

**Fairview Town Council Meeting  
Public Hearing Meeting  
September 17, 2007 – 7:00 PM**

The following members were present, constituting a quorum: Mayor Richard Williams, Mayor Pro Tem Elizabeth Long, Bradley Purser, Bill Thomas and Jerry Clontz.

Personnel: Tana McConnaughey, Tax Collector, Christine Surratt, Finance Officer, Jan Carter, Town Clerk, Jason Wager, Land Use Administrator and Joe McCollum, Attorney.

Others: B.B. Haigler, John Alan Biggers, John Biggers, Jesse Hargett, Patti Freeman, Eric Stein, Dean Blevins, Matt Clontz and Jack Griffin.

The meeting was opened by Mayor Williams at 7:08 pm.

The minutes were discussed. Jerry Clontz made a motion to approve the minutes. Elizabeth Long seconded it. It passed unanimously. Financial Reports were handed out by Christine Surratt. Tana McConnaughey stated that the tax collections were doing well.

Bradley Purser made a motion to add to the agenda issues about cleaning and supplies for the Town Hall. He wants this to be ahead of Executive Session. Bill Thomas seconded. It passed unanimously.

Mayor Williams noted that we need to set up a Public Hearing for Rocky River Farms for the October meeting. Elizabeth Long made a motion to do the Public Hearing on October 15<sup>th</sup>. Bradley Purser seconded. It passed unanimously.

The Public Meeting for the Biggers Development was opened then. Jason Wager discussed the Quasi-Judicial Procedures for Conditional Use Permits. Jason Wager, John Alan Biggers and John Biggers were sworn in by Town Clerk, Jan Carter.

This development involves 20 acres. Jason Wager explained the zoning and backgrounds of the property. Then he discussed the changes and maps that he has passed out to the Council members. John Alan Biggers gave his address in Matthews and he addressed the Council. He stated that the road will be taken over by the North Carolina DOT. Water and sewage issues were discussed. John Biggers next gave his address on Concord Hwy. Next the water was discussed and it is not arsenic water according to John Biggers.

Jerry Clontz made a motion to accept the Biggers request for the development. Elizabeth Long seconded it. It passed unanimously.

Elizabeth Long made a motion concerning the Finding of Facts involving #1 and #2. Number 1 is that the conditional use will not endanger public safety and Number 2 is that it will not injure the value of abutting property. Bill Thomas seconded. It passed unanimously. Elizabeth Long made a motion to approve Number 3, noting that the

Condition Use will be in harmony with the area. Bradley Purser seconded. It passed unanimously.

Jerry Clontz made a motion to approve Number 4 about the conditional use being in general conformity with the land use plan. Bradley Purser seconded. It passed unanimously. Jerry Clontz made a motion to approve the Conditional Use Permit. Based on these conditionals presented tonight, these will be included. Bill Thomas seconded. It passed unanimously.

Mayor Williams asked if there were any other discussions and after a few discussions, the Public Hearing was closed.

The Council is back in regular meeting by Mayor Williams. Mayor Williams noted that Mr. Scot Collins was not at the meeting. Scot Collins has a request for a waived Minor Subdivision Fee. Jason Wager discussed the Biggers Subdivision. He discussed modifications, approval of the application, the CUP issues and Major Development. Bill Thomas made a motion to accept this. Elizabeth Long seconded. It passed.

#### Nuisance Ordinance:

Eric Stein and Dean Blevins were present tonight. Eric Stein discussed the Nuisance Ordinance to limit the noises with a neighbor. He stated that the County does not cover this area unless the Board accepts the ordinance for this area. Mr. Stein wants some legal assistance. He requested that the Council adopt the County Nuisance Ordinance. Bill Thomas asked some questions. Joe McCollum stated that this does not apply to Fairview. The Council needs to adopt its own Ordinance. Attorney McCollum wants to look at the ordinance. Bradley Purser made a motion that the Mayor contacts the Sheriff's Office to see if they will enforce these laws.

Mr. Dean Blevins next discussed the Fairview areas and these noise issues. He had called three lawyers about this situation. Bill Thomas stated that the sheriff may not enforce this. Mr. McCollum discussed this a little more. Jerry Clontz discussed it again and suggested a work session. Bradley Purser made a motion to accept the Nuisance Ordinance. Bill Thomas seconded. It passed. Jerry Clontz did not vote for it.

#### Flood Plan Ordinance Proposal:

\$2,400.00 will be the cost for help from Centralina – a model ordinance is available. Jason discussed this proposal and changes in this might require a Public Hearing. Public comments are needed. Insurance was discussed. Jerry Clontz made a motion to fund Centralina for the Flood Plan Ordinance Proposal. Bradley Purser seconded. It passed unanimously.

#### Gas Pipeline Easement:

Elizabeth Long noted that this area does not like this. Bill Thomas and Elizabeth Long attended a meeting with Monroe concerning this. She suggested that owners disagree with the amount of the land cost. Many have opposed it. A workshop may be made to

discuss this issue. Bradley Purser next talked about public comments and he moved to add that to the agenda. Bill Thomas seconded. It passed. Bradley Purser discussed the need to clean the building.

The recent Council Workshop was discussed as the Town Council was present to look at Town Hall. Christine Surratt presented some quotes about cleaning the Town Hall. Cleaning walls and vents, floors and bathrooms is needed. \$3500.00 is a quote she got from S&S Maintenance. Jerry Clontz talked about cleaning up the place. B.B. Haigler suggested that we use the lady that cleans Bethlehem Presbyterian Church. Supplies and more expenses were discussed for the building. A limit for the amount of money was discussed. Phone system, cleaning supplies, internet needs, trash cans and other needs were discussed. The amount discussed as a limit was \$500.00 per member per month. Elizabeth Long seconded it. It passed.

Christine Surratt next discussed the financial software. The only thing she needs is hardware. A system would be a laptop, one monitor and the server which would cost \$2070.00. She will amend the budget if it goes over the expense. Elizabeth Long moved to give Christine the expenses she needs. Bill Thomas seconded it. It passed unanimously.

Joe McCollum discussed the Nuisance Ordinance. He did not see the name Fairview in this ordinance. He did not research this Ordinance. Bradley Purser made a motion to resent this Nuisance Ordinance. It needs to be a valid ordinance, per Attorney McCollum. Bradley made a motion to resend the ordinance and have Attorney McCollum make changes based on what the Sheriff's office will do. Bill Thomas seconded it. It passed unanimously.

Public Comments:

The floor was opened for public comments. Bradley Purser made a motion that we go into executive session. The Clerk and Attorney are to attend. Elizabeth Long seconded it. It passed unanimously.

Respectfully submitted:

---

Mayor Richard Williams

---

Town Clerk Jan Carter

