



**Town of Fairview
Regular Town Council Meeting
March 12, 2019**

The following Council members were present: Mayor Phil Thomas, John Biggers, Jerry Clontz, Patricia Kindley, and Gary Wilfong.

Others present: Joe McCollum, Town Attorney; Darrell Baucom, Financial Officer, Ed Humphries, Land Use Administrator / Deputy Clerk and Teresa Gregorius, Town Clerk

Agenda Changes

Jerry Clontz stated that he would like to add park repairs as Item 5.

Approval of Agenda

Patricia Kindley made a motion to approve the agenda as amended. Gary Wilfong seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Presentation

Richard Flowe, President/CEO of N-Focus, along with his associate Tim Gauze, gave the Council an overview of a Comprehensive Plan & UDO (Unified Development Ordinance)

Public Comments

None

Consent Agenda

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) CRTPO --- No Report
- d) Park & Rec February Draft Minutes --- Minutes Accepted as Information
- e) Planning Board February Draft Minutes --- Minutes Accepted as Information
- f) Approve Council Regular Minutes for February 11, 2019

Gary Wilfong made a motion to approve the consent agenda. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Items of Business

Item 1: Public Hearing - Major Development Permit MS-CUP 19-011

Ed Humphries presented Major Development Permit MS-CUP 19-011 requested by Helms Partners Inc. to develop a subdivision of 6 lots at 8216 Old Ferry Road, Monroe. The subdivision name will be Old Ferry Estates.

Mayor Thomas opened the public hearing

Public Comments: Sally Corbett spoke against the subdivision

Mayor Thomas closed the public hearing

“Finding of Facts”

- 1) Gary Wilfong made a motion that Major Development Permit MS-CUP 19-011 will not endanger the public health or safety because of the due diligence of the planning board and staff. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 2) John Biggers made a motion that Major Development Permit MS-CUP 19-011 will not substantially injure the value of adjoining or abutting property because they are building single family homes. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 3) Gary Wilfong made a motion that the Major Development Permit MS-CUP 19-011 will be in harmony with the area in which it is located because the due diligence of the planning board. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).
- 4) Jerry Clontz made a motion that the Major Development Permit MS-CUP 19-011 will be in general conformity with the land use plan, thoroughfare plan or other plan because the property is zoned for houses and meets the zoning plan for the town. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Discuss Approval of Request: Council members discussed the permit.

John Biggers made a motion to approve Major Development Permit MS-CUP 19-011 with conditions stated. 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 Land Use Plan (Revised November 11, 2018), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). Jerry

Clontz seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 2: Appoint Fairview Park Facility and Fairview Park Event Committee Members

The Council discussed the applications submitted for each committee and how many members should be on each committee. The Council decided that the Fairview Park Facility Committee will consist of seven (7) members and the Fairview Park Event Committee will consist of ten (10) members.

John Biggers made a motion to eliminate the rule regarding you must be a resident of the Town of Fairview in order to serve on the Fairview Park Facility and Fairview Park Event Committees. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

John Biggers made a motion to approve Leah Jordan and Gayle Brock as members on the Fairview Park Event Committee. Jerry Clontz seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

John Biggers made a motion to approve Bill Riffle, Mike Medlin, Leon Whitley and Penny Love as members on the Fairview Park Facility Committee. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 3: Approve Budget Amendment to Rental House

Mayor Thomas informed the Council that the rental house must have a new septic system, drain field and new plumbing underneath the house. The current septic system tank and field was partially on adjacent property not owned by the town. Mayor Thomas requested a \$5,000.00 increase in the budget for the rental house to cover the new septic system and any other small items that may have to be addressed. This would bring the budget for the rental house to \$15,000.00. The Council discussed.

Jerry Clontz made a motion to approve the budget amendment to add \$5,000.00 for the rental house. Gary Wilfong seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 4: Discuss Smoke Free/Tobacco Free Policy

Patricia Kindley presented the finalized version of the Smoke Free/Tobacco Free policy to the Council. The Council discussed.

Patricia Kindley made a motion to approve the Smoke Free/Tobacco Free policy as amended, effective immediately. John Biggers seconded the motion. Council members Biggers, Kindley and Wilfong voted yes, Clontz voted no (3-1).

Item 5: Park Repairs

Jerry Clontz presented the Council with a bid for doing some repair work on the walking trail that was experiencing some drainage issues. The Council discussed.

John Biggers made a motion to approve \$3,695.00 for repairs to the walking trail. Gary Wilfong seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Mr. Clontz also presented a bid for making a farm road on the property so that farm equipment can access the fields at the back of the property. The Council discussed.

Jerry Clontz made a motion to approve Efird Enterprises \$4,500.00 to clear a section of property for a farm road. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Ed Humphries presented the Council with drafts documents regarding conditional zoning approval process and land development plan. He plans to bring the documents to the Council at the April meeting for discussion/approval. He also stated that we have increasingly been asked about accepting credit cards as a payment option. He presented information from the bank regarding the fees and plans to bring it before the Council during the budget workshop.

Council Comments

Gary Wilfong suggested that the town may want to consider letting the scouts or ROTC use the park for some of their functions in exchange for cleaning up an area on the back of the property that was used as a dumping ground. All functions would be subject to prior approval of the Council.

Patricia Kindley stated that she was gearing up for the yard and garden contests again this year.

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

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this 9th day of April, 2019