in the Capital Trust account is \$12,500 and year to date we are \$36,600.

B. Streets and Park – Janet Nauman

Councilmember Nauman reported the pool bathrooms were closed due to the internet being down at the pool facility. The internet controls the automatic door locks on the door from the pickleball courts. A recent lightning strike damaged the motherboard which regulates the locks on the door. The motherboard was under warranty and replaced. Our internet provider, Velocity Broadband, thinks the problem is on the water tower and is waiting for a tower climber to climb and make necessary repairs. The door will be out of service until repairs are made. A sign was posted on the door.

Nauman has been speaking with Spectrum about the possibility of connecting internet at the Village offices. They have done a site survey and will present the information to the council at a later date.

Nauman is considering terminating the contract with USA Pool Management due to poor performance and management of the facility. There is a 30 days' notice requirement for termination with no penalty. Nauman did speak with one person who is interested in managing the pool next summer, however, the position will be advertised. Nauman will discuss further at the upcoming work session.

C. Public Safety – Don Nelson

Councilmember Nelson is waiting for monthly data from the fire department. There was one small fire with minor damage on Deer Track.

Chief Shue gave an update on the police department. He provided copies of the police call summary for the period of 09/09/2023 through 10/10/2023 and gave a department update for the previous month. He attended the Drug Free Moore County meeting in Carthage which essentially was updating on grants for Narcan and keeping first responders supplied with necessary life-saving equipment.

The Governors Highway Safety Grant opened today. Shue was able to procure a new radar for his patrol car, 25 blood test kits and a hand-held alco-sensor and printer.

Data was pulled from the speed sign on Woodland Circle, copies were provided. There was a slight uptick of speeding westbound, going up the hill. Inbound traffic was just under 7,000 vehicles with a 97.11% in tolerance which is 30 mph or below. The remaining 2.88% were above 30 mph. The outbound traffic was 86.76% compliance. The department has been working in this area at least three times per day as well as Richmond Road. One speed data sign on Woodland Circle was moved to S. Shamrock and one moved to Richmond Road to combat any speeding in these areas.

Officer Judge's Charger was picked up from the repair shop last week and made it 5-miles before it had to be returned for the drivetrain. The department is still down one vehicle so Officer Judge will be using the Explorer and riding with Officer Kivett.

Chief Shue reported that due to recent events affecting the Jewish community, the department has enhanced patrol of the area around the Jewish Temple.

Chief Shue spoke with Councilmember's Nelson and Samuels about purchasing some smaller digital speed signs to place in known trouble areas of the Village. Shue checked with some vendors and found it was better financially to go with the same signs we have now. We can get two of the signs we have now for \$5,000 or one of the smaller signs, that does not collect data, for \$3,500. There was a brief discussion about the signs and data collection. Mayor Pro Tem Gregorich asked what the optimal number of signs would be and would there be a price-break for purchase of multiple signs. Chief Shue will look into this and get back with her. Councilmember Nelson read aloud the speed data pulled from the signs posted in the Village.

Chief Shue requested the council to consider a salary increase for Officer Amezquita at their upcoming work session. Councilmember Samuels thanked the police department for checking on the well-sites.

D. Water Department – Gary Samuels

Councilmember Samuels reported that the new well received a clean radium report. This report will be used to determine the output. He explained the process in detail. Mayor Boito added the Village signed a Letter of Intent to purchase the Sackman property. It was mailed to Sackman, but they have yet to respond.

The recent storm damaged components on the water tower. New components were delivered and

should be replaced by tomorrow. Everything should be back up and running by the end of the week.

E. Mayor's Report – Don Boito

Mayor Boito reported that Supplement Eight of the Village UDO was codified. All council members received paper copies for their ordinance books and the Municode website should be updated to include the new supplement.

10. New Business

- Council Candidate Forum

The council agreed not to hold a Council Candidate Forum for this election. Information about each candidate is posted on the Village website.

- Assignment of LRP Tasks to Council Members

Mayor Pro Tem Gregorich suggested that the action items on the Long-range Plan be assigned to each councilmember. She asked council members to review the LRP and be prepared to discuss it at the upcoming work session.

- New Administration Position Job Description

Mayor Pro Tem Gregorich is working on a job description for the new administrative position. She will email council members with the draft to be discussed at the upcoming work session.

- Pedestrian Crossing – Woodland Circle and Eagle Drive

Councilmember Nelson reiterated the speeding issue on Woodland Circle. He suggested a pedestrian crossing sign be placed in the middle of the intersection. Nelson provided examples of the signage and asked the council to further discuss at the October work session.

- Richmond Road Pedestrian/Bike Safety Concerns

Councilmember Samuels prepared and presented a two-page document highlighting concerns on Richmond Rd. He has concerns about the safety of pedestrians walking back and forth on Richmond Road. Samuels would like to further discuss his concerns and possible solutions at the next work session.

- Water Technician Salary Adjustment

Councilmember Samuels reported that water technician, Jesse Southard received his Water Certification. Samuels would like to discuss a salary increase for Jesse at the October work session.

11. Old Business

- Resolution #R23-07 Adopting Memorandum of Understanding

Mayor Boito read aloud the Resolution Adopting the Memorandum of Understanding. This resolution is required to participate in the SMPO.

Councilmember Nelson made a motion to Adopt Resolution #R23-07 Adopting Memorandum of Understanding. The motion was carried unanimously.

Mayor Pro Tem Gregorich asked if there were any further discussions or changes on the voting structure. Boito provided details on the structure.

- Status of Planning & Zoning Board Recommendations

Mayor Boito asked Mary Gilroy for an update on the several recommendations from P&Z. Mary replied there are recommendations on the Municipal Zoning District, establishing two new subdivisions (family and limited), and increase the square footage of accessory buildings on lots less than one acre. There was a brief discussion on the recommendations and their verbiage.

Mary Gilroy added a request was received to install a telecommunication tower on a property within the Village on Foxfire Road. Telecommunication towers are not an allowable use in Appendix A. Gilroy asked if the council was interested in making an allowable use.

The council will further review the recommendations at the October work session before accepting the recommendations. Councilmember Nauman raised issues with the recommended Municipal Zoning district. Gregorich suggested consulting with the Village attorney.

12. Public Comments: None

13. Adjournment

Councilmember Nelson made a motion to adjourn. The motion was carried unanimously and the meeting adjourned at 5:30 pm.



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



Don Boito
Mayor