

Town of Fairview
Special Meeting Minutes
November 21, 2011
7:00 p.m.

This meeting was called by Councilman Purser and Haigler under Statute 160A-71b

The following members were present, constituting a quorum: Mayor Elizabeth Long, Bradley Purser, B.B. Haigler, and Bill Thomas. Jerry Clontz was not present.

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

Mayor Long spoke to the Council and Public regarding the following topics: emails, procedures, contacting the NC League concerning when the Town could give money to organizations- "Public Purpose", obtaining bids for work and Council procedure. Mayor Long also read this Section from the article "to Give or not to Give" The Municipal Appropriations and Conveyance Dilemma sent to her by the Leagues John M Phelps II, Senior Assistant General Counsel.

"In order for a municipality to appropriate money to any person, association or corporation, including non-profit organizations, it must first determine that the appropriation will be used for a public purpose and second that the municipality is authorized by law to engage in that purpose. In addition, if ad valorem tax revenues are to be used specific authorization by statute must be found (G.S. 160A-209 etc.)."

Jerry Clontz is now part of the meeting

Removal of certain website content

Removal of certain website content: Bradley Purser stated that personal opinions should not be placed on the website.

Bradley Purser made a motion to remove the "Open Letter" (see below) that Mayor Long placed on the website. B.B. Haigler seconded the motion. After discussion, the question was called. Councilmen Clontz, Purser and Haigler voted yes. Councilman Thomas voted no. The motion passed (3-1).

There was discussion by the Public as to why there was not a "Public Comments" section on the agenda.

Bill Thomas made a motion to add "Public Comments" to the agenda. BB Haigler seconded the motion. Councilmen Thomas, Clontz, Haigler and Purser voted yes (4-0).

Public Comments

Tana Mcconnaughey, Indian Trail-Fairview Road, expressed her disappointment with the letter.

Mary Lou Starnes, Concord Highway, stated that Libby spoke the truth.

Arnold Price-Councilman Elect, Highway 218 West, stated that conflicts should be settled and votes based on what the people need and want. People need to let the Council handle the business of the Town.

Beth Rabb, 616 Goose Creek Drive, stated that she knows Council and is interested in the financial condition of the Town.

Randy Cook asked how the Town communicates about meetings. Also, he wanted to know what service the town's people were receiving for their taxes.

Mayor Long explained planning and zoning, fire department and solid waste collection.

Jerry Clontz joined the meeting.

Mike Black, 201 Highway 218 east, had a suggestion regarding placing agendas at different locations in town (fire department, school, local businesses, sign in front of school, etc.

John Biggers, 9616 Biggers Farm Court, likes small town; feels it is right that the town supports the schools and the community. He appreciates the work the council does.

Alan Rabb, 616 Goose Creek Drive, wants to live in a small town and does not want a lot of regulation.

Vivian Belk, 201 Highway 218 west, wants Council to get together and work it out. She feels that a donation could not do any harm.

Susie Lampley, 114 Highway 218, west, wants people to work together. She stated if the town was going to give money to help the community, she is in need of a van and ramp.

The Mayor closed the Public Comments session.

Policy for Town Website Posting

Bradley Purser made a motion to allow normal postings to the website (financial information, minutes, agendas and general town information). All other postings must have the approval of Council before they are placed on the town website.

Discussion followed:

Bill Thomas: What's wrong with putting opinions on the website?

Jerry Clontz: Website – not the place

B.B. Haigler: Personal agendas – no

Mayor Long: The public needs to read what they are going to do. She did not approve of the “dirty tricks” that the Council did. The mayor needs to be in the loop. The Mayor does not like council members talking policy beforehand – it’s wrong.

B.B. Haigler seconded the motion.

At this point, the Town Attorney stated the policy needed to be clear. Bradley Purser stated that he thought it was clear. B.B. Haigler explained the “15 emails” and the Fire Department Grant that the Mayor referred to; Mayor Long discussed her opinions.

Councilmen Purser, Haigler and Clontz voted yes. Bill Thomas voted no. The motion passed (3-1).

Adopt a Policy for Establishing Town Committee

Town Attorney, Joe McCollum, stated that the Mayor had a right to appoint a committee, but the council had a right not to recognize the committee.

B.B. Haigler stated he does not think we need a committee to review what the staff is doing at this time. Haigler explained what Ed Humphries, Tana Mcconnaughey and Darrell Baucom did for the Town. (His statement below)

Stipend --- Mayor was 1 of 3 who supported vote several years ago

Our Employees

Tana Mcconnaughey was hired in 2002 as Tax Collector. Approx. 2 yrs. ago Town contracted with Union County tax office to collect town taxes for 1 1/2 % of collected taxes. The County would not collect delinquent taxes. She is responsible for 2002 to 2009 collection and last June Bill Thomas suggested that the town use her as our Liaison between co tax dept. and town. Last week, Mr. Thomas and Tana were working on an organization that might be able to collect these taxes from Income Tax Refunds. Eventually her job will be phased out unless Town decides differently.

Darrell Baucom - Finance Officer - was hired by town several years ago. Darrell is a CPA and part time Finance officer for Unionville, experienced in municipal financing. Our auditing firm needs to check his work and responsibilities and does each year with the Audit. Jeff Younce (son in law and did the towns work for several years) looked over a recent monthly report and shared his thoughts with his accounting partner. His comments-- “Good Job; well qualified and maybe he is being under paid.” I was appointed by the Council to review the monthly financial records and am doing so each monthly. Our Audit firm checks the finance records each year and they have not seen anything that is incorrect or questionable.

Ed Humphries - hired over 2 yrs ago (July 2009). Bill Thomas did a great job in locating and negotiating an agreement with Mr. Humphries that was approved by the Council. Humphries has over 20 years of

municipal government experience. Humphries agreement calls for 16 hrs time/wk, and attends 2 meetings each month. I see him here @ 8:30am and sometimes @ 5 pm. He receives no benefits and this past year he accepted the job as Clerk for the town He takes minutes empties the trash and always does what anyone asks him to do. Prior to hiring Ed, the town were using COG (Centralia Council of Gov.) and were paying them app. \$39000. / Year just for the service of Land Use Administrator. We pay Ed approx. \$35000 for both jobs and he works out of our office in Fairview. I needed a CONDITIONAL USE PERMIT when I sold my business to Mr. Brian Nance several years ago (before Ed was hired) and after working with the COG rep. for a month, I decided that it was not worth the aggravation and withdrew the application. Later with Ed the entire process worked smooth and easy. I called Mr. Brian Nance last week and asked him about his experience with Ed. He was very pleased with the way it was handled and complimented Ed on his professionalism completing all the requirements that were needed.

I see no reason in asking four town citizens to take their time and effort to do a job review of our employees and I certainly believe their salaries are in line with other towns.

B.B. Haigler made a motion that the Mayor must have Council approval on any committee formation or the appointment of any person or persons to serve in any capacity representing the Town of Fairview. Bradley Purser seconded the motion. Councilmen Purser, Haigler and Clontz voted yes; Councilman Bill Thomas voted no. The motion carried (3-1).

Mayor Long has asked Arnold Price (Councilman Elect) to serve as chairman of the committee because of being unbiased, and asked if the Council was going to select a person.

Jerry Clontz stated that the Council needed to decide if we would have a committee.

B.B. Haigler didn't have a problem with a committee being formed as long as it was at a regular meeting.

Jerry Clontz made a motion to install a sign in front of Town Hall to inform citizens about meetings.

Town Attorney, Joe McCollum, stated that he wanted us to handle this at a regular meeting.

Jerry Clontz withdrew his motion.

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

Respectfully submitted,

Ed Humphries
Town Clerk

Elizabeth Long
Mayor

Approved this 12 day of Dec., 2011.
Re-approved this 9th day of Jan. 2012 as amended