

Agenda

Town of Fairview



Agenda

Town Council Meeting
December 12, 2023 @ 6:30 pm

Meeting will be in the Fairview Town Hall Meeting Room

1. Call the meeting to order: ---Mayor Thomas

Invocation
Pledge of Allegiance

- a. Agenda Changes
- b. Approval of Agenda

2. Public Comments / Presentations:**

3. Consent Agenda:

- a) Financial and Tax Reports--- *Report Accepted as Information (including Pending Bills documentation provided at meeting)*
- b) Land Use Report---*Report Accepted as Information*
- c) Fund Balance Worksheet 2023-2024 --- *Report Accepted as Information*
- d) Fairview Park Event November Draft Minutes *(No Meeting)*
- e) Fairview Park Facility November Draft Minutes *(Minutes Accepted as Information)*
- f) Planning Board November Draft Minutes *(Not Available)*
- g) Approve Council Minutes for November 14, 2023

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- h) Grant Easement to Piedmont Natural Gas Company Inc. to run gas line to the fire department building and authorize the Mayor to sign the paperwork.
- i) Council meeting dates for 2024 and days town office will be closed

4. Items of Business:

Item 1: Discuss Mini Mart @ Hwy. 601 and Brief Road Permitted with Special Use Permit #NR 23-098 --- Ed Humphries

Mayor to Open Public Hearing

Public Comments

Mayor to Close Public Hearing

Approve “Finding of Fact”: Motion on Each:

1. The proposed special use will not materially endanger the public health or safety because _____.
2. The proposed special use will not substantially injure the value of adjoining or abutting property because _____.
3. The proposed special use will be in harmony with the area in which it is to be located because _____.
4. The proposed special use will be in general conformity with the land use plan, thoroughfare plan, or other plan because _____.

Decision: Special Use Permit #NR 23-098 for Mini Mart @ Hwy. 601 Brief Road.

“Motion to approve would include the following zoning statement”: The proposed zoning amendment under consideration is/is not found to be reasonable and consistent with the recommendations of the Town’s adopted Comprehensive Plan, the Town of Fairview Land Use Plan (Revised March 9, 2021), and the Town of Fairview Land Use Ordinance (effective July 1, 2005)

Item 2: Discuss Adding “Food Trucks” to Land Use Ordinance in Definitions and Table of Uses as Text Amendment #TA 23-112 --- Ed Humphries

FOOD TRUCK. A licensed, motorized vehicle or mobile food unit that is designed and equipped to serve food and is temporarily located for the

Agenda

purpose of selling food items to customers. This use includes ice cream trucks.

Mayor to Open Public Hearing

Public Comments

Mayor to Close Public Hearing

Decision: Text Amendment #TA 23-112 request to add Food Trucks to Land Use Ordinance in Definitions and Table of Uses as a permitted use by right in B-4 and HC with supplemental regulations applicable, see definitions.

“Motion to approve would include the following zoning statement”: The proposed zoning amendment under consideration is/is not found to be reasonable and consistent with the recommendations of the Town’s adopted Comprehensive Plan, the Town of Fairview Land Use Plan (Revised March 9, 2021), and the Town of Fairview Land Use Ordinance (effective July 1, 2005)

Item 3: Discuss Adding “Animal Boarding---Horses” To “Table of Uses” as Text Amendment #TA 23-110 as a permitted use by right in RA-40 and RA-80 See sections 175,168 and 180A --- *Ed Humphries*

Horse Boarding is a service offered by established horse farms. For a monthly fee, the boarding facility will maintain the daily care of a client’s horse. These services may include feeding, turnout, stall cleaning, grooming, training, and even medical care.

There is a minimum of 10 Acres with a limit of horses to one horse per pasture acre, over 10 horses, Special Use Permit required.

Mayor to Open Public Hearing

Public Comments

Mayor to Close Public Hearing

Decision: Text Amendment #TA 23-110 request to add Animal Boarding---Horses” To “Table of Uses” as a permitted use by right in RA-40 and RA-80 see sections 175,168 and 180A.

“Motion to approve would include the following zoning statement”: The proposed zoning amendment under consideration is/is not found to be reasonable and consistent with the recommendations of the Town’s adopted Comprehensive Plan, the Town of Fairview Land Use Plan (Revised March 9, 2021), and the Town of Fairview Land Use Ordinance (effective July 1, 2005)

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5. Recognition of Outgoing Mayor Phil Thomas (Gary Wilfong)

6. Mayor and Council Comments (Current Council)

RECESS (2 minutes)

7. Installation/Oath of Office of Newly Elected Officials

Mayor: Gary Wilfong

Oath given by Teresa Gregorius, Clerk

Councilmember: John Biggers

Oath given by Teresa Gregorius, Clerk

Councilmember: Kerry Price

Oath given by Teresa Gregorius, Clerk

8. Appoint Mayor Pro Tem --- *Mayor Gary Wilfong*

Oath of Office given by Mayor Gary Wilfong

9. Mayor and Council Comments (New Council)

10. Adjournment

AS A COURTESY, PLEASE TURN CELL PHONES OFF WHILE MEETING IS IN PROGRESS

**** Public Comments are limited to 3 minutes**

Consent Agenda

A consent agenda is an effective means of managing the length of a meeting. It is normally made up of routine items that are not controversial in nature and upon which no further discussion is anticipated. Action on the consent agenda usually occurs early in the meeting with all items listed being approved by one motion and vote.

If any member of the governing body feels the need to discuss one or more of the items more fully, the item may be removed from the consent agenda and placed on the regular agenda.

Town of Fairview
Balance Sheet
As of December 4, 2023

	Dec 4, 23	Dec 4, 22
ASSETS		
Current Assets		
Checking/Savings		
First National Bank	791,712.49	828,176.70
Total Checking/Savings	791,712.49	828,176.70
Other Current Assets		
Franchise Tax Receivable	29,411.05	29,458.38
Investments		
Investments NCCMT	1,123.56	1,075.37
Total Investments	1,123.56	1,075.37
Prepaid assets	0.00	3,302.00
Sales Tax Receivable	8,959.45	8,289.82
Sales tax refund	2,006.73	945.87
Sales tax refund - Park grant	1,316.03	0.00
Sales tax refund - TH Grant	0.00	293.73
Taxes receivable	999.37	1,375.23
Taxes receivable - ad valorem	97.33	-256.43
Taxes receivable - motor veh	1,217.10	1,156.98
Total Other Current Assets	45,130.62	45,640.95
Total Current Assets	836,843.11	873,817.65
Fixed Assets		
Accumulated Depreciation	-616,754.58	-509,525.10
Building and Improvements	1,413,376.32	1,332,303.56
Computer Equipment	10,073.66	10,073.66
Construction in Progress	33,455.27	8,123.05
Furniture and Equipment	1,698.00	1,698.00
Land	734,289.94	734,289.94
Land improvements	17,545.00	17,545.00
Leasehold improvements	0.00	27,486.25
Park equipment	171,130.76	152,883.99
Rental House	137,436.59	137,436.59
Total Fixed Assets	1,902,250.96	1,912,314.94
TOTAL ASSETS	2,739,094.07	2,786,132.59
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Accounts Payable		
Accounts Payable	16,546.61	25,722.75
Total Accounts Payable	16,546.61	25,722.75
Other Current Liabilities		
Accrued payroll	4,599.02	4,592.83
Deferred revenue - ad valorem	999.37	1,375.23
Payroll Liabilities	26.40	575.55
Prepaid taxes	19.28	41.29
Security deposit - rental house	1,450.00	1,450.00
Total Other Current Liabilities	7,094.07	8,034.90
Total Current Liabilities	23,640.68	33,757.65
Long Term Liabilities		
Cumulative rent reserve	6,520.00	0.00
Note payable on park land	440,000.00	480,000.00
Total Long Term Liabilities	446,520.00	480,000.00
Total Liabilities	470,160.68	513,757.65

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12/04/23
Accrual Basis

Town of Fairview
Balance Sheet
As of December 4, 2023

	<u>Dec 4, 23</u>	<u>Dec 4, 22</u>
Equity		
Allocated equity rent reserve	-6,520.00	0.00
Amount to be provided for LTD	-440,000.00	-480,000.00
Equity		
Fixed assets	1,902,250.96	1,912,314.94
Total Fund Balance	<u>1,207,568.00</u>	<u>1,207,568.00</u>
Total Equity	3,109,818.96	3,119,882.94
Retained Earnings	-331,635.09	-462,174.70
Net Income	-62,730.48	94,666.70
Total Equity	<u>2,268,933.39</u>	<u>2,272,374.94</u>
TOTAL LIABILITIES & EQUITY	<u><u>2,739,094.07</u></u>	<u><u>2,786,132.59</u></u>

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Town of Fairview
 Operating Actual vs Budget
 Year ended 06/30/24

Ordinary Income/Expense	<u>Operating</u>	Budget	Actual Fav to Budget
Income			
Ad Valorem taxes	25,079.98	113,000.00	-87,920.02
Alcoholic beverage		14,000.00	-14,000.00
Festival income - vendors, etc	1,342.00		1,342.00
Fund balance appropriated		-4,930.00	4,930.00
Interest on delinquent taxes	134.10		134.10
Investment income	1,393.40		1,393.40
Motor vehicle taxes	6,009.81	12,500.00	-6,490.19
Rent reserve for park capital items	7,225.00	20,000.00	-12,775.00
Sales and use tax	23,601.26	58,000.00	-34,398.74
Transfer from ARP fund	21,812.19	23,000.00	-1,187.81
Utility Franchise taxes	29,411.05	127,000.00	-97,588.95
Zoning fees	7,625.00	17,000.00	-9,375.00
Total Income	<u>123,633.79</u>	379,570.00	-255,936.21
Expense			
Advertising and Promotion		1,000.00	1,000.00
Audit fees		9,600.00	9,600.00
Bank Service Charges	37.00	500.00	463.00
Capital outlay - Park		0.00	
Capital outlay - Office renovation	3,870.24	1,700.00	
Capital Outlay - Town Hall	395.36	11,000.00	
Debt repayment		57,160.00	57,160.00
Dues and Subscriptions	5,824.00	6,200.00	376.00
Elections expense		3,700.00	
Festival expense	4,360.69	20,000.00	15,639.31
Grants	3,000.00	2,500.00	-500.00
Insurance Expense	7,072.54	7,200.00	127.46
Internet and website	4,843.07	11,000.00	6,156.93
Legal fees	2,953.10	10,000.00	7,046.90
Miscellaneous Expense	46.18	1,000.00	953.82
Office expense	11,935.18	26,250.00	14,314.82
Office utilities	1,632.70	6,500.00	4,867.30
Park Maintenance	9,950.02	40,000.00	30,049.98
Park Utilities	2,130.34	5,200.00	3,069.66
Payroll Expenses	54,529.44	56,600.00	2,070.56
Payroll Taxes		9,350.00	9,350.00
Planning and zoning		54,305.00	54,305.00
Professional Fees	700.00	3,000.00	2,300.00
Rental house repairs, etc	500.00	2,000.00	1,500.00
Salaries - Park		11,905.00	11,905.00

Town of Fairview
 Operating Actual vs Budget
 Year ended 06/30/24

	<u>Operating</u>	Budget	to Budget
Solid Waste Manage cost share		8,000.00	8,000.00
Tax collection fees	495.65	2,200.00	1,704.35
Telephone Expense	365.69	1,200.00	834.31
Training expense		500.00	500.00
Travel expense	42.90	0.00	-42.90
Zoning administration	844.70	10,000.00	9,155.30
Total Expense	<u>115,528.80</u>	<u>379,570.00</u>	264,041.20
Net Ordinary Income	<u>8,104.99</u>	0.00	8,104.99
Net Income	<u><u>8,104.99</u></u>		

**Town of Fairview
Transactions by Account
As of December 1, 2023**

Type	Date	Num	Name	Memo	Class	Debit	Credit	Balance
First National Bank								
Deposit	11/02/2023			Deposit				797,424.68
Bill Pmt -Check	11/07/2023	104259	Taylor's Landscaping Se...	September invoice		100.00		797,524.68
Bill Pmt -Check	11/10/2023	104260	Town of Unionville	Payable to Unionville for Insurance b...			2,427.50	795,097.18
Bill Pmt -Check	11/10/2023	104261	WM Corporate Services	Waste service			175.00	794,922.18
Bill Pmt -Check	11/10/2023	104263	Cox Law Firm, PLLC	Legal services			246.61	794,675.57
Bill Pmt -Check	11/10/2023	104264	Ed Humphries	Postage and travel		1,305.00		793,370.57
Bill Pmt -Check	11/10/2023	104265	Killingsworth Environme...	Pest control			47.25	793,323.32
Bill Pmt -Check	11/10/2023	104266	Perry Laney Septic Tank				150.94	793,172.38
Bill Pmt -Check	11/10/2023	104267	RLI Surety Bond	Finance officer, LSM0170095			600.00	792,572.38
Bill Pmt -Check	11/10/2023	104268	Taylor's Landscaping Se...	October bill			175.00	792,397.38
Bill Pmt -Check	11/10/2023	104269	Teresa Clontz	Cleaning office			2,377.50	790,019.88
Bill Pmt -Check	11/10/2023	104270	Traci Price Ferguson	Supplies for Festival			200.00	789,819.88
Bill Pmt -Check	11/10/2023	104271	Union County Public Wo...				95.32	789,724.56
Check	11/13/2023	Draft	Duke Energy	Officer power				789,400.22
Paycheck	11/14/2023	104275	Darrell H. Baucom				239.66	789,160.56
Paycheck	11/14/2023	104287	Spencer L Thomas				1,149.34	788,011.22
Paycheck	11/14/2023	104289	Teresa Gregorius				654.64	787,356.58
Check	11/14/2023	104272	FNB Commercial Credit ...	Payment on credit card bill			1,398.02	785,958.56
Paycheck	11/14/2023	104281	Jerry C. Clontz				1,831.85	783,926.71
Paycheck	11/14/2023	104286	Tania Hernandez Virgill				754.41	783,172.30
Paycheck	11/14/2023	104273	Bill F. Thomas				300.14	782,872.16
Paycheck	11/14/2023	104274	Chrisie B Black				46.18	782,825.98
Paycheck	11/14/2023	104276	Doug Buchanan				46.17	782,779.81
Paycheck	11/14/2023	104277	Edward D Humphries				46.18	782,733.63
Paycheck	11/14/2023	104278	Freddie D Rogers				2,706.13	780,027.50
Paycheck	11/14/2023	104279	Gary H Wilfong				46.17	779,981.33
Paycheck	11/14/2023	104280	Gary M Medlin				161.62	779,819.71
Paycheck	11/14/2023	104282	John A Biggers, Jr.				46.18	779,773.53
Paycheck	11/14/2023	104283	Joshua H Presley				138.52	779,635.01
Paycheck	11/14/2023	104284	Patricia H. Kindley				46.18	779,588.83
Paycheck	11/14/2023	104285	Phillip C Thomas				138.52	779,450.31
Paycheck	11/14/2023	104286	Sharon M Clontz				184.70	779,265.61
Liability Check	11/14/2023	To Print	IRS	55-0789092			46.18	779,219.43
Liability Check	11/14/2023	To Print	NC Dept of Revenue...	600391020			2,911.56	776,307.87
Deposit	11/14/2023			Deposit			283.00	776,024.87
Check	11/14/2023	104290	Spencer L Thomas	Reimbursement of festival expenses		100.00		776,124.87
Check	11/14/2023	104291	PHS Band Boosters	Donation			1,500.00	774,624.87
Deposit	11/15/2023			Deposit		9,078.45		783,507.69
Deposit	11/15/2023			Deposit		1,350.00		784,857.69
Deposit	11/15/2023			Deposit		40.00		784,897.69
Deposit	11/15/2023			Deposit		1,305.00		786,202.69
Bill Pmt -Check	11/16/2023	104292	CompuNetwork	Email and server hosting			361.58	785,841.11
Check	11/22/2023	Draft	Spectrum	Phone, internet, tv			249.98	785,591.13
Deposit	11/22/2023			Deposit		100.00		785,691.13
Deposit	11/28/2023			Deposit		200.00		785,891.13
Check	11/30/2023	Draft	Great American Financi...	Copier			168.51	785,722.62
Total First National Bank						12,273.45	23,975.51	785,722.62
TOTAL						12,273.45	23,975.51	785,722.62

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Town of Fairview Transaction Detail By Account

July 2023 through June 2024

Type	Date	Num	Name	Memo	Debit	Credit	Balance
Office expense							
Bill	07/11/2023	07112023	Teresa Clontz	Cleaning	200.00		200.00
Bill	07/12/2023	07122023	Perry Laney Septic Tank	Pump septic tank	300.00		500.00
Bill	07/17/2023	0157865-4...	WM Corporate Services	Garbage for August	243.09		743.09
Check	07/31/2023	Draft	Great American Financial ...	Copier	168.51		911.60
Bill	08/03/2023	08032023	Teresa Clontz	Cleaning Town Hall	200.00		1,111.60
Bill	08/07/2023	1609	Taylor's Landscaping Serv...	Lawn maintenace	210.00		1,321.60
Check	08/08/2023	104187	Perry Laney Septic Tank	Pumping septic tank for 07/2...	300.00		1,621.60
Check	08/08/2023	104188	Ed Humphries_	Reimburse Ed for refund cre...	52.79		1,674.39
Check	08/08/2023	104189	FNB Commercial Credit C...	Park and office activity on CC	229.45		1,903.84
Bill	08/09/2023	08092023	Perry Laney Septic Tank	Septic pump out	300.00		2,203.84
Bill	08/16/2023	23126	Brown Creek Graphics LLC	Sign for Town Hall	1,605.00		3,808.84
Bill	08/16/2023	0160303-4...	WM Corporate Services	Sept service	243.09		4,051.93
Bill	08/17/2023	08172023	John Biggers_	Water line reimbursement	41.81		4,093.74
Bill	08/22/2023	08222023	Ed Humphries_	Postage reimbursement	198.00		4,291.74
Bill	08/22/2023	08222023	Patricia Kindley_	Office supplies from Walmart	50.00		4,341.74
Bill	08/24/2023	08242023	Perry Laney Septic Tank	Septic pump out	300.00		4,641.74
Check	08/31/2023	Draft	Great American Financial ...		171.28		4,813.02
Bill	08/31/2023	08312023	Gary Wilfong_	Reimbursement	17.30		4,830.32
Bill	09/05/2023	1610	Taylor's Landscaping Serv...	Monthly lawncare	680.00		5,510.32
Bill	09/12/2023	09122023	Teresa Clontz	Cleaning office	200.00		5,710.32
Check	09/12/2023	104221	FNB Commercial Credit C...	Credit card bill	229.33		5,939.65
Check	09/12/2023	104222	Perry Laney Septic Tank	Septic pumping	300.00		6,239.65
Bill	09/18/2023	0162757-4...	WM Corporate Services	Garbage service	246.61		6,486.26
Bill	09/22/2023	09222023	Perry Laney Septic Tank	Septic pump	300.00		6,786.26
Bill	09/26/2023	1617	Taylor's Landscaping Serv...	September invoice	730.00		7,516.26
Check	10/02/2023	Draft	Great American Financial ...	Draft for copier	212.84		7,729.10
Bill	10/10/2023	0102023	Teresa Clontz	Cleaning	200.00		7,929.10
Check	10/10/2023	104251	Perry Laney Septic Tank		300.00		8,229.10
Check	10/10/2023	104253	FNB Commercial Credit C...	payment on credit card	124.77		8,353.87
Bill	10/16/2023	0165229-4...	WM Corporate Services	Waste service	246.61		8,600.48
Bill	10/17/2023	3238435	Killingsworth Environmental	Pest control	150.94		8,751.42
Bill	10/18/2023	10182023	Perry Laney Septic Tank	Septic pumping	300.00		9,051.42
Bill	10/24/2023	10242023	Ed Humphries_	Postage and travel	4.35		9,055.77
Check	10/31/2023	Draft	Great American Financial ...	Copier lease	171.43		9,227.20
Bill	11/02/2023	3090892	Killingsworth Environmental	Pest control	150.94		9,378.14
Bill	11/02/2023	1626	Taylor's Landscaping Serv...	October bill	680.00		10,058.14
Bill	11/03/2023	11032023	Perry Laney Septic Tank	Pump septic tank	300.00		10,358.14
Bill	11/14/2023	11142023	Teresa Clontz	Cleaning office	200.00		10,558.14
Check	11/14/2023	104272	FNB Commercial Credit C...	Payment on credit card bill	661.92		11,220.06
Bill	11/16/2023	0167711-4...	WM Corporate Services	Garbage service	246.61		11,466.67
Bill	11/20/2023	11202023	Perry Laney Septic Tank	Pump septic tank	300.00		11,766.67
Check	11/30/2023	Draft	Great American Financial ...	Copier	168.51		11,935.18
Total Office expense					11,935.18	0.00	11,935.18
TOTAL					11,935.18	0.00	11,935.18

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12/04/23

Accrual Basis

Town of Fairview
Transaction Detail By Account
 July 2023 through June 2024

Type	Date	Num	Name	Memo	Debit	Credit	Balance
Park Maintenance							
Bill	07/11/2023	07112023	Jerry Clontz_	Reimburse park supplies	137.05		137.05
Bill	08/07/2023	1609	Taylor's Landscaping...	Lawn maintenace	2,102.50		2,239.55
Bill	08/07/2023	1609	Taylor's Landscaping...	Lawn maintenace	0.00		2,239.55
Check	08/08/2023	104189	FNB Commercial Cre...	Park and office activity on CC	889.21		3,128.76
Bill	09/05/2023	1610	Taylor's Landscaping...	Monthly lawncare	1,337.50		4,466.26
Bill	09/05/2023	1610	Taylor's Landscaping...	Monthly lawncare	450.00		4,916.26
Check	09/12/2023	104221	FNB Commercial Cre...	Credit card bill	53.61		4,969.87
Check	09/12/2023	104224	Jerry C. Clontz	supplies	352.97		5,322.84
Bill	09/26/2023	1617	Taylor's Landscaping...	September invoice	1,337.50		6,660.34
Bill	09/26/2023	1617	Taylor's Landscaping...	September invoice	360.00		7,020.34
Check	10/10/2023	104253	FNB Commercial Cre...	payment on credit card	447.28		7,467.62
Check	10/11/2023	104256	Jerry Clontz_	Reimburse supplies	731.29		8,198.91
Bill	11/02/2023	1626	Taylor's Landscaping...	October bill	1,337.50		9,536.41
Bill	11/02/2023	1626	Taylor's Landscaping...	October bill	360.00		9,896.41
Check	11/14/2023	104272	FNB Commercial Cre...	Payment on credit card bill	53.61		9,950.02
Total Park Maintenance					9,950.02	0.00	9,950.02
TOTAL					9,950.02	0.00	9,950.02

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Town of Fairview
Transaction Detail By Account
 July 2023 through June 2024

Type	Date	Num	Adj	Name	Memo	Debit	Credit	Balance
Festival expense								
Check	09/12/2023	104221		FNB Commercial Cre...	Credit card bill			
Bill	09/16/2023	09162023		John Biggers	Festival expense	151.95		151.95
Bill	10/03/2023	10032023		Jeff Campagna	Festival checks	84.45		236.40
Bill	10/03/2023	10032023		Rick Greene	Festival expense	172.00		408.40
Bill	10/03/2023	10032023		Union County Tractor...	Festival expense	600.00		1,008.40
Bill	10/03/2023	10032023		Todd Donaldson	Festival expense	500.00		1,508.40
Bill	10/10/2023	10102023		Gary Wilfong	Correction of amount owed to Gary	140.00		1,648.40
Check	10/10/2023	104255		Jimmy Huntley	DJ for festival	148.89		1,797.29
Check	10/31/2023	104258		Brian Minor	Fall Festival work	500.00		2,297.29
Bill	11/02/2023	11022023		Traci Price Ferguson	Supplies for Festival	700.00		2,997.29
Check	11/14/2023	104272		FNB Commercial Cre...	Payment on credit card bill	95.32		3,092.61
Check	11/14/2023	104290		Spencer L Thomas	Reimbursement of festival expens...	1,072.45		4,165.06
						195.63		4,360.69
Total Festival expense						4,360.69	0.00	4,360.69
TOTAL						4,360.69	0.00	4,360.69

FUND BALANCE WORKSHEET 2023/2024

Beginning Spendable Fund Balance **\$597,000**
(as of 6/30/2023)

POLICY - Reserve in Spendable Fund Balance **\$200,000**

Spendable Fund Balance **\$397,000**
(as of 6/30/2023)

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				

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New Spendable Fund Balance				

AMENDMENT #	DATE	FOR	CREDIT TO ACCT.	AMOUNT
New Spendable Fund Balance				



**Town of Fairview
Fairview Park Event Committee Meeting
October 19, 2023**

The following Fairview Park Event Committee members were present: Lisa Thomas, Gayle Brock, Spencer Cox, Theresa Donaldson, Mike Medlin, Traci Price-Ferguson, and Pat Simpson. Absent: Scott Cuthbertson, Morgan Ellison, Pam Mower

Public Comments

None

Items of Business

A. Winter Festival

- Festival is December 9th from 4-7 PM
- Brian Minor will have a crew to handle the parking
- Off-site parking will be at Bethlehem Presbyterian Church. One van/driver will be rented
- 1000 stockings/bags for kids
- Need more churches/businesses to participate

Line up for festival:

- 4:00 Welcome/devotional
- 4:15 Metrolina Christian Academy
- 5:00 Piedmont HS Band – Santa – Tree Lighting
- 5:30 Fairview/New Salem Choir
- 5:50 Metrolina Christian Academy

Gayle Brock made a motion to adjourn. Theresa Donaldson seconded the motion. Committee members Thomas, Cox, Brock, Donaldson, Medlin, Price-Ferguson and Simpson voted yes (7-0).

Respectfully submitted,

Spencer Cox
Administrative Assistant

Lisa Thomas
Chairman

Approved this _____ day of _____ 2023

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**Town of Fairview
Fairview Park Facility Committee Meeting
November 9, 2023**

The following Fairview Park Facility Committee members were present: Penny Love, Mike Medlin, Bill Riffle and Leon Whitley. Absent: Kirk Ellison and Jane Link

Others present: Teresa Gregorius, Town Clerk

Public Comments

None

Items of Business

A. Winter Festival

The festival will be December 9th from 4-7 PM. The Facility Committee is responsible for checking restrooms and keeping the trash cans emptied.

B. Walking Trail

Chairman Medlin reported that there are several piles of trash (mostly large items) along the nature trail. If any Committee members know of anyone that hauls off trash and can give an estimate, please have them contact Mike.

C. Playground Mulch

Chairman Medlin reported that the playground area needed additional mulch. The clerk reported that there were funds available. Mike will order and will schedule a time for delivery and spreading and will let the Committee know.

D. Amphitheater

The clerk reported that an estimate has been received for materials and delivery of an amphitheater like the one on Oak Island that had previously been discussed. We are currently working on estimates from contractors for construction.

E. Minutes

Leon Whitley made a motion to approve the September 14, 2023 minutes. Penny Love seconded the motion. Committee members Love, Medlin, Riffle and Whitley voted yes (4-0).

Chairman Medlin adjourned the meeting.

Respectfully submitted,

Teresa Gregorius
Town Clerk

Mike Medlin
Chairman

Approved this _____ day of _____ 2023

DRAFT



**Town of Fairview
Regular Town Council Meeting
November 14, 2023**

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

Others present: Darrell Baucom, Financial Officer; Ed Humphries, Land Use Administrator/Deputy Clerk; Teresa Gregorius, Town Clerk and Spencer Cox, Administrative Assistant

Agenda Changes/Approval

Mayor Thomas stated that he would like in to in Items of Business, Item 1, add NCLM proposal.

Patricia Kindley made a motion to approve the agenda as amended. Gary Wilfong seconded the motion. Council members Kindley and Wilfong voted yes (2-0).

Public Comments

None

Consent Agenda

- a) Financial and Tax Reports --- *Accepted as Information*
- b) Land Use Report --- *Accepted as Information*
- c) Fund Balance Worksheet 2022-2023 --- *Accepted as Information*
- d) Fairview Park Event October Draft Minutes --- *Minutes Not Complete*
- e) Fairview Park Facility October Draft Minutes --- *No Meeting*
- f) Planning Board October Draft Minutes --- *Accepted as Information*
- g) Accept Council Minutes for October 10, 2023
- h) Accept Council Retreat Minutes for February 25, 2023
- i) Accept Veterans Day Proclamation

Gary Wilfong made a motion to approve the consent agenda as amended. Patricia Kindley seconded the motion. Council members Kindley and Wilfong voted yes (2-0).

Items of Business

Item 1: Discuss/Approve Benesch & Co. Proposal to Prepare PARTF Grant for \$9,000 and NCLM Proposal.

Mayor Thomas presented a proposal from Benesch & Co. to prepare a PARTF grant for the park for \$9,000 and a proposal from NCLM

Gary Wilfong made a motion to do nothing at the current time regarding either proposal. Patricia Kindley seconded the motion. Council members Kindley and Wilfong voted yes (2-0).

Item 2: Discuss Piedmont High School Band Boosters Fund Request of \$1,500

Mike Pyle, Piedmont High School Band Boosters Representative presented their request for funds in the amount of \$1,500. The Council discussed.

Patricia Kindley made a motion to approve \$1,500 for the Piedmont High School Band Boosters. Gary Wilfong seconded the motion. Council members Kindley and Wilfong voted yes (2-0).

Item 3: Appoint/Re-appoint the following to the Fairview Park Facility Committee and Fairview Park Event Committee

Teresa Gregorius presented the following applicant and current members to be appointed/re-appointed to the following committees:

Fairview Park Facility Committee:

- Appoint Daniel Allen to fill a vacancy with the term expiring November 2026
- Re-appoint Kirk Ellison with the term expiring November 2026

Fairview Park Event Committee:

- Re-appoint Lisa Thomas with the term expiring November 2026
- Re-appoint Mike Medlin with the term expiring November 2026

Patricia Kindley made a motion to approve the agenda as amended. Gary Wilfong seconded the motion. Council members Kindley and Wilfong voted yes (2-0).

Council Comments

Patricia Kindley announced that the Christmas Holiday Lights contest has started.

Ed Humphries reported that the Board of Elections have inspected the town's Community Room to use as an early voting site for primary and general elections. The Board of Elections will vote on this site at their next meeting.

Spencer Cox reminded everyone that the Winter Festival will be December 9th from 4 – 7 pm. Still need volunteers to work.

20

Mayor Thomas asked everyone to keep Councilman Jerry Clontz and his family in your prayers.

Patricia Kindley made a motion to adjourn. Gary Wilfong seconded the motion. Council members Kindley and Wilfong voted yes (3-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this _____ day of _____, 2023

DRAFT

GRANT OF EASEMENT DISTRIBUTION

Return Recorded Document To:
Land Services, Natural Gas.
Piedmont Natural Gas Company, Inc.
4720 Piedmont Row Drive
Charlotte, NC 28210
Project No: 2139731
Parcel ID / Tax:

STATE OF NC
COUNTY OF UNION

THIS GRANT OF EASEMENT made this 30th day of November, 2023, from (hereinafter designated as "GRANTOR"), to **Piedmont Natural Gas Company, Inc.**, (hereinafter designated as "PIEDMONT").

WITNESSETH

That GRANTOR, for and in consideration of the sum of 0 Dollars (**\$0.00**), and other valuable consideration, the receipt of which is hereby acknowledged, hereby expressly bargains, sells, and grants unto PIEDMONT, its successors and assigns, a perpetual right of way and easement for the purpose of laying, constructing, installing, maintaining, operating, inspecting, repairing, altering, adding, upgrading, replacing, relocating, removing, and protecting pipelines and appurtenances for the transportation of natural gas under, upon, over, through, and across the land of GRANTOR (or in which GRANTOR has interest) situated in the County of Union, NC, as described in deed(s) recorded in Book 8279, Page 756, Office of the Register of Deeds for Union County, NC, ("Property").1995

The right of way herein granted is five (5) feet wide, extending two and one half (2 ½) feet on each side of the centerline of the pipeline, the location of which has been mutually agreed upon between GRANTOR and PIEDMONT. The pipeline as actually installed shall determine the centerline of said right of way. Subject to all rights granted to PIEDMONT herein, such right of way shall be the portion of the Property encumbered by this GRANT OF EASEMENT.

PIEDMONT shall have all rights reasonably necessary for the full use and enjoyment of the rights herein granted, including, without limitation, the free and full right of ingress and egress over and across the aforesaid Property and the right, but not the obligation, to keep said right of way cleared of trees, vegetation, undergrowth, buildings, structures, and any other obstructions. GRANTOR shall not construct, nor permit to be constructed, any house, structure, or other obstruction on or over said right of way.

GRANTOR hereby binds GRANTOR and GRANTOR'S heirs, representatives, successors, and assigns to warrant and forever defend and singular said premises unto PIEDMONT, its successors and assigns, against the claims of all persons whomsoever.

To have and to hold said right of way and easement unto PIEDMONT, its successors and assigns, perpetually and continuously. GRANTOR expressly gives PIEDMONT, its successors and assigns, the right to assign, license, lease, or otherwise transfer, in whole or in part, this GRANT OF EASEMENT or any rights given herein, to any person or entity, including but not limited to, any affiliated parent or subsidiary entity of PIEDMONT, for the uses and purposes expressly stated herein.

IN WITNESS WHEREOF, this GRANT OF EASEMENT has been signed under seal by GRANTOR, as of the date first above written.

GRANTOR:

Sign:

Print:

Title:

Sign:

Print:



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Town of Fairview Council Meeting Dates – 2024 Holidays – 2024

The second Tuesday night of each month, meetings start at 6:30 PM

January 9th Tuesday

February 13th Tuesday

March 12th Tuesday

April 9th Tuesday

May 14th Tuesday

June 11th Tuesday

July 9th Tuesday

August 13th Tuesday

September 10th Tuesday

October 8th Tuesday

November 12th Tuesday

December 10th Tuesday

HOLIDAY Closures (Town Office)

July 4th ---- Thursday

November 21st ----Thursday

December 24th ---- Tuesday

Discuss
Special Use
Permit
#NR 23-098

**Town of Fairview
Staff Report for:
Planning Board**
DATE: Nov.21 2023

CASE #: NR 23 098

Applicant(s):	Carlos Rivera Ana L Mercado 13570 Broadway Ave Midland NC 28108 Mercadito Corporation
Property Owner(s):	Charlotte and Nicolette Inc. 601 Brier Patch Terrace Waxhaw NC
Requested Action:	Obtain a Special Use Permit to operate a convenience store /without Fuel/party rentals
Existing Zoning:	RA-40
Requested Zoning:	Special Use Permit-B-4-Conditional to operate Convenience Store
Location:	Corner of 601 and Brief 9804 Highway 601 Midland NC 28107
Property Size:	2.0 ac
Tax Parcel(s):	08177008A
Purpose/Narrative:	To operate a convenience store without Fuel/with party rentals at northeast corner of 601 and Brief intersection
Surrounding Area Zoning:	Residential/B-4
Existing Conditions:	building on property not being used.
Land Use Plan Recommendation:	lot should be B-4 Commercial Highest and best Use
Compliance with Zoning Ordinance:	Table of uses require zoning with special use permit for Convenience Store without fuel
Conditional Use Permit Conditions:	1. NCDOT approved entrance/exits 2. Environmental Health approved septic system
Staff Recommendation on Application:	Recommend approval to Council

Mercadito Mini Market # NR 23 098

Items to be addressed before submitting to council for approval

1. In the entrance that is being closed,
 - a. Remove the existing curb.
No curb needed to be removed
 - b. Establish grass.
Grass planted in entrance that is to be remove

2. Parking spaces
 - a. Number of spaces required is 16 (1 per 150 sq ft) Section 291 (2,500 sq ft building)
Adding 5 parking angled spaces in front of building
 - b. Two of the 16 is required to be accessible one van and one for cars and trucks:
 - i. The one for vans needs a sign saying "VAN ACCESSIBLE"
To be added
 - ii. Width for car is 96 inch min
To be corrected
 - iii. Width for van is 132" with a 60" loading aisle or 96" with a 96" aisle
To be corrected
 - iv. Parking spaces are 9'x19'
To be corrected, 5 new spaces added
 - v. Parking for accessibility parking must be on solid surface with no pot holes and 2% grade in both directions.
To be corrected
 - vi. It is recommended that that parking bumpers be place in front of the building at the parking spaces to stop cars from running into the building
Owner did not want to do

3. Dumpsters
 - a. Is there going to be a dumpster?
Yes
 1. Must be screened Such screening shall consist of decorative opaque fences or walls or with sufficient natural plantings to create a year-round opaque screen. If man-made materials are used as part of such screening, such materials are to be as harmonious as possible with the principal building on the site.
 2. Locate on site drawing.
Located to the right of the building close to the street

4. Sight distance at entrance on Brief.

- a. NC DOT needs to establish the sight distance and remove shrubs that block the sight distance.
Shrubs are to be cut
5. The planting indicated on drawing provided
 - a. No plant schedule
Provided
 - b. Is it located outside the R/W
No
 - c. Trees in the parking lot- 20% paved area is required to be in shade More detail in Land Use Ordinance.
None needed
6. What is happening with the garage door on the side? It is not shown on the floor plan.
Will not be used. Will be posted "Not In Use"
7. If the single door in front is changed out from a single to a double door, a building permit will be required.
Door will remain "single door"
8. Site drawing does not show existing shrubs. Needs to be revised.
Revised
9. Site drawing needs to show additional parking. Needs to be revised.
Revised
10. Obtain drive way permit from NCDOT.
Obtained
11. Met with Fire Marshall – suggested address # 9804 on the building

- LEGEND**
- = BOUNDARY CORNER
 - (S) = SET
 - (F) = FOUND
 - IR = IRON REBAR
 - IF = IRON PIPE
 - IN = IRON NAIL
 - MN = MAG NAIL
 - RRSPK = RAILROAD SPIKE
 - MON = MONUMENT

I, DAVID E. GRIFFIN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 8637, PAGE 864, ETC.) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION IN DEED BOOK 86, PAGE 482; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 26TH DAY OF SEPTEMBER, 2023

Designed by
David E. Griffin
C1760252018381

DAVID E. GRIFFIN

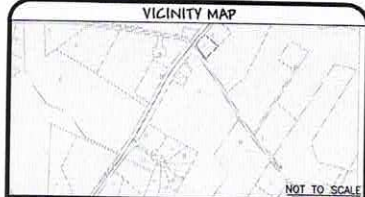
L-3850

REGISTRATION No.



I, DAVID E. GRIFFIN NCPLS L-3850, CERTIFY TO ONE OR MORE OF THE FOLLOWING:

- THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND
- THAT THIS SURVEY IS LOCATED IN A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND
- X — THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND
- THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION
- THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT I AM UNABLE TO MAKE A DETERMINATION TO THE BEST OF MY PROFESSIONAL ABILITY AS TO THE PROVISIONS CONTAINED ABOVE



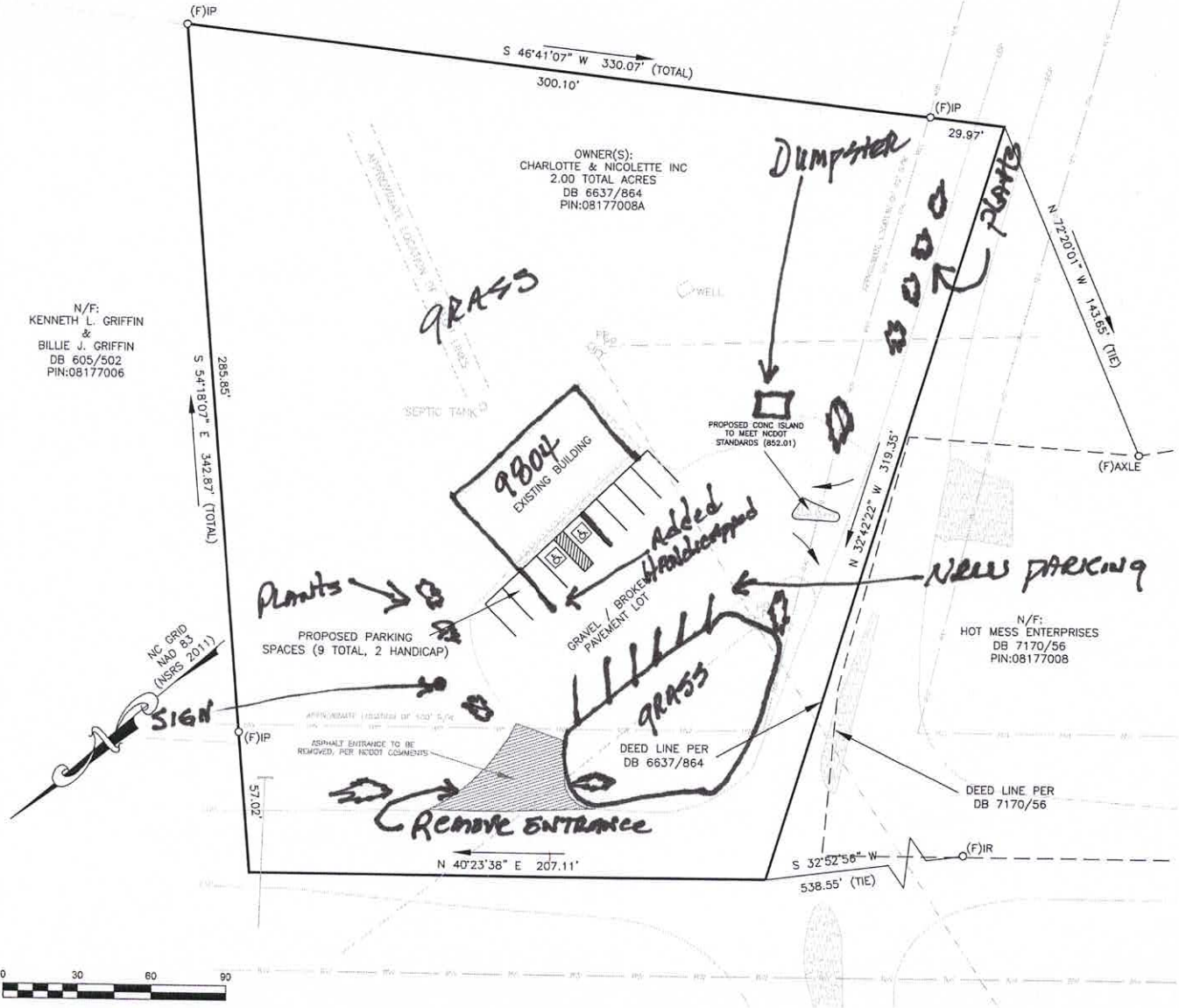
NOT TO SCALE

REVISIONS	
#	DATE DESCRIPTION
1	09/25/23 PER NCDOT COMMENTS
2	
3	
4	
5	

- NOTES:**
- 1) THIS PROPERTY IS NOT LOCATED WITHIN ANY SPECIAL FLOOD HAZARD AREAS AS SHOWN ON FEMA PANEL #3710554200L (EFFECTIVE 11/16/2018)
 - 2) ALL DISTANCES ARE SURFACE HORIZONTAL DISTANCES MEASURED IN US SURVEY FEET
 - 3) AREA WAS COMPUTED BY COORDINATE METHOD
 - 4) SURVEY WAS PERFORMED IN JUNE 2023
 - 5) NO NCDOT MARKER FOUND WITHIN 200'
 - 6) THIS PROPERTY IS ZONED B-4 & R-20.
- REFER TO THE TOWN OF FAIRVIEW FOR SETBACK INFORMATION.

N/F:
VIVIAN RUSSEL
DB 98/482 LESS & EXCEPT 7430/211
PIN:08177005

N/F:
KENNETH L. GRIFFIN
&
BILLIE J. GRIFFIN
DB 605/502
PIN:08177006



GRIFFIN SURVEYING SERVICES, PA

FIRM #: C-1671
1310 Brief Road East Monroe, NC 28110
QUALITY IS OUR PRIORITY

PH: (704) 763-5008 E-MAIL: david@griffinsurveying.net FAX: (704) 763-9041

PLOT PLAN OF PARCEL # 08177008A

TOWN OF FAIRVIEW ~ UNION COUNTY ~ NORTH CAROLINA

PREPARED BY:
JASON KHIM
WAXHAW, NC

DRAWING NAME:
601 RETAIL
SCALE: 1" = 30'
TAX ID # SEE PLAT
SURVEYED BY: AC
DRAWN BY: AG
CHECKED BY: DG
DATE: 09/26/23

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Town of Fairview

7516 Concord Highway Monroe NC 28110

Zoning Classification*: B-4
 *If Conditional Use, attach recorded permit

Commerical Or
NON-RESIDENTIAL USE ZONING PERMIT

NR 23098 10/04/2023 \$500 (RIVERAS JR 70@gmail.com)
 Permit Number: Date: Fee Paid: Check Number:
 13520 Broadway ave (704) 905-5841 RIVERAS JR 70@gmail.com
 Applicant Name: Phone #: Email:
 Juan Carlos Rivera Midland NC 28107
 Applicant Mailing Address: City State Zip

Highway
Property Information

Street Address: 9804 HS-601 FAIRVIEW NC.
 Tax Parcel Number: 08177008A Area: Street Frontage:
 Gross Floor Area: Principal Use:
 Sign Square Footage: Parking Spaces Provided:

Principal Structure Requirements:

Required:		Proposed
_____ Feet	Front Setback :	_____
_____ Feet	Rear Yard Setback	_____
_____ Feet	Left Side Yard	_____
_____ Feet	Right Side Yard	_____
_____ Feet (Max)	Bldg. Height	_____
_____ Feet (Max)	Lot Width @ Front Setback	_____

**See Section 184 Building Setback Requirements of the Land Use Ordinance

ATTACH THE FOLLOWING: Two copies of a scaled dimensional survey drawn by and certified as true and correct by a surveyor or engineer registered with the state of North Carolina which shows the shape, dimensions and location of the lot to be built upon, uses and existing structures on the lot. Upon this survey shall be sketched the following : (a) the shape, dimensions, and area of proposed location of proposed structure to be placed upon the lot; (b) all setback lines on the lot once the proposed structure is completed, affirmatively showing that the area of the proposed location will meet all setback requirements, and; (c) any other information that may be needed to insure that the proposed structure is in compliance with all applicable provisions of the Town of Fairview Land Use Ordinance

I HEREBY CERTIFY that all of the information provided for this application and all attachments are true and correct to the best of my knowledge. I further certify that I am familiar with all requirements of the Town of Fairview Land Use Ordinance concerning this proposed use. I acknowledge that any violation of this ordinance will be grounds for revoking this permit and any subsequent permit issued by the Town of Fairview.

APPLICANT SIGNATURE: Juan Carlos Rivera DATE: 10/04/2023

THIS PERMIT IS: APPROVED _____ DISAPPROVED _____

LAND USE ADMINISTRATOR: [Signature] DATE: 10/17/2023

Comments: Special Use Permit Approved

Mercadito Mini Market Project Plan

Our plan is to bring a Mini Market into the town of
Fairview!

We want to provide a market that is not only close
but has a huge range of supplies to the community!

We will not only be providing fresh local produce
to the community! But Job Opportunities as well!

Within this Market, we will be providing fresh
produce such as vegetables, fruits, groceries, and
other implementations. The community of Fairview

is very important to us! To connect and grow
together as a community we will have Snow cones
with multiple different flavors, along with snow
cones! As the season approaches we will have a
coffee section as well! A huge part of reaching out
to the community, we wanted to implement Party

Rentals! Provide a resource to support family
gatherings and celebrations! Our operation hours
will be 7am until 9pm, Monday through Sunday!
We hope that you will give us this opportunity to
bring Mercadito Mini Market to your community!



COMMERCIAL LEASE AGREEMENT (Single Tenant Facility)

#NR 23098

(Note: This form is not intended to be used as a Sublease and SHOULD NOT be used in Sublease circumstances)

THIS COMMERCIAL LEASE AGREEMENT, including any and all addenda attached hereto ("Lease"), is by and between

Charlotte And Nicolette Inc Corporation ("Landlord"), (individual or State of formation and type of entity)

whose address is 601 Briar Patch Terrace, Waxhaw, NC 28173, and

Mercadito Corporation ("Tenant"), (individual or State of formation and type of entity)

whose address is 13520 Broadway Ave, Midland, NC 28107

If this box is checked, the obligations of Tenant under this Lease are secured by the guaranty of (name(s) of guarantor(s)) attached hereto and incorporated herein by reference.

(Note: Attach Guaranty Agreement (Form 595-T) or attorney-drafted guaranty).

For and in consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

PREMISES

1. Landlord leases unto Tenant, and Tenant hereby leases and takes upon the terms and conditions which hereinafter appear, the following described property, including any improvements located thereon (herein after called the "Premises"), to wit:

(Address): 9404 Hwy 601, Fairview, NC 28107 (in Fairview) MIDLAND 9804

All A portion of the property in Deed Reference: Book 6637, Page No. 864, Union County; consisting of approximately acres.

Plat Reference: Lot(s), Block or Section, as shown on Plat Book or Slide at Page(s) County, consisting of acres.

If this box is checked, Premises shall mean that property described on Exhibit A attached hereto and incorporated herewith by reference.

(For information purposes only, the tax parcel number of the Premises is: 08177008A)

Occupancy Limitation: If this box is checked, notwithstanding any greater occupancy of the Premises which may be permitted by any law, statute, ordinance, regulation, rule (including rules enacted pursuant to any private use restrictions), as the same may be amended from time to time, Tenant shall not allow occupancy of the Premises to exceed persons per square feet in the Premises at any one time.

TERM

2. The term of this Lease shall commence on April 24, 2023 ("Lease Commencement Date"), and shall end at 11:59 p.m. (based upon the time at the locale of the Premises) on July 31, 2028, unless sooner terminated as herein provided. The first Lease Year Anniversary shall be the date twelve (12) calendar months after the first day of the first full month immediately following the Lease Commencement Date and successive Lease Year Anniversaries shall be the date twelve (12) calendar months from the previous Lease Year Anniversary.

If this box is checked, Tenant shall have the option of renewing this Lease, upon written notice given to Landlord at least days prior to the end of the then expiring term of this Lease, for additional term(s) of years each.

North Carolina Association of REALTORS®, Inc. REALTOR® Tenant Initials LC Landlord Initials DK



STANDARD FORM 592-T Revised 7/2022 © 7/2022

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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

October 11, 2023

Mr. Ed Humphries
Land Use Administrator (Town of Fairview)
7516 Concord Highway
Monroe, NC 28110

SUBJECT: Request for Approval of Access Permit Application in Town of Fairview

PERMIT NUMBER: D103-090-23-00115

Dear Mr. Humphries

Enclosed are permit applications for access onto Brief Rd (SR-1547) serving the proposed Brief Rd Convenience Store in the Town of Fairview, Union County. An access permit and a site plan are included for your review.

If the enclosed material and site conditions comply with the Town of Fairview's requirements for access, please indicate approval with your signature in the appropriate area on the back of the permit forms and return them to this office. An approved access permit will be returned to you.

If you have any questions, please contact me at the number below.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert Weltner".

Robert Weltner
Assistant District Engineer

Enclosures

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS PERMIT APPLICATION
Driveway <u>2103-040-23</u> - Date of Permit No. <u>00115</u> Application <u>10-9-2023</u>	County: <u>Union</u>	
Development Name: <u>Charlotte And Nicolette LLC</u>		
LOCATION OF PROPERTY:		
Route/Road: <u>SR-1547</u>		
Exact Distance <u>100</u>	<input type="checkbox"/> Miles	<input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W
	<input checked="" type="checkbox"/> Feet	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
From the Intersection of Route No. <u>SR-1547</u> and Route No. <u> Hwy 601</u> Toward <u>Fairview</u>		
Property Will Be Used For: <input type="checkbox"/> Residential/Subdivision <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Educational Facilities <input type="checkbox"/> TND <input type="checkbox"/> Emergency Services <input type="checkbox"/> Other		
Property: <input checked="" type="checkbox"/> is <input type="checkbox"/> is not within <u>Fairview</u> City Zoning Area.		
AGREEMENT		
<ul style="list-style-type: none"> • I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location. • I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation. • I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT. • I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans. • I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary. • I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction. • I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways". • I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied. • I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel. • I agree to provide during and following construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer. • I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction. • I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction. • I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system. • The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point. • I agree that the entire cost of constructing and maintaining an approved private street or driveway access connection and conditions of this permit will be borne by the property owner, the applicant, and their grantees, successors, and assignees. • I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED. 		
2004-07	NOTE: Submit Four Copies of Application to Local District Engineer, N.C. Department of Transportation 61-03419	TEB 65-04rev.

SIGNATURES OF APPLICANT

PROPERTY OWNER (APPLICANT)		WITNESS	
COMPANY	<u>Charlotte and Nicolette Inc</u>	NAME	<u>Young Kim</u>
SIGNATURE	<u>[Signature]</u>	SIGNATURE	<u>[Signature]</u>
ADDRESS	<u>9804 Concord Hwy</u>	ADDRESS	<u>9804 Concord Hwy</u>
	<u>Midland</u> Phone No. <u>28107</u>		<u>Midland NC 28107</u>

AUTHORIZED AGENT		WITNESS	
COMPANY		NAME	
SIGNATURE	<u>N/A</u>	SIGNATURE	<u>N/A</u>
ADDRESS		ADDRESS	
	Phone No.		

APPROVALS

APPLICATION RECEIVED BY DISTRICT ENGINEER

<u>[Signature]</u>	<u>10/11/2023</u>
SIGNATURE	DATE

APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)

_____	_____	_____
SIGNATURE	TITLE	DATE

APPLICATION APPROVED BY NCDOT

_____	_____	_____
SIGNATURE	TITLE	DATE

INSPECTION BY NCDOT

_____	_____	_____
SIGNATURE	TITLE	DATE

COMMENTS:

PUBLIC HEARING NOTICE

The Fairview Town Council will conduct a Public Hearing starting at 6:30 pm on Tuesday, **December 12, 2023, during the Council Regular monthly meeting** at Town Hall (location address: 7516 Concord Highway, Monroe, N.C. 28110). The purpose of this hearing is to:

Hear public comment on:

Permit Number: NR 23 098

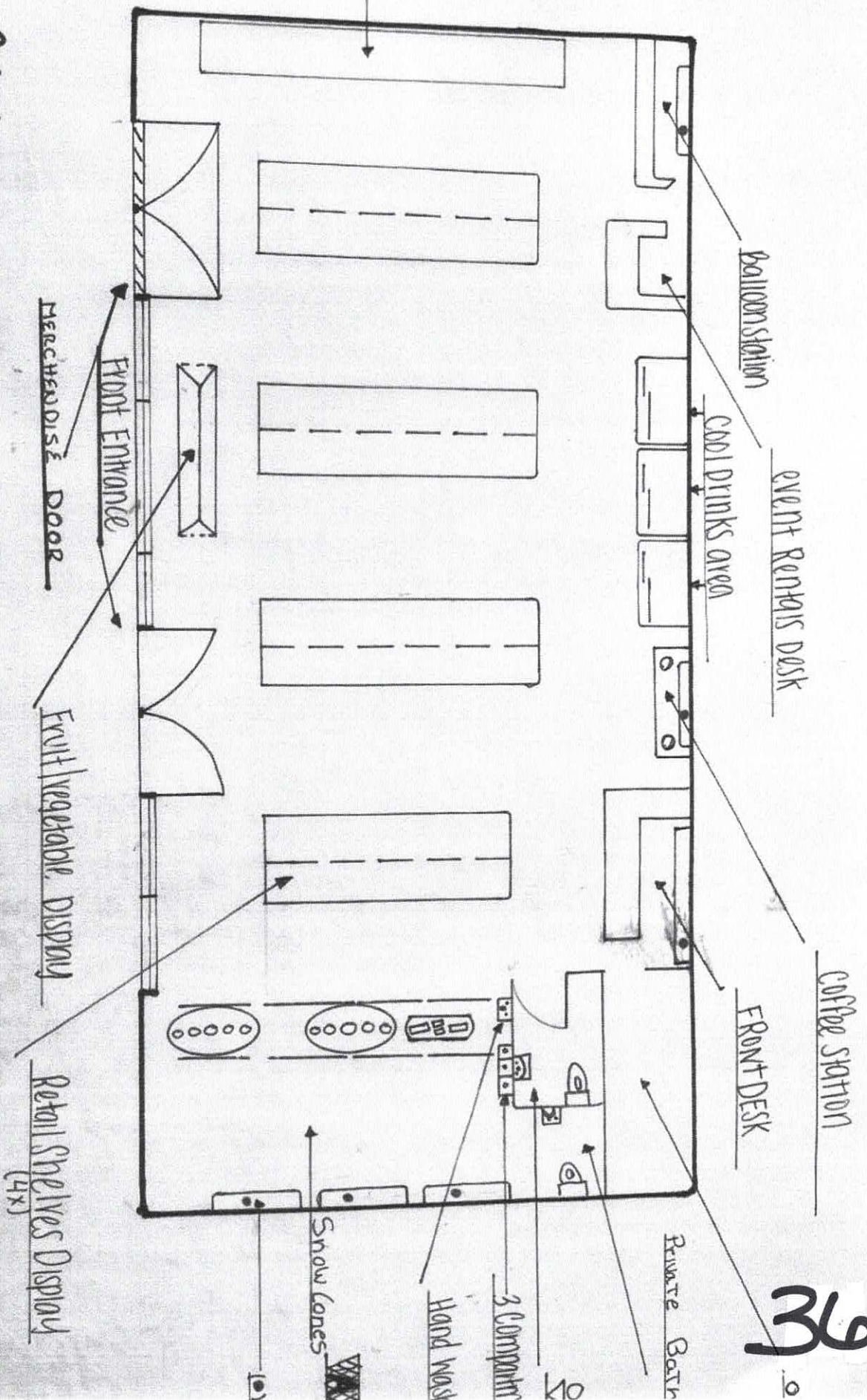
To operate a convenience store without Fuel at the northeast corner of 601 and Brief intersection
9804 Highway 601 Midland --- Parcel # 08177008A

The Public is invited to attend the public hearing and make comments. As a result of comments, the Town council reserves the right to make changes to the proposed Amendment prior to adoption. For More information, call Ed Humphries, Land Use Administrator at (704) 564.3412 during business hours. (Tuesday and Thursday 9:00 am to 3:00 pm)

The Town of Fairview does not discriminate based on disability. If you need an auxiliary aid or service or other accommodation to attend or fully participate at this meeting, please contact the Town Clerk at (704) 753.1981 as far in advance of the meeting as possible so that your request can be considered.

N/R 23098

Retail Store Floor Plan



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Discuss
Text
Amendment
#TA 23-112

Food Truck Text Amendment #TA 23-112

ARTICLE II: Basic Definitions & Interpretations

FOOD TRUCK. A licensed, motorized vehicle or mobile food unit that is designed and equipped to serve food and is temporarily located for the purpose of selling food items to customers. This use includes ice cream trucks.

TEMPORARY VENDOR OPERATIONS. Temporary vendors shall operate under the following conditions:

- 1) Hours of operation shall be limited to between 6:00 a.m. and 11:00 p.m. except for special events operating under a temporary use permit.
- 2) Food trucks and food trailers shall be parked on private property with the property owner's permission and shall not be parked within any street, right-of-way or sidewalk area.
- 3) Temporary vendors are responsible for the proper disposal of solid waste, wastewater and trash associated with the operation. Waste and trash shall be removed from the location of operation at the end of each day to maintain the health and safety of the public.
- 4) No grease shall be disposed of in public places, streets, stormwater drainage system, or sanitary sewer system.
- 5) Advertising and signage is limited to what is displayed on the vendor truck, trailer or structure and any permitted signs on the site of operation.
- 6) Food vendors shall display or otherwise make available menu items and prices.
- 7) Vendor operations shall be walk up arrangements only. Drive through operations are prohibited.
- 8) Vendor operations as an accessory use shall not impede or otherwise compromise the vehicle access, pedestrian access or parking arrangements of principal uses on the same site.
- 9) Site plan may be required.
- 10) Food truck will be moved daily.

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USE	SUPPLEMENTAL REGULATION SECTION NUMBER OR ARTICLE	PARKING REQUIREMENT FOUND IN SECTION 291(e)	RS80	RA40	O	B-1	B-2	B-3	B-4	HC	B-6	LI
Equipment Repair, Other, with outside storage or repair (not Auto, Truck, Boat, Motorcycle, Appliance, Lawnmower, Power Saw Equipment)				S					S	S		
Event Venue/Center		3.22				Z	Z	Z	Z	S		
Exterminators Office		2.12				Z	Z		S	S		
Fabric and/or Notions Store	179	6.21	S			S	S		Z5	S		
Fairgrounds		9.1				S		Z	Z	S		
Farm Equipment Sales and Service		2.12				Z	Z					
Farm Supply Store (no outside storage)		6.22							Z			Z
Firing Range, Target Practice, Indoors Only (Principal Use)		14	Z	Z								Z
Fish Hatchery					Z	Z	Z		Z	S		
Fitness Center		2.12				Z	Z		Z	S		
Flea Market (Indoor)		19				S	Z		Z	S		
Flea Market, Craft Market (Outdoor)		2.12				Z	Z		Z	S		
Flex Space Facility		2.12				Z						
Floor Covering Store		2.12				Z	Z		Z	S		
Food Catering Facility		2.12				Z	Z		Z	S		
Food Truck	See Definitions								Z5	Z5		
Formal Wear and Rental Store		2.12				Z	Z			S		
Fortune Teller (revised 1/16/06)		5.4		S	Z	Z	Z	Z	Z	S		

Z - Permitted By Right

S - Special Use Permit Required

D - Major Development Permit Required

s - Supplemental Regulations Apply

/ - or, (example Z/D)

Discuss
Text
Amendment
#TA 23-110

Animal Boarding---Horses Text Amendment #TA 23-110

ARTICLE II: Basic Definitions & Interpretations

Horse Boarding is a service offered by established horse farms. For a monthly fee, the boarding facility will maintain the daily care of a client's horse. These services may include feeding, turnout, stall cleaning, grooming, training, and even medical care. There is a minimum of 10 acres with a limit of horses to one horse per pasture acre by right. Over 10 horses will require a Special Use Permit.

Table of Uses - Verbiage

Animal Boarding---Horses as a permitted use by right in RA-40 and RA-80, See sections 175, 168 and 180A and Over 10 horses will require a Special Use Permit.

USE	SUPPLEMENTAL REGULATION SECTION NUMBER OR ARTICLE	PARKING REQUIREMENT FOUND IN SECTION 291(e)	RS80	RA40	O	B-1	B-2	B-3	B-4	HC	B-6	LI
Animal Grooming Facility/Services (No outdoor runs)		12				Z	Z	Z	Z	S		
Animal Boarding Services - HORSES	180A, 175		Z	Z								
Animal Hospital, Animal Kennel, Animal Boarding Services		12							S	S		
Animal Hospital, Animal Kennel, Animal Boarding Services		12				Z	Z		Z	Ss		
Animal Obedience School (Principal use)		2.12				Z	Z		Z	S		
Animal Supply Store		2.12				Z	Z		Z	S		
Antique Store		2.12				Z	Z		Z	S		
Apparel Store		2.12				Z	Z		Z	S		
Appliances (Household) Store and/or Repairs					Z	Z	Z	Z	Z	S		
Architect Service	179	5.3			Z	Z	Z	Z	Z	S	Zs	
Art Gallery/Center	179	2.12				Z	Z		Z	S	Zs	
Art Supply Store		2.12				Z	Z		Z	S		
Auction House (excluding animals, without outside storage)		2.21							S	S		
Auction House (excluding animals, with outside storage)	179	6.11				Z			Z	S	Zs	
Auditorium, Stadiums, Assembly Halls, Amphitheaters, Coliseums (under 1000 seats) etc.												
	179	6.13								S	Ss	

Z - Permitted By Right

S - Special Use Permit Required

D - Major Development Permit Required

s - Supplemental Regulations Apply

/ - or, (example Z/D)