

Agenda

Town of Fairview



Agenda

Town Council Meeting

July 14, 2020

6:30 pm

Meeting will be in the Fairview Town Hall Meeting Room

1. Call the meeting to order: ---Mayor Thomas

Invocation

Pledge of Allegiance

- a. Agenda Changes
- b. Approval of Agenda

2. Public Comments / Presentations:**

Emma Lane, Union County Planner, Union County 2050 Presentation

3. Consent Agenda:

- a) Financial and Tax Reports--- *Report Accepted as Information (including Pending Bills documentation provided at meeting)*
- b) Land Use Report---*Report Accepted as Information*
- c) Fund Balance Worksheet 2019-2020 --- *Report Accepted as Information*
- d) Declare the following two computers (HP CNY9214MNN and Dell 2VBTM12) surplus and authorize Ed Humphries to dispose of them.
- e) Fairview Park Event June Draft Minutes (*Minutes Accepted as Information*)

Agenda

- f) Fairview Park Facility June Draft Minutes (*Minutes Accepted as Information*)
- g) Planning Board Minutes (*No June Meeting*)
- h) Approve Council Minutes for June 9, 2020

4. Items of Business:

Item 1: Renew order granting Temporary Permit # TP 14-037 for six months (new permit will expire January 2021) 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 --- *Ed Humphries*

Item 2: Reallocate funds with N-Focus to update Fairview Land Use Ordinance in the amount of \$4,900.00 --- *Ed Humphries*

Item 3: Re-Appoint 3 members and 2 alternates to Planning and Zoning Board (These re-appointments are for Greg Morgan, Rick Pigg, Kelvin Baucom, Bill Thomas and Josh Presley –these terms will expire September 2022) - --Ed Humphries

5. Council Comments:

6. Adjournment

AS A COURTESY, PLEASE TURN CELL PHONES OFF WHILE MEETING IS IN PROGRESS
**** Public Comments are limited to 3 minutes**

Presentation: Union County 2050

UNION COUNTY 2050 SCENARIO INPUT

July 2020

WHAT IS A COMPREHENSIVE PLAN?

A Comprehensive Plan is a guide to the County's future.

The Comprehensive Plan will inform current and future decision makers where we are now, where we want to go, how we intend to get there, and who will help us along the way.

More specifically, it will:

- define the County's biggest assets and challenges
- focus on strengthening the County's economic development efforts
- recommend the type and character of development appropriate in different parts of the County
- recommend and prioritize policies, key projects, and resources and determines implementation partners, including municipalities
- provide guidance to the County in developing and directing future capital budgets

WHAT IS OUR VISION?

Union County in 2050 is a place defined by connections, where local governments work together on targeted issues. There are clearly communicated plans for growth and infrastructure improvements, and resources are committed to their implementation. Union County is a growing community where there is:

- Increased capacity to address education, transportation, water, public safety, and other multi-jurisdictional issues
- High-density residential, retail and employment options in designated areas
- Convenient accessibility between retail, residential, and employment land uses
- Complementary development patterns along corridors
- Preserved rural character outside of water and sewer coverage areas
- Recognition and support of agriculture as a key industry
- Enhanced community connections for arts, agri-tourism, and parks and recreation

WHAT IS THE PROCESS?

- Process started in January and will be complete by the end of 2020
- We are in the second phase – Choosing a Scenario
- The next phase is developing an overall plan that implements the adopted scenario
- The final step is asking the Union County Planning Board and Board of Commissioners approve the plan

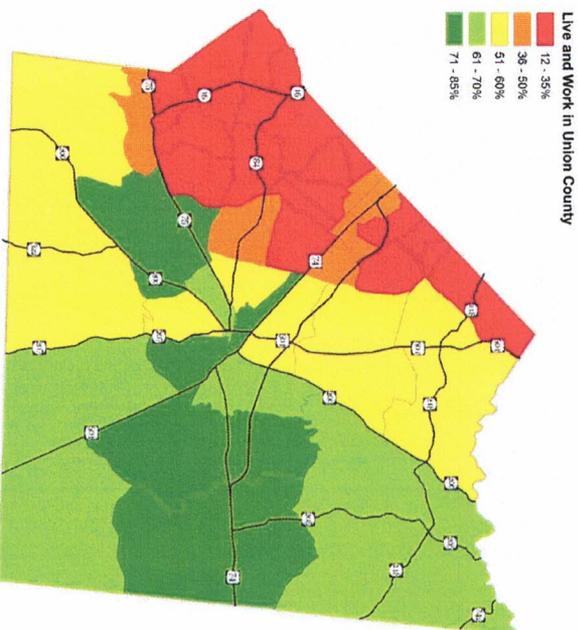
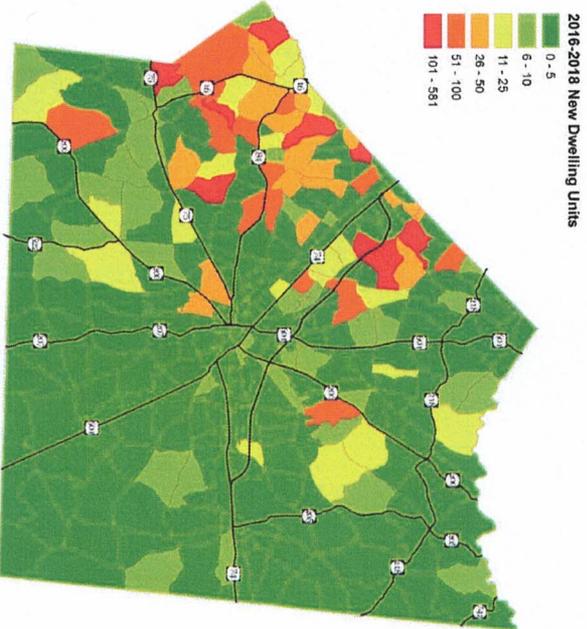
Union County 2050 Comprehensive Plan Committee Phases and Schedule

Month	January	February	March	April	May	June	July	August	September	October	November	December
Phase and Task			Visioning									
Introductions and establish schedule												
Background information												
Signs of success												
Drafting vision												
Community feedback on vision			Three community meetings									
Finalize vision				Decision made by coordinating committee								
Develop alternate scenarios												
Develop metrics for scenarios												
Community feedback on scenarios							Three community meetings					
Choose scenario								Decision made by coordinating committee				
Develop land use map												
Develop costs to implement												
Develop plan text												
Community feedback on plan												
Plan comments by subcommittees and recommendation by coordinating committee										Three community meetings		
												Decision made by coordinating committee

Note: Schedule does not include adoption process by Union County.

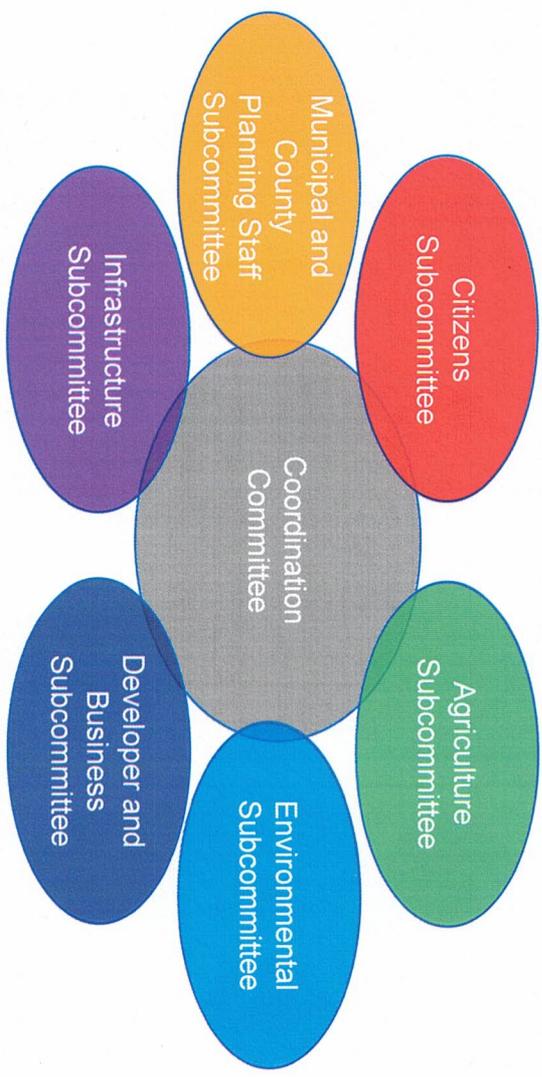
WHY UPDATE THE PLAN?

- Union County is growing and will continue to grow. **Where do we want the growth to go?**
- Union County has an imbalance of jobs and workers due to tens of thousands of residents driving out of the county every day for work.
- Growth impacts infrastructure, environment, community, business, and agriculture. **How do we balance those impacts?**



WHO IS DEVELOPING THE PLAN?

- Union County Planning Department is facilitating the process
- A coordinating committee of 10 residents oversees all phases of the process
- Coordination committee is advised by five resident-led focus area sub-committees
- All meetings are monthly and open to the public

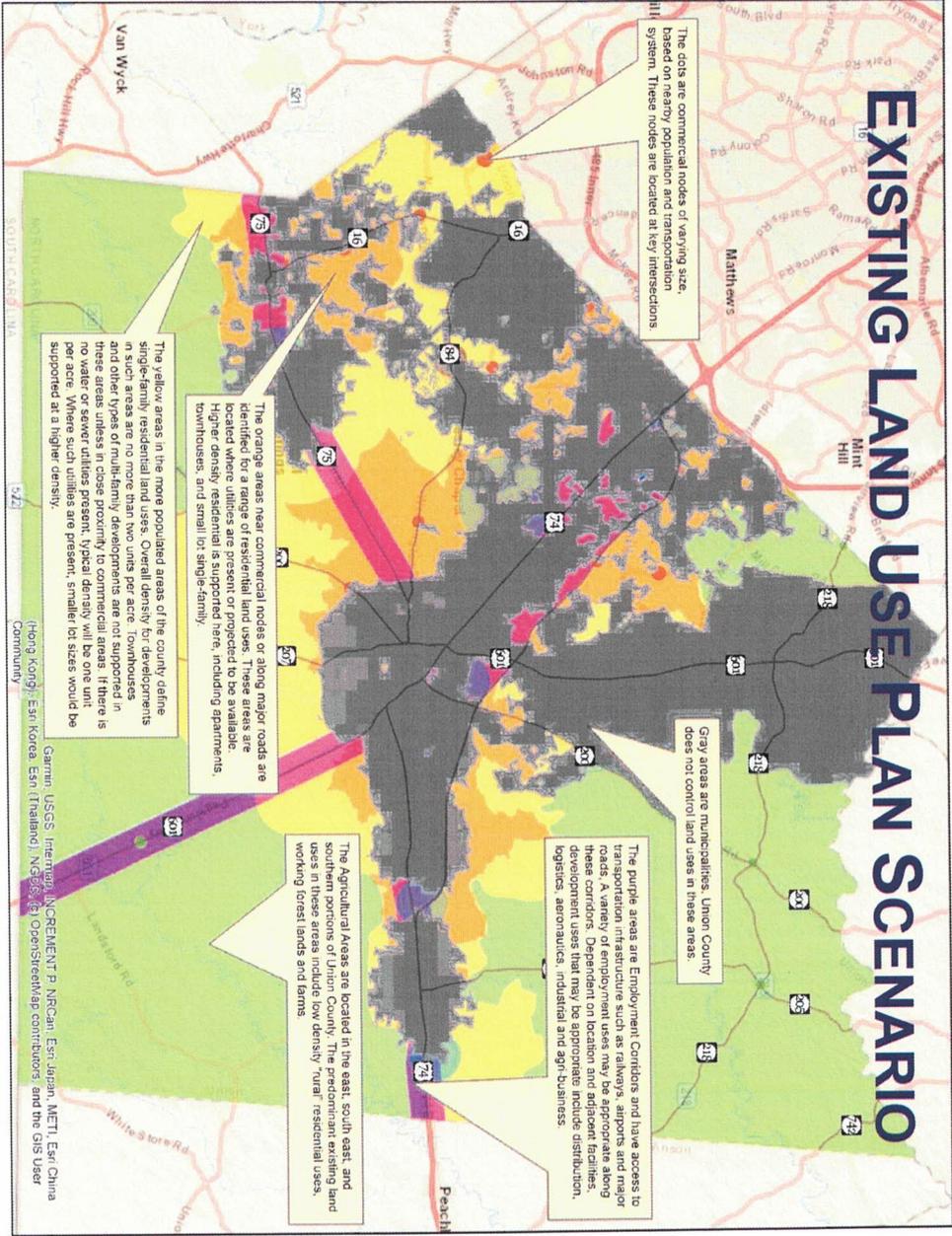


COMPARE THE SCENARIOS

The three scenarios have different combinations of regulations, land use patterns, and new programs. Please think about the following issues when reviewing the scenarios:

- More flexibility versus concentrated areas for allowing high-density development
- Allowing commercial development in specific areas versus maintaining a quiet, residential atmosphere
- Allowing schools to locate anywhere in unincorporated Union County versus establishing siting requirements
- Additional regulations and requirements for new developments to mitigate for impacts versus limited regulatory burden
- Lower county taxes versus increased taxes to pay for transportation, recreation, environmental health, and downtown development
- Required well testing and subsidizing well remediation versus treating unsafe wells as a property owner concern
- Supporting municipal land use planning on their periphery versus maintaining county land use planning authority in unincorporated areas

EXISTING LAND USE PLAN SCENARIO



EXISTING LAND USE PLAN SCENARIO DETAILS

- **Flexible Land Use Plan:** The first scenario to consider is based on the 2014 Union County Comprehensive Plan's land use map. The higher density residential districts in this land use plan reflect water and sewer utility coverage areas. The county makes land use recommendations for the small pockets of unincorporated Union County surrounded by municipal areas, which reflected the loss of extra-territorial jurisdiction (ETJ) for many municipalities based on changes in state law.
- **Predictable Land Development:** The county would process rezonings for new development by referring to this map for guidance.
- **Low Taxes:** There are no new initiatives or programs proposed in this scenario. Existing initiatives, such as the short line water extension program, and the \$100,000 annual commitment for transportation projects, would continue.
- **Support for Agriculture:** The county would continue support and advocacy for agriculture as a critical industry in Union County, including advocating for broadband internet access into rural areas.

MANAGEMENT SCENARIO DETAILS

- **Regulatory in Nature:** The Management scenario reflects a land use plan and set of regulatory changes to manage growth. Proposed changes to development requirements would affect where new subdivisions would be supported, but designated commercial areas are the same as those found in the existing land use plan. The employment corridors and nodes remain from the existing land use plan as well. The county would continue support and advocacy for agriculture as a critical industry in Union County, including advocating for broadband internet access into rural areas.
- **Revised Land Use Plan:** Reflects a development pattern based on a wide range of input from the public, subject matter experts on a range of topics, and committee members. In addition to traditional land use categories such as residential and commercial, this scenario proposes a new land use category - "Transition Zone"
- **No New Taxes:** Includes no new programs that would require tax increases, such as building new parks. Union County would maintain its \$100,000 per year commitment to transportation projects
- **Increased Stormwater Controls:** Stormwater issues are addressed by increasing regulations on new developments - requiring larger stormwater detention basins, as well as increased and more frequent buffers along streams
- **Well Inspections:** New homes would require a well inspection before they are given a certificate of occupancy
- **Support for Agriculture:** Recognition as a critical industry in Union County, including advocating to expanding broadband internet into rural areas

ADVANCEMENT SCENARIO DETAILS

- The Advancement scenario *uses the same land use plan* from the Management Scenario, but includes revised regulations as well as advances initiatives to implement the overall comprehensive plan.
- **Revised Land Use Plan:** Reflects a development pattern based on a wide range of input from the public, subject matter experts on a range of topics, and committee members. In addition to traditional land use categories such as residential and commercial, this scenario proposes a new land use category - "Transition Zone"
- **New Programs:** Reflects input from the community for responses on issues of concern, such as safe drinking water, recreation, and transportation. This plan would include the following initiatives to implement the vision of Union County in 2050:
 - Increasing transportation investments from \$100,000 to up to \$5 million
 - Partnerships with municipalities to build new parks, trails, and greenways
 - Increased stormwater regulations to reduce the intensity and volume of runoff from new construction
 - Mandatory well inspections for sales of both new and existing homes to inform potential homebuyers with the status of the safety of drinking water
 - Continued county-funded initiatives to address unsafe wells, including short line water extensions and in-house water filtration systems
 - Establish a task force to identify strategies to address litter
 - Support and advocacy for agriculture as a critical industry in Union County, including committing resources to expanding broadband internet into rural areas

17

WE WANT YOU TO BE INVOLVED!

- Attend an in-person meeting
- **July 8, 2020 5 - 7 pm**
Mineral Springs Volunteer Fire Department,
5804 Waxhaw Highway, Mineral Springs, NC 28108
- **July 9, 2020 5 - 7 pm**
Union County Agricultural Center
3230-D Presson Road, Monroe, NC 28112
- **July 10, 2020 12 - 2 pm**
Indian Trail Town Hall
315 Matthews-Indian Trail Road, Indian Trail, NC 28079
- Request a presentation for your community group
- Attend a sub-committee or coordinating committee meeting
- Add your email address on the sign in sheet



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.

Town of Fairview
Balance Sheet
As of June 30, 2020

	Jun 30, 20
ASSETS	
Current Assets	
Checking/Savings	
American Community Bank	383,202.69
Total Checking/Savings	383,202.69
Other Current Assets	
Franchise Tax Receivable	32,225.72
Investments	
Investments NCCMT	1,062.16
Total Investments	1,062.16
Prepaid assets	1,162.00
Sales Tax Receivable	4,950.12
Sales tax refund	656.08
Taxes receivable	1,212.05
Taxes receivable - ad valorem	-898.52
Taxes receivable - motor veh	859.25
Total Other Current Assets	41,228.86
Total Current Assets	424,431.55
Fixed Assets	
Accumulated Depreciation	-214,943.05
Building and Improvements	1,181,642.75
Computer Equipment	12,643.66
Furniture and Equipment	1,698.00
Land	734,289.94
Land improvements	17,545.00
Leasehold improvements	27,486.25
Park equipment	148,928.88
Rental House	137,436.59
Total Fixed Assets	2,046,728.02
TOTAL ASSETS	2,471,159.57
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	10,462.55
Total Accounts Payable	10,462.55
Other Current Liabilities	
Accrued payroll	5,354.53
Deferred revenue - ad valorem	1,523.09
Payroll Liabilities	1,415.70
Security deposit - rental house	1,395.00
Total Other Current Liabilities	9,688.32
Total Current Liabilities	20,150.87
Long Term Liabilities	
Note payable on park land	560,000.00
Total Long Term Liabilities	560,000.00
Total Liabilities	580,150.87
Equity	
Amount to be provided for LTD	-560,000.00
Equity	
Fixed assets	2,046,728.02
Total Fund Balance	1,207,568.00

Town of Fairview
Profit & Loss Budget vs. Actual
July 2019 through June 2020

	Jul '19 - Jun 20	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Ad Valorem taxes	78,129.85	76,000.00	2,129.85
Alcoholic beverage	16,184.15	15,000.00	1,184.15
Donation	1,344.86	3,094.86	-1,750.00
Donation - vendors	1,850.00		
Fund balance appropriated	0.00	84,147.34	-84,147.34
Interest on delinquent taxes	409.74		
Investment income	2,198.85	2,100.00	98.85
Misc income	404.25		
Motor vehicle taxes	10,159.00	9,600.00	559.00
Park rental income	2,170.80	2,220.80	-50.00
Rental house income	10,087.50	10,000.00	87.50
Sales and use tax	29,794.87	28,000.00	1,794.87
Utility Franchise taxes	141,273.30	130,000.00	11,273.30
Zoning fees	12,585.00	12,000.00	585.00
Total Income	306,592.17	372,163.00	-65,570.83
Expense			
Advertising and Promotion	388.06	500.00	-111.94
Audit fees	8,050.00	8,050.00	0.00
Bank Service Charges	691.29	800.00	-108.71
Debt repayment	63,400.00	63,400.00	0.00
Dues and Subscriptions	5,757.00	6,000.00	-243.00
Elections expense	3,094.85	3,300.00	-205.15
Festival expense	16,843.28	20,000.00	-3,156.72
Fire Dept Grant	9,999.96	10,000.00	-0.04
Fire Dept Truck Payment	52,569.24	52,573.00	-3.76
Grants	3,250.00	3,500.00	-250.00
Insurance Expense	4,739.45	5,000.00	-260.55
Internet and website	9,720.61	10,400.00	-679.39
Legal fees	8,151.17	10,000.00	-1,848.83
Miscellaneous Expense	371.44	1,000.00	-628.56
Office expense	8,830.24	10,000.00	-1,169.76
Office utilities	3,471.57	4,800.00	-1,328.43
Park Maintenance	23,173.11	26,000.00	-2,826.89
Park Utilities	1,983.61	2,600.00	-616.39
Payroll Expenses	36,908.99	37,039.00	-130.01
Payroll taxes	7,085.06	7,481.00	-395.94
Planning and zoning	44,027.28	44,030.00	-2.72
Professional Fees	3,060.88	8,900.00	-5,839.12
Rent Expense	12,000.00	12,000.00	0.00
Rental house repairs, etc	548.88	1,000.00	-451.12
Salaries - Park	11,750.40	12,000.00	-249.60
Solid Waste Manage cost share	8,000.00	8,000.00	0.00
State Unemployment taxes	32.52		
Tax collection fees	1,510.09	1,640.00	-129.91
Telephone Expense	1,114.73	1,150.00	-35.27
Training expense	0.00	500.00	-500.00
Travel Expense	381.55	500.00	-118.45
Total Expense	350,905.26	372,163.00	-21,257.74
Net Ordinary Income	-44,313.09	0.00	-44,313.09
Net Income	-44,313.09	0.00	-44,313.09

Town of Fairview Transactions by Account

As of June 30, 2020

Type	Date	Num	Adj	Name	Memo	Clr	Debit	Credit	Balance
American Community Bank									
Bill Pmt -Check	06/05/2020	103037		CompuNetwork	Server and email hosting a...	X		345.69	362,820.88
Bill Pmt -Check	06/05/2020	103038		Conder Flag Company	US and Fairview flags, etc.	X	0.00		362,475.19
Bill Pmt -Check	06/05/2020	103039		Darrell H. Baucom_	expense reimbursement	X		70.89	362,404.30
Bill Pmt -Check	06/05/2020	103040		Fairview VFD and Rescue	Monthly payment to VFD	X		833.33	361,570.97
Bill Pmt -Check	06/05/2020	103041		Kiker Plumbing Service Inc.	Women's bathroom repair	X		341.60	361,179.37
Bill Pmt -Check	06/05/2020	103042		Lindsey Lee	Refund on picnic shelter	X		50.00	361,179.37
Bill Pmt -Check	06/05/2020	103043		Taylor's Landscaping Ser...		X		2,800.00	358,379.37
Bill Pmt -Check	06/05/2020	103044		Teresa Gregorius_	Office reimbursement	X		38.41	358,340.96
Bill Pmt -Check	06/05/2020	103045		Union County Public Works	Cost sharing for 18-19	X		8,000.00	350,340.96
Deposit	06/05/2020				Deposit	X	75.00		350,415.96
Deposit	06/08/2020				Deposit	X	353.49		350,769.45
Paycheck	06/09/2020	103046		Darrell H. Baucom		X		652.31	350,117.14
Paycheck	06/09/2020	103053		Teresa Gregorius		X		1,100.87	349,016.27
Paycheck	06/09/2020	103047		Edward D Humphries		X		2,356.26	346,660.01
Paycheck	06/09/2020	103048		Gary H Wilfong		X		138.53	346,521.48
Paycheck	06/09/2020	103049		Jerry C. Clontz		X		900.29	345,621.19
Paycheck	06/09/2020	103050		John A Biggers, Jr.		X		138.53	345,482.66
Paycheck	06/09/2020	103051		Patricia H. Kindley		X		138.53	345,344.13
Paycheck	06/09/2020	103052		Phillip C Thomas		X		184.70	345,159.43
Paycheck	06/09/2020	103054		Bill F. Thomas		X		46.17	345,113.26
Paycheck	06/09/2020	103055		Doug Buchanan		X		46.17	345,067.09
Paycheck	06/09/2020	103056		Gary M Medlin		X		46.17	345,020.92
Paycheck	06/09/2020	103057		Greg Morgan		X		46.18	344,974.74
Paycheck	06/09/2020	103058		Kelvin L. Baucom		X		46.18	344,928.56
Paycheck	06/09/2020	103059		Nancy H Randall		X		46.17	344,882.39
Paycheck	06/09/2020	103060		Richard E Pigg		X		46.17	344,836.22
Paycheck	06/09/2020	103061		Tony FD Helms		X		46.18	344,790.04
Liability Check	06/09/2020	To Print		IRS	55-0789092	X		2,039.38	342,750.66
Check	06/09/2020	103062		Ed Humphries_	Park supplies	X		98.09	342,652.57
Check	06/09/2020	103063		Union County Public Works	water	X		67.89	342,584.68
Check	06/09/2020	103064		WM Corporate Services	Garbage service	X		86.61	342,498.07
Check	06/09/2020	103065		Clark, Griffin and McCollum	June Retainer and legal ex...	X		600.00	341,898.07
Check	06/09/2020	103066		Bethlehem Presbyterian C...	Refund of park deposit for r...	X		50.00	341,848.07
Check	06/09/2020	103067		FNB Commercial Credit C...	Credit card bills	X		673.33	341,174.74
Check	06/09/2020	103068		Turning Point	Donation	X		500.00	340,674.74
Deposit	06/15/2020				Deposit	X	2,559.76		343,234.50
Deposit	06/15/2020				Deposit	X	38,513.07		381,747.57
Deposit	06/17/2020				Deposit	X	250.00		381,997.57
Deposit	06/17/2020				Deposit	X	50.00		382,047.57
Deposit	06/17/2020				Deposit	X	1,064.58		383,112.15
Check	06/17/2020	Draft		Verizon Wireless	Ed's cell phone	X		100.37	383,011.78
Deposit	06/22/2020				Deposit	X	732.08		383,743.86
Check	06/23/2020	Draft		Spectrum	Phone, TV, internet	X		251.79	383,492.07
Check	06/25/2020	Draft		Great American Financial ...	copier	X		137.55	383,354.52
Check	06/25/2020	Draft		Duke Energy	Park lighting	X		106.31	383,248.21
Check	06/25/2020	Draft		Duke Energy	Office utilities	X		263.53	382,984.68
Deposit	06/25/2020				Deposit	X	175.00		383,159.68
Check	06/30/2020				Service Charge	X		39.00	383,120.68
Deposit	06/30/2020				Interest	X	82.01		383,202.69
Total American Community Bank							43,854.99	23,473.18	383,202.69
TOTAL							43,854.99	23,473.18	383,202.69

Town of Fairview
Transaction Detail By Account
July 2019 through June 2020

Type	Date	Num	Name	Memo	Debit	Credit	Balance
Festival expense							
Bill	07/14/2019	07142019	Todd Donaldson	Reimburse festival expenses	32.10		32.10
Check	09/10/2019	102758	Elizabeth Medlin	Festival expense reimbursement	192.30		224.40
Check	09/10/2019	102760	FNB Commercial Cr...	Credit card bill	200.00		424.40
Bill	10/01/2019	10012019	Gayle Brock	Festival supplies	44.04		468.44
Bill	10/01/2019	10012019	Lisa Thomas	Festival expenses	74.31		542.75
Bill	10/05/2019	10052019	Sandra L. Shaw	Security for festival	210.00		752.75
Bill	10/05/2019	10052019	Zaxchary L. Herman	Music for Festival	300.00		1,052.75
Bill	10/05/2019	10052019	Terry C. Tomberlin	Music for festival	450.00		1,502.75
Bill	10/05/2019	10052019	Lynn Greene	Music for festival	500.00		2,002.75
Bill	10/05/2019	10052019	Lee Ward	Music for festival	1,500.00		3,502.75
Bill	10/05/2019	10052019	Chad Price	Music for festival	0.00		3,502.75
Bill	10/05/2019	10052019	Mike Mills	music for festival	300.00		3,802.75
Bill	10/05/2019	10052019	Hometown Heroes	Parking for festival	500.00		4,302.75
Bill	10/05/2019	10052019	UCAT	Antique cars for festival	300.00		4,602.75
Bill	10/07/2019	110289	RCS. Inc.	Porta Jon rental	600.00		5,202.75
Bill	10/08/2019	0082019	John Biggers_	Festival expenses	366.84		5,569.59
Bill	10/08/2019	10082019	Allison Plyler	Festival expenses	174.89		5,744.48
Bill	10/14/2019	10012019	FNB Commercial Cr...	Fall festival expenses	979.40		6,723.88
Bill	10/29/2019	10292019	Fairview Elementary ...	Manning the game booths for fe...	1,500.00		8,223.88
Bill	10/29/2019	10292019	Boy Scout Troop 161	Support for festival	150.00		8,373.88
Bill	11/06/2019	11062019	John Biggers_	Batteries for Festival	278.03		8,651.91
Check	11/12/2019	102854	Tracy Biggers	Festival exp reimbursement	281.46		8,933.37
Check	11/12/2019	102855	FNB Commercial Cr...	credit card bill	1,176.93		10,110.30
Check	11/12/2019	102857	Waste Management	Extra pickup	52.30		10,162.60
Bill	12/03/2019	12032019	John Biggers_	Reimburse festival expenses	1,004.06		11,166.66
Check	12/10/2019	102888	FNB Commercial Cr...	Payment on credit card	854.28		12,020.94
Bill	12/12/2019	12122019	Lisa Thomas	Festival expense	41.00		12,061.94
Bill	12/12/2019	12122019	Jimmy Huntley	Music for Winter festival	450.00		12,511.94
Bill	12/12/2019	12122019	Dennis Rushing	Santa for Winter festival	125.00		12,636.94
Bill	12/12/2019	12122019	Ground 40	Donation for parking cars at Fes...	200.00		12,836.94
Bill	12/14/2019	12142019	Lisa Thomas	Festival expense reimbursement	171.29		13,008.23
Bill	12/21/2019	12112019	Tracy Biggers	Winter Festival expenses	143.04		13,151.27
Bill	12/21/2019	12122019	Scott Cuthbertson	Winter Festival expense	0.00		13,151.27
Bill	12/21/2019	12142019	Ronald Thomas	Winter Festival expense	153.27		13,304.54
Bill	12/21/2019	12142019	Allison Plyler	Winter Festival expense	392.73		13,697.27
Bill	12/21/2019	12212019	Scott Cuthbertson	Festival reimbursement	455.76		14,153.03
Check	01/14/2020	102924	FNB Commercial Cr...	Credit card payment	1,068.71		15,221.74
Bill	01/20/2020	01202020	Arnold Price	Reimburse festival expenses	459.80		15,681.54
Bill	03/01/2020	296230	Briolive	Catalinas at Fairview Park	1,250.00		16,931.54
Check	03/09/2020	102992	FNB Commercial Cr...	Credit card bill	27.84		16,959.38
Check	03/09/2020	102993	Ronald Thomas	Festival reimbursement	17.51		16,976.89
General Journal	06/30/2020			Refund of sales tax paid		133.61	16,843.28
Total Festival expense					16,976.89	133.61	16,843.28
TOTAL					16,976.89	133.61	16,843.28

Town of Fairview Transaction Detail By Account

July 2019 through June 2020

Type	Date	Num	Adj	Name	Memo	Debit	Credit	Balance
Park Maintenance								
Bill	07/02/2019	07022...		Bill Riffle	Pressure washing picnic ...	25.00		25.00
Bill	07/26/2019	1333		Taylor's Landscapi...	Lawncare for July 2019	1,337.50		1,362.50
Bill	08/06/2019	24588		Sign Masters	Ornamental post and sign	581.79		1,944.29
Check	08/13/2019	102729		RCS, Inc.	Mulch for park	1,000.00		2,944.29
Check	08/13/2019	102730		FNB Commercial C...	Metrolina Mulch	564.65		3,508.94
Bill	09/03/2019	1338		Taylor's Landscapi...	August lawn maintenance	1,337.50		4,846.44
Bill	09/19/2019	09192...		Bill Riffle	Wireless security	301.97		5,148.41
Bill	09/30/2019	1345		Taylor's Landscapi...	Mowing for September	1,337.50		6,485.91
Bill	10/10/2019	10102...		William Riffle	Hard drive for security	69.95		6,555.86
Bill	10/14/2019	10012...		FNB Commercial C...	Pay off credit card	109.97		6,665.83
Bill	10/22/2019	33426		Kiker Plumbing Ser...	Repaired commode	136.64		6,802.47
Bill	11/12/2019			Taylor's Landscapi...	Monthly landscaping	1,337.50		8,139.97
Check	11/12/2019	102856		Jerry C. Clontz	Reimburse park expenses	234.05		8,374.02
Bill	12/02/2019	1365		Taylor's Landscapi...	Lawn maintenance for N...	1,337.50		9,711.52
Bill	12/12/2019	10090...		McCollum Trucking...	Park maintenance - stone	2,001.56		11,713.08
Bill	01/02/2020	1371		Taylor's Landscapi...	December lawn care	1,337.50		13,050.58
Check	01/14/2020	102924		FNB Commercial C...	Credit card payment	490.36		13,540.94
Bill	02/03/2020	1385		Taylor's Landscapi...	Lawn for January	1,337.50		14,878.44
Bill	02/28/2020	1391		Taylor's Landscapi...	February lawn care	1,337.50		16,215.94
Bill	03/30/2020	1401		Taylor's Landscapi...	March lawn maintenance	1,337.50		17,553.44
Check	04/11/2020	103012		Jerry C. Clontz	Park supplies	171.49		17,724.93
Bill	04/27/2020	1404		Taylor's Landscapi...	April park maintenance	1,337.50		19,062.43
Check	05/12/2020	103032		Jerry C. Clontz	Reimbursement for park ...	63.23		19,125.66
Bill	05/27/2020	209082		Conder Flag Comp...	US and Fairview flags, etc.	0.00		19,125.66
Bill	05/28/2020	1410		Taylor's Landscapi...	May park maintenance a...	1,337.50		20,463.16
Bill	06/03/2020	34488		Kiker Plumbing Ser...	Women's bathroom repair	341.60		20,804.76
Check	06/09/2020	103062		Ed Humphries_	Park supplies	98.09		20,902.85
Check	06/09/2020	103067		FNB Commercial C...	Conder Flag Company	381.37		21,284.22
Bill	06/09/2020	124793		Carolina Brick and ...	Clear brush around grove...	2,200.00		23,484.22
General Journal	06/30/2020				Refund of sales tax paid		311.11	23,173.11
Total Park Maintenance						23,484.22	311.11	23,173.11
TOTAL						23,484.22	311.11	23,173.11

Town of Fairview Transaction Detail By Account July 2019 through June 2020

Type	Date	Num	Name	Memo	Debit	Credit	Balance
Office expense							
Bill	07/01/2019	97135033	All-Points Waste Serv...	Waste service for July	86.61		86.61
Bill	07/02/2019	RT1771	Heat and Air Direct	Seasonal tune-up	125.00		211.61
Bill	07/09/2019	07092019	Teresa Clontz	Cleaning	100.00		311.61
Check	07/15/2019	Draft	Great American Finan...	Copier	137.01		448.62
Bill	08/01/2019	98101615	All-Points Waste Serv...	Garbage service	86.61		535.23
Bill	08/08/2019	351793	Killingsworth Environ...	Spraying inside baseboa...	125.00		660.23
Check	08/13/2019	102727	Teresa Clontz	Cleaning for August	100.00		760.23
Check	08/13/2019	102730	FNB Commercial Cre...	Pay credit card bill	477.02		1,237.25
Check	08/15/2019	Draft	Great American Finan...	Copier	0.00		1,237.25
Check	08/15/2019	Draft	Great American Finan...	Copier leasing	132.77		1,370.02
Bill	09/03/2019	09032019	Teresa Clontz	Office cleaning	100.00		1,470.02
Check	09/10/2019	102760	FNB Commercial Cre...	Credit card bill	128.47		1,598.49
Check	09/15/2019	Draft	Great American Finan...	Copier	139.05		1,737.54
Bill	09/17/2019	0002252-4...	Waste Management	Garbage service	86.61		1,824.15
Bill	10/07/2019	0007124-4...	Waste Management	Waste service for October	86.61		1,910.76
Bill	10/08/2019	10082019	Teresa Clontz	Cleaning	100.00		2,010.76
Bill	10/14/2019	10012019	FNB Commercial Cre...	Pay off credit card	336.33		2,347.09
Check	10/15/2019	Draft	Great American Finan...	copier charges	145.58		2,492.67
Bill	10/15/2019	134393	Killingsworth Environ...	bimonthly pest control	125.00		2,617.67
Bill	11/12/2019	11122019	Ed Humphries_	office	8.55		2,626.22
Check	11/12/2019	11122019	Teresa Clontz	Cleaning office	100.00		2,726.22
Check	11/12/2019	102855	FNB Commercial Cre...	credit card bill	157.69		2,883.91
Check	11/12/2019	102857	Waste Management	dumpster etc	173.22		3,057.13
Check	11/15/2019	Draft	Great American Finan...	copier lease	145.62		3,202.75
Bill	12/10/2019	12102019	Teresa Clontz		100.00		3,302.75
Check	12/10/2019	102887	Brian C. Austin	Office repairs - light fixture	220.00		3,522.75
Check	12/10/2019	102888	FNB Commercial Cre...	monthly prime charge	13.09		3,535.84
Check	12/15/2019	Debit	Great American Finan...	auto draft for copier	114.48		3,650.32
Bill	12/21/2019	12162019	Teresa Clontz	Monroe Hardware	4.76		3,655.08
Bill	12/31/2019	CH96	Heat and Air Direct	Office HVAC repairs	79.00		3,734.08
Bill	01/14/2020	01142020	Ed Humphries_	Staples	12.63		3,746.71
Bill	01/14/2020	01142020	Darrell H. Baucom_	Expense reimbursement	14.50		3,761.21
Check	01/14/2020	102923	Teresa Clontz	Cleaning town hall	100.00		3,861.21
Check	01/14/2020	102924	FNB Commercial Cre...	Credit card payment	71.59		3,932.80
Check	01/14/2020	102925	Waste Management	Garbage	86.61		4,019.41
Check	01/14/2020	102926	Great American Finan...	Copier lease	269.77		4,289.18
Check	01/15/2020	Draft	Great American Finan...	copier	0.00		4,289.18
Bill	01/21/2020	26332274	Great American Finan...	Copier charges	55.03		4,344.21
Bill	02/04/2020	190657	Killingsworth Environ...	Bimonthly pest control	125.00		4,469.21
Check	02/11/2020	02112020	Teresa Clontz	Cleaning	100.00		4,569.21
Check	02/11/2020	102955	Waste Management	Garbage	86.61		4,655.82
Check	02/11/2020	102956	FNB Commercial Cre...	Credit card payment	277.25		4,933.07
Check	02/25/2020	Draft	Great American Finan...	Copier payment	0.00		4,933.07
Bill	03/09/2020	03092020	Teresa Clontz	Monthly cleaning	100.00		5,033.07
Check	03/09/2020	102988	Waste Management	Garbage	86.61		5,119.68
Check	03/09/2020	102990	Great American Finan...	copier charges	335.57		5,455.25
Check	03/09/2020	102991	Kiker Plumbing Servic...	Repair plumbing in office	277.44		5,732.69
Check	03/09/2020	102992	FNB Commercial Cre...	Credit card bill	887.91		6,620.60
Bill	03/10/2020	03102020	Ed Humphries_	Reimbursement for mee...	23.40		6,644.00
Bill	04/01/2020	04012020	Teresa Clontz		100.00		6,744.00
Check	04/11/2020	103013	FNB Commercial Cre...	Credit card payment	145.48		6,889.48
Check	04/11/2020	103015	WM Corporate Services	Garbage service	86.61		6,976.09
Bill	04/14/2020	218104	Killingsworth Environ...	Pest control	125.00		7,101.09
Check	04/25/2020	Draft	Great American Finan...	copier	152.35		7,253.44
Bill	05/01/2020	AR104567	Vision Office Systems...	Copier service	416.33		7,669.77
Bill	05/04/2020	05042020	Teresa Clontz	April cleaning	100.00		7,769.77
Check	05/12/2020	103034	FNB Commercial Cre...	Office expenses	205.87		7,975.64
Check	05/12/2020	103036	WM Corporate Services	Waste services	86.61		8,062.25
Bill	05/21/2020	05212020	Teresa Gregorius_	Office reimbursement	38.41		8,100.66
Check	05/25/2020	Draft	Great American Finan...	copier payment	141.99		8,242.65
Check	05/25/2020	Draft	Great American Finan...	Duplicate	0.00		8,242.65
Check	06/09/2020	103064	WM Corporate Services	Garbage service	86.61		8,329.26
Check	06/09/2020	103067	FNB Commercial Cre...	Credit card bills	291.96		8,621.22
Bill	06/18/2020	258117	Killingsworth Environ...	Bi-monthly pest control	125.00		8,746.22
Check	06/25/2020	Draft	Great American Finan...	copier	137.55		8,883.77
Bill	06/30/2020	27340228	Great American Finan...	Copier payment	137.55		9,021.32
General Journal	06/30/2020			Refund of sales tax paid		191.08	8,830.24
Total Office expense					9,021.32	191.08	8,830.24
TOTAL					9,021.32	191.08	8,830.24

Permits June 2020

52

JUNE

Date	Cash	Comp 20-056	Comp	\$100	N Ferrentino	811 West Old Dutch	08252011B
9-Jun	N/A	NR 20-057	Upfit	N/A	Boy Scout Camp	9408 Black	8210005
16-Jun	4227	A 20-058	Garage	\$75	M DeVoe	202 Clontz Road	8219010
16-Jun	3825	Add 20-059	Addition	\$75	Griffin Roofing	7907 Surry Lane	8222097
18-Jun	199	A 20-060	Deck	\$75	Timber Wood-Hackney	7505 Crooked Creek	08120018G
25-Jun	12315	Comp 20-061	Compliance	\$100	Helms Const	5713 Sikes Mill Road	08087035H
30-Jun	1419	Comp 20-062	MH-replace	\$100	Edward Burns	8424 Noah Helms	8285065
30-Jun	1366	H-20-063	Home	\$75	Eliz Medlin	8110 Unionville Brief	08117003A
Totals		8		\$600			

FUND BALANCE WORKSHEET 2019/2020

Beginning Spendable Fund Balance **\$354,518**
(as of 6/30/2019)

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

Spendable Fund Balance **\$154,518**
(as of 6/30/2019)

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
1	7/9/2019	Sod for Park	Park Maintenance	3,000.00
New Spendable Fund Balance				151,518.00

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
2	1/14/2020	Park Event Donations	Fund Balance	850.00
New Spendable Fund Balance				152,388.00

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
3	1/14/2020	Amer. Legion Donation	Fund Balance	244.86
	1/14/2020	Farming Rental	Fund Balance	1,020.80
New Spendable Fund Balance				153,633.66

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
4	2/11/2020	Event/Festival	Festival Acct.	2,000.00
New Spendable Fund Balance				151,633.66

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
5	2/11/2020	Spencer Thomas	Payroll Expense	896.00
	2/11/2020	N-Focus	Professional Fees	5,400.00
New Spendable Fund Balance				145,337.66

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
6	3/10/2020	Event/Festival	Festival Acct.	1,000.00
New Spendable Fund Balance				144,337.66

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
June 4, 2020**

The following Fairview Park Event Committee members were present: Lisa Thomas, Tracy Biggers, Scott Cuthbertson, Theresa Donaldson, Todd Donaldson, Mike Medlin, Elizabeth Medlin, Traci Price-Ferguson and Spencer Thomas

Others present: Teresa Gregorius, Town Clerk

Public Comments

None

Items of Business

A. Update on Music in the Park

Chairman Thomas reported that The Catalinas have agreed to reschedule the concert to June 4, 2021. They will also honor the \$1,250.00 deposit made in March 2020.

B. Discuss Fairview Fall Festival

Chairman Thomas opened a discussion regarding whether to continue planning the Fall Festival considering the current COVID pandemic. The Committee discussed and decided to continue with the Festival in some form depending on what the pandemic conditions are closer to the Festival date of October 3rd. Points discussed were:

- Hours of operation – 10:00 AM – 5:00 PM
- Fewer children activities and locating activities in one specific area
- Hiring a company to run the children's activities
- Hiring someone to continually clean restroom areas
- Fewer bands/singers and spacing acts out

C. Minutes

Todd Donaldson made a motion to approve the February 25, 2020 minutes. Theresa Donaldson seconded the motion. Committee members Thomas, Biggers, Cuthbertson, Theresa Donaldson, Todd Donaldson, M. Medlin, E. Medlin, Price-Ferguson and S. Thomas voted yes (9-0).

Chairman Thomas adjourned the meeting.

Respectfully submitted,

Teresa Gregorius
Town Clerk

Lisa Thomas
Chairman

Approved this _____ day of _____, 2020

DRAFT



**Town of Fairview
Fairview Park Facility Committee Meeting
June 11, 2020**

The following Fairview Park Facility Committee members were present: Penny Love, Mike Medlin and Bill Riffle

Others present: Spencer Thomas, Town Intern

Public Comments

None

Items of Business

A. Future Park Projects

The Committee discussed the future projects that will take place over the 2020 year. The Committee will meet and walk the future natural trail along the creek to decide what else needs to be done to complete the project.

B. Minutes

Penny Love made a motion to approve the March 12, 2020 minutes. Bill Riffle seconded the motion. Committee members Love, Medlin and Riffle voted yes (3-0).

Mike Medlin made a motion to adjourn. Penny Love seconded the motion. Committee members Love, Medlin and Riffle voted yes (3-0).

Respectfully submitted,

Spencer Thomas
Town Intern

Mike Medlin
Chairman

Approved this _____ day of _____ 2020



**Town of Fairview
Regular Town Council Meeting
June 9, 2020**

The following Council members were present: Mayor Phil Thomas, John Biggers, Jerry Clontz, Patricia Kindley, and Gary Wilfong.

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

Agenda Changes

None

Approval of Agenda

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

Public Comments

Ken Worthy, 8911 Mill Grove Road (Event Venue)
Hal Weill, 6911 Concord Highway (Flooding on his property)

Consent Agenda

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) Accept Fund Balance Worksheet 2019-2020 report as Information
- d) Fairview Park Event (No May Meeting)
- e) Fairview Park Facility (No May Meeting)
- f) Planning Board May Draft Minutes --- Minutes Accepted as Information
- g) Approve Council Regular Minutes for May 12, 2020

Patricia Kindley made a motion to approve the consent agenda. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Items of Business

Item 1: Approve/Disapprove Conditional Use Permit CUP 20-013

Nancy Randall, Chair of Planning Board, presented the Conditional Use Permit CUP 20-013 (with amended conditions noted) request by Richard Laney and Danielle Duval to operate an “Event/Venue” (Bella Terra) on their property at 8920 Mill Grove Road. The public hearing for this Conditional Use Permit was conducted on March 10, 2020. The Council discussed.

“Finding of Facts”

- 1) Patricia Kindley made a motion that Conditional Use Permit CUP 20-013 will not endanger the public health or safety because any issues have been thoroughly studied and addressed by the Planning Board and are reflected in the conditions. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 2) Gary Wilfong made a motion that Conditional Use Permit CUP 20-013 will not substantially injure the value of adjoining or abutting property because the due diligence of the Planning Board and applicants to make sure it does not impact the value of adjoining properties. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 3) Jerry Clontz made a motion that the Conditional Use Permit CUP 20-013 will be in harmony with the area in which it is located because it retains the rural atmosphere with no big buildings and no land clearing. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 4) John Biggers made a motion that the Conditional Use Permit CUP 20-013 will be in general conformity with the land use plan, thoroughfare plan or other plan because the venue will add to the area and conform to our land use plan. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Approval of Request:

John Biggers made a motion to approve Conditional Use Permit CUP 20-013 with the following conditions:

- To operate Friday, Saturday, Sunday, and holidays (State and Federal)
- In any month, two weekday dates may be booked for events
- Up to but not exceeding 200 guests at any one event
- Staff for event, caterer, photographer, and other person(s) or equipment needed for event will be contracted (with proper insurance) either by Bella Terra or by the customer
- Security for the event and for traffic control preceding and following event is required

- Music or any loud noise will end at 9:00 PM on weekends/Holidays and will end at 8:00 PM on weekdays
- Events will close at 10:00 PM on weekends/Holidays and 9:00 PM on weekdays
- All events to be held outside using rental tents, mobile restrooms, food truck/caterers, tables/chairs anything else that is needed for the event to be self-sufficient. Supply proper Handicap restroom/s (ADA compliant) per Union County requirements
- Any event that plans to serve alcohol will have a licensed bartender to serve the beverages and all proper alcohol permits
- If signage is necessary, a proper permit will be obtained
- Proper insurance will be obtained for events as needed
- There will be approximately 92 parking spaces with handicap parking (approx. 12,000 sq. feet)
- Must meet Fire Marshall requirements for each event
- Event areas will be approximately 3,000 sq. feet in area. There will be two event areas as shown on map
- Lighting for parking lot area will be provided with approximately 20 low-voltage LED light fixtures under plantings (trees and bushes) with lighting directed upward to a height of no more than 75 feet. These lights will be able to be turned off when not in use. Also 40 LED path lights will be installed and maintained to facilitate foot traffic at night on walkways.

John Biggers made a motion to approve Conditional Use Permit CUP 20-013 with the noted conditions. The proposed zoning amendment under consideration is found to be reasonable and consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Fairview Land Use Plan (Revised November 11, 2018), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 2: Discuss/Approve budget amendments for the 2019-2020 Budget

Darrell Baucom presented the 2019-2020 budget amendments. The Council discussed.

Gary Wilfong made a motion to approve the 2019-2020 budget amendments. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 3: Public Hearing on proposed 2020-2021 Town Budget

Darrell Baucom presented the 2020-2021 budget to the Council.

Mayor Thomas opened the Public Hearing

No Public Comments

Mayor Thomas closed the Public Hearing

Item 4: Discuss/Adopt 2020-2021 Budget Ordinance for fiscal year

Darrell Baucom presented the 2020-2021 budget ordinance. The Council discussed.

John Biggers made a motion to adopt the 2020-2021 Budget Ordinance. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 5: Request for funds from Turning Point, Inc.

Jessie Lindberg, Executive Director, Turning Point, Inc. presented a request for funds in the amount of \$950.00. The Council discussed.

Gary Wilfong made a motion to approve \$500.00 for Turning Point, Inc. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Council Comments

Gary Wilfong spoke about Hal Weill's flooding problem and questioned if there was anything the town would be responsible for. Further investigation will be done as needed.

Jerry Clontz informed the Council that the Park Facility Committee will be setting a date to work on the new wooded area that has been cleared at the Park. They will also be setting a date to walk the creek area so they can start working on a plan for the natural walking trail. There is still 2 open positions on the Park Facility Committee and he would like to advertise it on the website and Facebook.

Spencer Thomas, Fairview Park Event Committee, updated the Council about the Fairview Fall Festival noting that the Committee decided to go forward with the Festival in some form pending stipulations from the Governor.

Attorney McCollum updated the Council regarding the lawsuit against E.C. Davis.

Mayor Thomas stated that Mayor Kilgore contacted him regarding the League of Municipalities sending a letter to the congressional delegation asking for consideration to be given to municipalities because of the lack of money due to COVID. Mayor Thomas asked that Fairview be included in the letter.

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

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this _____ day of _____, 202

**Renew
Temporary
Permit #14-037**

Reallocate Funds for N-Focus



STATE OF NORTH CAROLINA
COUNTY OF UNION

AGREEMENT WITH
LOCAL GOVERNMENT

THIS AGREEMENT made the ____ day of _____, 2020 by and between **Town of Fairview**, a North Carolina unit of Local Government (hereinafter known as “Local Government”); and, **N-Focus, Inc.**, a North Carolina corporation (hereinafter known as “Contractor”), by signatures below, enter into the following Agreement:

WITNESSETH:

WHEREAS, Contractor has expertise in local government functions and Local Government has a need for such functions; and

WHEREAS, Local Government and Contractor desire to enter into this Agreement;

NOW THEREFORE, Local Government and Contractor agree as follows:

Section A. SCOPE OF FUNCTIONS

1. Contractor will provide Local Government with Contractor personnel for Land Use Back-Up Purposes.

Section B. TERMS AND CONDITIONS

1. **Contractor Personnel:** To ensure Functions to be performed as defined in “Section A.” herein above meet the expectations of Local Government, Contractor shall assign a primary professional, an employee of Contractor, to Local Government. The primary professional shall be responsible for Contractor personnel performing the agreed upon Functions. Contractor personnel performing the Functions shall be either certified or licensed in their respective fields or apprentice under direct supervision of the primary professional. Contractor personnel performing these Functions shall have considerable knowledge in the principles and practices of local government. The primary professional, supporting personnel and subordinate person(s), if applicable, provided to perform these Functions shall be skilled in the use of work related computer software packages and other technology used to perform position Functions.

N-Focus

Initials: PAR Date: 06/02/20

Fairview – FY 20 Hourly Agreement_EXTENDED

Initials: _____ Date: _____



2. **E-Verify:** Contractor represents and warrants that it is in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, Contractor warrants that any subcontractors used by Contractor will be in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.
3. **Certification:** Contractor certifies that, as of the Effective Date of this Agreement, Contractor is not on the Final Divestment List as created by the State Treasurer pursuant to N.C.G.S. § 147-86.58. In compliance with the Iran Divestment Act and N.C.G.S. § 147-86.58, Contractor shall not utilize in the performance of the contract any subcontractor that is identified on the Final Divestment List.
4. **Equal Employment Opportunity:** Contractor, without limitation of any provision set forth herein, expressly agrees to abide by any and all applicable federal and/or State equal employment opportunity statutes, rules and regulations, as may be from time to time modified or amended.
5. **Status of Contractor:** Contractor and Local Government agree that in the performance of the Functions defined in "Section A." herein above, Contractor personnel shall not be deemed to be an employee(s) of Local Government for any purpose whatsoever, nor act under Color of State Law.
6. **Work Products:** All materials produced by Contractor personnel assigned to Local Government shall be the property of Local Government and shall be filed on-site in the offices of Local Government, unless otherwise authorized for purposes and intent of the performance of Functions. Contractor shall be entitled to retain copies, both electronic and paper, of any work products prepared for the benefit of Local Government. Contractor shall not copyright any work products on behalf of Local Government; however, Contractor shall retain the right to utilize work products, such as improved administrative forms, plans, etc., or any portion thereof, for the purpose of performing similar functions for other jurisdictions.
7. **Progress Reporting:** Contractor shall communicate progress of work performed to Local Government's administrative officer and/or department head periodically or as determined by Local Government.
8. **Period of Service (POS):** Functions defined in "Section A." herein above shall be provided routinely based upon a mutually agreeable schedule during the period January 13, 2020 and ending June 30, 2021. POS as defined herein may be amended through either Termination, as set forth in "Section B.14." herein, or, Extension, as set forth in "Section B.16." herein.

N-Focus

Initials: PAR Date: 06/02/20

Fairview – FY 20 Hourly Agreement_EXTENDED

Initials: _____ Date: _____



9. **Level of Service (LOS):** The Functions defined in "Section A." herein above shall be delivered on an Hourly "On Call" basis as requested by Local Government.

10. **Compensation:** The fee for Functions to be performed as defined in "Section A.1." herein above shall be invoiced by the hour at One Hundred Thirty-Five and no/100's (\$135.00) dollars per hour and, billed monthly in quarter-hour increments "Not To Exceed" Five Thousand Four Hundred and no/100's (\$5,400.00) Dollars.

Compensation is inclusive of all personnel costs including but not limited to limited to:

- a. Base Salary plus:
 - i. Social Security & Medicare (FICA)
 - ii. State Unemployment Insurance (SUTA)
 - iii. Federal Unemployment Insurance (FUTA)
 - iv. Worker's Compensation Insurance
- b. Benefits:
 - i. Health, Life & Disability Insurance
 - ii. Paid Vacation & Personal Time
 - iii. Paid Holidays
 - iv. Paid Travel Time
- c. Professional Development & Certifications;
- d. Cellular Communications;
- e. Company Vehicle with
 - i. Vehicle Insurance
 - ii. Vehicle Operations & Maintenance
- f. Meals & Lodging; and
- g. Management cost

Printing and reproduction shall be provided by Local Government. Any direct expenses (i.e. printing, postage, etc.) provided by Contractor personnel on behalf of Local Government, shall be reimbursed at actual cost plus seven (7%) percent. Travel time to and from Local Government jurisdiction by Contractor personnel is subject to the hourly fee stated herein. Travel time shall be pro-rated when more than one jurisdiction is served on the same trip. Travel by Contractor personnel on behalf of Local Government to perform inspections within Local Government jurisdiction, or attend meetings outside Local Government jurisdiction, shall be reimbursed at the current IRS Standard Mileage Rate.

11. **Payments:** Local Government shall provide payment upon receipt of invoice. A late payment penalty equal to 1.5% per month of the unpaid balance may be assessed.

N-Focus

Initials: PAR Date: 06/02/20

Fairview – FY 20 Hourly Agreement_EXTENDED

Initials: _____ Date: _____



12. **Access:** Local Government shall provide Contractor personnel with legal access to the primary work area during normal operating hours.
13. **Liability:** Contractor personnel provided to Local Government are acting as contracted agents of Local Government in accordance with NCGS 160A-20.1 and no liability is implied or assumed for actions on behalf of Local Government, its administration, appointed officials and/or elected officials. General liability insurance shall be maintained by Contractor throughout the POS as defined in "Section B.8." herein for the Functions to be performed under this Agreement. Contractor shall provide Local Government with a Certificate of Insurance prior to beginning Functions defined in "Section A." herein above. This certificate will become a part of this Agreement upon execution of this Agreement. Contractor shall further indemnify and hold Local Government harmless from any/all worker compensation claims by Contractor personnel and any other claims arising out of Contractor personnel's conduct.
14. **Termination:** Contractor or Local Government may terminate this Agreement for any reason with sixty (60) days written notification. In the event of early termination, compensation for all Functions actually provided by Contractor through the termination date will be due and payable at the market rate fees in effect at the time of termination. In the event Contractor personnel currently employed, recently separated/terminated or retired from Contractor become employed directly by Local Government either during the POS identified in "Section B.8." herein or within one-hundred-eighty (180) days of the effective date of Agreement termination and/or expiration, Contractor shall be entitled to supplemental compensation by Local Government equal to three (3) months of said employee's full time gross salary equivalent in effect at the time of Agreement termination and/or expiration; furthermore, the supplemental compensation shall be due and payable within ten (10) calendar days of the date Contractor personnel begins employment with Local Government.
15. **Expiration:** This Agreement shall expire at 11:59 pm on June 30, 2021, unless extended as defined in "Section B.16." herein.
16. **Extension:** This Agreement may be extended by either separate agreement, subsequent addendum hereto, or written/e-mail authorization. Upon extension of this Agreement, POS as defined in "Section B.8." herein, LOS as defined in "Section B.9." herein, Compensation as defined in "Section B.10." herein is subject to change. All other Terms & Conditions defined herein shall remain the same.

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Initials: PAR Date: 06/02/20

Fairview – FY 20 Hourly Agreement_EXTENDED

Initials: _____ Date: _____



17. **Certifications:** Contractor personnel shall not be required to sign any documents, no matter by whom requested, that would result in Contractor personnel having to certify, guarantee or warrant the existence of conditions whose existence Contractor personnel cannot ascertain. Local Government agrees not to make resolution of any dispute with Contractor or payment of any amount due to Contractor in any way contingent upon Contractor's personnel signing any such certification or document.
18. **Force Majeure:** Contractor shall not be responsible for any delays, damages, costs, expenses, liabilities or other problems that may arise as a result of a force majeure. A "Force Majeure" is defined as any event arising from causes beyond the reasonable control of Contractor, including but not limited to fire, flood, unusual inclement weather, acts of God, civil strikes or labor disputes, riots, pandemics, acts or failures of Local Government or others.
19. **Conflicting Terms and Provisions:** In the event of conflict among this Agreement and any hereto attached exhibits, this Agreement shall govern.
20. **Dispute Resolution:** It is acknowledged this Agreement shall be governed by the laws of the State of North Carolina in the event of dispute. Any dispute, controversy or claim arising out of or relating to this Agreement, in particular its conclusion, interpretation, performance, breach, termination or invalidity, shall be finally settled by the courts having exclusive jurisdiction within the county of Local Government.
21. **Counterparts:** This Agreement may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a ".pdf" format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or ".pdf" signature page were an original thereof.
22. **Entire Agreement:** Local Government and Contractor acknowledge this Agreement and any Attachments hereto constitute the entire agreement between Local Government and Contractor concerning the subject matter hereof. Any amendments or modifications of this Agreement shall be in writing and executed by Local Government and Contractor. Unless stated otherwise in this Agreement, this Agreement may not be modified.

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Initials: PAR Date: 06/02/20

Fairview – FY 20 Hourly Agreement_EXTENDED

Initials: _____ Date: _____



23. **Representatives:** On behalf of Contractor, only the following individuals have authority to modify or alter the terms and conditions of this Agreement:

F. Richard Flowe, President & CEO
Patricia A. Rader, Secretary/Treasurer & COO

24. **Notification:** All correspondence shall be directed to:

Patti Rader, Manager
N-Focus, Inc.
315 South Main Street, Suite 200
Kannapolis, NC 28081
704.933.0772
PRader@NFocusPlanning.org

(This space left blank intentionally)

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Initials: PAR Date: 06/02/20

Fairview – FY 20 Hourly Agreement_EXTENDED

Initials: _____ Date: _____



Section C. ACCEPTANCE:

Patricia A. Rader

June 2, 2020

Patricia A. Rader, Manager
N-Focus, Inc.

Date

ACCEPTED on behalf of Local Government by:

Signature

Date

Printed name of authorized person signed above

Seal of Local Government

ATTEST:

Clerk to the governing board/council of
Local Government

Date

PRE-AUDIT:

This document has been pre-audited in accordance with applicable North Carolina General Statute.

Finance Officer

Date

N-Focus

Initials: PAR Date: 06/02/20

Fairview – FY 20 Hourly Agreement_EXTENDED

Initials: _____ Date: _____

Reappoint Planning Board Members