



**Town of Fairview
Regular Town Council Meeting
September 10, 2019**

The following Council members were present: Mayor Phil Thomas, John Biggers and Jerry Clontz, Patricia Kindley and Gary Wilfong (John Biggers arrived at 6:35 PM)

Others present: Joe McCollum, Town Attorney; Darrell Baucom, Financial Officer, Ed Humphries, Land Use Administrator / Deputy Clerk and Teresa Gregorius, Town Clerk

Agenda Changes

No Changes

Approval of Agenda

Jerry Clontz made a motion to approve the agenda. Patricia Kindley seconded the motion. Council members Clontz, Kindley and Wilford voted yes (3-0).

Public Comments

None

Consent Agenda

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) Fairview Park Event August Draft Minutes --- Minutes Accepted as Information
- d) Fairview Park Facility August Draft Minutes --- No August Meeting
- e) Planning Board August Draft Minutes --- Minutes Accepted as Information
- f) Approve Council Regular Minutes for August 13, 2019
- g) Approve Domestic Violence Awareness Month Proclamation

Patricia Kindley made a motion to approve the consent agenda. Jerry Clontz seconded the motion. Council members Clontz, Kindley and Wilfong voted yes (3-0).

Items of Business

Item 1: Public Hearing on Conditional Use Permit CUP 18-112

Ed Humphries presented Conditional Use Permit CUP 18-112 request from Faulk and Foster to construct a Cell tower at 1008 Brief Road Parcel #08210001E. Property is owned by Harvey

Franklin and Tracey Jolly. Ralph Wyngarden, Sr., Zoning Specialist for Faulk & Foster presented information on behalf of Verizon and answered questions from the Council.

Mayor Thomas to open Public Hearing

No Public Comments

Mayor Thomas to Close Public Hearing

“Finding of Facts”

- 1) Jerry Clontz made a motion that Conditional Use Permit CUP 18-112 will not endanger the public health or safety because it is a stationary unit and will not cause any additional traffic on Brief Rd. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 2) John Biggers made a motion that Conditional Use Permit CUP 18-112 will not substantially injure the value of adjoining or abutting property because it is a rural area and should have no impact on surrounding properties. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 3) Gary Wilfong made a motion that Conditional Use Permit CUP 18-112 will be in harmony with the area in which it is located because of the due diligence of the Planning Board and cell towers that are already in the area. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 4) Gary Wilfong made a motion that Conditional Use Permit CUP 18-112 will be in general conformity with the land use plan, Thoroughfare plan or other plan because of the due diligence of the Planning Board. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Discuss Approval of Request:

John Biggers made a motion to approve Conditional Use Permit CUP 18-112 with conditions stated. The proposed zoning amendment under consideration is found to be reasonable and consistent with the recommendations of the Town’s adopted comprehensive plan, the Town of Fairview Land Use Plan (Revised November 11, 2018), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). Jerry Clontz seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 2: Authorize Union County to Collect Taxes

Mayor Thomas reported that the Union County Tax Administration needs authorization to collect taxes for the Town of Fairview set forth in 2019-2020 tax records.

John Biggers made a motion to authorize the Union County Tax Administration to collection taxes set forth in the 2019-2020 tax records. Gary Wilfong seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 3: Presentation - Bjorn Hansen, Union County Transportation Planner

Mr. Hansen presented the Union County Critical Intersection Analysis Report to the Council.

Council Comments

Patricia Kindley reported that she has met with Nina Chaffin, Director of the Library regarding partnering with them to bring programs to Fairview. Ms. Chaffin has programs for children through senior citizens and looks forward to partnering with the Town. Ms. Kindley and Mayor Thomas attended the Fairview Elementary Open House this year and passed out informational flyers with Town of Fairview information. They also had a drawing for a boy and girl prize. Ms. Kindley also noted that Bethlehem Presbyterian Church has purchased the fans for the picnic shelter and Mike Medlin is working to get them installed.

Jerry Clontz noted that he was working with the Park Facility committee on the Fairview Fall Festival that will be October 5th.

John Biggers apologized for being a few minutes late for the meeting, he was attending his company's United Way Campaign which raised \$210,000 for Union County United Way.

Gary Wilfong reported that JAARS was available to give helicopter rides at the Fall Festival is the Event Committee would like them to do so.

Joe McCollum reported that the NC Legislature is requiring towns with populations over 1,000 to submit a list of all criminal ordinances to them by November 1st for them to study. He reported that the Town staff has already submitted the report.

Mayor Thomas reported that him and Mr. Humphries attended the Union County Planning Retreat on August 28th. Mayor Thomas did a PowerPoint presentation on the Town of Fairview. The PowerPoint highlighted two main points that Fairview was interested in: the arsenic problem and partnering with the county to acquire the Old Fairview School property for a fire department/town center.

Jerry Clontz made a motion to adjourn. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilford voted yes (4-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this 8th day of October 2019