

MINUTES
Foxfire Village Council
Regular Business Meeting
August 13, 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 Don Nelson and Warren Morgan
3. Members Absent: Councilmember Mary Gilroy
4. Others Present: Police Chief Michael Amezquita, Fire Chief Erik Stromberg, and Several members of the public.
5. Moment of Silence and Pledge of Allegiance

Mayor Gregorich asked for a moment of silence followed by the Pledge of Allegiance.

6. Approval of the August 13, 2024, Regular Business Meeting Agenda

Mayor Gregorich added *Financials* to her report.

Mayor Pro Temp Nauman made a motion to adopt the August 13, 2024 Agenda as amended, seconded by Councilmember Morgan and carried unanimously.

7. Consent Agenda

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

A. Approval of Minutes

- July 9, 2024 Regular Business Meeting
- July 9, 2024 Closed Session
- July 25, 2024 Work Session

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

8. Public Comment Period

Barbara Okula – 4 Foxhill Circle inquired when the pool assessment would become available.

Tom McClellan-3 Dogwood Ct. is concerned about the appearance of the General Store. He suggested the owner be contacted about the appearance.

Jacqueline Leary – 73 N. Shamrock prepared and read aloud the following letter:

"I would like to recognize the village council today for their great accomplishments.

As a collective group our village council members have various backgrounds in zoning and planning, utilities management, finance, public safety, insurance, business acumen, and project management. These years of collective experience and talent are what makes our council effectively manage and problem solve to enable the village to benefit and grow as a fiscally responsible and safe community.

The council members are elected and volunteer many hours a week to manage our community. These are four-year terms and unpaid positions. The council members are tasked with managing multiple projects that require short- and long-term planning and finding solutions. Some projects run smoothly, and some don't. However, the council members take their responsibilities seriously. They act with the best intentions of keeping our community safe and fiscally sound. They are our advocates not our adversaries.

There will be times when we ask questions of the council, and we will receive an immediate response from the council. There may be times that it may take additional time for the council to research, send emails, and make phone calls to find answers to our questions. There may be times when they will not be able to answer our question. This is what happens in life, sometimes we get answers that we like, or we don't like. But all in all, you generally get an answer to your questions.

Our council members have projects which they inherited from previous councils. For example, managing and securing a vendor for a new well pump. The management and repair of the community 40+ year old pool, the park and trail improvements and road maintenance repairs. These are a few of the many projects they work on besides other community and safety needs. They try their best to manage these projects and they seek out the best resources to remediate the problem. I have confidence in this council that they will seek out the best options to find solutions to existing projects and problems .

What I would like to point out is that the village council members are not only wives, husbands, parents and grandparents, but also our neighbors. I met them at our town picnic and sat down and ate a hot dog or two with them. They are just like all the neighbors except they decide to run for office, and we're elected by the neighbors to represent our community.

However, some unfortunate comments have been made on social media about our council which I find very disturbing, disheartening and embarrassing to read. Words to describe our council were, having their own agenda, they do what they want not what the community wants, non-transparent, lack of communication and power hungry. Again, the council members are our advocates not our adversaries.

Since I moved here in 2022, I attended almost every town meeting, or I watch online videos to catch up. I found the council very transparent and updates on projects were discussed. Anyone at a time could view these videos online. It is our responsibility as part of the community to view these videos and learn more about the projects (transparency) and the current standings on community projects. At one council meeting, a new neighbor asked questions about previous projects that were discussed at other meetings. The council was happy to reiterate the project updates and answer questions asked before by other people.

I feel that attacking our council members is just plain wrong. They deserve our support and respect. If some people don't feel they deserve their support or respect, that is their prerogative. If you think you would like to step up to the plate and get involved, please do so. Using social media to disparage our council members is not an effective way to communicate or solve problems.

I hope that by sharing my feelings, my neighbors will recognize that our village council members are a significant value to our town . There are better tools to work together with our village council to get results than tearing them down on social media.

Thank you for allowing me to express my feelings and I hope that this information will make a difference. Also, if any community member has any free time, the Moore County Humane Society needs dog walkers. Give them a call or stop by, they sure could use some help."

Jacqueline Leary - 73 N. Shamrock

Jim Childers – 10 S. Wrenn Place reported a possible drainage issue affecting his property on S. Wrenn. This has been an issue since he moved into the home in 2019. Mayor Pro Temp Nauman will contact Mr. Childers to review the issue.

9. Zoning Administrator's Report

Lisa Kivett provided the following report on zoning activities from July 10th through August 13th.

Currently a total of thirty-three (33) are under construction or in the beginning stages of lot clearing.

Three (3) Single Family Residence Application:
67 Richmond Road
2 Wedgewood Drive
675 Bowman Road

Four (4) Certificate of Zoning Compliance were issued:
135 Courtland Circle
167 Courtland Circle
2390 Hoffman Road
158 Woodland Circle (structure modification)

Other Permits Issued:
One (1) swimming pool
Four (4) fence
One (1) Temporary Signs
Two (2) Decks
One (1) Accessory Building

10. Council Member Reports:

A. Water Department – Warren Morgan

Councilmember Morgan reported the Village is now operating under Stage 2 water restrictions. A notice of the change was posted on the Village website and signage around the Village was

changed to yellow signs reflecting Stage 2.

Due to the conservation efforts from Village residents and the increased rain, a decision was made to stay at Stage 2 instead of dropping to Stage 1 at this time. This will allow us the ability to see how the demand reacts when we return to seasonal norms. Even though pump run hours have been almost cut in half, residents will need to adopt water conservation practices, or we will be thrown back into the crisis we faced in June. If every household uses water responsibly, this will allow us to time to get the new well online and implement other options available. Violation notices were sent out to customers who failed to comply with restrictions.

Morgan has received many questions from residents which he and other Village staff have attempted to answer but there is a process to do so. Many questions can be answered by going to the North Carolina Department of Environmental Quality: www.deq.nc.gov. On the *Drinking Water* page, residents can look up the *Local Water Supply Plan* that can be searched by year. Data includes production and consumption data that we are required to submit to the State.

Morgan received a request from a gentleman to tour the water pump facilities. Due to the safety and sensitive nature of the water department infrastructure, his request was denied. Village Administrator Lisa Kivett put together an extensive summary of all council meeting water department reports since 2006. The information compiled references the previous councils' efforts to address water system issues including water supply, construction of new wells, etc.

Morgan provided an update on the new well #13. The driller, Charles Underwood, and the project engineer have submitted water quality samples to a lab in Florida and are waiting for results, specifically radium nuclides. This has caused a slight delay in the project however Jesse Southard is staying on top of things.

The Village mailed out a notice last month requiring residents with irrigation meters to submit a recent copy of test results of the required backflow devices. The response has been very good. Jesse Southard has met with representatives from BSI about administration of the Village Backflow program. After considering quotes from another vendor for the same service, and after further review if this service is beneficial, we will enter into an agreement with BSI to handle the administration of the program. Morgan is currently drafting an ordinance and narrative that deals with the program and hopes the council will adopt it. He further explained the program and what BSI would be doing.

During a rainstorm in July, lightning knocked out the Scada at two well sites. During this time was high demand and production. Jesse was able to make contact with a technician who was able to get the system back up and running. Morgan learned yesterday that Zitron, the company that provides parts and backup for the radio base assist no longer has replacement boards. This is an issue that the council will need to assess and will no doubt be a future budget item.

Jesse finally received a shipment of residential meters from Badger along with additional electronic heads to update a number of existing meters. Morgan explained the new generation of meters, AMA, enables Jesse to read, and generate a profile of a customer's usage, and quantity over a specific period of time. Morgan reported that Jesse is in the process of multiple important projects and still maintains the wells and makes sure all customer inquiries are addressed.

Morgan addressed a previous resident question about applying for a grant. Morgan attended a six-hour class held by the Division of Water Infrastructure which is the state agency that provides funding to water systems through various loans and grants. The village may qualify for future grants but we're competing against municipalities for a finite amount of money. Most of these municipalities have professionals on staff that write grants. Morgan has a list of available funding from DWI and will distribute a copy to council members.

B. Streets and Park – Janet Nauman

- Park Trails

Mayor Pro Temp Nauman reported the repairs have been delayed due to the weather. The trails must be nearly dry before the repairs can be completed. She added that residents may use the trails as long as the contractors are not working on them.

C. Public Safety – Don Nelson

Police Chief Amezquita presented the following report:

- Officer McNeill will be finished with training in 3-4 weeks.
- Officer Coughenour completed his training and is out on the road.
- The Chief spoke with the supervisor from Harris Trucking about complaints of trucks speeding on Village Roads. The supervisor stated he spoke with drivers about not speeding. Since the discussion, several Harris trucks have come through the Village and are under the posted speed limit. Officers will have a heavier presence in areas impacted.
- Corporal Kivett will complete the final FTO class at the end of the month.

Mayor Pro Temp Nauman added the police do house checks for residents on vacation. A form is available at the Village office or on the website for residents to complete when they are going to be away.

Mayor Gregorich asked is a decision was made on the cameras. Councilmember Nelson replied no, not until council has discussed.

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

- Chief Stromberg reported no major damage from the last heavy rainstorm. Both stations were fully staffed and prepared to handle anything that came through.
- He provided call data for the month of July which shows a slight increase in call volume. Of the 92 calls, 34 were to Foxfire. 69% were EMS related.
- The fire department hosted an FPOA CPR class, and several citizens and police staff attended. The fire department would like to host a class for the public each quarter.
- The department offers smoke detector checks and battery replacement especially for those not comfortable with climbing ladders. If residents have the batteries, they can call the station and schedule a time when they are not running calls.
- The department has multiple sump pumps in the event someone has a flooded crawlspace from a hurricane or heavy storm.
- Stromberg explained what good intent calls are. The department was dispatched to a fire on Bobolink during the last storm. They were cancelled because the fire was not in Foxfire, it was located on Bob-o-link in Pinehurst.

D. Mayors Report – Janice Gregorich

- Financials

Total cash on hand in the general fund is \$3, 086,765. Of this amount, \$2,462,670 is in the Capital Management Trust and the remaining \$1,027,000 is in the First Bank account. Reserves right now for various funds are \$1,435,638. Total cash on hand in the water fund is \$1,250,373. Of this amount, \$856,833 is in the Capital Trust account. Total reserves of \$175,000. Funds are dwindling because of the new well. Interest earned in the water fund this month is \$3,785 and in the general fund, \$10,879.

Mayor Gregorich asked that review of the West End Fire contract be tabled until the changes on the most recent draft can be discussed. The changes were not agreed to by the council.

Mayor Gregorich addressed a question she received from a citizen regarding a comment on social media about some land owned by the Village. The comment was that the Village had made a closet deal for the development of Windy Ridge. Claiming the Village owned and sold the 30-acre parcel to be subdivided. First off, the Village never owned the property, it has been privately owned for years. Regarding closet selling of property by the Village, there are General Statutes on how municipalities can sell real property. The Village has abided by the statutes in the past which require an upset bid process. Gregorich is angered by the fact that people just criticize and claim illegal activity when there is absolutely no basis for it. Another comment made on social media regarding our building moratorium or the lack thereof and that perhaps council members are on the take for building permits. This comment was agreed to by many others on the comment stream. The Village Council works very hard for no monetary compensation, and we've agreed to that. The council members have volunteered to do this job. Gregorich will not let these kinds of disgusting accusations go without a rebuttal. She invited anyone who makes these claims to run for office, do the job, and see what it is really like.

Gregorich addressed an email she received about the condition of the golf course maintenance building. They are frustrated with the parking golf carts, heavy equipment and lack of landscaping maintenance. Gregorich said the building was never intended to be used the way it is currently being used. She understood that golf carts would not be stored there nor would heavy equipment permanently stored there, or that piles of stone and sand would be stored there. She wants everyone to understand the Village too is very frustrated with the condition of the building. There are some Village Codes that deal with the growth of uncontrolled weeds, and we are doing the best we can to deal with this through our ordinances.

11. New Business

- Public Comment Procedures

Mayor Gregorich provided a draft of proposed changes to the current Public Comment Procedure Policy. Changes include clarifying that each public comment period be limited to 30 minutes and each speaker will have up to 3 minutes to speak. There will not be any back-and-forth discussion between speakers and the members of the audience. Speakers are to address the council as a group, not as individuals. Copies of any prepared documents must be left with the Village Clerk. Speakers shall not discuss the candidacy of any person seeking public office or question closed session matters including but not limited to the matters within the attorney client privilege, anticipated or pending litigation, personnel or property acquisition matters which may be made confidential by law, or matters which are the subject of public hearings.

Councilmember Nelson made a motion to adopt the revised Public Comment Procedures, seconded by Mayor Pro Temp Nauman and carried unanimously.

- Land Use Plan

Mayor Gregorich reported a draft updated Land Use Plan was received from Planning & Zoning. She asked that the council discuss at the August work session.

- Building Moratorium

Mayor Gregorich reported that the council has been asked to impose a building moratorium due to the recent water restrictions. She explained that difficult process for imposing a moratorium and also the possibility of opening up to lawsuits. She feels a moratorium is not warranted at this time. Once again, she reminded everyone it is not a water supply issue, it is the pumping runtime causing the restrictions. Brief discussion ensued on the water restrictions and finding additional well-sites in the Village and costs related.

12. Old Business

None

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

None

14. Adjourn

Councilmember Nelson made a motion to adjourn, seconded by Mayor Pro Temp Nauman and carried unanimously. The meeting adjourned at 5:24 PM.



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



Janice Gregorich
Mayor