

# Agenda

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## *Town of Fairview*



### **Agenda**

Town Council Meeting  
March 12, 2024 @ 6:30 pm

*Meeting will be in the Fairview Town Hall Meeting Room*

- 1. Call the meeting to order: --- Mayor Wilfong**
- 2. Invocation**
- 3. Pledge of Allegiance**
- 4. Agenda Changes/Approval of Agenda**
- 5. Approval of Consent Agenda:**
  - 5.A. Financial and Tax Reports--- *Report Accepted as Information (including Pending Bills documentation provided at meeting)*
  - 5.B. Land Use Report---*Report Accepted as Information*
  - 5.C. Fund Balance Worksheet 2023-2024 --- *Report Accepted as Information*
  - 5.D. Fairview Park Event February Draft Minutes (*Minutes Accepted as Information*)
  - 5.E. Fairview Park Facility February Draft Minutes (*No February Meeting*)
  - 5.F. Planning Board February Draft Minutes (*Minutes Accepted as Information*)
  - 5.G. Approve Council Minutes for February 13, 2024
  - 5.H. Approve Union County Interlocal Agreement (\$4,000 contribution approved at 8/8/23 Council meeting)
  - 5.I. Re-appoint Mike Medlin to the Planning Board with the term expiring December 2026.  
Appoint Alex Karakosta to the Board of Adjustment from an alternate member to full member.
- 6. Public Comments**

# Agenda

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## 7. Presentations: None

## 8. Items of Business:

- 8.A. Discuss #L-I CUD 24 002 request from Haigler Farms 2 LLC to rezone a 38-acre tract, Parcel #08222011M to light industrial CUD (Conditional Use District). Any use in the district will be required to obtain a special use permit -  
-- *Ed Humphries*

### Mayor to Open Public Hearing

### Public Comments

### Mayor to Close Public Hearing

**Decision:** The #L-I CUD 24 002 request from Haigler Farms 2 LLC to rezone a 38-acre tract, Parcel #08222011M to light industrial CUD (Conditional Use District) including the following conditions:

- All properties as they are approved with a Special Use Permit will be required to install a 30-foot buffer as required in the Fairview Lane Use Ordinance, Section 308.
- NCDOT may require improvements as needed with change of uses.
- All properties shall be leased from Haigler Farms 2 LLC.
- Water to be supplied by the County to all uses within 2500 feet of current County water lines.
- All 38 acres will be subject to the North Carolina state storm water ordinance.

All uses will require a Special Use Permit and will include conditions as required by Fairview Lane Use Ordinance.

*“Motion to approve would include any conditions and the following statement”:*  
The proposed zoning amendment under consideration is/is not found to be reasonable and consistent with the recommendations of the Town’s adopted comprehensive plan, the Town of Fairview Land Use Plan (Revised March 9, 2021), and the Town of Fairview Land Use Ordinance (effective July 1, 2005)

## 9. Council Comments:

## 10. Closed Session

**N.C.G.S. 143-318.11 (a)(6) -- Personnel**

## 11. Adjournment

**AS A COURTESY, PLEASE TURN CELL PHONES OFF WHILE MEETING IS IN PROGRESS**

**\*\* Public Comments are limited to 3 minutes**

# Consent Agenda

A consent agenda is an effective means of managing the length of a meeting. It is normally made up of routine items that are not controversial in nature and upon which no further discussion is anticipated. Action on the consent agenda usually occurs early in the meeting with all items listed being approved by one motion and vote.

If any member of the governing body feels the need to discuss one or more of the items more fully, the item may be removed from the consent agenda and placed on the regular agenda.

8:50 AM

03/05/24

Accrual Basis

**Town of Fairview**  
**Balance Sheet**  
As of February 29, 2024

	Feb 29, 24	Feb 28, 23
<b>ASSETS</b>		
<b>Current Assets</b>		
<b>Checking/Savings</b>		
First National Bank	798,204.41	854,042.53
<b>Total Checking/Savings</b>	798,204.41	854,042.53
<b>Other Current Assets</b>		
Franchise Tax Receivable	29,411.05	29,458.38
<b>Investments</b>		
Investments NCCMT	1,138.51	1,086.52
<b>Total Investments</b>	1,138.51	1,086.52
<b>Prepaid assets</b>	0.00	3,302.00
Sales Tax Receivable	8,959.45	8,289.82
Sales tax refund	2,006.73	0.00
Sales tax refund - Park grant	1,316.03	0.00
Taxes receivable	952.99	1,375.23
Taxes receivable - ad valorem	-151.82	-868.91
Taxes receivable - motor veh	1,217.10	1,156.98
<b>Total Other Current Assets</b>	44,850.04	43,800.02
<b>Total Current Assets</b>	843,054.45	897,842.55
<b>Fixed Assets</b>		
Accumulated Depreciation	-616,754.58	-509,525.10
Building and Improvements	1,413,376.32	1,332,303.56
Computer Equipment	10,073.66	10,073.66
Construction in Progress	33,455.27	8,123.05
Furniture and Equipment	1,698.00	1,698.00
Land	734,289.94	734,289.94
Land improvements	17,545.00	17,545.00
Leasehold improvements	0.00	27,486.25
Park equipment	171,130.76	152,883.99
Rental House	137,436.59	137,436.59
<b>Total Fixed Assets</b>	1,902,250.96	1,912,314.94
<b>TOTAL ASSETS</b>	<b>2,745,305.41</b>	<b>2,810,157.49</b>
<b>LIABILITIES &amp; EQUITY</b>		
<b>Liabilities</b>		
<b>Current Liabilities</b>		
<b>Accounts Payable</b>		
Accounts Payable	9,044.80	11,818.83
<b>Total Accounts Payable</b>	9,044.80	11,818.83
<b>Other Current Liabilities</b>		
Accrued payroll	4,599.02	4,592.83
Deferred revenue - ad valorem	999.37	1,375.23
Payroll Liabilities	81.03	75.58
Prepaid taxes	19.28	41.29
Security deposit - rental house	1,450.00	1,450.00
<b>Total Other Current Liabilities</b>	7,148.70	7,534.93
<b>Total Current Liabilities</b>	16,193.50	19,353.76
<b>Long Term Liabilities</b>		
Cumulative rent reserve	6,520.00	0.00
Note payable on park land	440,000.00	440,000.00
<b>Total Long Term Liabilities</b>	446,520.00	440,000.00
<b>Total Liabilities</b>	462,713.50	459,353.76

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8:50 AM

03/05/24

Accrual Basis

**Town of Fairview**  
**Balance Sheet**  
As of February 29, 2024

	<u>Feb 29, 24</u>	<u>Feb 28, 23</u>
<b>Equity</b>		
Allocated equity rent reserve	-6,520.00	0.00
Amount to be provided for LTD	-440,000.00	-440,000.00
<b>Equity</b>		
Fixed assets	1,902,250.96	1,912,314.94
<b>Total Fund Balance</b>	<u>1,207,568.00</u>	<u>1,207,568.00</u>
<b>Total Equity</b>	3,109,818.96	3,119,882.94
<b>Retained Earnings</b>	-331,635.09	-462,174.70
<b>Net Income</b>	-49,071.96	133,095.49
<b>Total Equity</b>	<u>2,282,591.91</u>	<u>2,350,803.73</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>2,745,305.41</u></u>	<u><u>2,810,157.49</u></u>

Town of Fairview  
 Operating Actual vs Budget  
 Year ended 06/30/24

Ordinary Income/Expense	<u>Operating</u>	Budget	Actual Fav to Budget
<b>Income</b>			
Ad Valorem taxes	116,889.37	113,000.00	3,889.37
Alcoholic beverage		14,000.00	-14,000.00
Donation	200.00		200.00
Festival income - vendors, etc	1,862.00		1,862.00
Fund balance appropriated		-4,930.00	4,930.00
Interest on delinquent taxes	336.76		336.76
Investment income	2,836.38		2,836.38
Motor vehicle taxes	9,076.59	12,500.00	-3,423.41
Rent reserve for park capital items	14,011.50	20,000.00	-5,988.50
Sales and use tax	37,555.13	58,000.00	-20,444.87
Transfer from ARP fund	21,812.19	23,000.00	-1,187.81
Utility Franchise taxes	64,318.07	127,000.00	-62,681.93
Uncategorized income	0.00		0.00
Zoning fees	11,875.00	17,000.00	-5,125.00
<b>Total Income</b>	<u>280,772.99</u>	379,570.00	-98,797.01
<b>Expense</b>			
Advertising and Promotion	186.57	1,000.00	813.43
Audit fees	10,000.00	9,600.00	-400.00
Bank Service Charges	37.00	500.00	463.00
Capital outlay - Park		0.00	0.00
Capital outlay - Office renovation	4,265.60	1,700.00	-2,565.60
Capital Outlay - Town Hall		11,000.00	11,000.00
Debt repayment	57,160.00	57,160.00	0.00
Dues and Subscriptions	5,824.00	6,200.00	376.00
Elections expense	3,795.41	3,700.00	-95.41
Festival expense	12,303.85	20,000.00	7,696.15
Grants	3,000.00	2,500.00	-500.00
Insurance Expense	7,172.54	7,200.00	27.46
Internet and website	7,164.33	11,000.00	3,835.67
Legal fees	4,959.10	10,000.00	5,040.90
Miscellaneous Expense	245.63	1,000.00	754.37
Office expense	21,468.68	26,250.00	4,781.32
Office utilities	3,662.05	6,500.00	2,837.95
Park Maintenance	15,920.33	40,000.00	24,079.67
Park Utilities	3,522.90	5,200.00	1,677.10
Payroll Expenses	87,279.57	56,600.00	-30,679.57
Payroll Taxes	135.92	9,350.00	9,214.08
Planning and zoning		54,305.00	54,305.00
Professional Fees	700.00	3,000.00	2,300.00

Town of Fairview  
 Operating Actual vs Budget  
 Year ended 06/30/24

	<u>Operating</u>	<u>Budget</u>	<u>to Budget</u>
Rental house repairs, etc	1,005.58	2,000.00	994.42
Salaries - Park		11,905.00	11,905.00
Solid Waste Manage cost share		8,000.00	8,000.00
Tax collection fees	1,749.26	2,200.00	450.74
Telephone Expense	453.43	1,200.00	746.57
Training expense		500.00	500.00
Travel expense	42.90	0.00	-42.90
Zoning administration	1,075.85	10,000.00	8,924.15
<b>Total Expense</b>	<u>253,130.50</u>	<u>379,570.00</u>	126,439.50
<b>Net Ordinary Income</b>	<u>27,642.49</u>	0.00	27,642.49
<b>Net Income</b>	<u><u>27,642.49</u></u>		

## Town of Fairview Transactions by Account As of February 29, 2024

Type	Date	Num	Name	Memo	Class	Debit	Credit	Balance
<b>First National Bank</b>								
Bill Pmt -Check	02/01/2024	104366	Briolive	Too Much Sylvia for June concert				789,278.73
Deposit	02/01/2024			Deposit			1,250.00	788,028.73
Deposit	02/06/2024			Deposit		28,671.46		816,700.19
Bill Pmt -Check	02/09/2024	104367	Central Church	Deposit		375.00		817,075.19
Bill Pmt -Check	02/09/2024	104368	CompuNetworkd	Memorial for David Links mom			50.00	817,025.19
Bill Pmt -Check	02/09/2024	104369	Cox Law Firm, PLLC	Internet and server hosting			361.58	816,663.61
Bill Pmt -Check	02/09/2024	104370	Darrell H. Baucom	Legal fees			180.00	816,483.61
Bill Pmt -Check	02/09/2024	104371	Perry Laney Septic Tank	Reimburse software costs			1,209.19	815,274.42
Bill Pmt -Check	02/09/2024	104372	RLI Surety Bond				600.00	814,674.42
Bill Pmt -Check	02/09/2024	104373	Superior Plumbing & Dr...	Land use admin bond			100.00	814,574.42
Bill Pmt -Check	02/09/2024	104374	Taylor's Landscaping Se...	Plumbing repair			1,024.80	813,549.62
Bill Pmt -Check	02/09/2024	104375	Union County Public Wo...				2,037.50	811,512.12
Bill Pmt -Check	02/09/2024	104376	WM Corporate Services	Waste Disposal			286.46	811,225.66
Bill Pmt -Check	02/09/2024	104388	Teresa Clontz	Office cleaning			246.61	810,979.05
Deposit	02/09/2024			Deposit			200.00	810,779.05
Paycheck	02/13/2024	104377	Darrell H. Baucom			100.00		810,879.05
Paycheck	02/13/2024	104378	David M Link				842.86	810,036.19
Paycheck	02/13/2024	104386	Teresa Gregorius				138.52	809,897.67
Paycheck	02/13/2024	104379	Edward D Humphries				1,697.57	808,200.10
Paycheck	02/13/2024	104380	Gary H Wilfong				2,731.13	805,468.97
Paycheck	02/13/2024	104381	John A Biggers, Jr.				184.70	805,284.27
Paycheck	02/13/2024	104382	Kerry K Price				138.53	805,145.74
Paycheck	02/13/2024	104383	Patricia H. Kindley				138.53	805,007.21
Paycheck	02/13/2024	104384	Spencer L. Thomas				138.53	804,868.68
Paycheck	02/13/2024	104385	Tania Hernandez Virgili				819.47	804,049.21
Check	02/13/2024	Draft	Duke Energy	Office			692.63	803,356.58
Check	02/13/2024	Draft	Duke Energy	Park			536.07	802,820.51
Liability Check	02/13/2024	To Print	IRS	55-0789092			344.42	802,476.09
Liability Check	02/13/2024	To Print	NC Dept of Revenue	600391020			2,810.98	799,665.11
Check	02/13/2024	104389	Across Town Dumpster	Clear out debris from Park			291.00	799,374.11
Check	02/13/2024	104390	FNB Commercial Credit ...	credit card bill			5,825.00	793,549.11
Check	02/13/2024	104391	Ronald Thomas	Labor for festival			561.89	792,987.22
Check	02/13/2024	Draft	Spectrum	monthly draft			1,480.00	791,507.22
Deposit	02/15/2024			Deposit			249.98	791,257.24
Deposit	02/15/2024			Deposit		4,765.47		796,022.71
Deposit	02/16/2024			Deposit		200.00		796,222.71
Deposit	02/16/2024			Deposit		799.42		797,022.13
Deposit	02/16/2024			Deposit		150.00		797,172.13
Check	02/16/2024	Draft	Duke Energy	office		500.00		797,672.13
Check	02/16/2024	Draft	Duke Energy	Park			559.15	797,112.98
Bill Pmt -Check	02/22/2024	104392	Byrum Heating & AC, Inc.	Review HVAC unit			378.85	796,734.13
Deposit	02/22/2024			Deposit			133.44	796,600.69
Deposit	02/26/2024			Deposit		100.00		796,700.69
Deposit	02/29/2024			Deposit		1,180.39		797,881.08
Check	02/29/2024	Draft	Great American Financi...	Copier lease		100.00		797,981.08
Deposit	02/29/2024			Interest			189.89	797,791.19
						413.22		798,204.41
<b>Total First National Bank</b>						<b>37,354.96</b>	<b>28,429.28</b>	<b>798,204.41</b>
<b>TOTAL</b>						<b>37,354.96</b>	<b>28,429.28</b>	<b>798,204.41</b>





## Town of Fairview Transaction Detail By Account July 2023 through June 2024

Type	Date	Num	Adj	Name	Memo	Debit	Credit	Balance
<b>Festival expense</b>								
Check	09/12/2023	104221		FNB Commercial Cre...	Credit card bill	151.95		151.95
Bill	09/16/2023	09162023		John Biggers...	Festival expense	84.45		236.40
Bill	10/03/2023	10032023		Jeff Campagna	Festival checks	172.00		408.40
Bill	10/03/2023	10032023		Rick Greene	Festival expense	600.00		1,008.40
Bill	10/03/2023	10032023		Union County Tractor...	Festival expense	500.00		1,508.40
Bill	10/04/2023	10042023		Todd Donaldson	Festival expense	140.00		1,648.40
Bill	10/10/2023	10102023		Pam Mower	Festival reimbursement	159.54		1,807.94
Check	10/10/2023	104255		Gary Wilfong...	Correction of amount owed to Gary	148.89		1,956.83
Check	10/31/2023	104258		Jimmy Huntley	DJ for festival	500.00		2,456.83
Bill	11/02/2023	11022023		Brian Minor	Fail Festival work	700.00		3,156.83
Check	11/14/2023	104272		Traci Price Ferguson	Supplies for Festival	95.32		3,252.15
Check	11/14/2023	104290		FNB Commercial Cre...	Payment on credit card bill	1,072.45		4,324.60
Check	12/12/2023			Spencer L. Thomas	Reimbursement of festival expens...	195.63		4,520.23
Check	12/12/2023	104319		FNB Commercial Cre...	credit card payment	0.00		4,520.23
Check	12/12/2023	104320		Allison Plyler	Festival reimbursement	596.97		5,117.20
Bill	12/21/2023	12212023		Holden Plyler	Festival - driving tractor	277.53		5,394.73
Bill	12/21/2023	12212023		Jeff Campagna	Festival Santa	100.00		5,494.73
Bill	12/21/2023	12212023		Grier Donaldson	Festival driver	250.00		5,744.73
Bill	12/21/2023	12212023		Todd Donaldson	Festival driver	80.00		5,824.73
Bill	12/21/2023	12212023		Carlton Brock	Festival set up, clean up, driver	80.00		5,904.73
Bill	12/21/2023	12212023		Donald Thomas	Festival setup, clean up, driver	540.00		6,444.73
Bill	12/21/2023	12212023		Brian Minor	Festival parking crew	590.00		7,034.73
Bill	12/21/2023	12212023		James Richard Penist...	Festival set up	500.00		7,534.73
Bill	12/21/2023	12212023		Ryan Wagoner Principi	Festival set up	60.00		7,594.73
Check	01/09/2024	104364		FNB Commercial Cre...	Payment on credit card	60.00		7,534.73
Bill	02/01/2024	819674		Briolive	Too Much Sylvia for June concert	1,919.12		9,573.85
Check	02/13/2024	104391		Ronald Thomas	Labor for festival	1,250.00		10,823.85
						1,480.00		12,303.85
<b>Total Festival expense</b>						<b>12,303.85</b>	<b>0.00</b>	<b>12,303.85</b>
<b>TOTAL</b>						<b>12,303.85</b>	<b>0.00</b>	<b>12,303.85</b>

## Town of Fairview Transaction Detail By Account

July 2023 through June 2024

Type	Date	Num	Name	Memo	Debit	Credit	Balance
<b>Office expense</b>							
Bill	07/11/2023	07112023	Teresa Clontz	Cleaning			
Bill	07/12/2023	07122023	Perry Laney Septic Tank	Pump septic tank	200.00		200.00
Bill	07/17/2023	0157865-4...	WM Corporate Services	Garbage for August	300.00		500.00
Check	07/31/2023	Draft	Great American Financial ...	Copier	243.09		743.09
Bill	08/03/2023	08032023	Teresa Clontz	Cleaning Town Hall	168.51		911.60
Bill	08/07/2023	1609	Taylor's Landscaping Serv...	Lawn maintenace	200.00		1,111.60
Check	08/08/2023	104187	Perry Laney Septic Tank	Pumping septic tank for 07/2...	210.00		1,321.60
Check	08/08/2023	104188	Ed Humphries_	Reimburse Ed for refund cre...	300.00		1,621.60
Check	08/08/2023	104189	FNB Commercial Credit C...	Park and office activity on CC	52.79		1,674.39
Bill	08/09/2023	08092023	Perry Laney Septic Tank	Septic pump out	229.45		1,903.84
Bill	08/16/2023	23126	Brown Creek Graphics LLC	Sign for Town Hall	300.00		2,203.84
Bill	08/16/2023	0160303-4...	WM Corporate Services	Sept service	1,605.00		3,808.84
Bill	08/17/2023	08172023	John Biggers_	Water line reimbursement	243.09		4,051.93
Bill	08/22/2023	08222023	Ed Humphries_	Postage reimbursement	41.81		4,093.74
Bill	08/22/2023	08222023	Patricia Kindley_	Office supplies from Walmart	198.00		4,291.74
Bill	08/24/2023	08242023	Perry Laney Septic Tank	Septic pump out	50.00		4,341.74
Check	08/31/2023	Draft	Great American Financial ...		300.00		4,641.74
Bill	08/31/2023	08312023	Gary Wilfong_	Reimbursement	171.28		4,813.02
Bill	09/05/2023	1610	Taylor's Landscaping Serv...	Monthly lawncare	17.30		4,830.32
Bill	09/12/2023	09122023	Teresa Clontz	Cleaning office	680.00		5,510.32
Check	09/12/2023	104221	FNB Commercial Credit C...	Credit card bill	200.00		5,710.32
Check	09/12/2023	104222	Perry Laney Septic Tank	Septic pumping	229.33		5,939.65
Bill	09/18/2023	0162757-4...	WM Corporate Services	Garbage service	300.00		6,239.65
Bill	09/22/2023	09222023	Perry Laney Septic Tank	Septic pump	246.61		6,486.26
Bill	09/26/2023	1617	Taylor's Landscaping Serv...	September invoice	300.00		6,786.26
Check	10/02/2023	Draft	Great American Financial ...	Draft for copier	730.00		7,516.26
Bill	10/10/2023	0102023	Teresa Clontz	Cleaning	212.84		7,729.10
Check	10/10/2023	104251	Perry Laney Septic Tank		200.00		7,929.10
Check	10/10/2023	104253	FNB Commercial Credit C...	payment on credit card	300.00		8,229.10
Bill	10/16/2023	0165229-4...	WM Corporate Services	Waste service	124.77		8,353.87
Bill	10/17/2023	3238435	Killingsworth Environmental	Pest control	246.61		8,600.48
Bill	10/18/2023	10182023	Perry Laney Septic Tank	Septic pumping	150.94		8,751.42
Bill	10/24/2023	10242023	Ed Humphries_	Postage and travel	300.00		9,051.42
Check	10/31/2023	Draft	Great American Financial ...	Copier lease	4.35		9,055.77
Bill	11/02/2023	3090892	Killingsworth Environmental	Pest control	171.43		9,227.20
Bill	11/02/2023	1626	Taylor's Landscaping Serv...	October bill	150.94		9,378.14
Bill	11/03/2023	11032023	Perry Laney Septic Tank	Pump septic tank	680.00		10,058.14
Bill	11/14/2023	11142023	Teresa Clontz	Cleaning office	300.00		10,358.14
Check	11/14/2023	104272	FNB Commercial Credit C...	Payment on credit card bill	200.00		10,558.14
Bill	11/16/2023	0167711-4...	WM Corporate Services	Garbage service	661.92		11,220.06
Bill	11/20/2023	11202023	Perry Laney Septic Tank	Pump septic tank	246.61		11,466.67
Check	11/30/2023	Draft	Great American Financial ...	Copier	300.00		11,766.67
Bill	12/05/2023	12052023	Gary Wilfong_	expense reimbursement	168.51		11,935.18
Bill	12/05/2023	1633	Taylor's Landscaping Serv...	Landscaping	113.35		12,048.53
Bill	12/07/2023	12072023	Perry Laney Septic Tank	Pump septic tank	70.00		12,118.53
Bill	12/10/2023	10122023	Patricia Kindley_	gift card for Christmas lights	300.00		12,418.53
Bill	12/12/2023	12122023	Teresa Clontz	Cleaning town hall	30.00		12,448.53
Check	12/12/2023	104319	FNB Commercial Credit C...	credit card payment	200.00		12,648.53
Bill	12/12/2023	5160713	Killingsworth Environmental	Pest control	190.19		12,838.72
Bill	12/13/2023	539870	Ray Barnes	Locksmith	150.94		12,989.66
Bill	12/18/2023	017007847...	WM Corporate Services	Garbage	325.00		13,314.66
Bill	12/26/2023	12262023	Perry Laney Septic Tank	Pump out septic tank	246.61		13,561.27
Bill	01/08/2024	1636	Taylor's Landscaping Serv...	landscaping	300.00		13,861.27
Bill	01/09/2024	01092024	Teresa Clontz	Cleaning	610.00		14,471.27
Check	01/09/2024	104364	FNB Commercial Credit C...	Payment on credit card	200.00		14,671.27
Check	01/15/2024	Draft	Great American Financial ...	Copier	974.39		15,645.66
Bill	01/16/2024	0172527-4...	WM Corporate Services	Waste Disposal	178.11		15,823.77
Bill	01/17/2024	01172024	Perry Laney Septic Tank	Septic pump	246.61		16,070.38
Check	01/25/2024	Draft	Great American Financial ...	Copier	300.00		16,370.38
Bill	01/30/2024	01312024	Darrell H. Baucom_	Reimburse software costs	0.00		16,370.38
Bill	01/31/2024	01312024	Perry Laney Septic Tank	Septic pump	1,209.19		17,579.57
Check	01/31/2024	Draft	Great American Financial ...	Copier	300.00		17,879.57
Bill	02/05/2024	1639	Taylor's Landscaping Serv...		178.11		18,057.68
Bill	02/05/2024	2019025167	Superior Plumbing & Drai...	Plumbing repair	540.00		18,597.68
Bill	02/13/2024	02132024	Teresa Clontz	Office cleaning	1,024.80		19,622.48
Check	02/13/2024	104390	FNB Commercial Credit C...	credit card bill	200.00		19,822.48
Bill	02/14/2024	02142024	Perry Laney Septic Tank	Pump septic tank	425.32		20,247.80
Bill	02/16/2024	18234	Byrum Heating & AC, Inc.	Review HVAC unit	300.00		20,547.80
Bill	02/16/2024	0174933-4...	Waste Management	Dumpster service	133.44		20,681.24
Bill	02/20/2024	02202024	Perry Laney Septic Tank	Pump septic tank	246.61		20,927.85
Bill	02/27/2024	5308387	Killingsworth Environmental	Pest control	0.00		20,927.85
Check	02/29/2024	Draft	Great American Financial ...	Copier lease	150.94		21,078.79
Bill	03/12/2024	03122024	Teresa Clontz	Cleaning	189.89		21,268.68
					200.00		21,468.68
<b>Total Office expense</b>					<b>21,468.68</b>	<b>0.00</b>	<b>21,468.68</b>
<b>TOTAL</b>					<b>21,468.68</b>	<b>0.00</b>	<b>21,468.68</b>

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## Town of Fairview Transaction Detail By Account July 2023 through June 2024

Type	Date	Num	Name	Memo	Debit	Credit	Balance
<b>Park Maintenance</b>							
Bill	07/11/2023	07112023	Jerry Clontz_	Reimburse park supplies			
Bill	08/07/2023	1609	Taylor's Landscaping...	Lawn maintenace	137.05		137.05
Bill	08/07/2023	1609	Taylor's Landscaping...	Lawn maintenace	2,102.50		2,239.55
Check	08/08/2023	104189	FNB Commercial Cre...	Lawn maintenance	0.00		2,239.55
Bill	09/05/2023	1610	Taylor's Landscaping...	Park and office activity on CC	889.21		3,128.76
Bill	09/05/2023	1610	Taylor's Landscaping...	Monthly lawncare	1,337.50		4,466.26
Check	09/12/2023	104221	FNB Commercial Cre...	Monthly lawncare	450.00		4,916.26
Check	09/12/2023	104224	Jerry C. Clontz	Credit card bill	53.61		4,969.87
Bill	09/26/2023	1617	Taylor's Landscaping...	supplies	352.97		5,322.84
Bill	09/26/2023	1617	Taylor's Landscaping...	September invoice	1,337.50		6,660.34
Check	10/10/2023	104253	FNB Commercial Cre...	September invoice	360.00		7,020.34
Check	10/11/2023	104256	Jerry Clontz_	payment on credit card	447.28		7,467.62
Bill	11/02/2023	1626	Taylor's Landscaping...	Reimburse supplies	731.29		8,198.91
Bill	11/02/2023	1626	Taylor's Landscaping...	October bill	1,337.50		9,536.41
Check	11/14/2023	104272	FNB Commercial Cre...	October bill	360.00		9,896.41
Bill	12/05/2023	12052023	Gary Wilfong_	Payment on credit card bill	53.61		9,950.02
Bill	12/05/2023	1633	Taylor's Landscaping...	expense reimbursement	76.08		10,026.10
Bill	12/05/2023	1633	Taylor's Landscaping...	Landscaping	1,497.50		11,523.60
Check	12/12/2023	104319	FNB Commercial Cre...	Landscaping	540.00		12,063.60
Bill	01/08/2024	1636	Taylor's Landscaping...	credit card payment	138.20		12,201.80
Bill	01/08/2024	1636	Taylor's Landscaping...	landscaping	1,337.50		13,539.30
Check	01/09/2024	104364	FNB Commercial Cre...	landscaping	160.00		13,699.30
Bill	02/05/2024	1639	Taylor's Landscaping...	Payment on credit card	531.08		14,230.38
Bill	02/05/2024	1639	Taylor's Landscaping...		1,337.50		15,567.88
Check	02/13/2024	104390	FNB Commercial Cre...		160.00		15,727.88
Bill	02/26/2024	02262024	Gary Wilfong_	credit card bill	92.70		15,820.58
Bill	02/29/2024	02292024	Patricia Kindley_	Park maintenance	46.07		15,866.65
				Park maintenance	53.68		15,920.33
<b>Total Park Maintenance</b>					<b>15,920.33</b>	<b>0.00</b>	<b>15,920.33</b>
<b>TOTAL</b>					<b>15,920.33</b>	<b>0.00</b>	<b>15,920.33</b>

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# FUND BALANCE WORKSHEET 2023/2024

Beginning Spendable Fund Balance      **\$597,000**  
(as of 6/30/2023)

POLICY - Reserve in Spendable Fund Balance      **\$200,000**

Spendable Fund Balance      **\$397,000**  
(as of 6/30/2023)

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				



**Town of Fairview  
Fairview Park Event Committee Meeting  
February 1, 2024**

1. The following Fairview Park Event Committee members were present: Lisa Thomas, Gayle Brock, Theresa Donaldson, Morgan Ellison, Mike Medlin, Traci Price-Ferguson, Pat Simpson and Spencer Cox

Others present: Teresa Gregorius, Town Clerk

**2. Invocation**

**3. Public Comments: None**

**4. Items of Business:**

4.A. Discuss 2024 calendar of events

Chairman Thomas reviewed the lineup of events and asked the Committee members items they would omit/keep/add to the Fall and Winter Festival:

	OMIT	KEEP	ADD
Fall	<ul style="list-style-type: none"> <li>• Paying bands to play</li> <li>• Some rides (old barrels)</li> </ul>	<ul style="list-style-type: none"> <li>• Decorations</li> <li>• Self-directed games</li> <li>• \$40 Vendor Craft fee</li> <li>• \$60 Food Vendor fee</li> </ul>	<ul style="list-style-type: none"> <li>• Dunking booth</li> <li>• Carolina Waterfowl</li> <li>• Farm business to sell pumpkins</li> </ul>
Winter	<ul style="list-style-type: none"> <li>• Paying bands to play</li> <li>• Some rides (old barrels)</li> </ul>	<ul style="list-style-type: none"> <li>• Kids singing</li> <li>• Stocking walk</li> <li>• Santa</li> </ul>	<ul style="list-style-type: none"> <li>• Christmas characters</li> <li>• More decorations</li> </ul>

**5. Approval of Minutes:**

Theresa Donaldson made a motion to approve the January 4, 2024 minutes. Pat Simpson seconded the motion. Committee members Thomas, Brock, Donaldson, Ellison, Medlin, Price-Ferguson, Simpson and Cox voted yes (8-0).

**6. Adjournment** – Chairman Thomas adjourned the meeting

Respectfully submitted,

\_\_\_\_\_  
Teresa Gregorius  
Town Clerk

\_\_\_\_\_  
Lisa Thomas  
Chairman

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2024

DRAFT



**Town of Fairview  
Planning Board Meeting  
February 20, 2024**

**1. Roll Call and Determination of Quorum --- Chairman Buchanan**

The following Planning Board members were present: Doug Buchanan, Mike Medlin, Josh Presley, Fred Rogers (Alt.), Rodney Stephens (Alt.). Absent: Chrisie Black, Sharon Clontz, Greg Morgan, Bill Thomas,

Others present: Ed Humphries, Land Use Administrator/Deputy Clerk; Teresa Gregorius, Town Clerk and Spencer Cox, Administrative Assistant

**2. Items of Business:**

**3.A. Discuss #L-I CUD 24 002 Request from Haigler Farms 2 LLC**

Ed Humphries presented the #L-I CUD 24 002 request from Haigler Farms 2 LLC to rezone a 38 acre tract, Parcel #08222011M to light industrial L-I CUD (Conditional Use District). Mr. Humphries noted that any use in the district will be required to obtain a Special Use Permit per the Fairview Lane Use Ordinance. #L-I CUD 24 002 would also include the following conditions:

- All properties as they are approved with a Special Use Permit will be required to install a 30 foot buffer as required in the Fairview Lane Use Ordinance, Section 308.
- NCDOT may require improvements as needed with change of uses.
- All properties shall be leased from Haigler Farms 2 LLC.
- Water to be supplied by the County to all uses within 2500 feet of current County water lines.
- All 38 acres will be subject to the North Carolina state storm water ordinance.

**Public Comments:**

The following residents spoke:

Dana Williams, 7319 Brent Haigler Rd.	Chris Crispers, 9801 Indian Trail-Fairview Rd.
Allen Dowdee, 225 W. Hwy, 218	Tana Haigler McConnaughey
Keith Wade, 217 W. Hwy, 218	Jane Wade, 217 W. Hwy, 218
Greg Rushing	James Antio, 110 W Old Dutch Rd.
Mary Lou Starnes, 7401 Concord Hwy.	Lee Haigler Younce, 9801 Indian Trail-Fairview Rd.
Libby Long, 117 W. Hwy, 218	Daniel Medlin
Arnold Price, 1507 E. Hwy. 218	



Approximately half of the speakers spoke in favor of the re-zoning and the other half voiced concerns including: drop in property value, storm water runoff, increased traffic, trash, light pollution. One resident presented a list of questions for the Board to answer (Appendix A). The Board discussed and answered the questions posed as far as it concerned the rezoning.

Doug Buchanan made a motion to recommend to the Council that Parcel #08222011M, #L-I CUD 24 002 be rezoned light industrial L-I CUD (Conditional Use District) including the following conditions:

- *All properties as they are approved with a Special Use Permit will be required to install a 30 foot buffer as required in the Fairview Lane Use Ordinance, Section 308.*
- *NCDOT may require improvements as needed with change of uses.*
- *All properties shall be leased from Haigler Farms 2 LLC.*
- *Water to be supplied by the County to all uses within 2500 feet of current County water lines.*
- *All 38 acres will be subject to the North Carolina state storm water ordinance.*

Ron Stephens seconded the motion. Board members Buchanan, Medlin, Presley, and Stephens voted yes, Rogers voted no (4-1).

**3. Approval of Minutes:**

Ron Stephens made a motion to approve the November 21, 2023 minutes. Josh Presley seconded the motion. Board members Buchanan, Medlin, Presley, Rogers, and Stephens voted yes (5-0).

**4. Adjournment:**

Chairman Buchanan adjourned the meeting.

Respectfully submitted,

\_\_\_\_\_  
Teresa Gregorius  
Town Clerk

\_\_\_\_\_  
Doug Buchanan  
Chairman

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2024

## APPENDIX A

### FAIRVIEW PLANNING & ZONING MEETING – FEBRUARY 20, 2023 @ 6:30 PM

Questions and Concerns regarding the Proposed Conditional Use District – Light Industrial.

1. Only information present at “Required Community Meeting” was tax map and a letter from Haigler Farms, LLC. However, there were two letters sent out from Town of Fairview for the “Community Meeting” – the first had acreage at 30 acres. Second letter corrected Parcel Number to #08222011M but had acreage at 38 acres. Tax Records for that Parcel Number show 35.94 acres. What is true acreage for this Conditional Use District – Light Industrial?  
*It is 38 acres – second letter was a corrected copy (see attached survey)*
2. Has Planning Board received more information than what was presented at Required Community Meeting? If so, why wasn’t this presented at the public Required Community Meeting? *No*
3. What is the anticipated number of buildings that will be put in this conditional use district – Parcel #08222011M? *To Be Determined*
4. Will there be a minimum lot size? *To Be Determined*
5. Will there be a maximum lot size? *To Be Determined*
6. Table of uses for light industrial is quite varied. Have owners reduced or narrowed the range of uses allowed? *No*
7. At “Required Community Meeting”, we were told that each building would be required to have a Special Use Permit and that would be the only condition running with the Conditional Use District-Light Industrial. Owners do not intend to sell property, only lease property, so each lessor would be required to apply and come to Planning Board for a Special Use Permit for the building the lessor intends to build. Are there any reasonable and prudent regulations that would run with the conditional use district – totally separate from the application for Special Use Permit?

#### *Conditional Use District-Light Industrial CONDITIONS:*

- *All properties as they are approved will be required to install a 30 ft. buffer as required in Land Use Ordinance- Section 308*
  - *NCDOT may require improvements as needed with changes of uses*
  - *All properties shall be leased from Haigler Farms LLC .*
  - *Water to be supplied by County to all uses within*
  - *2500 ft.*
8. Has Planning Board been given a report of the Required Community Meeting? There was not a sign-in sheet available and I, for one, did not sign in. Why wasn’t appropriate notice given for Required Community Meeting that also included “affected and interested parties in accordance with Fairview’s notice policies”? *The Required Community Meeting ONLY Requires Land Owners Within 500 Feet of the Property in Question be Notified*

9. Has there been any discussion with NCDOT about Brent Haigler Road? This is a secondary State Maintained Road – will it be able to handle increase in traffic? Will there be a turn lane off 218 West to accommodate traffic access onto Brent Haigler Road for any potential businesses in the Conditional Use District. ***NCDOT Would Be Making the Determination On Any Changes Regarding Traffic/Turn Lanes Etc. Town Would Not Be Involved***

\*RE: Staff Report of 2-20-2024 – See Conditional Permit Conditions: Item 2 – What is point of reference for this item. ***?***

10. Mr. Humphries said he would require each lessor to connect to County Water. Has there been any discussions with Union County Public Works regarding access to County Water? ***No***

\*Re: Staff Report of 2-20-2024 – See Conditional Permit Conditions: Item 4 – What is point of reference for this item. ***There is water available on Highway 218***

11. There is no sewer available so it appears that Septic Tanks will have to be put in, if so, how many septic tanks and how will this affect the aquifers for adjacent landowners that are still on well water. Has Union County Public Health been contacted regarding this potential health issue? And will the land even perk? ***To Be Determined***

12. There are streams that are on property so how is run-off going to be handled? Have these been determined to be ephemeral or intermittent (tributary to Goose Creek)? If intermittent, that will require a different type of barrier than the barrier at 30' to adjacent properties that Mr. Humphries said. ***There is no tributary to Goose Creek***

13. What kind of barriers are being considered: Fencing? Natural? ***To Be Determined by Use and by Ordinance***

14. As for storm water requirements, Mr. Humphries said that stormwater is not to leave property. Since property is only going to be leased, does that mean this is responsibility of Haigler Farms II, LLC? Then, how many retention ponds will be required and where? ***No, To Be Determined by User (Special Use Permit)***

15. What remedies are being considered for lighting pollution in Conditional Use District? ***Must be Done by Ordinance***

16. What remedies are being considered for noise in Conditional Use District? ***To Be Determined by Use***

17. Who will make the determination of what is “substantial” damage to the value of adjacent property owner’s land if violations occur? ***The Fairview Council***

Will this have to become a legal issue and if so, who will be responsible for legal fees? ***If Legal Issue, It Would Be A Civil Matter And Fees Would Be Paid By Land Owner***

18. At Required Community Meeting, Owners said they are not soliciting any lessors now and they plan to keep Parcel #08222011M in Farm Program until a lease is considered. So why now for Conditional Use District – Light Industrial if nothing is changing? **To Have Re-Zoning Approved**
19. The Number 1 question of adjacent property owners: “What is this going to do to the value of my property?” **Unknown If Any**
20. Many of the questions posed to Owners at Required Community Meeting could only be answered with “we don’t know until it happens”. How can “we don’t know” be the reason for a Conditional Use District – Light Industrial? **Uses Will Be Approved by Town Process (Special Use Permit)**
21. Permit application is incomplete so how can you recommend it to Council? **It Is Complete per Land Use Administrator**

Elizabeth B. Long, Partner  
Belk Family Land, LLP – Adjacent Property Owner

# *Town of Fairview*



**Town of Fairview  
Regular Town Council Meeting  
February 13, 2024 @ 6:30 pm**

*Meeting will be in the Fairview Town Hall Meeting Room*

**1. Call the meeting to order: ---Mayor Wilfong**

The following Council members were present: Mayor Gary Wilfong, Patricia Kindley, David Link and Kerry Price. Absent: John Biggers

Others present: Darrell Baucom, Financial Officer; Ed Humphries, Land Use Administrator; Teresa Gregorius, Town Clerk and Spencer Cox, Administrative Assistant

**2. Invocation**

**3. Pledge of Allegiance**

**4. Agenda Changes/Approval of Agenda**

Patricia Kindley made a motion to approve the agenda as submitted. David Link seconded the motion. Council members Kindley, Link and Price voted yes (3-0).

**5. Approval of Consent Agenda:**

- 5.A. Financial and Tax Reports--- *Report Accepted as Information*
- 5.B. Land Use Report---*Report Accepted as Information*
- 5.C. Fund Balance Worksheet 2023-2024 --- *Report Accepted as Information*
- 5.D. Fairview Park Event January Draft Minutes (*Minutes Accepted as Information*)
- 5.E. Fairview Park Facility January Draft Minutes (*No January Meeting*)
- 5.F. Planning Board January Draft Minutes (*No January Meeting*)
- 5.G. Approve Council Minutes for January 9, 2024

- 5.H. Approve Council Retreat Minutes for January 27, 2024
- 5.I. Approve/Renew order granting Temporary Permit # TP 14-037 for six months (new permit will expire July 2024) in the name of Gregory Morgan- 6508 Morgan's Cove Road, Monroe, NC 28110. The permit would allow Morgan to add a manufactured home to his property (Parcel #08192012) for the purpose of caring for a relative—under Section 179 of the Fairview Land use Ordinance.

Patricia Kindley made a motion to approve the consent agenda. Kerry Price seconded the motion. Council members Kindley, Link and Price voted yes (3-0).

**6. Public Comments:** None

**7. Presentations:** None

**8. Items of Business:**

**8.A. Approve Remote Participation Policy for Meetings of Town of Fairview**

Mayor Wilfong presented the Remote Participation Policy drawn up by the town attorney (See Appendix A). The Council discussed.

Patricia Kindley made a motion to approve the Remote Participation Policy for Meetings. David Link seconded the motion. Council members Kindley, Link and Price voted yes (3-0).

**8.B. Discuss/Approve Hiring new part-time Park/Town Maintenance Technician**

Mayor Wilfong discussed the need to hire a new part-time Park/Town Maintenance technician (See Appendix B – Duties). The Council discussed.

Patricia Kindley made a motion to authorize Mayor Wilfong and Ed Humphries to finalize duties/salary/hours and post job. David Link seconded the motion. Council members Kindley, Link and Price voted yes (3-0).

**8.C. Approve J.B. Watson & Co., PLLC Audit Contract**

Darrell Baucom presented the audit contract (for the year ended June 30, 2024) for J.B. Watson & Co., PLLC. The Council discussed.

Kerry Price made a motion to approve the contract as presented. Patricia Kindley seconded the motion. Council members Kindley, Link and Price voted yes (3-0).

**8.D. Approve Duke Energy Lighting Service Agreement for Town Hall**

Ed Humphries presented a service agreement from Duke Energy for lighting fixtures to be added to existing light poles in the parking area at the back of town hall. The Council discussed.

David Link made a motion to approve the Duke Energy Lighting Service Agreement and authorize Mayor Wilfong to sign the agreement. Patricia Kindley seconded the motion. Council members Kindley, Link and Price voted yes (3-0).

**9. Council Comments:**

Patricia Kindley reported that the Storywalk site at the park has been selected.

Darrell Baucom reminded the Council that the Scope of Work for the money from the State grant needs to be completed soon.

Spencer Cox reported that the Fairview PTO would like to partner with the town during the Music in the Park for an End of School Bash.

**10. Adjournment**

Patricia Kindley made a motion to adjourn. Kerry Price seconded the motion. Council members Kindley, Link and Price voted yes (3-0).

Respectfully submitted,

\_\_\_\_\_  
Teresa Gregorius  
Town Clerk

\_\_\_\_\_  
Gary Wilfong  
Mayor

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2024

# APPENDIX A

## Remote Participation Policy for Meetings of Town of Fairview

1. Remote participation may only be used in limited circumstances. A member of the Town Council desiring to participate in a meeting remotely should give as much notice as possible to members of council and the Town Clerk, but in no event shall notice be given less than 24 hours prior to the meeting. A reason must be given for being physically unable to attend the meeting and the reasons are limited to:
  - a. Out of Town – at least one hour away
  - b. *Personal illness or disability*
  - c. *Emergency situations*
2. Remote participation may only be allowed during open meetings when a quorum of the Board is physically present at the meeting and the Council member participating remotely is not necessary to establish a quorum.
3. Remote participation shall not be allowed for the following situations:
  - a. Quasi-judicial hearings;
  - b. Closed Sessions
  - c. Any other official meeting in which the subject matter to be discussed is subject to privilege or is considered confidential, such as attorney/client communications or personnel matters.
4. Once the meeting is opened, the Mayor or Mayor Pro Tem if the Mayor is absent, shall announce that a Council Member is participating remotely. The Council Member will then identify him/herself and inform Council of his/her location. If the Mayor is participating remotely, then the Mayor Pro Tem shall preside over the meeting.
5. The Council Member participating remotely shall not make motions and shall not cast the deciding vote on any matters.
6. The Council Member participating remotely must ensure that he/she can be fully heard by the other members of Council and other individuals in attendance at the meeting and the Clerk. If the technology is not working or if the audio is not audible, the Council may vote to disallow participation.

Council Approved the Policy on February 13, 2024



# APPENDIX B

## PARKS/TOWN HALL MAINTENANCE TECHNICIAN

### GENERAL STATEMENT OF DUTIES

Performs routine unskilled and semi-skilled work in the maintenance, landscape and care of Town grounds, rights-of-way, parks facilities and related Town property. This position requires work outside of a normal workday schedule to include nights, weekends, and holidays. Employee must be conscious of safety methods to avoid injury to others and self. Employee is subject to hazards in grounds maintenance work including working in both inside and outside environments, in extreme hot and cold weather, and exposure to various hazards such as noise, moving mechanical parts, chemicals, dusts, atmospheric conditions, and oils. Work is performed under supervision of Mayor.

### ESSENTIAL DUTIES AND TASKS

- Works as a member of a grounds maintenance crew responsible for maintaining assigned Town grounds by mulching, weeding and other landscape and grounds maintenance activities as needed.
- Operates a variety of hand tools and power equipment including, but not limited to, riding and push mowers, hedge trimmers, loppers, weed eaters, blowers, chain saws, pole saws, shovels, rakes, and other light equipment for landscaping and tree maintenance activities.
- Performs leaf removal and leaf blowing on Town grounds.
- Shovels and removes snow and ice; spreads sand over icy sidewalks and walkways.
- Picks up trash in common areas, parking lots and nature trail; cleans culverts and other drainage structures; blows and sweeps sidewalks.
- Operates small, motorized equipment safely and efficiently.
- Performs equipment inspection to ensure proper operation; ensures cleanliness and proper storage of tools and equipment after use.
- Inspects playground equipment to ensure items are hazard free and operating safely.
- Attends Town events and preparatory meetings to provide logistical support for set-up, tear down, and event related maintenance or custodial needs.
- Performs all aspects of tree and shrub maintenance including hedge and tree trimming; pruning; removing fallen limbs and trash; and raking leaves.
- Plants shrubbery, flowers, and grass; waters, weeds, fertilizes, and mulches plants.
- Assists in the repair and maintenance of basic plumbing fixtures, minor electrical and heating, ventilation and air conditioning work.
- Performs general maintenance duties including painting objects, buildings etc.
- Backup custodian as necessary -- Perform general custodial duties; sweeps and mops facilities; cleans restrooms; picks up and removes trash and litter.
- Performs other duties as assigned.

### KNOWLEDGE, SKILLS AND ABILITIES

- General knowledge of the tools, equipment, and materials used in grounds maintenance.
- Working knowledge of the hazards of the work and related safety precautions.
- Skill in operation of assigned equipment.
- Ability to understand and carry out oral and written instructions.
- Ability to use hand tools.
- Specific knowledge of the hazards of the work
- Ability to maintain effective working relationships with other employees and the general public.

### PHYSICAL REQUIREMENTS

- Must be able to physically perform the basic life operational functions of climbing, balancing, stooping, kneeling, crouching, crawling, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, feeling, talking, hearing, and performing repetitive motions.
- Must be able to perform heavy work exerting up to 100 pounds of force occasionally; and/or up to 50 pounds of force frequently; and/or up to 20 pounds of force constantly to move objects.
- Must possess the visual acuity to operate mechanical equipment such as mowers and chain saws in a safe manner and to inspect work quality.

### DESIRABLE EDUCATION AND EXPERIENCE

- Graduation from high school and experience in grounds maintenance work; or an equivalent combination of education and experience.

### SPECIAL REQUIREMENT

- NC driver's license.
- Weekend work may be required

### 2024 Town Events

- ❖ *June – Music in the Park*
- ❖ *June – STEM (Science/Technology/Engineering/Math) class for kids*
- ❖ *July – STEM class for kids*
- ❖ *August – Dedication for nature trail and fishing Day in memory of Jerry Clontz*
- ❖ *October – Fall Festival*
- ❖ *December – Winter Festival*

**STATE OF NORTH CAROLINA**

**INTERLOCAL AGREEMENT**

**COUNTY OF UNION**

THIS AGREEMENT, is made and entered into this \_\_\_\_\_, by and between Union County (the “County”) and the Town of Fairview (the “Municipality”) (hereinafter collectively referred to as the “Parties”).

**WITNESSETH:**

WHEREAS, the County was awarded a grant from the Charlotte Regional Transportation Planning Organization (“CRTPO”) for a critical intersection analysis study that will study certain traffic intersections in Union County, including certain intersection(s) in the Municipality, in order to consider implementing future intersection improvements (the “Grant”); and

WHEREAS, the Grant will allow for County to select and engage a consultant (the “Consultant”) to perform the critical intersection analysis study and produce a subsequent report (the “Study”); and

WHEREAS, under the Grant CRTPO will reimburse the County for its costs for the Study in the amount of One Hundred Ninety Two Thousand Dollars (\$192,000), with an additional Forty Eight Thousand Dollars (\$48,000) required under the Grant as a local government match (the “Match”); and

WHEREAS, the County will contribute at least Twenty Thousand Dollars (\$20,000) toward the Match; and

WHEREAS, the Municipality has agreed to contribute Four Thousand Dollars (\$4,000) toward the Match due to the Study including intersection(s) within the Municipality’s limits (the “Municipality Contribution”); and

WHEREAS, this Agreement is made under the authority of N.C. Gen. Stat. § 160A-460 et seq and all other applicable law.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements hereinafter set forth, the parties hereto do each contract and agree with the other as follows:

1. The term of this Agreement shall begin on mutual execution and shall continue until December 31, 2025. This Agreement may only be terminated upon expiration of the aforementioned term without an amendment extending the term executed by both parties to this Agreement. Notwithstanding the foregoing, the Parties may, by mutual written consent, terminate this Agreement at any time and for any reason.

2. After 50% of the work for the Study is complete, as reasonably determined by the County, the County will invoice the Municipality for the Municipality Contribution. Within thirty (30) days of receipt of such invoice, the Municipality shall pay the Municipality Contribution.

3. The County shall directly select and engage the Consultant to perform the Study. The Parties agree to work collaboratively with the Consultant to provide any reasonably requested information and assistance needed for the Study. Upon completion, and County's receipt, of the Study, the County will ensure that the Municipality receives a copy of the Study.

4. This Agreement may be amended at any time by mutual, written consent of the parties.

5. This Agreement may be signed in counterparts, each of which shall be an original, with the same effect as if the signatures thereto and hereto were upon the same instrument. The Parties hereto confirm that any facsimile copy or photocopy of another party's executed counterpart of this Agreement (or its signature page thereof) will be deemed to be an executed original thereof.

IN WITNESS WHEREOF, the Parties hereto have caused this instrument to be executed the day and year above written.

**UNION COUNTY:**

Attest: \_\_\_\_\_  
Lynn West, Clerk to the Board

By: \_\_\_\_\_  
Brian W. Matthews, County Manager

Approved as to Legal Form: BTI

**TOWN OF FAIRVIEW:**

Attest: \_\_\_\_\_  
Teresa Gregorius, Clerk

By: \_\_\_\_\_  
Ed Humphries, Administrator

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
Finance Officer

Discuss

#L-1 CUD 24 002

<b>Town of Fairview</b> <b>Staff Report for:</b> <b>Council Meeting</b> DATE: March 12, 2024	
<b>CASE #: L-I CUD 24-002</b>	<b>Haigler Farms 2, LLC</b>
<b>Applicant(s):</b>	Haigler Farms 2, LLC 9606 Indian Trail Fairview Road Indian Trail NC 28079
<b>Property Owner(s):</b>	Jan and B.B. Haigler
<b>Requested Action:</b>	Requesting CUD L-I (Conditional use District) on Brent Haigler Road
<b>Existing Zoning:</b>	RA-40 In the Farm Program
<b>Requested Zoning:</b>	CUD L- I Section 132 (a)-Conditional Use District) (Any L-I use permitted in will be required to obtain a Special Use Permit ( Section 58,54)
<b>Location:</b>	Brent Haigler Road
<b>Property Size:</b>	38 ac
<b>Tax Parcel(s):</b>	Parcel # 08222011M
<b>Purpose/Narrative:</b>	Haigler Farms 2 LLC would like to rezone approx. 38 acres to L-I CUD and have the right to subdivide. The property is across the street from the Haigler Building LLC parcel # 08222011F which is presently zoned L- I CUD - on Brent Haigler Road
<b>Surrounding Area Zoning:</b>	Residential, Farming and L-I CUD use
<b>Existing Conditions:</b>	Open (In the Farm Program)
<b>Land Use Plan Recommendation:</b>	RA-40 Residential
<b>Compliance with Zoning Ordinance:</b>	Complies with present Zoning Ordinance RA-40 Residential (in farm program)
<b>Conditional Permit Conditions:</b>	<ol style="list-style-type: none"> <li>1. All properties as they are approved will be required to install buffer as required in Land Use Ordinance- Section 308</li> <li>2. NCDOT may require improvements as needed with changes of uses</li> <li>3. All properties shall be leased from Haigler Farms 2 LLC</li> <li>4. Water to be supplied by County to all uses within 2500' of current County water lines</li> <li>5. State Storm water ordinance required on all 38 acres</li> </ol>
<b>Staff Recommendation on Application:</b>	All requirements of the ordinance have been met. This request is to rezone 38 ac to L-I CUD on Brent Haigler Rd. The L-I CUD requires that a special permit be obtained for each change in use in the district. The Planning Board recommended the Council approve the request by a 4 to 1 vote.

# Town of Fairview

7516 Concord Highway  
Monroe NC 28110

## CONDITIONAL ZONING DISTRICT PERMIT APPLICATION Fee: \$600

Application Number: L-1 CUD 24002 Date of Application: 1-11-2024

### I. Applicant / Owner Information

- A. Applicant's Name: **BB Haigler**  
 Address: **9906 Indian Trail-Fairview Rd Indian Trail, NC 28079**  
 Phone: **704-221-2874** Email: **jbbhaigler@gmail.com**
- B. Owner's Name (if different from above):  
 Address:  
 Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### II. Property Information

- A. Property Location: 576 Brent Haigler Rd Indian Trail NC
- B. Tax Parcel Number: 08-222-011M
- C. Deed Book 3115 Page 012
- D. Existing Zoning **RA40** Proposed Zoning **L-1**
- E. Existing Use \_\_\_\_\_ Proposed Use \_\_\_\_\_
- F. Property Size 37.95 acres (Sq. Ft./Acres)
- G. Is a Rezoning Application being submitted with CUP Application? **N**

### III. Other Required Information (Attach The Following)

- A. Narrative describing the requested conditional use in sufficient detail and a justification that the conditional use meets the standards and intent contained in the Land Use Ordinance.
- B. The owners' names, addresses, the tax parcel numbers use(s), and current Zoning Classifications of all adjoining properties. Please include this information on the Attachment "A" form.
- C. A scaled boundary survey drawn to an appropriate scale prepared by and certified to be correct by a surveyor or engineer registered with the State of North Carolina.

showing dimensions of the property and adjacent lots and streets, the total acreage, present zoning classification(s), date and north arrow. On copies of this survey shall be drawn the following Information:

- (1) All existing easements, reservations, right-of-way and all yard requirements for the zoning district.
  - (2) A site plan showing all existing and/or proposed buildings, storage areas, parking and access areas, proposed size layout and setbacks of land and proposed structures, and proposed number, type, and location of signs. For residential uses this shall include the number of units and an outline of the area here the structures will be located. For nonresidential uses, this shall include the approximate square footage of all structures and an outline of the area where the structures will be located.
  - (3) Traffic, parking and circulation plans, showing the proposed locations and arrangement of parking spaces and access points to adjacent streets. (Shopping Centers, having two (2) or more individual uses shall show the parking spaces, channelization and ratios shown, service areas, off-street loading facilities, service drives and dimensions thereon; and all pedestrian ways.)
  - (4) Landscape plan at the same scale as the site plan showing existing and proposed trees, ground cover and landscape material, proposed screening, and buffering (if applicable) including walls, fences or planted areas as well as treatment of any existing natural features.
- D. Plans and elevations for all proposed structures.
- E. A map at the same scale as the site plan showing the following:
- (a) Delineation of areas within the floodplain as shown on the official flood hazard boundary maps.
  - (b) Accurate mapping of all soil classifications found on the site and general depths thereof. The applicant shall use the same classifications used by the U. S. Department of Agriculture.
  - (c) Existing and proposed topography at five (5) feet contour intervals.
  - (d) Plans for providing potable/public water and for the treatment of wastewater.
- F. Certification from owner of record that applicant has authorization to apply for this zoning action. (This is needed only if the applicant is not the property owner). Certification shall be notarized.



Revised 11/8/18

- G. State whether or not the applicant or owner, owns, has a proprietary interest, or in any way has any other contractual interest in any land that is contiguous to the land, which is the subject of this request. If so, please provide a sufficient legal description of such land and state the interest of the applicant or owner.
- H. Application processing fee is **\$600**. Attach check, payable to the *Town of Fairview*, Attn: Ed Humphries 7516 Concord Highway Monroe NC 28110

Comments:

I, the undersigned owner or authorized representative, hereby submit this application with the attached information. The information and documents provided are complete and accurate to the best of my knowledge.

1/9/2023<sup>4</sup>

DATE

**BB Haigler**

SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE



Town of Fairview  
7516 Concord Hwy  
Monroe NC 28110

FM

Dear Mr. Humphries, Planning Board and Town Council,

My wife Jan and I are requesting the rezoning of parcel 08-222-011M to Light Industrial. We own several other adjoining parcels that are also zoned Light Industrial. Currently there are three successful and growing businesses established on those other parcels: Medlin Automotive, Pearson Diesel Shop, and Blossman Propane. In the last year or two, we've received multiple phone calls inquiring about additional land zoned for LI use. Our purpose in the rezoning request is to prepare for future growth and we believe this parcel would be best suited for Light Industrial, as opposed to Residential. Just as the businesses I mentioned, in the future it would provide additional revenue and services to the town and it's residents. There's no plan to sell the land and it would remain in the farm program until an LI use has been approved, permits received, etc. We're committed to adhering to all applicable Town of Fairview land use ordinance requirements and will fully comply with the established regulations and guidelines.

Thank you for your time and consideration.

Respectfully,

  
BB Haigler

NO.	DATE	DESCRIPTION	BY
1	8-10-21	Revised map to reflect changes	JSG
1	11-17-23	Revised to be a recordable map	SRB

**Jeffery S. Gordon Surveying**  
 1394-B WALKUP AVENUE  
 Monroe, N.C. 28110  
 (704) 283-9726

BOUNDARY & DIVISION SURVEY FOR:

**HAIGLER FARMS, LLC**

Property of: Haigler Farms, LLC

Legal Ref: DB 3115 PG 012

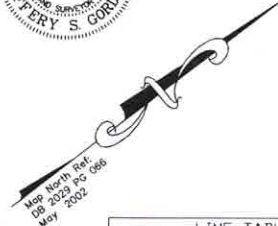
Fairview, Goose Creek Township, Union County, N.C.

Scale: 1" = 150' Date: 17 November 2023

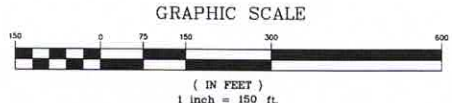
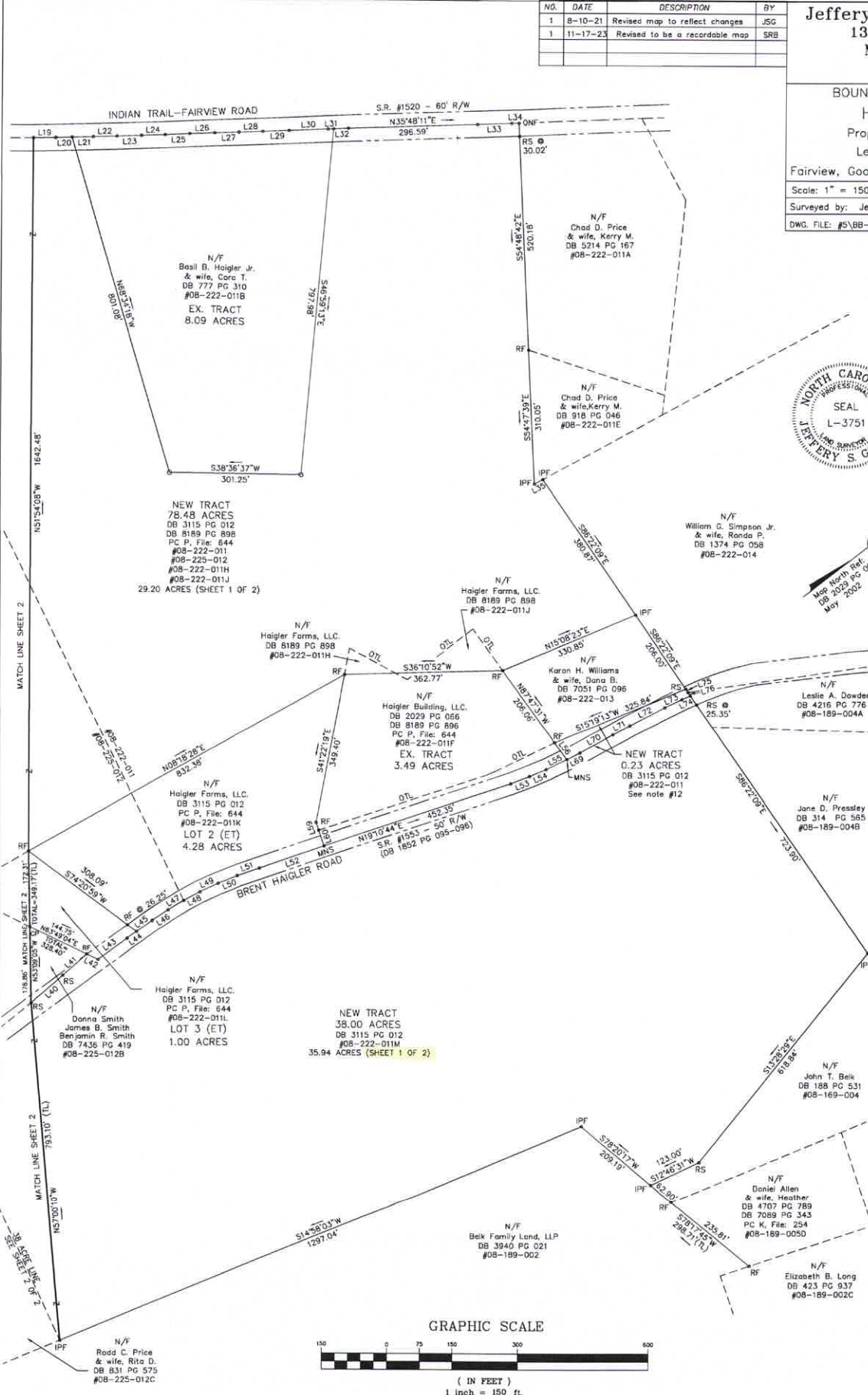
Surveyed by: Jeffery S. Gordon, NCPLS, L-3751

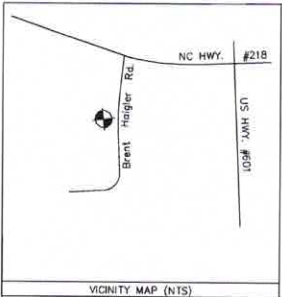
DWG. FILE: #5\BB-Haigler-Bay-1.DWG Sheet 1 of 2

- LEGEND**
- IPF - Iron Pipe Found
  - MNS - Mag Nail Set
  - ONF - Old Nail Found
  - RF - Rebar Found
  - RS - Rebar Set
  - TL - Tie Line
  - #08-222-011 - Tax Parcel I.D.
  - N/F - New or Formerly
  - DB - Deed Book
  - PG - Page
  - SR # - State Road Number
  - PC - Plat Cabinet
  - OTL - Old Tract Line
  - NTS - Not to Scale
  - ET - Existing Tract



LINE	LENGTH	BEARING
L1	48.48	S36°25'55"W
L2	53.61	S71°55'33"W
L3	52.60	S84°15'40"W
L4	51.08	S89°48'01"W
L5	101.53	S87°14'50"W
L6	100.50	S83°48'39"W
L7	103.24	S75°56'54"W
L8	30.89	N18°06'54"W
L9	26.01	N21°55'50"W
L10	22.79	N68°36'31"W
L11	55.54	N08°38'09"W
L12	61.14	N17°29'25"W
L13	13.31	N12°47'57"E
L14	53.57	N42°47'08"W
L15	28.02	N27°07'31"W
L16	70.15	N41°07'23"E
L17	53.07	N39°28'20"E
L18	53.36	N37°26'22"E
L19	50.71	N36°35'58"E
L20	37.42	N36°20'08"E
L21	48.71	N36°20'08"E
L22	53.96	N36°10'27"E
L23	56.92	N35°55'20"E
L24	54.16	N35°50'57"E
L25	56.08	N35°09'58"E
L26	57.45	N35°38'53"E
L27	55.85	N35°55'12"E
L28	54.77	N35°51'11"E
L29	60.26	N35°36'03"E
L30	89.85	N35°10'10"E
L31	12.90	N35°29'53"E
L32	34.19	N39°30'00"E
L33	78.32	N35°32'10"E
L34	16.54	N37°16'01"E
L35	22.07	N08°38'01"E
L36	85.23	N15°59'12"E
L37	146.83	N11°15'04"E
L38	143.50	N03°38'56"E
L39	124.91	N01°14'37"W
L40	96.49	N03°49'38"W
L41	73.84	N04°02'00"W
L42	28.62	N63°49'04"E
L43	82.53	N01°31'20"E
L44	27.07	N02°07'45"E
L45	44.05	N02°07'45"E
L46	43.64	N04°24'17"E
L47	41.62	N06°28'36"E
L48	41.89	N09°40'19"E
L49	45.79	N13°12'11"E
L50	47.65	N16°17'48"E
L51	53.72	N18°39'29"E
L52	156.39	N18°49'57"E
L53	46.37	N16°30'49"E
L54	41.07	N15°05'26"E
L55	53.98	N12°09'25"E
L56	48.55	N07°43'31"W
L57	19.03	S70°40'20"E
L58	38.20	S70°40'20"E
L59	99.85	N38°00'32"E
L60	99.93	N32°23'10"E
L61	99.95	N32°56'11"E
L62	84.39	N33°34'25"E
L63	38.61	N35°09'11"E
L64	61.26	N38°33'03"E
L65	99.69	N42°23'56"E
L66	147.82	N43°16'45"E
L67	33.59	N12°01'27"E
L68	86.28	N08°48'57"E
L69	44.26	N03°55'10"E
L70	91.70	N10°11'02"E
L71	43.10	N11°55'09"E
L72	21.25	N13°11'15"E
L73	9.41	S86°22'09"E
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- NOTES:
- TAX I.D. #08-222-011, #08-225-012, #08-222-011B, #08-222-011F, #08-222-011H, #08-222-011J, #08-222-011K, #08-222-011L, #08-222-011M, #08-222-011N, #08-222-011O, #08-222-011P, #08-222-011Q, #08-222-011R, #08-222-011S, #08-222-011T, #08-222-011U, #08-222-011V, #08-222-011W, #08-222-011X, #08-222-011Y, #08-222-011Z.
  - AREA CALCULATED BY COORDINATES.
  - NO NGCS MONUMENT FOUND WITHIN 2000'
  - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES, MEASURED WITH ELECTRONIC METERS.
  - #4 REBARS SET AT ALL BOUNDARY CORNERS, UNLESS OTHERWISE NOTED.
  - CURRENT ZONING: RA-40
  - ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM UNION COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OF FORMERLY.
  - PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS AND OR RIGHTS OF WAY, EITHER RECORDED OR IMPLIED.
  - FOUR (4) EXISTING TRACTS AND THREE (3) NEW TRACTS ON THIS PLAT.
  - THIS PROPERTY IS NOT SUBJECT TO A FEMA SPECIAL FLOOD HAZARD ZONE AS PER THE NFP, FIRM MAP, NO. 3710553000A, PANEL 5530, EFFECTIVE DATE: OCTOBER 16, 2008.
  - THESE TRACTS ARE BEING SERVED WITH INDIVIDUAL WELL & SEPTIC.
  - 0.23 ACRE TRACT TO BE DEEDED TO: KARON & DANA WILLIAMS.
  - THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

NORTH CAROLINA, UNION COUNTY

I, Jeffery S. Gordon, certify that this plat was drawn under my supervision from an actual survey made under my supervision (said description recorded in Deed Book 3115, Page 12) that the boundaries not surveyed are clearly indicated as drawn from information found in Book \_\_\_\_\_ Page \_\_\_\_\_ that the ratio of precision as calculated is 1:10,000 ±; that this plat was prepared in accordance with G.S. 47-30 as amended.

I also certify that this survey is of another category, such as the recombination of existing parcels, a court-ordered survey, of other exemption or exception to the definition of subdivision.

Witness my original signature, registration number and seal this 17th day of November, A.D., 2023.

Seal or Stamp

Professional Land Surveyor

Registration Number



State of North Carolina County of Union

Review Officer of Union County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date \_\_\_\_\_ Review Officer \_\_\_\_\_

**Certificate of Approval**

I hereby certify that the Boundary/Division survey shown on this plat is in all respects in compliance with the Town of Fairview Land Use Ordinance, and that therefore this plat has been approved by the Town of Fairview Land Use Administrator, subject to its being recorded in the Office of the Union County Register of Deeds within ninety days of the date below.

Date \_\_\_\_\_ Land Use Administrator \_\_\_\_\_

**Jeffery S. Gordon Surveying**  
 1394-B WALKUP AVENUE  
 Monroe, N.C. 28110  
 (704) 283-9726

BOUNDARY & DIVISION SURVEY FOR:  
**HAIGLER FARMS, LLC**  
 Property of: Haigler Farms, LLC  
 Legal Ref: DB 3115 PG 012

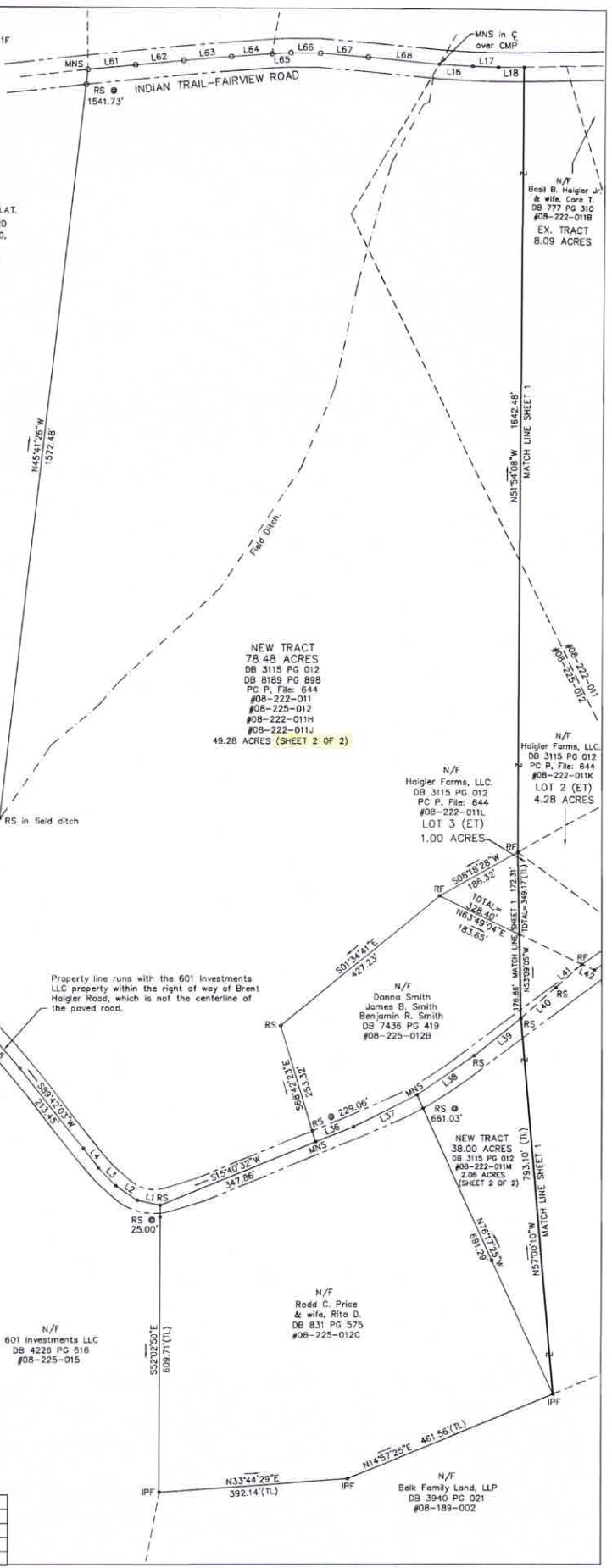
Fairview, Goose Creek Township, Union County, N.C.

Scale: 1" = 150' Date: 17 November 2023

Surveyed by: Jeffery S. Gordon, NCPLS, L-3751

NO.	DATE	DESCRIPTION	BY
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1	11-17-23	Revised to be a recordable msp	SRB

- LEGEND
- IPF - Iron Pipe Found
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  - N/F - Now or Formerly
  - DB - Deed Book
  - PG - Page
  - SR # - State Road Number
  - PC - Pint Cabinet
  - OTL - Old Tract Line
  - NTS - Not to Scale
  - ET - Existing Tract



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- (d) In considering whether to approve an application for a major development permit, the Town Council shall proceed according to the following format:
- (1) The Town Council shall consider whether the application complies with all of the applicable requirements of this ordinance. If a motion to this effect passes, the Town Council need not make further findings concerning such requirements. If such a motion fails or is not made then a motion shall be made that the application be found not in compliance with one or more of the requirements of this ordinance. Such a motion shall specify the particular requirements the application fails to meet. Separate votes may be taken with respect to each requirement not met by the application. It shall be conclusively presumed that the application complies with all requirements not found by the Town Council to be unsatisfied through this process.
  - (2) If the Town Council concludes that the application fails to comply with one or more requirements of this ordinance, the application shall be denied. If the Town Council concludes that all such requirements are met, they shall issue the permit.
- (e) In response to questions, suggestions or recommendations by the Town Council, the applicant may agree to modify his application to include fair and reasonable conditions as suggested by the Town Council. Unless such modifications are so substantial or extensive that the Town Council cannot reasonably be expected to perceive the nature and impact of the proposed changes without revised plans before it, the Town Council may approve the application with the stipulation that the permit will not be issued until plans reflecting the agreed upon changes are submitted to the planning staff.

**Section 58 Conditional Zoning District Approval Procedures**

(a) Applicability

The conditional zoning district procedure of this section applies when a property owner proposes to place additional zoning- or development-related restrictions on a particular property, over and above those that would otherwise apply under this ordinance. The conditional zoning district procedure of this section must be followed whenever an applicant for rezoning proposes to:

- (1) Reduce or narrow the range of uses or building types allowed in the subject zoning district;



- (2) Commit to strict compliance with a site-specific development plan that imposes:
- (i) Lot and building regulations that are more restrictive than otherwise required in the subject zoning district; or
  - (ii) Other development-related standards or conditions that are different than those that would otherwise apply to the subject property under this ordinance.

(b) Authority to File

Applications for conditional zoning district may be filed only by the subject property owner or the subject property owner's authorized agent. A notarized letter shall be submitted stating person or company is acting as the agent and have authority to make comments for the owner.

(c) Pre-application Meeting

A pre-application meeting is required before filing a conditional zoning district application with the Land Use Administrator.

(d) Review and Approval Procedure

The zoning procedures and requirements of this section apply and must be followed for all conditional zoning district, except as otherwise expressly stated in this section.

(e) Required Community Meeting

Before a public hearing may be held on an application for conditional zoning district, the applicant must provide the administrator with a written report of at least one community meeting held by the applicant. The neighbors within 500 foot from any side of said property boundary shall be notified in writing using the county tax parcel address.

- (1) Reasonable notice of the required community meeting must be given to nearby property owners and to affected and interested parties in accordance with Fairview's notice policies.
- (2) The report must include at least a sign-in sheet with addresses of those persons and organizations contacted about the meeting and the manner and date of contact, time, date, and location of the meeting, a roster of the persons in attendance at the meeting, a summary of issues discussed at the meeting, and a description of any changes to the rezoning application made by the applicant as a result of the meeting.

- (b) Once a completed application has been submitted, the burden of presenting competent, substantial evidence to the respective Board to conclude that the application should be denied for any reasons stated in Sections 52, 53, 54A and 54B shall be upon the party or parties urging this position, unless the information presented by the applicant in his application and at the public hearing is sufficient to justify a reasonable conclusion that a reason exists to so deny the application.
  - (c) The burden of persuasion on the issue of whether the development, if completed as proposed, will comply with the requirements of this ordinance remains at all times on the applicant. The burden of persuasion on the issue of whether the application should be turned down for any of the reasons set forth in this Ordinance rests on the party or parties urging that the requested permit should be denied.
-



Correction: See correct Parcel ID Number

### Community Meeting ----NOTICE

The Town of Fairview will conduct a Community Meeting starting at 6:30pm on Tuesday **Jan. 30, 2024** at the Town Hall --address: 7516 Concord Highway, Monroe, NC.

To Discuss:

A request from Haigler Farms 2 LLC to rezone a 38-acre tract to **L-I CUD** (Any use in the district will be required to obtain a special use permit.) \*\*\*\*\*

**Parcel # 08222011M** and Town permit # L-I CUD 24 002.

\*\*\*\*\* See Section 137(a), page 119, Section 54 Special use Permits page 70 and Section 58, Condition Zoning District page 73 of the Fairview Land Use Ordinance \*\*\*\*\*

For more information, call Teresa Gregorius, Town Clerk or Ed Humphries, Land Use Administrator at (704) 753.1981 during business hours. (Tuesday and Thursday 9:00am to 3:00pm)

The Town of Fairview does not discriminate based on disability. If you need an auxiliary aid or service or other accommodation to attend or fully participate in this meeting, please contact Teresa Gregorius at (704) 753.1981 as far in advance of the meeting as possible so that your request can be considered.

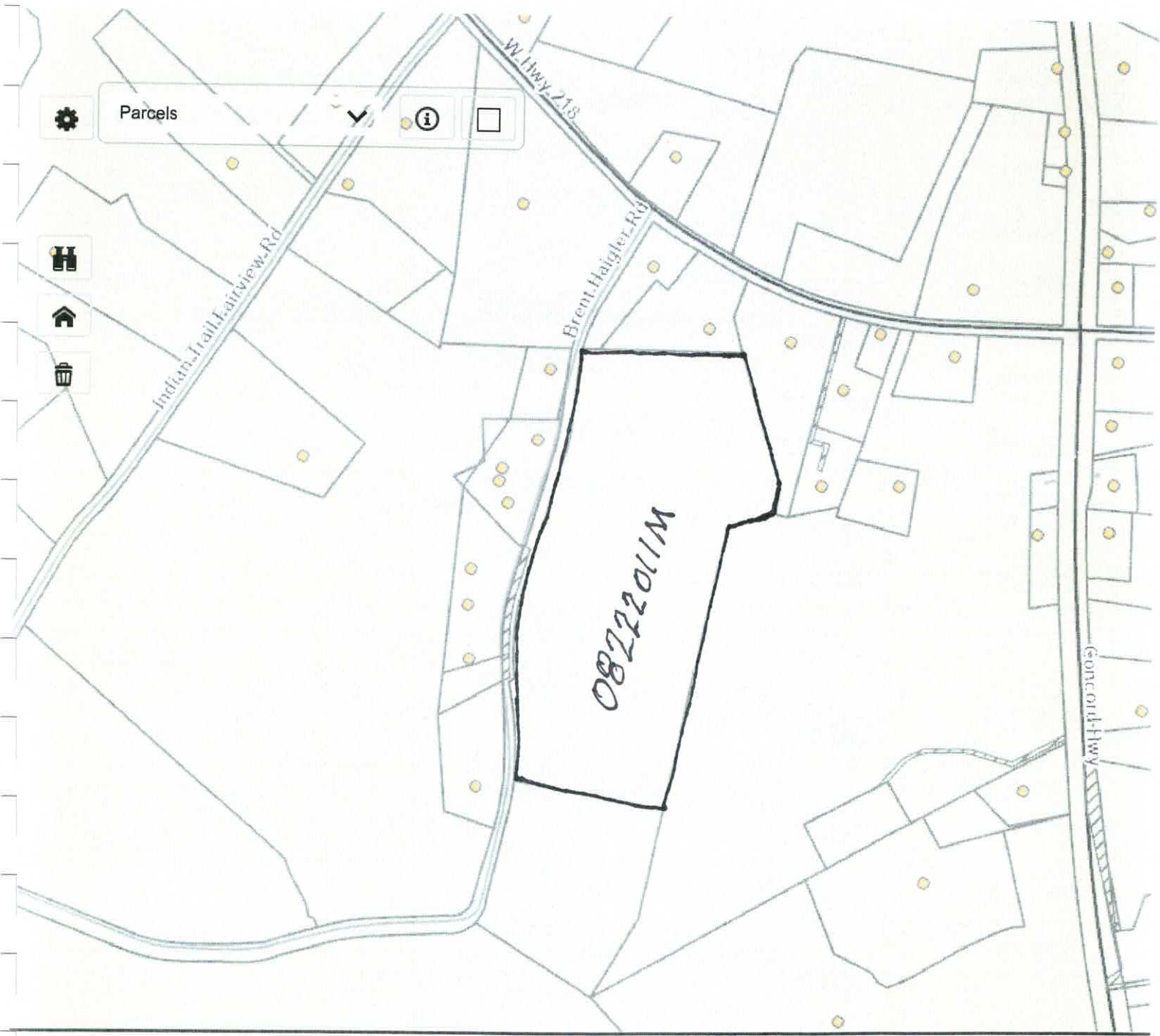
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CONDITIONAL USE PERMIT APPLICATION  
ATTACHMENT "A"  
ADJOINING PROPERTY OWNERS INFORMATION

Owners(S) Name(S)	Owners Mailing Address (Include Zip Code)	County	Tax Book Number	Tax Map Number	Tax Parcel Number	Current Zoning Classification	Existing Land Use
1. JOE CUTHBERTSON	7617 CONCORDS HWY 28110	UNION ✓			08222014A	RA-40	RA-40
2. "					08222014B		
3. NICOLE MCCOY	3101 KEELAN DR COLUMBIA SC 29201	" ✓			08189005B	RA-40	
4. MICHAEL KLEIN	401 HWY 218 W (28079)	✓			08222014	RA-40	
5. ALAN DOWDEE	225 HWY 218 W 28110	✓			08189004A	RA-40	
6. JANE PRESSLEY	217 HWY 218 W 28110	✓			08189004B	RA-40	
7. JOHN BELK	209 W HWY 218 28110	✓			08189004	RA-40	
8. ARTHUR FLOWE	123 W HWY 218 28110	✓			08189005C	RA-40	
9. ROBERT TRICKETT	201 W HWY 218 28110	✓			08189005A	RA-40	
10. ELIZABETH LONG	117 W HWY 218 28110	✓			08189002C	RA-40	
11. DANIEL ALLEN	205 W HWY 218 28110	✓			08189005D	RA-40	
12. BELLS FAMILY LAND LLP	117W HWY 218 28110	✓			80189002	RA-40	
13. RODD PEICE	10017 INDIAN TRAIL FAIRVIEW	✓			08225012C	RA-40	
14. JAMES SMITH	<sup>3925</sup> 2407 SMITH FARM RD MATTHEWS	28104 ✓			08225012B	RA-40	
15. DALE & MARYLOU STARNES	7401 CONCORD HWY	28110 ✓			08185002A	RA-40	
16. BARBARA TOLTY	<sup>ESTATE OF</sup> 4804 NE ELMHURST DR. HICKORY	28601 ✓			08189002E	RA-40	
17. SUD + SUE LAMPLEY	113 W HWY 218	28110 ✓			08189002D	RA-40	

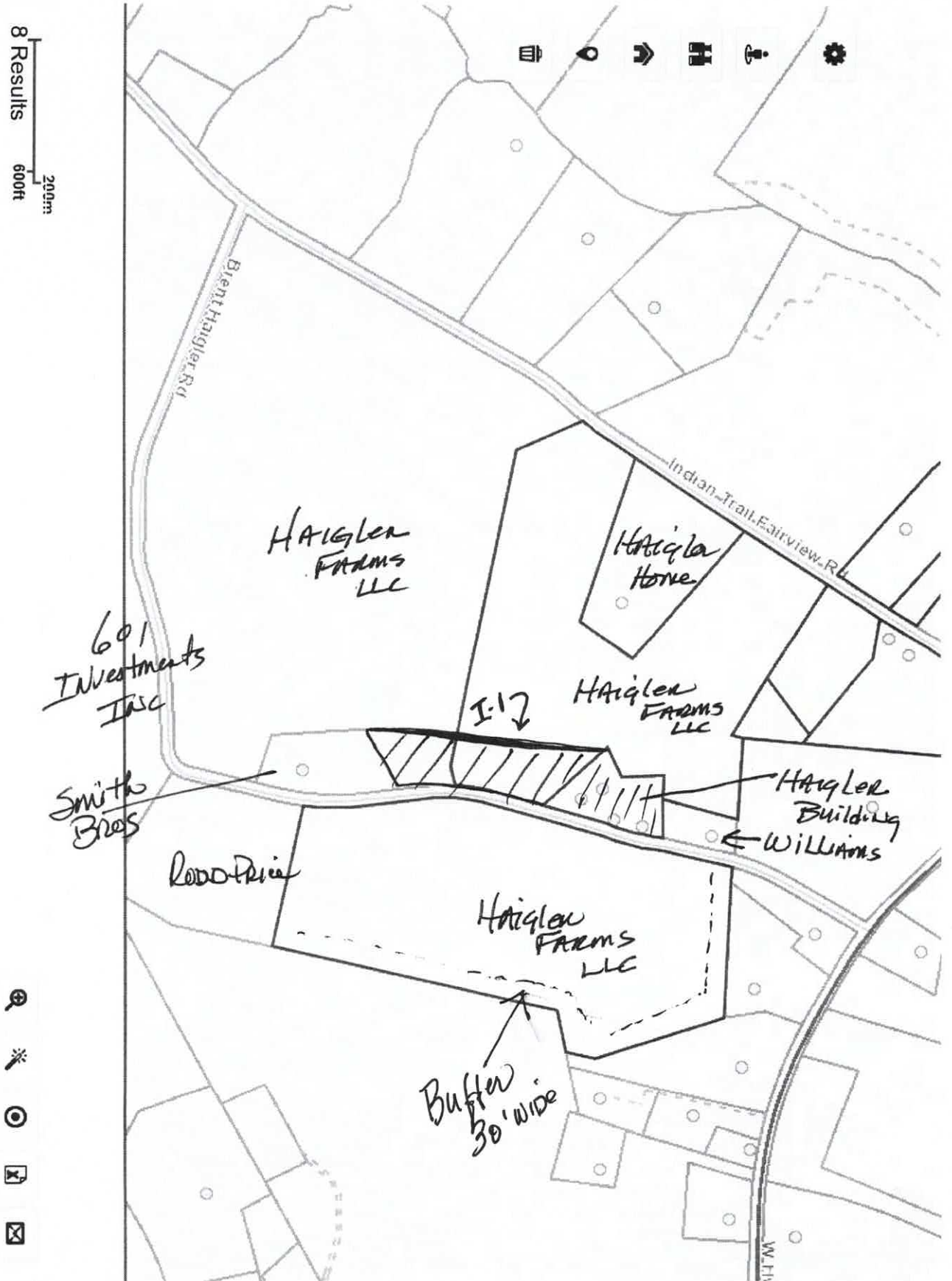
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200m  
600ft

42

43



## PUBLIC HEARING NOTICE

The Fairview Town Council will conduct a Public Hearings starting at 6:30 pm on Tuesday, March 12, 2023, during the Council Regular monthly meeting at Town Hall (location address: 7516 Concord Highway, Monroe, N.C. 28110). The purpose of this hearing is to:

### Hear public comment on:

A request from Haigler Farms LLC to rezone 38 acres on Brent Haigler Road (Parcel # 08222011M) from RA-40 to L-I CUD (Light Industrial – Conditional Use District) and have the right to sub-divide the property, Permit # L-I CUD #24-002.  
\*\*\*All uses would require Special Use Permits\*\*\*

### Conditions:

- All properties as they are approved will be required to install a 30 ft. buffer as required in Land Use Ordinance- Section 308
- NCDOT may require improvements as needed with changes of uses
- All properties shall be leased from Haigler Farms LLC
- Water to be supplied to all uses within 2500 ft water supplied by the Public Works Dept. of Union County (Highway 218)

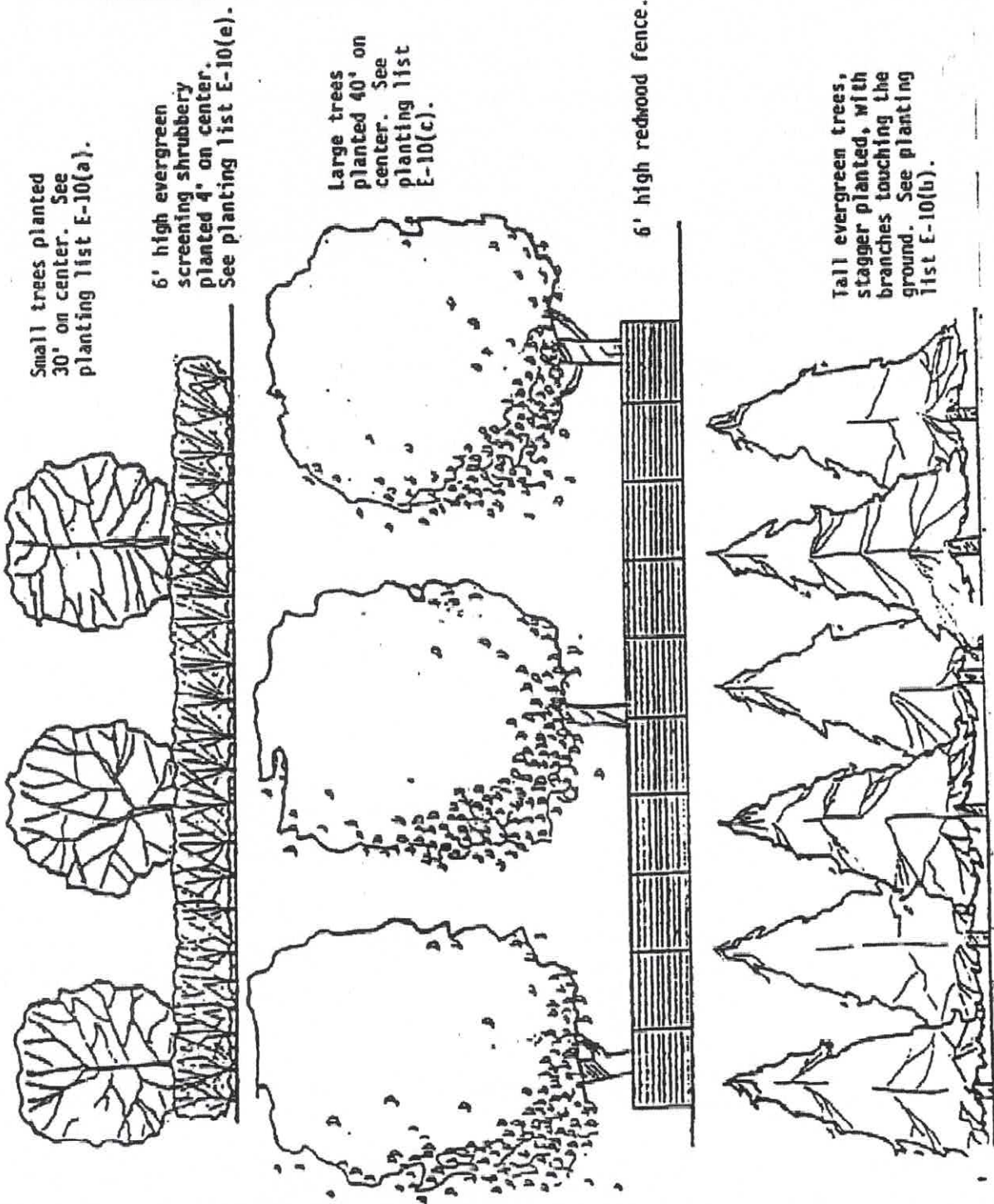
The Public is invited to attend the public hearing and make comments. As a result of comments, the Town council reserves the right to make changes to the proposed Amendment prior to adoption. For More information, call Ed Humphries, Land Use Administrator at (704) 564.3412 during business hours. (Tuesday and Thursday 9:00 am to 3:00 pm)

The Town of Fairview does not discriminate based on disability. If you need an auxiliary aid or service or other accommodation to attend or fully participate at this meeting, please contact the Town Clerk at (704) 753.1981 as far in advance of the meeting as possible so that you request can be considered.

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March 2, 6, 2024

E-6 Typical Opaque Screens



# ARTICLE XIX: SCREENING AND TREES

## Part I. Screening

### Section 304 Council Findings Concerning the Need for Screening Requirements.

The Council finds that:

- (a) Screening between two lots lessens the transmission from one lot to another of noise, dust, and glare.
- (b) Screening can lessen the visual pollution that may otherwise occur. Even minimal screening can provide an impression of separation of spaces, and more extensive screening can shield entirely one use from the visual assault of an adjacent use.
- (c) Screening can establish a greater sense of privacy from visual or physical intrusion, the degree of privacy varying with the intensity of the screening.
- (d) The provisions of this part are necessary to safeguard the public health, safety and welfare.

### Section 305 General Screening Standard.

Every development shall provide sufficient screening so that:

- (a) Neighboring properties are shielded from any adverse external effects of that development;
- (b) The development is shielded from the negative impacts of adjacent uses such as streets or railroads.

### Section 306 Compliance With Screening Standard.

- (a) The screening requirements set forth in Section 308, in conjunction with the explanations in Section 307 concerning the types of screens, establishes screening requirements that, presumptively, satisfy the general standards established in Section 305. However, Section 308 is only intended to establish a presumption and should be flexibly administered in accordance with Section 309.

## **Section 307 Descriptions of Screens.**

The following three basic types of screens are hereby established and are used as the basis for the screening requirements set forth in Section 308.

- (a) Opaque Screen, Type "A". A screen that is opaque from the ground to a height of at least six feet, with intermittent visual obstructions from the opaque portion to a height of at least twenty feet. An opaque screen is intended to exclude completely all visual contact between uses and to create a strong impression of spatial separation. The opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. If a berm is chosen, whether required or not, the slope of the berm shall not be greater than a ratio of 3:1. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than ten feet wide. The portion of intermittent visual obstructions may contain deciduous plants. Suggested planting patterns that will achieve this standard are included in Appendix E.
- (b) Semi-Opaque Screen, Type "B". A screen that is opaque from the ground to a height of three feet, with intermittent visual obstruction from above the opaque portion to a height of at least twenty feet. The semi-opaque screen is intended to partially block visual contact between uses and to create a strong impression of the separation of spaces. The semi-opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. If a berm is chosen, whether required or not, the slope of the berm shall not be greater than a ratio of 3:1. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. At maturity, the portion of intermittent visual obstructions should not contain any completely unobstructed openings more than ten feet wide. The zone of intermittent visual obstruction may contain deciduous plants. Suggested planting patterns which will achieve this standard are included in Appendix E.
- (c) Broken Screen, Type "C". A screen composed of intermittent visual obstructions from the ground to a height of at least twenty feet. The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces. It may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. If a berm is chosen, whether required or not, the slope of the berm shall not be greater than a ratio of 3:1. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the

subject species, or field observation of existing vegetation. The screen may contain deciduous plants. Suggested planting patterns which will achieve this standard are included in Appendix E.

**Section 308 Screening and Buffering Requirements Between Certain Zoning Districts or for Telecommunications Towers, or Adult Establishments, Adult Hotel/Motels, Adult Video Stores, Adult Lingerie Modeling Studios, or Special Use Permits.**

Screening and buffering are required in the following circumstances. The standards for these screens and buffers are found in Section 307, and suggested planting patterns can be found in Appendix E:

- (a) When a lot in an Industrial District (LI,) abuts a lot in a Residential (RC-80, RA-40) District, screening must be provided on the Industrial lot in the form of an Opaque Screen, Type A, as described in Section 307; or
- (b) When a lot in a Business (B-1, B-2, B-3, B-4, HC, B-6) District abuts a lot in a Residential District (RC-80, RA-40) screening must be provided on the Business lot in the form of an Opaque Screen, Type A, as described in Section 307; or
- (c) Reserved
- (d) When a lot containing a use subject to the issuance of a special use permit in an Industrial District (LI,) or Business District (B-1, B-2, B-3, B-4, HC, B-6) abuts a lot in a Residential District (RC-80, RA-40) or Business District (B-1, B-2, B-3, B-4, HC, B-6), the Town Council may stipulate in the special use permit that a version of a Opaque Screen, Type A, Semi-opaque Screen, Type B, or a Broken Screen, Type C must be provided on the Industrial lot, or the Business lot, or that additional screening and buffering shall be provided on the Conditional Use lot.
- (e) When a telecommunications tower and facility is sited, landscaping shall be added around the outside of the tower fence which encloses the area for tower(s) and equipment shelter(s) in the form of an Opaque Screen, Type A. The fence shall be on the interior side of the tower, with the landscaping on the outside of the fence area, facing other properties; or
- (f) When a lot containing an adult establishment, adult video store, adult hotel or motel, or adult lingerie modeling studio subject to the issuance of a special use permit abuts a lot in a Residential (RC-80, RA-40) or Business (B-1, B-2, B-3, B-4, HC, B-6)) zoning district, screening must be provided on the lot containing said adult use in the form of an Opaque Screen, Type A.



- (g) When a lot in any Business (B-1, B-2, B-3, B-4, HC, B-6) or Industrial (LI,) zoning district abuts a public street, said use shall provide landscaping in the form of a Type B, "Semi-Opaque" along the public right-of-way, with the exclusion of driveway entrances.
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