

**Town of Fairview
Regular Meeting
December 8, 2014**

The following Council members were present: Mayor Elizabeth Long, Bradley Purser, Arnold Price and Jerry Clontz. John Biggers was not present.

Other present: Joe McCollum, Town Attorney, Darrell Baucom, Finance Officer and Ed Humphries, Land Use Administrator and Town Clerk

Agenda Changes

Tony Helms, Fairview appointed member of the Monroe Union County Economic Development Commission, will discuss the Economic Development Committee during his reports to include item F. (Decision on Renewing the Monroe-Union County Economic Development Commission Agreement).

Item B under Presentation – Fairview Fire and Rescue to discuss Fire Apparatus for the Department.

Bradley Purser made a motion to approve the agenda, as amended. Arnold Price seconded the motion. Councilmen Purser, Price and Clontz voted yes (3-0).

Presentations

- A. A presentation on the 2013-14 Town Audit was given by Tom Moyer with Moyer Smith & Roller, PA. Copy of the report is in the Clerk’s office and on the web site. Comments by Mr. Moyer included:

- Budget
- Capital outlay
- Budget spending and income
- Addition to fund balance
- No internal control problems detected

- B. Public Comments: None

- C. Fairview Fire and Rescue presentation asking the Town to support and help pay for a new fire truck. Brian Austin, Board President, explained the age and maintenance of the 1993 fire truck that needs to be replaced. Chris Jones, a fire department officer, explained how the department looked at used trucks and also a new one. The Committee decided that a new truck (1000 gal capacity.) would be best for the department at a price of \$442,454.86.

Jerry Clontz asked the fire department what help was needed. Brian Austin stated that the department would like help with the full purchase, but would take what the Council

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would be willing to give. Jerry Clontz asked which does the department want help with – the building or a truck. Clontz stated the Town could not help with both. Chief McBryde explained that the department wanted to replace a 1993 truck. The insurance rating for the Town has decreased from seven to five, based on the department’s equipment, ability to carry water and personnel. Chief McBryde explained that the building was 48 years old and we must do the best we can.

Mayor Long asked Chief McBryde if he had talked further with 601 Investments about property for a station on Highway 601 near Fairview Elementary School after the initial meeting in November 2012.

Chief McBryde response was “no, I have not”.

Mary Lou Starnes asked about the car the department had acquired. Chief McBryde explained that the car was given to the department by the County and the department had about \$400 in the car making minor repairs. The car would be used on Medical calls instead of using the brush truck.

Bradley Purser asked everyone to look at the Town Survey concerning comments about the fire department. The Survey can be found on the web site

Reports:

- Darrell Baucom gave the monthly financial report
- Ed Humphries gave the permit and tax report
- Fire Department report—none
- Economic Development Report –later in reports
- CRTPO- no report
- Park and Recreation

Jerry Clontz gave the Park and Recreation report, stating that he had talked with Site Solutions regarding the septic tank and survey of the trail around the pond. Clontz stated that one more bid was needed on the pond; he was talking with a landscape company about upkeep on the park; and talking about the restrooms being “pre-fab”, which would be approximately \$30,000 cheaper than “stick built”.

Tony Helms addressed the Council, giving his monthly report, explaining:

- Replacing a building in Monroe
- 103,700 labor force in County – goal 300 new jobs for the year
- Medical Data Company

The Monroe-Union County Economic Development Commission Agreement ends this December, and is up for renewal.

Tony Helms stated he thought it was a wise decision to be a part of the Commission, but feels like Fairview should not have to pay to be a member. Helms recommended not renewing the contract at the end of December.

Bradley Purser stated he would like Tony to continue to serve for Fairview.

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It is hoped that the County will appoint a member from Fairview. Fairview could rejoin at any time.

Arnold Price made a motion **not to renew** the contract with the Monroe-Union County Economic Development Commission. Bradley Purser seconded the motion. Councilmen Purser, Price and Clontz voted yes (3-0).

4 a. Public Hearing #CUP 14-002,

Bradley Purser stated he would like to read the comments from John Biggers that we received.

The Town attorney explained the open meetings law. The Clerk stated that the email from John was comments only and not to be taken as voting on any issue.

The Town Attorney stated the Council pass a motion to combine the four public hearings stated on the advertisement for the Public hearing to one public hearing needed.

Jerry Clontz made a motion to combine the four public hearing advertisement into one. Arnold Price seconded the motion. Councilmen Clontz, Price and Purser voted yes (3-0).

Mayor Long opened the Public Hearing.

Ed Humphries explained the request.

Rezoning Request #CUP 14-002 by Danny and Karen Cable

A Request by Danny Cable to rezone part of Parcel # 08195010 to HC with a Conditional Use Permit. Property is located at 6323 Concord Highway and is now zoned RA-40. The request will be used for his trucking business (C&C Grading Services). Permit request # CUP-14-002.

Humphries stated that the request was made in January but was delayed in order that the Planning Board review the Land Use Plan and make recommendations of how it should be revised. The Council approved the revisions in September, 2014, which made this request conform to the new plan.

There was no public comment.

Mayor Long closed the Public Hearing.

Humphries explained the request for rezoning to HC with the following conditions:

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1. Will park up to 25 trucks on lot when not in use.
2. Will park up to 30 trailers on lot when not in use.
3. Will have up to 15 cars parked on the property during working hours.
4. Will have one 'porta jon' on property.
5. Will have one storage trailer with fuel tanks inside on lot.
6. There will be no advertising signs on the property.
7. Fire Dept. to inspect fueling station

“Findings of Fact” – HC-#CUP 14-002

1. Jerry Clontz made a motion that the proposed conditional use will not materially endanger the public health because the business is not harmful and has been there for years. Arnold Price seconded the motion. Councilmen Price, Purser and Clontz voted yes (3-0).
2. Jerry Clontz made a motion that the proposed conditional use will not substantially injure the value of adjoining or abutting property because it had been there over 10 years. Arnold Price seconded the motion. Councilmen Price Purser and Clontz voted yes (3-0).
3. Arnold Price made a motion that the proposed conditional use will be in “harmony with the area in which it is to be located because it is surrounded by farmland and has been in operation for some time. Jerry Clontz seconded the motion. Councilmen Price, Purser and Clontz voted yes (3-0).
4. Jerry Clontz made a motion that the proposed conditional use will be in general conformity with the Land Use Plan, Thoroughfare Plan or other plan due to it conforming to the Revised Land Use Plan adopted in September, 2014. Arnold Price seconded the motion. Councilmen Purser, Clontz and Price voted yes (3-0).

b. Jerry Clontz made a motion to approve the Rezoning Request by Danny Cable to rezone part of his property to HC with the Conditional Use Permit #CUP 14-002 with the following conditions:

1. Will park up to 25 trucks on lot when not in use.
2. Will park up to 30 trailers on lot when not in use.
3. Will have up to 15 cars parked on the property during working hours.
4. Will have one 'porta jon' on property.
5. Will have one storage trailer with fuel tanks inside on lot.
6. There will be no advertising signs on the property.
7. Fire Dept. to inspect fueling station

(At this time Karen Cable stated that she agreed to the conditions of the permit.)

And to include the following statement:

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

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

Arnold Price seconded the motion. Councilmen Clontz, Price and Purser voted yes (3-0).

c. **Adopt Rules of Procedure** for the Park and Recreation Advisory Committee. The Rules of Procedure adopted by the Park and Recreation Committee were presented to the Council by Jerry Clontz. Council members had suggestions for corrections to the rules. It was decided that the Park and Recreation Committee will review the suggestions and the item be put on the next agenda.

d. **Appoint a project manager for the park.** There was discussion regarding whether or not to have someone who is familiar with the park or an outsider to be the project manager. Discussion followed.

Bradley Purser made a motion to appoint Jerry Clontz as the project manager of the park. Arnold Price seconded the motion. Councilmen Clontz, Price and Purser voted yes (3-0).

There was discussion about the authority in dollars the manager would have to make decisions without Board approval. It was decided that an amount would not be established at this time but would be reviewed when and if needed.

e. **Renewing the Monroe-Union County Economic Development Commission Agreement).**

Discussed in the reports section

f. **Lease with Fairview Fire and Rescue**

The lease was discussed. Bradley Purser made a motion to renew the lease (see exhibit A) for office space with Fairview Fire and Rescue. Arnold Price seconded the motion. Councilmen Clontz, Price and Purser voted yes (3-0).

g. **Hiring Additional Employee for Fairview**

There was discussion about an additional part time employee. The Council asked Finance Officer Darrell Baucom to give the Council information about what we paid the previous clerk. The item was tabled and placed on the January, 2015 agenda.

h. **Minutes**

Bradley Purser made a motion to approve minutes of the Regular Council Meeting held November 10, 2014, as corrected. Arnold Price seconded the motion. Councilmen Clontz, Purser and Price voted yes (3-0).

5. **Council Comments**

Mayor Long asked to see the application the Town submitted to the State about the park pond dam.

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Mayor Long stated the Planning Board had cancelled the December 16, 2014 meeting, but placed the wrong date on the website.

Jerry Clontz stated that the Park and Recreation Committee will meet the second Thursday on Jan. 8, 2015

Arnold Price stated that the Code Enforcement complaint at Brief and 601 would be cleaned up within the next couple of weeks.

Bradley Purser made a motion to give each of the Town employees a \$50 gift certificate as a Christmas gift. Arnold Price seconded the motion. Councilmen Price and Purser voted yes. Councilman Clontz voted no. The motion passed (2-1).

Bradley Purser stated he would like to see the request from the Fairview Fire and Rescue be placed on the January, 2015 agenda. Discussion of the Fire Department request followed.

Bradley Purser stated that the Mayor needs to “drop the hammer” on people who address the Council during the Council meeting. These comments should be in “Public Comments”.

Mayor Long stated that while she was the presiding of the board, she would handle as she saw fit.

Jerry Clontz stated the Public Comments should be positive and addressed to the public and Council.

6. Jerry Clontz made a motion to adjourn. Arnold Price seconded the motion. Councilmen Clontz, Price and Purser voted yes (3-0).

Respectfully submitted,

Ed Humphries
Town Clerk

Elizabeth B. Long
Mayor

Approved this 12th day of January 2015.

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