

**FAIRVIEW TOWN COUNCIL MEETING**

JULY 20, 2009

FAIRVIEW TOWN HALL

7:00 PM

MINUTES OF THE JULY 20, 2009 PUBLIC HEARING MEETING OF THE  
COUNCIL OF THE TOWN OF FAIRVIEW.

The following members were present, constituting a quorum: Mayor Richard Williams, Mayor Pro Tem Elizabeth Long, Bradley Purser, Bill Thomas and Jerry Clontz

Personnel: Town Clerk Jan Carter, Attorney Joe McCollum, Financial Director Christine Surratt, Phil Thomas and Ed Huntley

Others present: Ed Humphries

The recessed Public Hearing Meeting from June 15<sup>th</sup> was opened by the Mayor Williams.

Bradley Purser made a motion to add a 7C for General Planning Update on the Agenda and to allow Hendrick Company to discuss the items needed for the Office here in the Town Hall. Jerry Clontz seconded it. Motion passed unanimously.

Mayor Williams called for the people to be sworn in so they can talk to the Council. Town Clerk Jan Carter swore them in. Jana Finn, Land Use Administrator with Centralina talked to the Council. She discussed Mr. Poore's revised application. Mr. Randy Poore discussed the C08-003 the new Conditional Use Permit for Rocky River Farms Subdivision and the new 2 year Vesting request for C08-003. The new reports were addressed for the Subdivision. He discussed a permit for the sewage system. Mr. Donald Munday explained the sewage systems set up as required by the state. Mr. Munday noted that the Conditional Use will not materially endanger the public health or safety. They discussed the Finding of the Facts. Mr. Poore noted that the houses that would be 1800 square feet or 2224 square feet. Mr Poore stated that they will be in harmony with the area in which it is to be located. Mr. Poore agrees to all conditions. They discussed water systems and wells that would be designed with the Union County Public Works. Bill Thomas asked questions about roads. Jana Finn explained the bonds Ed Huntley was sworn in and he talked about this Subdivision because he lives near this. Ed Huntley says this is in the conformity with the land and it is in harmony with the land use plan. Mr. Poore discussed more on the Subdivision.

Jerry Clontz made a motion to close out the Public Hearing for the Conditional Use Permit. Bradley Purser seconded it. Motion passed unanimously.

The Mayor opened the Public Hearing for the Vesting Request. Randy Poore discussed the 2 year Vesting Request for C08-003. Jana Finn and Attorney McCollum discussed this with the Council.

Jerry Clontz made a motion to closed the Public Hearing. Bill Thomas seconded it and the Public Hearing closed.

**The Regular meeting opened** and the Mayor asked for any public comments not relating to the two prior Public Hearings. Mitch Donahue talked to the Council about his business, Hines Farms. He had closed the business and he wants the Council to let him open the garden center. He passed out a letter to each Council member. Mayor Williams suggested that he talk with Phil Thomas, the Planning Board Chairman.

Next, the Council discussed the Financial Reports. Christine Surratt gave out her report. Then she talked about Tana McConnaughey's tax collection report that was given out. Next she talked to the Council about some questions that they had. The CPA was discussed. Bill Thomas asked questions about the costs. This includes the computer problems and the audit contract and financial statements. Elizabeth Long discussed workers comp insurance that had lapsed. A new policy has now been obtained through Robbins & Associates. Bill Thomas asked questions about the American Community Bank. Some money is not covered by FDIC insurance. Christine Surratt stated that now we are covered by insurance. She wants the Council to agree to the contract with Moyer, Smith & Roller for \$3,000.00 plus \$800.00 for the year ending June 2009.

Bill Thomas made a motion to approve this contract for \$3,800.00 Bradley Purser seconded it. The motion passed unanimously.

The Approval of Minutes for June 15 and 24<sup>th</sup> were discussed.

Elizabeth Long made a motion to put off approval of the minutes until next month. Bill Thomas seconded the motion. Motion passed unanimously.

Attorney Joe McCollum had prepared a resolution allowing Union County to enforce the Building Code that needed the Town's approval. He passed out the Resolution to the Council. There was some discussion.

Bill Thomas made a motion to approve this resolution. Jerry Clontz seconded it. Motion passed unanimously.

**C-08-003 and 2 year Vesting Request:**

The Council discussed the Four Finding of Facts required for a conditional use permit. Bill Thomas noted that the construction of the Rocky River Farms Subdivision will not endanger the public health and he made a motion to approve this. Bradley Purser seconded it. The Motion passed unamiously.

Jerry Clontz made a motion to state that the Conditional Use will not substantially injure the value of adjoining and abutting property after discussion of the square feet of the houses. Bradley Purser seconded it. Motion passed unanimously.

Bill Thomas made a motion that the Conditional Use will be in harmony with the area as stated by Eddie Huntley as he lives nearby. Elizabeth Long seconded it. Motion passed unanimously.

Bill Thomas made a motion to approve the conditional use as it will be in general conformity with the area as stated by Eddie Huntley. Elizabeth Long seconded it. Motion passed unanimously.

Bill Thomas made a motion to approve the proposed conditions on the plans of C08-003 and the Planning Board Report. Elizabeth Long seconded it. Motion passed unanimously.

Elizabeth Long made a motion to approve and to give to Mr. Poore the Conditional Use Permit. Jerry Clontz seconded it. Motion passed unanimously.

Bradley Purser made a motion to approve the 2 year Vesting Request. Bill Thomas seconded it. Elizabeth Long voted against it. Bill Thomas, Bradley Purser and Jerry Clontz voted for it. The motion passed.

Jana Finn discussed the Green House business that needs a Conditional Use Permit for RA40. She passed out some information about notices of Violation of the Town's Land Use Ordinance. She discussed permit applications.

#### **Hendrix Business System:**

Thomas O'Mahony talked to the Council about what the town needs for the office. He discussed leasing a copy/fax/printer. Ed Humphries, Administrator, stated some specifications of office machines that the Town will need. Mr. O'Mahony will give the Council some prices and information.

#### **Scattered Site Grant Program:**

Jerry Clontz made a motion to say no to the Scattered Site Grant Program. There was no second and the motion died.

Bradley Purser made a motion to approve the Scattered Site Grant Program. Elizabeth Long seconded. Jerry Clontz voted against it and Bill Thomas, Bradley Purser and Elizabeth Long voted for it. The motion passed.

#### **Report on rental space available at Fairview Fire Department:**

Bill Thomas talked about the space at the Fire Department for equipment and a new wall. He talked about a 5 year lease there. The Council could have meetings there.

Bradley Purser made a motion to move forward to get the price of the wall and to get a lease with the Fire Department for the Council to approve. Bill Thomas seconded it. Jerry Clontz voted against it, and Bill Thomas, Bradley Purser, and Elizabeth Long voted for it. The motion passed.

**Council comments:**

Bradley Purser discussed the Four Findings that were required for Mr. Poore.

Next they talked about procedures and a book for it.

Next Bill Thomas discussed the fees for Centralina.

Elizabeth Long talked about the Town jobs not getting done and the dedication that must be committed to for the people of Fairview.

Bradley Purser thanked Elizabeth Long and Bill Thomas for doing all the work they do.

Attorney McCollum discussed Public Hearings and zoning issues that need to be up front on the Agenda in the regular meeting.

Jerry Clontz made a motion to close the special meeting. Bill Thomas seconded it. It passed unanimously and the meeting closed.

Respectfully Submitted,

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Mayor Richard Williams

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Town Clerk Jan Carter

Approved this \_\_\_\_ of \_\_\_\_\_ 2009