

Agenda

Town of Fairview



Agenda
Town Council Meeting
January 11, 2016
7:00 pm

(Meeting to be held at the Old Fairview School)

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

Invocation
Pledge of Allegiance

- a. Agenda Changes
- b. Approval of Agenda

2. Public Comments / Presentations:**

- a. Presentation of 2014-2015 Town Audit---*Tom Moyer*
--- *Darrell Baucom*
- b. Presentation of new fire truck ---- *Bradley Purser*

3. Reports:

- a. Financial and Tax Reports--- *Darrell Baucom*
- b. Land Use Report---*See Report Attached*
- c. Park and Recreation Report---*Jerry Clontz*
- d. CRTPO (No December 2015 meeting)
- e. Monroe/Union County Economic Development Committee Report--- *See Report Attached*

Agenda

4. Items of Business:

- a. **Conduct** Public Hearing on Text Amendment TC 15-062
-----*Ed Humphries*

Mayor Thomas to open Public Hearing

Text Amendment # TC 15-062 to Land Use Ordinance

Amend Section 60: Authorizing Use, Occupancy, or Sale Before
Completion of Development Changes made to: 60a (1) & (2) b (1) & d

Public Comments

Mayor Thomas to Close Public Hearing

- b. **Decision** on Text Amendment #**TC 15-062**(to include Zoning statement)
Amend Section 60 Authorizing Use, Occupancy, or Sale Before
Completion of Development Changes made to: 60a (1) & (2) b (1) & d

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 August 11, 2014), and the Town of Fairview Land Use Ordinance (effective July 1, 2005)

- c. **Appoint** Patricia Kindley as Fairview Historian and add History link to website ----*Mayor Thomas*
- d. **Authorize** Phil Thomas and re-authorize Jerry Clontz as signers on the Towns two checking accounts. (Bank of NC and Yadkin Bank)
-----*Darrell Baucom*
- e. **Request** from Sam F. Keziah American Legion Post 535 for \$5000 donation to help fund a baseball tournament. ---- *Gary Wilfong*
- f. **Approve** meeting dates for Council in 2016
- g. **Approve** minutes of December 14, 2015

5. Council Comments:

6. Adjourn

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

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

**Town of Fairview
 Balance Sheet
 As of December 31, 2015**

	Dec 31, 15	Jun 30, 15
ASSETS		
Current Assets		
Checking/Savings		
American Community Bank	202,624.05	387,855.57
Bank of NC	956,747.21	955,069.87
Total Checking/Savings	1,159,371.26	1,342,925.44
Other Current Assets		
Franchise Tax Receivable	43,188.53	43,188.53
Investments		
Investments NCCMT	965.03	964.95
Total Investments	965.03	964.95
PARTF Grant receivable	0.00	12,527.50
Prepaid assets	0.00	3,288.50
Sales Tax Receivable	4,001.24	4,001.24
Taxes receivable	3,696.99	4,635.53
Total Other Current Assets	51,851.79	68,606.25
Total Current Assets	1,211,223.05	1,411,531.69
Fixed Assets		
Accumulated Depreciation	-7,474.08	-7,474.08
Computer Equipment	12,643.66	12,643.66
Furniture and Equipment	1,698.00	1,698.00
Land	219,516.33	219,516.33
Land improvements	10,145.00	10,145.00
Leasehold improvements	2,500.00	2,500.00
Total Fixed Assets	239,028.91	239,028.91
Other Assets		
Park development costs	25,055.00	25,055.00
Total Other Assets	25,055.00	25,055.00
TOTAL ASSETS	1,475,306.96	1,675,615.60
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Accounts Payable		
Accounts Payable	8,000.00	18,235.46
Total Accounts Payable	8,000.00	18,235.46
Other Current Liabilities		
Accrued payroll	3,436.07	3,436.07
Deferred revenue - ad valorem	4,635.53	4,635.53
Payroll Liabilities	523.30	482.37
Total Other Current Liabilities	8,594.90	8,553.97
Total Current Liabilities	16,594.90	26,789.43
Total Liabilities	16,594.90	26,789.43
Equity		
Equity		
Fixed assets	264,083.91	264,083.91
Total Fund Balance	1,244,247.72	1,244,247.72
Total Equity	1,508,331.63	1,508,331.63
Retained Earnings	140,494.54	0.23
Net Income	-190,114.11	140,494.31
Total Equity	1,458,712.06	1,648,826.17
TOTAL LIABILITIES & EQUITY	1,475,306.96	1,675,615.60

Town of Fairview
Profit & Loss Budget vs. Actual
 July through December 2015

	Jul - Dec 15	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Ad Valorem taxes	36,018.40	34,600.00	1,418.40
Cable TV franchise taxes	1,414.67	1,400.00	14.67
Interest on delinquent taxes	80.44		
Investment income	1,736.30	1,200.00	536.30
Motor vehicle taxes	4,088.19	3,450.00	638.19
PARTF Grant reimbursement	5,505.00	160,000.00	-154,495.00
Sales and use tax	11,750.66	12,502.00	-751.34
Sales and use tax refund	130.26		
Utility Franchise taxes	84,208.12	75,000.00	9,208.12
Zoning fees	1,700.00	2,400.00	-700.00
Total Income	146,632.04	290,552.00	-143,919.96
Expense			
Advertising and Promotion	353.22	390.00	-36.78
Audit fees	6,800.00	6,800.00	
Bank Service Charges		120.00	-120.00
Capital outlay	19,010.00	317,550.00	-298,540.00
Charitable Contributions	198,694.36	225,000.00	-26,305.64
Collection fees	618.47	720.00	-101.53
Computer and Internet Expenses	3,974.50	3,502.00	472.50
Dues and Subscriptions	5,143.00	4,625.00	518.00
Grants		7,500.00	-7,500.00
Insurance Expense	4,606.98	5,835.00	-1,228.02
Legal fees	2,847.24	3,000.00	-152.76
Miscellaneous Expense	234.72		234.72
Office Supplies	811.05	1,500.00	-688.95
Park Maintenance	100.00	12,000.00	-11,900.00
Park start-up and nonreimburse	35,037.40	35,000.00	37.40
Payroll Expenses	15,692.00	18,658.00	-2,966.00
Payroll taxes	2,568.19	3,050.00	-481.81
Planning and zoning	21,009.06	21,012.00	-2.94
Public Safety	15,000.00	15,000.00	
Rent Expense	1,500.00	1,500.00	
Telephone Expense	1,475.72	1,800.00	-324.28
Training fees	1,065.00	1,000.00	65.00
Travel Expense	205.24	1,000.00	-794.76
Total Expense	336,746.15	686,562.00	-349,815.85
Net Ordinary Income	-190,114.11	-396,010.00	205,895.89
Net Income	-190,114.11	-396,010.00	205,895.89

Town of Fairview Transactions by Account

As of December 31, 2015

Type	Date	Num	Name	Memo	Debit	Credit	Balance
American Community Bank							202,543.60
Check	12/14/2015	101461	Garcia Forest Servi...	Herbicide spraying for pond		1,390.00	201,153.60
Check	12/14/2015	101462	RLI Surety Bond	Bond for public official		100.00	201,053.60
Check	12/14/2015	101463	Brian C. Austin	Mowing park grounds		100.00	200,953.60
Check	12/14/2015	101464	NC Dept of Comm...	Additional SUT Tax to replenish fund		15.16	200,938.44
Check	12/14/2015	101465	Moyer, Smith & Rol...	audit expense for 14/15		2,712.00	198,226.44
Check	12/14/2015	101466	Bethlehem Presbyt...	Use of Church van for Park Groundbre...		100.00	198,126.44
Check	12/14/2015	101467	Great American Fin...	Copier lease		65.75	198,060.69
Check	12/14/2015	101468	UNC School of Govt	Training for Mayor Phil Thomas and C...		850.00	197,210.69
Check	12/14/2015	101469	Fairview VFD and ...	Monthly rent		250.00	196,960.69
Check	12/14/2015	101470	Fairview VFD and ...	Public safety		2,500.00	194,460.69
Check	12/14/2015	101471	One Source Docu...	Silver software support	0.00		194,460.69
Paycheck	12/14/2015	101474	Darrell H. Baucom			586.95	193,873.74
Paycheck	12/14/2015	101485	Teresa Gregorius			722.11	193,151.63
Paycheck	12/14/2015	101473	Bradley W Purser			138.53	193,013.10
Paycheck	12/14/2015	101475	Edward D Humphries			2,226.65	190,786.45
Paycheck	12/14/2015	101476	Elizabeth B Long			184.70	190,601.75
Paycheck	12/14/2015	101477	Jerry C. Clontz			161.61	190,440.14
Paycheck	12/14/2015	101478	Jesse L Hargett			69.26	190,370.88
Paycheck	12/14/2015	101479	John A Biggers, Jr.			138.53	190,232.35
Paycheck	12/14/2015	101480	John H. Crowell			46.17	190,186.18
Paycheck	12/14/2015	101481	John T Phifer			46.18	190,140.00
Paycheck	12/14/2015	101482	Nancy H Randall			46.18	190,093.82
Paycheck	12/14/2015	101483	Patricia H. Kindley			46.18	190,047.64
Paycheck	12/14/2015	101484	Phillip C Thomas			138.52	189,909.12
Liability Ch...	12/14/2015	To Print	IRS	55-0789092		1,787.04	188,122.08
Check	12/14/2015	101486	Darrell H. Baucom	expense reimbursement		79.50	188,042.58
Check	12/14/2015	101487	Edward D Humphries	expense reimbursement		156.23	187,886.35
Check	12/14/2015	101488	Alfred Benesch & C...	Amendment #1 for turn lane changes		4,900.00	182,986.35
Check	12/14/2015	101489	Union County Cha...	annual dues		403.00	182,583.35
Check	12/14/2015	101490	Bradley W Purser	Christmas gifts for Staff		150.00	182,433.35
Deposit	12/14/2015			Deposit	19,548.56		201,981.91
Deposit	12/17/2015			Deposit	100.00		202,081.91
Deposit	12/21/2015			Deposit	542.14		202,624.05
Total American Community Bank					20,190.70	20,110.25	202,624.05
TOTAL					20,190.70	20,110.25	202,624.05

Town of Fairview
Park Related costs

<u>Date</u>	<u>Services</u>	<u>Payee</u>	<u>Check Number</u>	<u>Amount Paid</u>
2/9/2015	Design development - initial bill	Benesch	101245	8,370.00
4/13/2015	Design development - second bill	Benesch	101268	1,335.00
5/11/2015	Design development - third bill	Benesch	101292	4,610.00
6/8/2015	Design development - fourth bill	Benesch	101321	1,010.00
6/23/2015	NC DOT driveway permit application fee	NC DOT	101329	50.00
6/23/2015	NC DENR erosion and sedimentation app fee	NC DENR	101330	260.00
7/10/2015	Construction documents - June 28, 2015	Benesch	101335	9,420.00
8/10/2015	Construction documents - July 26, 2015	Benesch	101359	2,355.00
8/27/2015	NC DENR storm water permit	NC DENR	101383	505.00
9/14/2015	Construction docs - Aug 18 and perc test	Benesch	101385	1,895.00
10/12/2015	Const docs, permitting and bidding	Benesch	101411	6,255.00
11/9/2015	Bidding on park	Benesch	101437	3,100.00
12/7/2015	Amendment #1 for turn lane design	Benesch	101488	4,900.00
Total incurred costs-to-date				44,065.00

Park Budget	
Design and construction management	47,100.00
Cost to develop park	560,000.00
Contingency	28,000.00
Total park costs	635,100.00

Town of Fairview
Pond Related Costs

<u>Date</u>	<u>Services</u>	<u>Payee</u>	<u>Check Number</u>	<u>Amount Paid</u>
10/13/2014	Garcia Forest Services - weed control	Garcia Forest	3471	1,450.00
3/9/2015	Foster Lake and Pond - lowering pond level	Foster Lake	101248	2,450.00
Total for 14/15 fiscal year				3,900.00
8/10/2015	Foster Lake and Pond - pond renovation	Foster Lake	101356	22,833.59
9/14/2015	Warlick Trucking - Grading, etc on pond site	Warlick Trucking	101386	9,500.00
12/14/2015	Garcia Forest Services - spraying herbicide	Garcia Forest	101461	1,390.00
Total paid-to-date on pond renovation and maintenance				37,623.59

Zoning Permits 2015



2015

<u>Date</u>	<u>CK#</u>	<u>Permit #</u>	<u>Type</u>	<u>Fee \$</u>	<u>Name</u>	<u>Address</u>	<u>Parcel#</u>
8-Jan	4618	C-15-001	Compliance	\$100	M. Haywood	1457 Biggers Cemetery	08114009N
13-Jan	1151	RA-15-002	Addition	\$50	Michael Stancil	8903 Old Ferry	8087014
13-Jan	1151	A-15-003	Accessory	\$50	Michael Stancil	8903 Old Ferry	8087014
20-Jan	2391	A-15-004	Accessory	\$50	Cecilia Parker	9226 Mint Lake Dr	08246009D
27-Jan	1001824	H-15-005	Home	\$150**	Schumocher-Barnett	115 George Watkins Tr	08255004B Pd Both Pei
29-Jan	N/A	TC-15-006	Text	N/A	Town of Fairview		
29-Jan	Cash	C-15-007	Comp	\$100	Thomas	710 Hwy 218 West	2222044
Totals							
				\$500			

3-Feb	107	H-15-008	Home	\$50	Breece	1225 Crowell Diary	0825513A
5-Feb	Cash	HA-15-009	Addition	\$50	Marios Bosnakis	9901 Windrow	8213118
9-Feb	24291	A-P 15-010	Pool	\$50	B&B Pools --Delapp	402 Duck Creek Lane	8216027
9-Feb	14196	MH 15-011	MH Home	\$50	Ken & Heather Mullis	6638 Concord Hwy	8192004
10-Feb	1147	HA-15-012	Addition	\$50	Berry	628 Heritage View	8213032
19-Feb	1105	AP-15-013	Pool	\$50	Carolina Pool	9304 Mint Lake Dr	08246009A
19-Feb	21363	NR-15-014	Accessory	\$50	Hopewell Bap Church	8900 Concord Highway	8183008
24-Feb	1075	HC-15-015	Comp	\$100	Ron Rushing	716 Lawyers Road W	0823117C
Totals				\$450			

No permits requested in March 2015

2-Apr	Cash	A-15-016	Accessory	\$50	Mario Bosnakis	9901 Windrow	8213008
7-Apr	1715	A-P-15-017	Pool	\$50	Aloha Pools--	412 Foxglove Lane	8213144
9-Apr	15136	MS-15-018	Minor	\$50	Griffin-McAllister	Brief Road	8213004
14-Apr	594	C-15-019	Compliance	\$100	Tanner, Sam	1024 Biggers Farm	08180004E
14-Apr	1009	A-15-020	Accessory	\$50	Huntley Bros (Hudson)	9510 Indian trail Fairview	0822011A
21-Apr	15751	MS-15-021	Minor	\$50	Plyler Griffin	Hopewell Church Road	8183002
23-Apr	901	MS-15-022	Minor	\$50	C. Medlin	Little Road	8084007

Totals 7 \$400

5-May	1130	AP-15-023	Pool	\$50	Blue Haven	506 Foxglove Ln	8213160
7-May	2702	MS 15-024	Minor	\$50	Jeff Martin-1 lot	7715 Crooked Creek	8120019
14-May	1653-4	MS 15-025	Minor	\$100	Jeff Martin- 2 lots	7715 Crooked Creek	8120019
19-May	108	A-15-026	Accessory	\$50	Keven Franks	7514 Surry Lane	8222023
21-May	125	H-15-027	Home	\$50	Donnie Caudle	406 Heritage View	8216180
26-May	13875	C-15-028	Compliance	\$100	Helms--Dulin	518 Heritage	8213038
28-May	cash	AA-15-029	Addition	\$50	Coke	9916 Diablo Court	8177024

Totals 7 \$450

18-Jun	1838	H-15-030	Home	\$50	Hucks	7805 Crooked Creek Rd	08120019G
30-Jun	N/A	NR-15-031	Park	N/A	Town of Fairview	7850 Concord Highway	08189031C
30-Jun	N/A	S-15-032	Sign	N/A	Town of Fairview	7850 Concord Highway	08189031C

Totals 3 \$50

7-Jul	4072	HA-15-033	Addition	\$50	Kim Austin	6310 Little Road	8087022
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7-Jul	1067	H-15-034	Home	\$50	Allen Cleveland	9504 Machado Drive It	8246002
14-Jul	19514	A-15-035	Accessory	\$50	Charlotte National	6920 Howey Bottom	828805.9
14-Jul	N/A	TC-15-036	Text Change	N/A	Town of Fairview	7400 Concord Highway	N/A
23-Jul	15826	MS 15-037	Minor	\$50	C.Furr Estate	Concord Highway	8219022
27-Jul	1109	C-15-038	Compliance	\$100	Rodney Cranford	6924 Concord Highway	8192027

Totals 6 \$300

11-Aug	Cash	H-15-039	Home	\$50	Medlin, Clint	6526 Little Road	8084007
13-Aug	N/A	TC#-15-40	Text Change	N/A	Fairview	Land Use Ordinance	N/A
13-Aug	N/A	TC#-15-41	Text Change	N/A	Fairview	Land Use Ordinance	N/A
13-Aug	1003	A-15-042	Accessory	\$50	Nick Burnham	8207 Unionville brief	08117003e
25-Aug	61824	C-15-043	Compliance	Paid	Griffin, William	115 George Watkins Trail	825500413
27-Aug	117761	NR-C 15-044	Compliance	\$100	Hopewell Church-Field	8900 Concord Highway	8183008

Totals 6 \$200

1-Sep	8818	NR-15-045	Accessory	\$50	Fairview School-J. Butler	110 Clontz	08219010B
8-Sep	131	H-15-046	Home	\$50	Paluso	7703 Crooked Creek Ch	8120019
8-Sep	2266	MS-15-047	Minor	\$200	Ben Russell	Carriler Williams	08117013c
15-Sep	1496	A-15-048	Accessory	\$50	Melisa Price	9323 Machado	08246001B
17-Sep	4237	H-15-049	Home	\$50	Ryan Spidel	741 Roy Kindley	08150013B

Totals 5 \$400

1-Oct	1556	A-15-050	Accessory	\$50	Tina Morgan	120 Windsor Drive	8192025
8-Oct	1075	A-15-51	Accessory	\$50	David Oaks	9302 Indian Trail Fairview	08228025B
13-Oct	118325	NR 15-052	Compliance	\$100	Edifice-Hopewell Church	8900 Concord Highway	8183008

22-Oct cash H-15-053 Home \$50 Jeremy Nance 423 W Old Dutch 5219015

Totals 4 \$250

Nov. 10 29764 NRA-15-054 Addition \$50 Carolina Green 10108 Ind-TR-Fairview 08222011D
 17-Nov 5558 A-P-15-055 Pool \$50 Dean Sides 121 Windsor Green 8192044
 19-Nov N/A C-15-056 Compliance Paid 12-14 Simpson 1701 Biggers Fr Court 0818004B
 24-Nov 13322 H-15-057 Home \$50 Pinnacle Homes 8013 Carriker Williams 08117013D
 24-Nov 13322 H-15-058 Home \$50 Pinnacle Homes 8021 Carriker Williams 08117013E
 24-Nov 13322 H-15-059 Home \$50 Pinnacle Homes 8105 Carriker Williams 8117013F

Totals 6 \$250

3-Dec 18681 HA-15-060 Upfit \$50 Southern Builders Redden 7011 Fairview Court 8192039
 8-Dec 1305 HA-15-061 Home \$50 Vadim Balashov 816Old Dutch W 08252014A
 15-Dec N/A TC-15-062 Text-Chg N/A Town of Fairview 7400 Concord Highway N/A

Totals 3 \$100

Totals for--- 2015 62 \$3,350



Ed Humphries

From: Tony Helms [tthelms6@gmail.com]
Sent: Tuesday, January 05, 2016 3:38 PM
To: Ed Humphries
Subject: Monroe Union County Economic Development

Hi Ed,

As requested this is a summary of December's meeting. In the future I will give you a copy of the approved minutes from the board so you can add to the Council packet. Due to a lack of a building Development is slower than normal.

1. Waxhaw is working to develop a Industrial Park
2. Tyson is considering Monroe's plant for 56 jobs and \$ 5million investment in equipment. Monroe and Union County are offering \$ 225,000 in incentives.
- 3, Indian Trail apparel-printing co weighs \$ 2.3 million expansion. Union County has offered \$ 46,000 incentives.
4. We are not meeting as a group in January instead we are meeting in small groups such as Precision Manufacturing, Agri- Business, Logistics and Commercial. I have requested to be assigned to Precision Manufacturing since this is my business background. We have not been assigned yet.
5. We continue to work and revise the Committe work plan.

Public Hearing:

Text Amendment TC 15-062

Ed Humphries

To: Enquirer Journal
Cc: Teresa Gregorius
Subject: Public notice
Attachments: Public Hearing Notice-Text Changes -TC-15-062.doc

PLEASE PLACE THIS AD IN THE LEGAL ADVERTISED SECTION OF THE ENQUIRER-JOURNAL NEWSPAPER ON these dates:

Wednesday Dec. 30, 2015 and Friday Jan 1st, 2016

SEND INVOICE AND AFFIDAVIT TO: Ed Humphries, TOWN OF FAIRVIEW 7400 Concord Highway, Monroe NC 28110 -6927

Thanks in advance and for your help!

Ed Humphries

Land Use Administrator
Town of Fairview
7400 Concord Highway
Monroe NC 28110
704.564.3412
ehumphries@fairviewnc.gov



Please consider the environment when deciding whether to print this email.

Email correspondences to and from this address are subject to public records requests pursuant to the North Carolina Public Records Law, resulting in monitoring and potential disclosure of this message to third parties.

PUBLIC HEARING NOTICE

The Fairview Town Council will conduct a Public Hearing starting at 7:00pm on Monday, **Jan. 11th 2016 during the Council Regular monthly meeting** at the Old Fairview School (location address: 7514 Concord Highway, Monroe, N.C. 28110). The purpose of this hearing is to:

Hear public comment on:

Text Amendment #TC 15-062

Amend Section 60 Authorizing Use, Occupancy, or Sale Before

Completion of Development

Changes made to: 60a(1)&(2) b(1) & d

The Public is invited to attend the public hearing and make comments. As a result of testimony, 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 8:00am to 3:00pm)

The Town of Fairview does not discriminate on the basis of disability. If you need an auxiliary aid or service or other accommodation in order to attend or fully participate at this meeting, please contact the Ed Humphries at (704) 564.3412 as far in advance of the meeting as possible so that your request can be considered.

Current

Section 60 Authorizing Use, Occupancy, or Sale Before Completion of Development.

(a) In cases when, because of weather conditions or other factors beyond the control of the zoning, conditional use, or major development permit recipient (exclusive of financial hardship) it would be unreasonable to require the permit recipient to comply with all of the requirements of this ordinance before commencing the intended use of the property or occupying any buildings, the Town Council or the administrator may authorize the commencement of the intended use or the occupancy of buildings (insofar as the requirements of this ordinance are concerned) if the permit recipient provides a performance bond or other security established by the Town Council or the administrator. The amount of such security shall be equal to 1.25 times the cost of installing all required improvements. Such amount, furnished by the permit recipient, shall be verified by the appropriate Town staff.

(b) When the Town Council imposes additional requirements upon the permit recipient in accordance with Section 54B or when the developer proposes in the plans submitted to install amenities beyond those required by this ordinance, the Town Council or the administrator may authorize the permit recipient to commence the intended use of the property or to occupy any building before the additional requirements are fulfilled or the amenities installed if it or he specifies a date by which or a schedule according to which such requirements must be met or each amenity installed and if it or he concludes that compliance will be ensured as the result of any one or more of the following:

(1) A performance bond or other security satisfactory to the board or Land Use Administrator is furnished. The amount of such security shall be equal to 1.25 times the cost of installing all required improvements. Such amount, furnished by the permit recipient, shall be verified by the appropriate Town staff.

(2) The nature of the requirements or amenities is such that sufficient assurance of compliance is given by Section 114 (Penalties and Remedies For Violations) and Section 115 (Permit Revocation).

(c) With respect to subdivisions in which the developer is selling developed lots (i.e. lots with buildings on them), the Town Council may grant final plat approval and authorize the sale of lots before the completion of all improvements required by this ordinance if it concludes that (i) completion of such improvements has been delayed because of weather conditions or other factors beyond the control of the developer and (ii) it would be unreasonable to require the completion of such improvements before granting final plat approval, and if the developer provides a performance bond or other security satisfactory to ensure that all such improvements are completed within a reasonable period (not to exceed six months) after final plat approval. The amount of such security shall be equal to 1.25 times the cost of installing all required improvements. Such amount, furnished by the permit recipient, shall be verified by the appropriate Town staff; or

(d) With respect to subdivisions in which the developer is selling only undeveloped lots, the Town Council may grant final plat approval and authorize the sale of lots before all the requirements of this ordinance are fulfilled if the permit recipient provides a performance bond or other security to ensure that all of these requirements will be fulfilled within not

more than forty-eight months after final plat approval. The amount of such security shall be equal to 1.25 times the cost of installing all required improvements. Such amount, furnished by the permit recipient, shall be verified by the appropriate Town staff; or

(e) A security instrument provided under this section shall not be acceptable if it expires less than one (1) year after the date of issuance. Once it is determined that all improvements have been made and approved as provided for in this ordinance, any request to release such security require the Town Council's approval, unless such security was imposed under subsection (a) or (b) and in an amount less than five thousand dollars, which the Land Use Administrator can release such security upon the completion of requirements.

Proposed

Section 60 Authorizing Use, Occupancy, or Sale Before Completion of Development.

(a) In cases when, because of weather conditions or other factors beyond the control of the zoning, conditional use, or major development permit recipient (exclusive of financial hardship) it would be unreasonable to require the permit recipient to comply with all of the requirements of this ordinance before commencing the intended use of the property or occupying any buildings, the Town Council or the administrator may authorize the commencement of the intended use or the occupancy of buildings (insofar as the requirements of this ordinance are concerned) if the permit recipient provides a performance bond or other security established by the Town Council or the administrator. The amount of such security shall be equal to 1.25 times the cost of installing all required improvements. Such amount, furnished by the permit recipient, shall be verified by the appropriate Town staff. For any specific development, the type of performance guarantee shall be at the election of the developer.

(1) The term "performance guarantee" shall mean any of the following forms of guarantee:

a. Surety bond issued by any company authorized to do business in this State.

b. Letter of credit issued by any financial institution licensed to do business in this State.

c. Other form of guarantee that provides equivalent security to a surety bond or letter of credit.

(2) The performance guarantee shall be returned or released, as appropriate, in a timely manner upon the acknowledgement by the city or county that the improvements for which the performance guarantee is being required are complete. If the improvements are not complete and the current performance guarantee is expiring, the performance guarantee shall be extended, or a new performance guarantee issued, for an additional period until such required improvements are complete. A developer shall demonstrate reasonable, good faith progress toward completion of the required improvements that are the subject of the performance guarantee or any extension. The form of any extension shall remain at the election of the developer.

(b) When the Town Council imposes additional requirements upon the permit recipient in accordance with Section 54B or when the developer proposes in the plans submitted to install amenities beyond those required by this ordinance, the Town Council or the administrator may authorize the permit recipient to commence the intended use of the property or to occupy any building before the additional requirements are fulfilled or the amenities installed if it or he specifies a date by which or a schedule according to which such requirements must be met or each amenity installed and if it or he concludes that compliance will be ensured as the result of any one or more of the following:

(1) The nature of the requirements or amenities is such that sufficient assurance of compliance is given by Section 114 (Penalties and Remedies For Violations) and Section 115 (Permit Revocation).

(c) With respect to subdivisions in which the developer is selling developed lots (i.e. lots with buildings on them), the Town Council may grant final plat approval and authorize the sale of lots before the completion of all improvements required by this ordinance if it concludes that (i) completion of such improvements has been delayed because of weather

conditions or other factors beyond the control of the developer and (ii) it would be unreasonable to require the completion of such improvements before granting final plat approval, and if the developer provides a performance bond or other security satisfactory to ensure that all such improvements are completed within a reasonable period (not to exceed six months) after final plat approval. Forms of guarantee that provides equivalent security to a surety bond or letter of credit and will be acceptable to the town. The amount of such security shall be equal to 1.25 times the cost of installing all required improvements. Such amount, furnished by the permit recipient, shall be verified by the appropriate Town staff; or

(d) With respect to subdivisions in which the developer is selling only undeveloped lots, the Town Council may grant final plat approval and authorize the sale of lots before all the requirements of this ordinance are fulfilled if the permit recipient provides a performance bond guarantee or other security to ensure that all of these requirements will be fulfilled within not more than forty-eight months after final plat approval. The amount of such security shall be equal to 1.25 times the cost of installing all required improvements. Such amount, furnished by the permit recipient, shall be verified by the appropriate Town staff; or

(e) A security instrument provided under this section shall not be acceptable if it expires less than one (1) year after the date of issuance. Once it is determined that all improvements have been made and approved as provided for in this ordinance, any request to release such security require the Town Council's approval, unless such security was imposed under subsection (a) or (b) and in an amount less than five thousand dollars, which the Land Use Administrator can release such security upon the completion of requirements.

Appoint Patricia Kindley as Fairview Historian

Authorize Phil Thomas and
Jerry Clontz as signers for
the Towns two checking
accounts

Request from Sam F. Keziah

American Legion Post 535



TOWN OF FAIRVIEW

**APPLICATION FOR OUTSIDE AGENCY / NON-PROFITS
REQUESTING FUNDS FROM TOWN OF FAIRVIEW**

FISCAL YEAR 2016

Please provide six (6) copies and return the original to:
Town of Fairview
Attn: Town Clerk
7400 Concord Highway
Monroe, NC 28110-6927

Request Submitted by: Sam F. Keziab American Legion Post 535
Agency Name 5807 Emerald Woods Dr.
Indian Trail Nc 28079
Address

Funding Received from Town of Fairview – previous years None

Amount of Funding requested, FY 2016 \$ 5000⁰⁰

By: Alan Mitchell 704-363-8906
Name Telephone
Head Coach 12-29-2015
Title / Position Date

Date Request submitted to Town of Fairview 12-29-2015

Date Request received by Town of Fairview 12/29/2015 *[Signature]*

Date and action taken by Town of Fairview _____

Please include a breakdown of how the funds requested will be used to help accomplish your goals.

- Number of persons to be served by the requested funds 5000
- Other funding sources and amounts of funding provided (or requested)
Town of Unionville - \$4000.00
- Advertising in tournament program & sponsorships
- Is any in-kind assistance being requested, and is so, what kind
None
- Any additional information you may want to share that may assist the Town of Fairview Board of Council make an informed decision This is the American Legion state Baseball Tournament. Which will be 8 teams from all over North Carolina over 150 players and coaches. All money will go to offset the cost of the tournament and banquet.

Attach to this application:

- List of the Board of Directors, permanent staff members, and volunteers John Brewer
Jim Rowe, James Hood, Dennis Helms, Gary Wilfong
- Copy of the tax status determination letter from the IRS. If one is not available, include a brief explanation as to why.
- One (1) copy of the most recent independent audit of the agency/non-profit organization
If an audit is not available, one (1) copy of the most recent financial statement and budget

PLEASE NOTE: Incomplete applications may not be considered for funding.

Please answer all the following questions (attach additional sheets, if necessary):

1. Please give a brief description of the mission and programs of the agency or non-profit organization.

TO BE OF SERVICE TO THE COMMUNITY, STATE, AND NATION

WE DO THIS BY SPONSORING BOY SCOUTS, CUB SCOUTS, JR. MARKSMANSHIP
LEGION BASEBALL, UNIONVILLE CHRISTMAS PARADE, AND OVER
100 MILITARY FUNERALS A YEAR.

2. What community needs of the citizens and the Town of Fairview is being addressed in this request?

By showing your support of the VETERANS, AND THE
YOUTH in the community

Ala Mitchell
Signature of Requesting Agency's Authorized Official

12-29-2015
Date



JOHN BREWER
POST COMMANDER

SAM F. KEZIAH AMERICAN LEGION POST 535
UNIONVILLE, N.C.

IRS DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
OGDEN UT 84201-0023

001153.593936.0005.001 1 MB 0.382 532
[Barcode]

Date of this notice: 08-12-2009

Employer Identification Number:
80-0455051

Form: SS-4

Number of this notice: CP 575 E

AMERICAN LEGION UNIONVILLE POST 535
% OSCAR OUTEN
PO BOX 163
MONROE NC 28111

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 80-0455051. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Assigning an EIN does not grant tax-exempt status to non-profit organizations. Publication 557, Tax Exempt Status for Your Organization, has details on the application process, as well as information on returns you may need to file. To apply for formal recognition of tax-exempt status, most organizations will need to complete either Form 1023, Application for Recognition Under Section 501(c)(3) of the Internal Revenue Code, or Form 1024, Application for Recognition of Exemption Under Section 501(a). Submit the completed form, all applicable attachments, and the required user fee to:

Internal Revenue Service
PO Box 192
Covington, KY 41012-0192

The Pension Protection Act of 2006 contains numerous changes to the tax law provisions affecting tax-exempt organizations, including an annual electronic notification requirement (Form 990-N) for organizations not required to file an annual information return (Form 990 or Form 990-EZ). Additionally, if you are required to file an annual information return, you may be required to file it electronically. Please refer to the Charities & Non-Profits page at www.irs.gov for the most current information on your filing requirements.

SFK AMERICAN LEGION POST 535

FINANCIAL REPORT AS OF 12/31/2015

BUILDING ACCOUNT:

BALANCE ON 11/30/2015 **\$83,880.30**

EXPENCES:

UNION POWER	45.15
STEVENS TRUCKING & SEPTIC	48.00
C&P CUSTOM PRINTED T'S	171.00

TOTAL EXPENCES **\$264.15**

INCOME:

A&L DOLLARS	9.00
BENTON'S CROSSROADS BC (USO PROCEEDS)	
FROM REGULAR ACCOUNT	1024.00
(EMBROIDERY-C&P SALES)	12.00
A&L DOLLARS	36.00

TOTAL INCOME **\$1081.00**

BALANCE ON 12/31/2015 **\$84,697.18**

BASEBALL ACCOUNT

BALANCE ON 11/30/2015 **\$6,341.49**

EXPENCES:

NC COOPERATIVE EXTENSION SERVICE

(AG CENTER RENT- CHAMPIONSHIP)	\$392.00
BAUCOM INSURANCE AGENCY	
(INSURANCE - CHAMPIONSHIP)	315.00
AUSTIN PRINTING	85.12
TOTAL EXPENCES:	\$792.12

INCOME:

12/3 CHAMPIONSHIP DEPOSIT	\$5,600.00
12/16 CHAMPIONSHIP DEPOSIT	575.00
12/22 CHAMPIONSHIP DEPOSIT	855.00

TOTAL INCOME	\$7,030.00
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BALANCE ON 12/31/2015	\$12,579.37
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PRUDENTIAL ACCOUNT

NO ACTIVITY

BALANCE ON 12/31/2015	\$1376.00
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Approve 2016 Meeting Dates for Council



Town of Fairview

❖ Meeting Dates for the Town Of Fairview --- 2016

- ❖ The second Monday night of each month
All meetings start at 7pm

January 11th 2016----Monday

February 8th 2016----Monday

March 14th 2016 ----Monday

April 11th 2016----Monday

May 9th 2016-----Monday

June 13th 2016----Monday

July 11th 2016 ----Monday

August 8th 2016----Monday

September 12th 2016 --Monday

October 10th 2016----Monday

November 14th 2016----Monday

December 12th 2016----Monday

Approval of Minutes of December 14, 2015



**Town of Fairview
Regular Meeting
December 14, 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

Presentations

Darrell Baucom presented the 2014-2015 Town Audit performed by Moyer, Smith & Roller, PA. since Mr. Moyer was unable to attend the meeting. Mr. Baucom covered the financial statements and stated that the auditor noted that everything was fairly presented. The auditor reported one instance of noncompliance regarding the Town park capital project which is considered a major fund and should be separate from the general fund as a park capital project fund. Mr. Baucom also noted that he will be getting further training regarding fund accounting.

Bradley Purser requested that Mr. Baucom check with Mr. Moyer about coming to a future meeting to discuss the audit.

Phil Thomas suggested to Mr. Baucom that as he receives and learns more information regarding the statutes he passes the information along to the council.

Reports

- a) Darrell Baucom gave the financial report.
- b) Ed Humphries gave the Land Use Report.
- c) There was no Park and Recreation report.
- d) John Biggers gave the CRTPO report.
- e) Tony Helms gave the Monroe/Union County Economic Development Committee report.

Items of Business

a. Minutes

Phil Thomas made a motion that the minutes of the November 9, 2015 regular meeting be approved. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Thomas voted yes (4-0).

Current Council Comments

Jerry Clontz stated that he had enjoyed working with Mayor Long.

Bradley Purser stated that Mayor Long has put in a tremendous amount of time and effort into incorporating the town and then serving as council and mayor.

Mayor Long reported on a meeting she had with several members of the Union County Public Health department regarding the arsenic situation. Mayor Long asked the Council to consider establishing some type of grant to help residents with the cost of getting their wells tested.

Phil Thomas reported that he attended the New Mayor Training sponsored by the NC League of Municipalities. It was very informative and he made some good contacts.

Phil Thomas presented Mayor Long with a plaque and thanked her for her years of service.

INTERMISSION

Oaths of Office were given by Town Clerk, Ed Humphries to the newly elected mayor and council members Phil Thomas, John Biggers and Gary Wilfong respectively.

Items of Business

a. **Appoint Mayor Pro Tem**

Mayor Thomas opened nominations for Mayor Pro Tem. Bradley Purser nominated Jerry Clontz. John Biggers seconded the nomination. Gary Wilfong moved that the nominations be closed. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0) to appointing Jerry Clontz as Mayor Pro Tem.

Mayor Thomas administered the oath of office to Jerry Clontz.

b. **Appoint** Teresa Gregorius Fairview Town Clerk

Jerry Clontz made a motion to appoint Teresa Gregorius as Fairview Town Clerk. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Mayor Thomas administered the oath of office to Mrs. Gregorius.

c. **Appoint** Ed Humphries as Deputy Clerk

Jerry Clontz made a motion to appoint Ed Humphries as Fairview Deputy Clerk. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Mayor Thomas administered the oath of office to Mr. Humphries.

d. **Discuss** Salary Adjustment for New Town Clerk

Jerry Clontz made a motion to increase Teresa Gregorius' salary to \$16.00 per hour. Bradley Purser seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Jerry Clontz made a motion to decrease Ed Humphries salary by \$350.00 per month. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

e. **Update** Council on Possible Changes to Park Drawings

Jerry Clontz stated that as he reported last month NCDOT has determined that the town will have to provide a turn lane into the park. The cost is projected to be approximately \$186,000. Upon applying for the permit from Union County we have been told that the town will have to move the 8 inch water line along the turn lane area at an approximate cost of \$30,000.

Mr. Clontz stated that in addition to the resolution Representative Mark Brody presented to NCDOT, Mr. Clontz contacted several individuals at NCDOT to plead the case of not needing a turn lane at all. NCDOT will review again.

f. **Council** Members to Sign Agreement to Fund Payments to Fire Department for the Financing of the New Fire Truck

Patti Freeman, FVFD stated that Yadkin Bank requested a letter from the Town outlining the agreement to fund payments for the new fire truck. The new truck will be delivered January 8th.

John Biggers made a motion to set up quarterly payments to Fairview Volunteer Fire Department for a five year loan at 2.95% with payments made one month prior to each quarter. Jerry Clontz seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Council Comments

Bradley Purser congratulated Mr. Thomas and Mr. Biggers and Mr. Wilfong on winning the election and welcomed Mr. Wilfong to the Council.

Bradley Purser made a motion to give Darrell Baucom, Ed Humphries and Teresa Gregorius a \$50 gift certificate for Christmas. Jerry Clontz seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Jerry Clontz stated that he is excited about the new council and looks forward to working with everyone.

John Biggers congratulated Mr. Thomas and Mr. Wilfong and also looks forward to working with everyone.

Gary Wilfong thanked his wife for supporting him in running for office. He looks forward to serving the Town of Fairview.

Mayor Thomas stated he is looking forward to serving with everyone. He would like the Council to consider a few items to discuss in the near future: a planning retreat with a facilitator, ways to celebrate Fairview, rules of procedure for Fairview Town Council.

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

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this _____ day of _____, 2015.