

FAIRVIEW TOWN COUNCIL MEETING  
APRIL 20, 2009  
7415 CONCORD HIGHWAY  
7:00 PM

The following members were present, constituting a quorum: Mayor Richard Williams, Mayor ProTem Elizabeth Long, Bill Thomas and Jerry Clontz

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

The recessed Public Hearing meeting for C-08-002- for Conditional Use Permit Request for Ridge Point Subdivision was opened by the Mayor Williams. Attorney Joe McCollum noted why the meeting was recessed. All persons wanting to testify were asked to come forward and be sworn in. Steve Helms and Jason Wager and Patti Freeman were sworn in. Mr. Helms also testified that there was nothing in the waste system that would endanger the public health or safety, nor anything else about this subdivision. He further stated that there were no houses nearby so it could no, in his opinion, injure the value of adjoining property owners. He also said that the houses he would build and the subdivisions would be in harmony with other homes in the area and that the subdivision was also in conformity with the Land Use Plan and Subdivision Ordinance. Jason Wager offered the exhibits in the zoning packets of the council persons into evidence.

The Public Hearing was closed and re-convened into the regularly scheduled Town Council meeting by the Mayor.

Tana McConnaughey, Tax Collector gave a report on the taxes. Reports from Financial Officer Christine Surratt were given out. Bill Thomas discussed the taxes. She discussed the budget ordinance and the Sales Tax Distributions. Mr. McCollum explained how the Town had applied in 1999 and had the 2 cent tax. She wants a budget public hearing in May. She will put it on the web site. Bill Thomas made a motion to have a Public Hearing Meeting in May. Elizabeth Long seconded it. It passed unanimously.

Finnistar Discussion- an Investment Group.

Christine Surratt discussed the Town's savings. She checked with 5 banks. She wants to transfer this money to another bank. Finnistar is 1.2% for 30 days. Bill Thomas made a motion to have Christine Surratt use First Citizens Bank for 9 months and Citizen South for 1 year. Elizabeth Long seconded it. It passed unanimously.

Adjustment of Agenda: Bill Thomas made a motion to move COG and Donation to Literacy Council of Union County until the next meeting and he made a motion to add number 15 for C-08-002 to be added and to take action on it. Elizabeth Long made a motion to have the Fairview Fire Dept. added to the agenda next. Jerry Clontz seconded the motions to make these changes. It passed unanimously.

The minutes were discussed. Elizabeth Long made a motion to approve the minutes. Bill Thomas seconded it. It passed unanimously.

Discussion of Meeting Procedures for Town Council Members: Receiving information for items on the agenda 3 days before the meeting. Elizabeth Long made a motion to get mail every day and reports to them by 3 days before the meeting. She also wants the minutes and the reports of the Finance Officer and Tax collector be voted on together. Christine Surratt will need information for payroll earlier. Mail will be brought here on Wednesday before the meeting by the Town Clerk. Attorney Joe McCollum wants a book of all adopted procedures. Bill Thomas seconded it. It passed unanimously.

Mayors-Commissioners Issues Conference. Richard Williams discussed this meeting to be held at Unionville. After discussing giving \$100.00 for this, Bill Thomas made a motion to spend the \$300.00 for this meeting. Jerry Clontz seconded it. It passed unanimously.

Appointment of Representative from Fairview for Government Advisory Committee. Elizabeth Long made a motion to appoint Dee Lamb for this position. Bill Thomas seconded it. It passed unanimously.

Call for Public Hearing in the May Council meeting for Text change TC09-001 for Sec.15 Definition of Minor Subdivision and Flag Lot and Clarification Sec.211 Access to Lots. Bill Thomas made a motion to have the Public Hearing. Jerry Clontz seconded it. It passed unanimously.

Call for Public Hearing for C08-003 Conditional Use Permit for Rocky River Farms Subdivision and 2 year Vesting Request for the May Town Council meeting. Jerry Clontz made a motion to have a Public Hearing on May 18<sup>th</sup>. Elizabeth Long seconded it. It passed unanimously.

Jason Wager commented that the meeting will continue on Tuesday, April 28<sup>th</sup> at 7:00 pm to discuss COB contract and Scope of Services for 2009-2010.

Call for Special Meeting for Public Hearing and decision for Temporary Use Permit submitted by Paul Scoggins. Elizabeth Long made a motion to have Special Meeting on May 5 Tuesday 7:00 pm. Bill Thomas seconded it. It passed unanimously.

The Mayor then called for a vote on the Conditional Use Permit C08-002 for Ridge Point Subdivision.

Councilman Thomas made a motion that the proposed conditional use will not materially endanger the public health or safety as the waste water system is safe and licensed by the state and traffic would not be affect in the area. Councilman Clontz seconded the motion and it passed unanimously.

Councilman Thomas made a motion that the Conditional Use Permit would not substantially injure the adjoining or abutting property as there were not many houses in the area and little to affect in the area. Councilwoman Long seconded the motion and it passed unanimously.

Councilman Thomas made a motion that the proposed conditional use was in harmony with the area because the area was residential. Councilman Clontz seconded it and it passed unanimously.

Councilman Thomas made a motion that the proposed conditional use was in general conformity with the land use plan and complied with the subdivision ordinance. Councilwomen Long seconded and it passed unanimously.

There were twelve (12) conditions recommended by the Planning Board. Developer Steve Helms was asked if he agreed to these conditions and he stated that he did. It was also indicated that there were four (4) corrections needed too be made to the site plan. These corrections were:

1. 13 total lots proposed, includes drainfield lot
2. Correct Minimum lot size 40,000 sf
3. Remove row "lot width at R/W"
4. Remove row "lot depth"

Councilman Thomas then made a motion to approve Conditional Use Permit C08-002 with the corrections and the conditions recommended by the Planning Board and agreed to by Mr. Helms. Councilwoman Long seconded it and it passed unanimously.

The Fairview Fire Department next talked to the Council. Eric Freeman and Wyatt McBride stated that they need some money to make payments this month. The Council discussed a donation. Bill Thomas made a motion to donate \$2500.00 this month. Elizabeth Long seconded it. It passed unanimously.

Jerry Clontz stated that we will have a 5 year contract in July to rent this building. He will explain this more when we receive the lease. Then the Council discussed getting a new copier.

Flood Insurance Meeting– April 28<sup>th</sup> is a meeting with Milton Carpenter. Bill Thomas and Jana Finn will attend this meeting.

Bill Thomas made a motion to recess this meeting to April 28<sup>th</sup> at 7:00 pm. Jerry Clontz seconded it. It passed unanimously. The Board Of Adjustment meeting will be at 5:30 pm. on April 28<sup>th</sup> Tuesday. The meeting recessed.

Respectfully submitted:

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Mayor Richard Williams

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Town Clerk Jan Carter