

MINUTES
Foxfire Village Council
Regular Business Meeting
November 12, 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 and Several members of the public.
4. Opening Prayer and Pledge of Allegiance

Councilmember Mary Gilroy led the opening prayer followed by the Pledge of Allegiance.

5. Approval of November 12, 2024, Regular Business Meeting Agenda

Mayor Pro Temp Nauman added *Sunset Drive Update* and *Trail Hunt* to her report and Councilmember Nelson removed *Fire Dept. Update* from his report. Mayor Gregorich added the description "Septic Tank Maintenance" to the Budget Amendment and removed all Minutes from the Consent Agenda. They will be voted on at the next regular meeting. Gregorich added *Water Vehicle Budget Amendment* to her report.

Councilmember Nelson moved to adopt the November 12, 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

- ~~October 8, 2024 Regular Business Meeting~~
- ~~October 11, 2024 Special Work Session~~
- ~~October 25, 2024 Special Closed Meeting~~
- ~~October 31, 2024 Work Session~~

B. Budget Amendment #2024-15 (Septic Tank Maintenance)

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

7. Public Comment Period for Items Not on the Agenda
NONE

8. Zoning Report – Lisa Kivett

Lisa Kivett provided the following zoning report from October 9 through November 12.
Currently a total of twenty-seven (27) homes are under construction or in the beginning stages of lot clearing.

Two (2) Single Family Residence Application:

645 Bowman Rd (ETJ)
151 Courtland Circle

Three (3) Certificate of Zoning Compliance were issued:

115 Vista Ridge East
195 Autumn Ridge
142 Woodland Circle

Other Permits Issued:

One (1) Accessory Building
One (1) Pole Barn (ETJ)
Three (3) Temporary Signs
Two (2) Food Trucks

9. Council Member Reports:

- A. Finance – Mary Gilroy
- Financial Report

A four-month update showing where each department is so far for the fiscal year was provided to each councilmember. Over the coming month, Councilmember Gilroy and Shanron will be sitting down with each department head to review their individual budgets.

The Village audit was submitted to the LGC on October 23rd. It was reviewed and approved by the State without change. Gilroy highlighted some areas of the audit. Ending FY 23-24, our reported fund balance was \$3,218,000. This was a \$531,000 increase from the prior year. In 2024, we adopted a Fund Balance Policy that we would maintain 35-40% of general fund expenses. The Village is in sound financial shape. A PDF of the audit will be placed on the Village website.

B. Streets and Park – Janet Nauman

- Sunset Drive Update

Mayor Pro Temp Nauman reported that repairs to the Sunset Drive/Hoffman Road entrance are scheduled for November 13th. Nauman urged residents to use the Woodland Circle entrance until repairs are complete.

- Trail Hunt

Mayor Pro Temp Nauman reported the FPOA is doing a *Thanks and Giving Trail Hunt* for finding hidden Christmas ornaments along the park trail. They have limited the event to Village residents in the 27281-zip code only. Nauman added that the park is open to the public and must be available to everyone. Someone other than a resident of 27281 could find an ornament.

- Decision on Pool Costs

Mayor Pro Temp Nauman provided handouts to the council listing the necessary pool repairs and quotes from Company A and Company B. This information was discussed at the October work session. Nauman listed the items needed, totaling \$282,594. She would like to have everything done under one permit and expects the permit cost to be \$500. Councilmember Gilroy added there is \$65,000 in reserve for pool maintenance. She suggested adopting a budget amendment for the total and leaving that reserve in there for any overages. The council discussed the amount of budget amendment needed.

Gilroy asked who would be writing a contract. Nauman replied that work and completion is dependent on the weather so she cannot say when work must be completed by May 1st; we may run a little over. She provided details on the steps of repairs and timeline for completing them.

Gilroy suggested a performance guarantee be written and signed by the mayor. Mayor Gregorich replied that everything is detailed in the spreadsheet by the line items that will be on the purchase order we provide to the contractor. She added, other than the drains and decking, we have done much of this in the past as routine maintenance. Nauman said she plans to go with *Company A – Southern Pines Pool* who provided the lowest quote. They will also serve as project manager and handling all County requirements.

Mayor Gregorich moved to approve the pool repairs and a budget amendment for \$283,500, seconded by Councilmember Nelson. Carried unanimously.

- Decision on Park Rules and Ordinance Changes

Nauman again reviewed the drafted park rules previously discussed in the October work session. The council discussed the changes and additions that should be made. Nauman added the Village attorney advised us that alcohol should not be permitted in the Village Park because of liability. Gregorich added it is not permitted on any other Village property, so this makes sense. Discussion ensued and the council agreed that alcohol should not be permitted at the park.

A Village Code amendment will be drafted for adoption. Nauman also suggested an amendment to Sec. 17-82 (2) be amended to allow three days before and after travel to load/unload campers. This too will require a code amendment.

C. Water Department – Warren Morgan

- Water Rates

Councilmember Morgan reported that the council discussed increasing the current water rate structure based on conservation during the October work session. He would like to make the rate increase effective January 1, 2025.

The proposed water rate structure is as follows:

0 to 3,499 gal.	\$24.00 Flat Rate
3,500 to 6,999 gal.	\$7.15 per each additional 1,000 gal.
7,000 to 11,999 gal.	\$8.40 per each additional 1,000 gal.
12,000 to 15,999 gal	\$12.00 per each additional 1,000 gal.
16,000 to 24,999 gal.	\$15.60 per each additional 1,000 gal.
25,000 and up	\$18.20 per each additional 1,000 gal.

Mayor Pro Temp Nauman moved to approve the water rate increase effective January 1, 2025, seconded by Councilmember Nelson. The rate increase was unanimously approved.

- New Well Update

Morgan reported the contractor has fallen behind. They were to produce plans and specifications to be submitted to the state at the end of September. As of today, they are only 70% complete with that task. There is not much we can do because the contract we entered with them does not specify a completion date. Morgan said completion will now be February or possible March. There was a brief discussion on an additional project for the rehab of well #6.

D. Public Safety – Don Nelson

Police Chief Amezquita presented the following report:

- Three large drops of donated supplies were delivered to Western North Carolina. The Chief thanked everyone who donated.
- There has been an influx of folks driving golf carts on Hoffman and Richmond Road. If they are just crossing, it's okay but not riding down the middle of the road. Officers have been directed to first notify folks of this. If they continue, the second step is issuing paperwork. This affects only Richmond and Hoffman roads.
- It was a busy month with community events. The Trunk or Treat and Fall Safety Jamboree had a great turnout.
- The Chief provided a stat report for the month. There were 1427 events ranging from animal calls to traffic stops, to taking someone to jail. Last year at this time, our total was 700 events. The cumulative total for the year is 8,817. There was brief discussion on residence checks and the process officers go through checking open doors.
- There were various traffic stops, and one DWI. Of the 111 traffic stops, 192 citations were issued.
- The management development program for the Chief is cancelled due to not enough signed up for the class. The chief is looking at other options.

E. Mayors Report – Janice Gregorich

- Budget Amendment for Water Department Vehicle

Mayors Gregorich reported after much research on vehicles, the water department will purchase a 2024 Ford F150 XL for \$37,488.64. We will be getting back the sales tax of \$1,159.14. The budget for a new vehicle is \$25,000 so a budget amendment is needed.

Councilmember Morgan moved to adopt Budget Amendment #2024-16 in the amount of \$15,000 for the purchase of the new truck, seconded by Mayor Pro Temp Nauman and carried unanimously.

Mayor Pro temp Nauman asked to make a correction to her earlier pool repair report. She did not add the sales tax on the total for repairs and will need to revise the previously adopted budget amendment. The total for taxes is \$14,830, which the Village will get back.

Mayor Gregorich moved to update the pool repair budget amendment to \$298,330, seconded by Councilmember Gilroy and carried unanimously.

10. New Business

- Accessory Building for Administration Office

Mayor Gregorich suggested purchasing an accessory building to be placed somewhere around the perimeter of the administration building. Both the administration and police department can use the building to store items such as the outdoor grill and road signage and cones. Discussion followed on what can be stored, building size, foundation and possible placement. Gregorich will explore options and pricing.

11. Old Business

- Council Meeting Times

The council discussed possible changes to starting times for both the monthly work sessions and regular meeting at the October work session. It was suggested to begin both meetings at a later time to accommodate working families. Councilmember Gilroy suggested moving the start times to 6:30 on a six-month trial. Discussion followed with no agreement on the 6:30 time.

Councilmember Nelson moved to keep the starting time of both the monthly work session and regular business meetings at 4:30 PM, seconded by Mayor Pro Temp Nauman.

The vote was called:

Nelson	aye
Nauman	aye
Morgan	aye
Gilroy	nay
Gregorich	aye

By majority, the motion carried.

- Land Use Plan

The council made one final review and changes to the draft Land Use Plan.

Mayor Gregorich moved to accept the draft Land Use Plan with changes discussed this evening and move to a public hearing on December 10, 2024. Second, by Councilmember Morgan and carried unanimously.

- Updated P&Z Recommendations

The Planning & Zoning Board provided the following zoning ordinance recommendations and asked the council to consider accepting and adding to the scheduled December 10, 2024 public hearing. All

- 1) Amendment to remove playground equipment wording of UDO Sec 21-6-8 and add a new section to Foxfire Village UDO addressing Playground Equipment.

Gregorich moved to accept the recommendation, seconded by Nelson. A vote was called and motion carried. Moved to Public Hearing

- 2) Amending Appendix A. – Table of Authorized Uses to add “Accessory Structures” as a permissible use in the MUN District

Gregorich moved to accept the recommendation, seconded by Gilroy. A vote was called and motion carried. Moved to Public Hearing

- 3) Amending the wording in Sec. 21-8-3.3. - Village business district

Gregorich moved to accept the recommendation, seconded by Morgan. A vote was called and motion carried. Moved to Public Hearing

- 4) Adding a new Section titled *Sec. 21-8-3.4 – Recreation District* and using the same wording as Village Business District

Gilroy moved to accept the recommendation, seconded by Nauman. A vote was called and motion carried. Moved to Public Hearing

- 5) Amend Sec. 21-16-1-Definitions by deleting *Modular Homes* and adding *Detached Garages*

Nauman moved to accept the recommendation, seconded by Nelson. A vote was called and motion carried. Moved to Public Hearing

6) And adding a new Section titled *Sec. 21-8-1.3 Detached Garages*

Gregorich moved to accept the recommendation, seconded by Morgan. A vote was called and motion carried. Moved to Public Hearing

All zoning amendment recommendations are consistent with applicable elements of the Foxfire Village Land Use Plan and Long Range Plan and are reasonable and of the public interest in order to provide clear and consistent guidance to property owners.

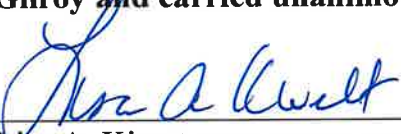
Mayor Gregorich moved to add the recommendation to the December 10, 2024 public hearing, seconded by Mayor Pro temp Nauman and carried unanimously.

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

Rosie Juliano 2 Burning tree Place asked for some clarification on park hours and allowance for extended times for special events. She suggested the Village have some guidelines when dealing with contractors and was disappointed with the meeting hours remaining the same but understands the dilemma it creates for volunteers.

13. Adjourn

Mayor Pro Temp Nauman moved to adjourn the meeting, seconded by Councilmember Gilroy and carried unanimously. The meeting adjourned at 6:17 PM.



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



Janice Gregorich
Mayor