



**Town of Fairview  
Regular Meeting  
August 10, 2015**

The following Council members were present: Mayor Elizabeth Long, John Biggers, Jerry Clontz, Bradley Purser, and Phil Thomas.

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

**Agenda Changes**

None

**Approval of Agenda**

Bradley Purser made a motion to approve the agenda. Phil Thomas seconded the motion. Councilmen Biggers, Clontz, Purser and Thomas voted yes (4-0).

**Public Comments**

None

**Presentation**

Michelle Lancaster, Union County Assistant County Manager introduced herself and stated that one of her primary roles will be as a liaison to the county municipalities. She stated that, per Mayor Long's request, she had researched to see if there were any studies/information linking arsenic in the water and Alzheimer's. She has not found a lot of literature so far but will continue to do research. Meanwhile, county residents can contact the environmental health department to test their well water if they have a concern.

Ed Goscicki, Executive Director Union County Public Works updated the council regarding the county's water and sewer plan and how it relates to the Town of Fairview. Mr. Goscicki listed several possible scenarios to acquire sewer services as follows:

- Town of Fairview would need to come to the county with a plan for sewer
- Customers would pay for the investment of the sewer
- Property owners would "buy in" to tying on to the system if provided
- Build small treatment plant close to downtown intersection Hwys. 218 and 601

- Town of Fairview to partner with a developer to accomplish this and the process would take approximately two years.

## Reports

- a) Darrell Baucom gave the financial report.
- b) Ed Humphries gave the Land Use Report.

Update on Deputy Clerk/Teresa Gregorius. Mr. Humphries recommended that she continue to work two days a week through August and September to work on various projects with the understanding that if work gets caught up she will leave.

Mr. Humphries informed the Council that there would not be a Disc Golf Tournament/Love Festival.

- c) Jerry Clontz gave the Park and Recreation report.

Mr. Clontz stated that the Park & Rec Committee did not have an August meeting. There are several permitting items that require attention, one of which is that NCDOT is going to require a northbound turn lane into the park which will require a survey costing \$2,160.00.

Mr. Clontz gave Matt Whitlow, N C State University/representative for PARTIF a tour of the park property. Mr. Whitlow suggested that the town should have a ground breaking ceremony when construction begins on the park.

Mr. Clontz provided three bids for finalizing the grading work on the pond from Warlick Trucking Inc., Cash Landscaping Co., Inc. and Foster Lake & Pond Management, Inc.

Mr. Clontz made a motion to contract with Warlick Trucking Inc. subject to getting the necessary insurance forms and a signed contract to do the grading on the pond. Attorney Joe McCollum will produce a contract. Bradley Purser seconded the motion. Councilmen Biggers, Clontz, Purser and Thomas voted yes (4-0).

John Biggers questioned how would be the best way to keep track of the costs of the pond. After a discussion, Darrell Baucom said he would produce a supplemental schedule for pond maintenance costs.

- d) John Biggers gave the CRTPO report.

Mr. Biggers does not have the agenda for the August meeting as yet so he does not know if the I-77 issues will be on this agenda.

- e) There was no Monroe/Union County Economic Development Committee report.

## Items of Business

### A. Conduct Public Hearing for Proposed Amendment to: Section 185 Accessory Building Setback Requirements

Ed Humphries presented the text amendment as voted on by the Planning Board.  
(Exhibit A)

John Biggers asked for the definition of an accessory building. Mr. Humphries stated that the accessory building is an accessory structure to the main residence.

John Biggers asked if there were any specific requirements as to the design of the accessory building. Mr. Humphries stated that there were no specific requirements other than the accessory building cannot be larger than the main residence.

Jerry Clontz stated that he had a problem with the 5 acre requirement and the 200 feet setback from the front property line.

Mayor Long opened the Public Hearing

#### Public Comments

None

Mayor Long closed the Public Hearing

### B. Adopt Text Amendment TC 15-036 (including zoning statement)

Phil Thomas made a motion to adopt the Text Amendment TC 15-036 and that it 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 August 22, 2014) and the Town of Fairview Land Use Ordinance (Effective July 1, 2005). Bradley Purser seconded the motion. Councilmen Biggers, Purser and Thomas voted yes, Councilman Clontz abstained. Motion carried 4-0

### C. Amend Town of Fairview Noise Ordinance to Correct Section 4-2 –G.S. § 153A to 160A

Ed Humphries stated that the reference to G.S. § 153A is incorrect in the town noise ordinance and should be changed to G.S. § 160A.

Bradley Purser made a motion to amend the noise ordinance to reference G.S. § 160A. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Thomas voted yes (4-0).

### D. Union County Tax Collection for Fairview

Ed Humphries presented as received from John C. Petoskey, Executive Director Tax Administration for Union county the 2014-2015 Settlement collected for the Town of Fairview and the Order of Collection Tax Charge for fiscal year 2015-2016.

Phil Thomas made a motion to approve the 2014-2015 Settlement for taxes collected for the town from Union County. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Thomas voted yes (4-0).

Jerry Clontz made a motion to approve the Order of Collection Tax Charge for fiscal 2015-2016. Phil Thomas seconded the motion. Councilmen Biggers, Clontz, Purser and Thomas voted yes (4-0).

E. Speed Limits & No Engine Brakes

Ed Humphries presented information he gathered regarding No Engine Brakes in Fairview. After discussion it was decided that the Council would not go forward with any implementation regarding No Engine Brakes at this time.

Mr. Humphries presented information he gathered regarding the procedures necessary to change the speed limits in Fairview.

John Biggers made a motion to request that NCDOT perform a study of the speed limits specifically from the Fairview Elementary road entrance on Hwy. 601 and the town intersection of Hwy. 601 and Hwy. 218. Phil Thomas seconded the motion. Councilmen Biggers, Clontz, Purser and Thomas voted yes (4-0). (Exhibit A & B)

F. Approve disposing of all cassette tapes/CDs of all Council and Planning Board meeting prior to January 2015

Ed Humphries stated that all Council and Planning Boards tapes/CDs back to 2002 are still on file and request approval to dispose of them per the Records, Retention and Disposition Schedule.

Phil Thomas made a motion to allow disposal of all cassette tapes/CDs from 2002 through 2014. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Thomas voted yes (4-0).

G. Minutes

Bradley Purser made a motion that the minutes of the May 25, 2015 Special called meeting be approved as submitted. Jerry Clontz seconded the motion. Councilmen Biggers, Clontz, Purser and Thomas voted yes (4-0).

John Biggers made a motion that the minutes of the July 13, 2015 regular meeting be approved as amended. Jerry Clontz seconded the motion. Councilmen Biggers, Clontz, Purser and Thomas voted yes (4-0).

**Council Comments**

Mayor Long stated that she attended the Artist Guild Breakfast and spoke with several of the county mayors.

Joe McCollum stated that he attended the Attorney Conference and sat in on several helpful sessions.

Mayor Long stated that she had spoken with Brian Austin, Fairview Volunteer Fire Department regarding the new fire truck. Mr. Austin will present an update at the Council September meeting.

Jerry Clontz made a motion to adjourn. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Thomas voted yes (4-0).

Respectfully submitted,

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Teresa Gregorius  
Deputy Clerk

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Elizabeth Long  
Mayor

**Approved this 12<sup>th</sup> day of October, 2015**

# EXHIBIT A

## Resolution requesting the NCDOT to lower speed limits.

WHEREAS, the Town Council of Fairview has determined that it is in the interest of the health, safety and welfare of persons using the State of NC highways numbered 601 and 218 in certain areas within the Town limits need to be adjusted (lowered) and shown in Exhibit A.

NOW, THEREFORE, The Town Council of Fairview is requesting the NCDOT to study the speed limits on Highways 601 and 218 within the corporate limits of Fairview and to review this request to

Lower the speed limits as shown in Exhibit A (attached)

Adopted by the Town of Fairview Town Council this \_\_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Ed Humphries, Town Clerk

(seal)

Approve to form:

\_\_\_\_\_  
Joe McCollum, Town Attorney

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# EXHIBIT B

