

FAIRVIEW TOWN COUNCIL MEETING
AUGUST 18, 2008
FAIRVIEW TOWN HALL.
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: Town Clerk Jan Carter, Finance Officer Christine Surratt, Town Administrator Jason Wager, Tax Collector Tana McConnaughey and Attorney Joe McCollum.

The meeting was opened by the Mayor Williams. Attorney McCollum discussed comments for the meeting. The CUP that follows will continue to be a Quasi-Judicial hearing. The floor was opened for Public Comments by the Mayor Williams. Mr. Doug Cox discussed the microphones and how the Council uses them at the meetings.

Adjustment of Agenda: Member Jerry Clontz talked about the Town Hall signs and having someone in the office for 2 days a week. Administrator Jason Wager handles the permits. Member Clontz said we need to have a staff member here for 4 hours a day. The Air Conditioner will be discussed as mentioned by Member Purser. Member Bill Thomas made a motion to adjust the Agenda. Member Clontz seconded it. It passed unanimously.

The minutes were discussed. After a few changes, Member Thomas made a motion to approve the minutes. Member Clontz seconded it. It passed unanimously.

Old Business:

C-08-001 Conditional Use Permit for Emergency Radio Tower- Jason Wager discussed the Quasi Judicial issues. The Town Council has already opened and closed a Public Hearing for the Emergency Radio Tower. One question was outstanding: To have the County to look into a Demolition Bond. This would take the Tower down if needed and that the County would have the money for that. This is clarification time for the decisions. They may want to have a vote on the Conditions. 1. This will not endanger public health, and 2. This will not injure the value of adjoining property. This is the Quasi Judicial Promotion. 3. The proposal will be in harmony with the area and 4. It will be in general conformity with the land use plan.

Bradley Purser stated that he was not here at the Public Hearing, but Mr. McCollum had told him he could vote on this at this meeting. He had information given to him to make him eligible to vote such as the minutes of the meeting and a packet from Centralina and the CDs taken on the July meeting. Member Thomas asked what category the Tower is in. The categories were discussed by Member Thomas. He noted that this is a telecommunication tower. There would be a 400 foot setback. He noted the safety of the tower and it's falling, public health and the value would be negative on property. It has to fit the Land Use Plan also for future land use and building codes.

Member Purser discussed the problems of the first CD, and he listened to the second CD and he read the minutes and the packet from Centralina. Attorney McCollum stated that if a board member is absent, as long as they review the minutes they can vote. The state law controls this. The County has agreed with the Demolition Bond as was stated by Gary Thomas with Union County Communications. Bradley Purser discussed property owners issues. McCollum discussed the 4 items that the Council needs to agree to and then they would vote on the Conditional Use Permit.

Findings of Facts:

1. The Proposed Conditional Use will not materially endanger the public health or safety of people. Member Clontz made a motion to approve this. Member Purser seconded it. Member Purser and Clontz voted in favor. Member Elizabeth Long and Thomas voted against it. Mayor Williams voted in favor and the motion passed.
2. The Proposed Conditional Use will not substantially injure the adjoining property. Member Thomas made a motion to not approve this. Member Long seconded it. Member Thomas, Long and Clontz voted in favor this motion. Member Bradley Purser voted against it. The motion of not approving this passed.
3. The Proposed Condition Use will be in harmony with the area in which it is to be located. Member Clontz made a motion to not approve this. Member Thomas seconded it. 3 voted for this. Member Purser voted against it. The motion stating the Tower will not be in harmony passed.
4. The Proposed Conditional Use will be in general conformity with the land use plan, thoroughfare plan and other plans. Member Clontz made a motion to approve this. Member Purser seconded it. Member Clontz & Purser voted for it. Member Long & Thomas voted against it. Mayor Williams voted against it. Two voted for this and three voted against it. This motion did not pass.

Only the first one of these Findings of Facts passed. A Conditional Use Permit can not be done. This will be denied. Member Thomas made a motion that the Tower does not pass as a Conditional Use Permit due to only 1 of the Findings of Facts was approved, and this Permit will not be approved. Member Long seconded it, and it passed.

Donations for Advertizing for Piedmont High Schools Signs. Mayor Williams discussed the signs and the costs for athletic signs, and the minimum is \$100.00.

Proclamation for September 17th to 23rd as "Constitution Week"

Member Thomas made a motion to approve making this week in September as "Constitution Week". Member Clontz seconded it. It passed unanimously.

New business:

General Reports- Town Zoning Administrator

Administrator Jason Wager passed out some information for a community meeting on August 26th. This would discuss the Goose Creek and Crooked Creek water sheds and local water quality.

Tax Collector Tana McConnaughey stated that bills will go out by mid September. Financial Reports were discussed. Finance Director Christine Surratt passed out the reports. She discussed the Trust Account and the Checking Accounts.

Member Thomas discussed the well water. Next he discussed United Way and he is going to a workshop soon.

Member Clontz discussed this HVAC Air Conditioner and he discussed some new signs. He wants a sign over the door and at the brick sign. Governmental signs are exempt from needing a permit. Member Purser suggested that Jerry Clontz get some information . He made a motion to allow Member Clontz to get more information, and Member Thomas seconded it. It passed unanimously.

Member Jerry Clontz discussed staffing the Town Hall and having someone two days a week. This would be needed for reports for people in the community. Administrator Wager says Board members may not be a good thing for this. 401k and retirement issues were discussed. Member Clontz discussed having a volunteer. Administrator Wager said we would need a computer and a fax machine and a phone. Member Clontz made a motion to table this until next month. This will be on the agenda. Member Purser seconded it. It passed unanimously.

Member Purser wants the air condition to be working at our meeting. Member Clontz had talked to the Union County Public Schools about this last month. Member Purser made a motion to send a letter about the air condition to request repair work and to have it repaired before the next Town Council meeting. Member Thomas seconded it. It passed unanimously.

Member Purser discussed the CDs for the meetings. He wants people to come up to the microphone and make sure they state their name. Next he discussed the Fairview Fire Department. He wants a representative to come to the Council meeting and ask for funding. He wants to see if the Finance Director and the Tax collector can leave the meeting earlier if needed. Member Long suggested that we move their time to comment higher on the agenda.

Member Jerry Clontz made a motion to close the meeting. Member Bill Thomas seconded it. It passed unanimously and the meeting closed.

Respectfully Submitted:

Mayor Richard Williams

Town Clerk Jan Carter