

MINUTES
FOXFIRE VILLAGE COUNCIL
REGULAR MEETING
Village Hall Meeting Room – November 14, 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

Village Clerk Lisa Kivett was attending a required Clerks Academy and not in attendance.
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 November 14, 2023, Regular Meeting Agenda

Mayor Pro Tem Gregorich added *Discussion of a Budget Amendment* to her report.

Councilmember Nelson made a motion to adopt the November 14, 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
 - October 10, 2023 Regular Meeting
 - October 26, 2023 Work Session

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

7. Public Comment Period

Mick McCue – 7 Oak Hill Drive congratulated both Janice Gregorich and Mary Gilroy for being elected to the Village Council and thanked Mayor Don Boito for his service to Foxfire Village over several years.

8. Zoning Administrators Report - Lisa Kivett

Mayor Boito presented the report in Ms. Kivett's absence.

*This report covers zoning activities from October 11, 2023 through November 14, 2023.
Currently a total of forty-six (46) homes are under construction or in the beginning stages of lot clearing.*

*One (1) Single Family Residence Application:
26 Forest Lake Drive*

*Five (5) Certificate of Occupancy were issued:
15 Deer Track
11 Oak Hill
73 N. Shamrock
425 Reynwood
Grande Pines Vista*

*Other Permits Issued:
One (1) pool
One (1) fence*

9. Council Member Reports:

A. Finance – Janice Gregorich

Mayor Pro Tem Gregorich reported cash balances as of October 31, 2023. The general fund balance is \$2,554,945 of which \$1,478,239 is reserved. The water fund balance is \$1,392,065 of which \$471,076 is reserved. The Village is purchasing land for the new well site for \$241,000 and closing is scheduled

for the next couple of days. This purchase will reduce some of the reserve balances in both funds. Total cash at the end of October is \$3,947,010. As of October 31st, an additional \$306,774 has been received for property taxes. The fiscal year to date interest received in the Capital Trust account is above \$50,000.

- Budget Amendment

Mayor Pro Tem Gregorich presented a budget amendment for the purchase of three additional speed signs totaling \$9,000. The council agreed to purchase the signs at their previous work session.

Councilmember Nauman made a motion to adopt Budget Amendment #2024-02. The motion carried unanimously.

B. Streets and Park – Janet Nauman

Councilmember Nauman reported the park trails are back in good shape. The contract cancellation letter to USA Pool Management was sent out.

Nauman reported the Village can still go with Spectrum for internet however will not proceed with the fiber-optic option due to the cost of \$10,500 to run the lines. Boito suggested investigating if there are grants for bringing in fiber-optic internet to the area.

C. Public Safety – Don Nelson

Councilmember Nelson reported the fire department had their yearly ISO inspection on November 9th. Everything went well and they expect final inspection results in the coming weeks.

Nelson reported that year to date fire calls for the West End station are 933 and for Foxfire are 855. This is 34% of total calls which is a bit higher than usual. Total calls so far for November is 31. There was brief discussion on types of calls answered.

Chief Shue presented a department update. The police department answered 736 events in October and issued 150 citations from 111 vehicle stop.

He reported the patrol car is still in the shop after 3 months. Chief Shue has had no luck with locating another police vehicle to purchase. There is one car available however on a wait list for another department. The next option is waiting until January 2024 when the Dodge Durango becomes available. Chief Shue was put on the wait list. The approximate cost for the vehicle is \$40,000 and \$5,000 to outfit it.

Councilmember Samuels asked if the call report could breakdown specific locations of the vehicle stops that result in a speeding citation. Shue replied not with the current software but would look into other options or contact Southern Software who might be able to write this in our current software.

D. Water Department – Gary Samuels

- New Well Update

Councilmember Samuels reiterated Mayor Pro Tem Gregorich's comment about the property purchase. This is good news as we want to go into contract with Underwood & Associates by December 1st. Gregorich asked what added costs we are looking at in addition to the purchase of the property. Samuels replied he still has some questions to answer and will provide those numbers to her as quickly as he can. The new well is one of the biggest producers with 50 gpm.

E. Mayor's Report – Don Boito

None

10. New Business

- Early Voting for Future Elections

Mayor Boito reported there are some questions why Foxfire does not have absentee ballots. In 2013, the Village voted to end absentee ballots for municipal elections. According to the Board of Elections, when not on the absentee ballots, it also does not allow for early voting option. There is a cost associated with both. Boito provided some background on the decision. Councilmembers discussed the costs associated and suggested looking into what future costs would be. Samuels suggested doing it on a yearly basis.

- Stipends for Village Council Members

Mayor Boito spoke with mayors from other smaller municipalities in Moore County who offer stipends to their elected officials. The amount of stipend paid varied in each municipality from \$250-

\$500 depending on title. Boito suggested that due to the amount of work each member does, they should be compensated. He asked for the council's opinion on stipends. Gregorich is totally against, Nelson is in favor, and Samuels needs more time to consider. Nauman is in favor if the pay is minimal. She pointed out that council members knew there was no compensation when they decided to run for the council seat. She is concerned that future candidates may opt to run for council just for the extra money. She would prefer the money to go to employee salaries, Gregorich agreed. Nauman suggested \$50 per month to offset the use of personal vehicles and cell phones. Gregorich is concerned that once the council implements this, each new council could vote to increase the amount. They are voting money for themselves. If someone runs for council because of the money, it's the wrong reason. Boito added this might be something to consider going into the next budget year.

- MPO Dissent

The Council had previously discussed a Declaration of Dissent due to the concern if Foxfire did not join the Moore County MPO, we would be pulled into the Fayetteville's plan. We found out that is not possible because the MPO's are established by federal level. Given that, all other smaller municipalities issued a letter of dissent accepting the Memorandum of Understanding but disagreeing with the voting structure of one vote vs. weighted vote. Boito asked the council to approve the Declaration of Dissent to be forwarded to the Secretary of Transportation.

Mayor Pro Tem Gregorich made a motion to approve the Declaration of Dissent. The motion carried unanimously.

- Yard Waste Facility Location

Councilmember Nauman asked to be given the LRP task for finding a new location for the yard waste facility. She would like the council to consider utilizing the two-acre parcel adjacent to the Village Administration office for both yard waste and police department storage. She, Councilmember Nelson and Lisa Kivett will begin working on this project and procuring bids in January. Nauman would like to further discuss at the December work session.

- Pumphouse Zoning

Councilmember Samuels would like to consider the Planning Boards recommendation to rezone the pumphouse parcels in the Village to a MUN district. He asked Ms. Gilroy if a survey is required for each location. Gilroy replied no, they all sit on an individual parcel of 40,000 sq. ft., each with a separate LRK. Boito asked if this would create spot zoning, Gilroy replied she wouldn't think so.

- Water Infrastructure Mapping

Councilmember Samuels and Jesse Southard met twice via Zoom meeting with ESRI. ESRI was formed in 1969, employees over 5,000 people, and infrastructure mapping is just a component of their company. They should be able to convert the existing maps into their program, giving Jesse a base to start with. ESRI's program can be used by phone, iPad, or through the Cloud, and the ability to transmit data to others. Samuels recommends going with ESRI opposed to the company he originally suggested for infrastructure mapping. The cost for ESRI is \$765 for the year. Gregorich raised concerns about cybersecurity and suggested having an independent study on the security of using this service. She recommended a retired military security officer who could review and offer their opinion. She will provide contact information to Councilmember Samuels.

11. Old Business

- Woodland Circle and Eagle Drive Signage

Councilmember Nelson reported after consideration, it is the opinion of the Police Chief and others that the placement of a pedestrian crossing sign is not a good idea. In order to be effective, two signs would need to be placed, one going up and one going down. There's also issues with signs being knocked down from vehicles. Mayor Pro Tem Gregorich agreed with Nelson, citing it could become a safety hazard. Mayor Boito said he passes this type of sign weekly, has never seen one knocked down, and notices brake lights as people pass them. He is in favor of their placement. Councilmember Nauman agreed with Nelson and Gregorich. There was a brief discussion on the placement of rumble-strips and effectiveness of the signs. Chief Shue approached the podium to address the council. He feels having a pedestrian sidewalk is a terrible idea and will open the Village up to other issues. The council agreed not to place signs on Woodland Circle but will continue to monitor the situation.

- Purchase of Sackman Property

Mayor Boito signed the purchase contract yesterday and the check was received. He anticipates the closing to be on the 20th of November.

12. Public Comments:

Tom McClellan – 3 Dogwood Ct. reported a missing stop sign at the corner of Fox Hollow Ct. Nauman said she would order a stop sign.

13. Closed Session Pursuant to: *NCGS §143-318.11 (a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee.*

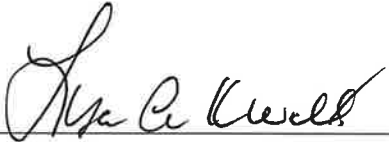
Mayor Pro Tem made a motion to go into Closed Session Pursuant to NCGS §143-318.11 (a)(6). The motion carried unanimously. The Council entered the Closed Session at 5:26 PM.

Councilmember Nauman made a motion to close the Closed Session and return to the regular meeting at 6:10 PM. The motion carried unanimously.

Councilmember Samuels asked to comment again on the early discussion about the new wellsite. He reported the total cost for construction of the well is \$225,000.

14. Adjournment

Councilmember Nauman made a motion to adjourn. The motion was carried unanimously, and the meeting adjourned at 6:15 PM.



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



Janice Gregorich
Mayor