



**Town of Fairview  
Regular Meeting  
February 13, 2017**

The following Council members were present: Mayor Phil Thomas, John Biggers, Jerry Clontz, Bradley Purser, 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**

None

**Approval of Agenda**

Bradley Purser made a motion to approve the agenda. Jerry Clontz seconded the motion. Councilmen Biggers, Clontz, Purser, and Wilfong voted yes (4-0).

**Public Comments**

Elizabeth Rabb spoke regarding speed limits and the jake brake noise along Highways 218 and 601. Mayor Thomas responded that per a request from the Town, NCDOT had completed a study of the speed limits and received a response from NCDOT dated 11/10/15 noting the speed limit would remain at 55 MPH. Mayor Thomas also noted that the jake brake noise issue and possible solutions was still being studied by the Town's attorney.

**Presentation**

Tom Moyer, Moyer, Smith & Roller, PA presented the 2015-2016 Town audit.

**Consent Agenda**

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) Accept CRTPO Report as Information

d) Approve Council Regular Minutes for January 9, 2017

Jerry Clontz made a motion to approve the consent agenda. John Biggers seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

### **Items of Business**

#### **Item 1: Park Update**

Jerry Clontz updated the Council on the park construction progress:

- Per Jeff Ashbaugh, Alfred Benesch on 2/10/17 the “as built” plans had been submitted to Union County and rejected them requesting additional information. They would be working over the weekend to revise and be ready to resubmit to Union County on Monday, 2/13/17.
- Once all inspections are completed and the Certificate of Occupancy has been obtained, Eagle Wood, Benesch and the Town will do a “punch list” inspection and wrap up construction.
- In the process of obtaining bids to award a Park Maintenance contract.
- In the process of obtaining bids for the tree removal. Approximately 93 trees have been marked for removal.
- Park & Rec Committee member Rachel Outen outlined preliminary information regarding the park grand opening which has been set for April 29<sup>th</sup> from 11:00 AM till 3:00 PM. Local companies will be used to provide 3 inflatable units (bounce house, slide/obstacle course, Inflate-A-Hoops basketball), a “fly-guy” to put down at the entrance to the park, sound system, and face painting. The cost will be \$1,336.00 for a 4 hour block of time. The Committee will also be speaking with the fire department to see if they will help out by cooking/serving food (hotdogs/chips/drinks) and parking cars. The committee would also like to have the recently purchased fire truck on display for the residents and children to see. Corn hole games will be set up for use. Porta-Jons and additional trash receptacles will have to be rented for the event.

John Biggers offered to contact All Points Waste regarding additional trash cans for the grand opening.

John Biggers made a motion to give the Park & Rec Committee the authority to spend up to \$3000.00 for the park grand opening. Bradley Purser seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

John Biggers questioned whether the Town had sufficient insurance especially since people are already using the park. Per Mayor Thomas, the Town has sufficient insurance and the general contractor also has insurance. Since the Town does not have a Certificate of Occupancy yet

more than likely if someone was to get injured a claim would be filed against the contractor and the town.

Mr. Clontz and the Council discussed the 45 day extension request from Eagle Wood with Mr. Clontz noting that this would be the last extension that he would be willing to approve.

Jerry Clontz made a motion to approve the 45 day extension request from Eagle Wood Inc. making the completion date 2/20/17. John Biggers seconded the motion. Councilmen Biggers, Clontz, and Wilfong voted yes, Purser voted no (3-1).

John Biggers made a motion to approve the eighth Application and Certificate for Payment totaling \$75,656.65 to Eagle Wood Inc. Jerry Clontz seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

### **Council Comments**

John Biggers expressed his appreciation to the Park & Rec Committee for the work they have done on the park.

Bradley Purser questioned where we stood with the noise ordinance/jake brake situation. Ed Humphries stated that he and Mr. McCollum have been in contact with the sheriff's office attorney to see about the enforceability of any changes. Mr. McCollum will follow-up.

Mr. Purser noted that he had spoken to his fellow Councilmen regarding naming the park after a family or person from the community. Mr. Purser also noted that the Council should be thinking about adding an additional overflow parking lot at the park. He does not think the current parking will be sufficient.

Mayor Thomas stated that he and Councilman Clontz attended the Union County Elected Officials event and met with Representative Mark Brody, Senator Tommy Tucker and various county commissioners.

Mayor Thomas stated that the Council Retreat date had been changed to March 25<sup>th</sup>.

Bradley Purser made a motion to adjourn. Jerry Clontz seconded the motion. Councilmen Biggers, Clontz, Purser and Wilfong voted yes (4-0).

Respectfully submitted,

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Teresa Gregorius  
Town Clerk

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Phil Thomas  
Mayor

**Approved this 13<sup>th</sup> day of March, 2017**