

**Fairview Town Council Meeting  
December 12, 2011  
7:00 p.m.**

The following members were present constituting a quorum: Mayor Elizabeth Long, Bradley Purser, B.B. Haigler, Bill Thomas and Jerry Clontz.

Others present: Joe McCollum, Attorney; Ed Humphries, Land Use Administrator/Town Clerk; Darrell Baucom, Finance Officer and Tana Mcconnaughey, Tax Collector

**Agenda/Approval**

Jerry Clontz stated he would like to add a discussion item to the agenda regarding installing a sign in front of the Town Hall for information to the residents. Mayor Long stated it would be placed after the reports.

Jerry Clontz made a motion to approve the agenda as amended. B.B. Haigler seconded the motion. Councilmen Clontz, Purser, Haigler and Thomas voted yes (4-0).

**Public Comments**

Milt Flowe, Piedmont High School baseball coach, gave the Council an update on the installation of the outfield irrigation to which the Town contributed. The cost would be approximately \$11,000 with the cost being paid by contributions. The installation will begin after Christmas. Mr. Flowe thanked the Council for their contribution (grant).

Ms. Beth Rabb, 616 Goose Creek Drive, wanted to thank Bill Thomas for his time on the Council. She also had one question that she did not think was answered at the last meeting. The questions was why Bradley Purser did not excuse himself from the vote when the Council gave a grant to the Fire Department (Mr. Purser is a member of the Fairview Fire and Rescue Department). Bradley gave examples of others that served on multiple boards and asked Joe McCollum to explain "conflict of interest". Joe McCollum explained that it was a conflict of interest only when a Councilman could benefit financially by his/her vote. Also, the Council would need to excuse the member from voting.

**Presentations**

Tom Moyer, with our audit firm, Moyer, Smith and Roller, P.A., presented the 2010-2011 Audit for the Town of Fairview. Mr. Moyer referred the Council to pages 28, 29 and 30 of the Audit, explaining the statement of Revenues, Expenditures, and Changes in Fund Balances – Budget and Actual showing a net increase of \$107,178 net change in fund balance for the year (total Fund Balance - \$1,146,316). Mr. Moyer also stated that \$700,000 of the Fund Balance was assigned for Capital Projects. This assignment could be changed by the Council.

Bill Thomas asked questions about the tax rate and revenue of other sources; deposits and how they were collateralized; bonding for employees; and the general question, “was the Town doing OK”?

Mr. Moyer stated the Town was doing OK and the Audit did not find problems. He did indicate the drafting of the statements was done by another office and by someone not connected with the Audit, as required by the LGC (Local Government Commission).

## **Reports**

Darrell Baucom gave the Monthly Financial Report.

Tana McConnaughey gave the Tax Report.

Ed Humphries gave the Zoning Report. Humphries also gave updates on: the Duke Study; office hours; customer service; upcoming text amendments by the Planning Board and a County Manager/Clerk meeting he attended.

## **Old Business**

## **Public Hearing**

Mayor Long opened the Public Hearing to hear public comment on Text Amendment TC#10-01

### **TC # 10-010**

Section 161 “**Special Events**” under (D)  
Changes recommended by the Planning Board

No permit is required if:

It is determined by the Land Use Administrator, with the following Documentation; “**the latest 990 forms filed with the IRS and/ or Certification from the State of North Carolina or the IRS Showing the organization is NOT FOR PROFIT” and the event is 24 hours or less in duration”**

Ed Humphries explained the amendment as clarifying in the ordinance that **does not** need a permit for a “**special event**” in Fairview.

Mark Brodie, 5315 Rocky River Road, Monroe, NC, commented that he was in favor of the Amendment; and while he had the floor, he stated that he was a candidate for the new proposed District #55 and wanted to introduce himself to the Council and community.

Mayor Long closed the Public Hearing.

### **Decision on TC 10-010**

Bradley Purser made a motion to approve the Text Amendment presented (#TC 10-010). B.B. Haigler seconded the motion. Councilmen Haigler, Purser, Thomas and Clontz voted yes (4-0).

### **Approval of Minutes**

Bradley Purser made a motion to approve the minutes of September 12, 2011 as corrected. Jerry Clontz seconded the motion. Councilmen Purser, Thomas, Haigler and Clontz voted yes (4-0).

Mayor Long stated the minutes of November 14, 2011 would be brought back to Council with corrections at the January, 2012 meeting.

B.B. Haigler made a motion to approve the minutes of the “Special Meeting” of November 21, 2011 as corrected. Bradley Purser seconded the motion. Councilmen Haigler, Thomas, Purser and Clontz voted yes (4-0).

### **Council Comments**

Jerry Clontz made a motion to have all meetings “**taped**”; both open and closed meetings; to be kept for six months after minutes are approved; give a copy to a requester at cost and to begin with the December, 2012 meeting.

(Note: This had always been a policy. The clerk had not taped meetings for several years)

Bradley Purser seconded the motion. Councilmen Clontz, Purser, Thomas and Haigler voted yes (4-0).

Mayor Long stated that extra grant money was given to Brittney Merola for the Duke Water study research and that Nancy Anderson, Mayor of Weddington, had helped to obtain the study for the North end of the County.

Bradley Purser made a statement explaining that he had been a Councilman from the start of Fairview, a senior member of the Fairview Fire and Rescue and an officer of the Sheriff’s Department for over ten years. He stated he is open to talking to anyone in the community.

Mayor Long stated she went to a Monroe By-Pass meeting. She stated that the Federal Highway Commission representative indicated the cost to use the By-Pass could be between 6 and 22 cents per mile based on where you entered the freeway.

Bradley Purser made a motion “**not**” to charge for a request for a copy (audio) of the Fairview meetings. B.B. Haigler seconded the motion. Councilmen Haigler, Purser, Thomas and Clontz voted yes (4-0).

At this time, the “Oath of Office” for new elected officials was given to:

Elizabeth B. Long, Mayor

B.B. Haigler, Councilman

Arnold Price, Councilman

Mayor Long resumed the meeting with a new Council.

**New Business**

B.B. Haigler made a motion to elect Jerry Clontz as the new Mayor Pro-tem. Bradley Purser seconded the motion. Councilmen Haigler, Purser, Price and Clontz voted yes (4-0).

B.B. Haigler made a motion to go into Closed Session (with Clerk, Finance Officer and Attorney) to discuss Real Estate. Jerry Clontz seconded the motion. Councilmen Price, Haigler, Purser and Clontz voted yes (4-0).

**CLOSED SESSION**

Mayor Long reopened the Regular Meeting.

Bradley Purser made the statement that Public Comments should be controlled.

Jerry Clontz also stated that we need to control Public Comments or it could cause problems at future meetings.

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

Respectfully submitted,

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Ed Humphries  
Town Clerk

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Elizabeth Long  
Mayor

Approved this 9<sup>th</sup> day of Jan., 2012.