



**Town of Fairview
Regular Town Council Meeting
September 10, 2018**

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

Agenda Changes

None

Approval of Agenda

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

Public Comments

Representative Mark Brody, NC House of Representatives 55th District addressed the Council

Consent Agenda

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) Accept CRTPO Report as Information
- d) Park & Rec January Draft Minutes --- Minutes Accepted as Information
- e) Planning Board January Draft Minutes --- Minutes Accepted as Information
- f) Approve Council Regular Minutes for August 13, 2018

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

Items of Business

Item 1: Public Hearing: Major Development Permit MDP 18-082 requested by Helms Partners Inc. to develop a subdivision of 8 lots at the corner of Sikes Mill Road and Brief Road. Subdivision name is Sikes Mill Crossing II. Nancy Randall, Chair of the Planning Board, presented information regarding the major development permit to the Council.

Mayor Thomas opened the public hearing

No public comments

Mayor Thomas closed the public hearing

Discuss Approval of request: Council members discussed the permit.

John Biggers made a motion to approve MDP 18-082 with noted conditions (Exhibit A). 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 August 11, 2014), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). Patricia Kindley seconded the motion. Council members Biggers, Kindley and Wilfong voted yes, Clontz did not vote (4-0).

Item 2: Public Hearing: Conditional Use Permit request CUP 18-057 by Blossman Gas Company to install a propane gas and storage facility on Brent Haigler Road. Nancy Randall, Chair of the Planning Board, presented information regarding the conditional use permit to the Council.

Mayor Thomas opened the public hearing

No public comments

Mayor Thomas closed the public hearing

Below are "Findings of Fact" for the above Conditional Use Permit with individual motions on each:

- 1) John Biggers made a motion that conditional use permit CUP 18-057 will not endanger the public health or safety because it is a heavily regulated industry. Gary Wilfong 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 18-057 will not substantially injure the value of adjoining or abutting property because of it adds to business in our community. Jerry Clontz seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

- 3) Patricia Kindley made a motion that the conditional use permit CUP 18-057 will be in harmony with the area in which it is located because the use proposed is congruent with the area. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 4) Jerry Clontz made a motion that the proposed conditional use for CUP 18-057 will be in general conformity with the land use plan, thoroughfare plan or other plan because the property has been zoned for this type of business. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

John Biggers made a motion to approve conditional use permit CUP 18-057 with the conditions noted (Exhibit B). 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 August 11, 2014), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). Gary Wilfong seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 3: Public Hearing: Financing agreement to purchase 65 acres for \$650,000 from Sandra and Harry Haigler adjacent to the Fairview Park (parcel # 08189031) for future development of the park. The terms of the agreement will be a loan amount of \$600,000 for a term of 15 years at a rate of 3.9% and financed by the Haiglers. Ed Humphries presented the documentation regarding the financing agreement to the Council and noted that minutes of this public hearing will be sent to the Local Government Commission (LGC) as required for the approval of the loan.

Mayor Thomas opened the public hearing

No public comments

Mayor Thomas closed the public hearing

Item 4: Teresa Gregorius gave the Council a brief update on the Fairview Fall Festival scheduled for October 6th.

Item 5: Ed Humphries updated the Council on the new office space, noting that he hoped to be in the new space by the first of October.

Council Comments

Patricia Kindley informed the Council that she is working on a Holiday Lighting Contest with the winners being announced at the Winter Festival.

Jerry Clontz stated that he is not happy with the mowing service (mower tracks on the concrete walkways, fire ant control, missed a week mowing). Mr. Clontz asked Attorney McCollum to research and see if there was a recorded easement along the Keziah property to the park. Mr.

Clontz asked the Council to start thinking about what to do with the farmland once ownership of the land purchased is transferred to the Town.

John Biggers asked everyone to remember all those that lost family and friends on September 11th.

Gary Wilfong informed everyone that Unionville's town clerk fell and broke her wrist last week and will have surgery on Thursday.

Mayor Thomas thanked Mr. Clontz for filling in for him at the August meeting. He noted that he and Patricia Kindley participated in the Fairview Elementary Open House held the end of August.

John Biggers made a motion to adjourn. Gary Wilfong 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 8th day of October, 2018