

FAIRVIEW TOWN COUNCIL MEETING
DECEMBER 21,2009
FAIRVIEW TOWN HALL
Regular Meeting- Public Hearing
7:00 PM

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

The meeting was opened by the Mayor ProTem Elizabeth Long. Bradley Purser made a motion to amend the agenda of number 1 on section E to be moved to discussion. Bill Thomas seconded it. Thomas voted yes. Purser voted yes. Clontz voted yes.

The Oath of Office was done by Jerry Clontz and Bradley Purser as newly elected officials by Town Clerk, Jan Carter.

Appointment of Mayor Pro-Tem: Bill Thomas made a motion to have Elizabeth Long as Mayor Protem. Jerry Clontz seconded it. Thomas voted yes. Clontz voted yes. Purser voted yes.

Resolution on Meeting Dates for 2010: Mayor Protem Long discussed this. Bill Thomas made a motion to accept these dates. Jerry Clontz seconded it. Thomas voted yes. Clontz voted yes. Purser voted yes.

Public Comments:

April Purser talked to the Council about a donation for the Noel Williams ball field. She is with Piedmont Recreation Association. She gave out the reports.

Financial and Tax Reports:

Financial Reports were handed out by Christine Surratt. Bill Thomas made some comments about Darrell Baucom. Tana McConnaughey's tax collection report had been passed out.

Mayor ProTem Long stated that the Public Hearing is now open.

Old business: Public Hearings

1. Request for Conditional Use Permit #CUP-09-001 on Parcel #08186004A zoned RA-40. Daniel and Melissa Hines were sworn in by the Town Clerk Jan Carter. Land Use Administrator Ed Humphries discussed their request for this permit to operate as a nursery. They want a greenhouse operation. Melissa Hines presented pictures of the greenhouse to the Council and explained the water runoff. She showed them some pictures of future buildings that they want and parking lots. They don't want to sell equipment. Ed Humphries discussed the zoning. Bill Thomas asked a few questions.

a. Decision on request: The Council talked about the Quasi-Judicial procedure.

It is a health and a safety area, it would not affect the value of the adjoining land, And the Condition Use is in harmony with the area and Conditional Use will be in conformity of the land use plan.

The Public Hearing was closed. And the regular meeting was opened. Bill Thomas made a motion that the public health or safety will not be in danger. Bradley Purser seconded it. Thomas voted yes. Clontz voted yes. Purser voted yes.

Jerry Clontz made a motion that this would not substantially injure the value of the adjoining or abutting land. Bradley Purser seconded. Purser voted yes. Clontz voted yes. Thomas voted yes.

Bill Thomas made a motion that the Proposed Conditional Use will be in harmony with the area. Bradley Purser seconded it. Thomas voted yes. Purser voted yes. Clontz voted yes.

Bill Thomas made a motion that it is in general conformity with the land use Plan. Bradley Purser seconded it. Thomas voted yes. Purser voted yes. Clontz voted yes.

Conditions

Ed Humpries discussed the two conditions. Bill Thomas made a motion to approve to prohibit sales. and that the owners get an application for this Permit. Bradley Purser seconded it. Thomas voted yes. Clontz voted yes. Purser voted yes.

Bill Thomas made a motion to issue this permit with the 2 conditions. Jerry Clontz seconded it. Thomas voted yes. Clontz voted yes. Purser voted yes.

Mayor Protem Long opened the Public Hearing:

2. Request to rezone Parcel #08222011F from RA40 to CUD-LI-09-01

Ed Humphries discussed this land that is owned by BB Haigler. Mr. Haigler explained that he sold the business. He wants the land to be light industrial. This is 4.86 acres.

The public hearing was closed by the Mayor Protem Long.

a. Decision on request:

The regular meeting was opened.

Bill Thomas made a motion to change the zoning to the request by Mr. Haigler. Bradley Purser seconded it. Thomas voted yes. Purser voted yes. Clontz voted yes.

Bill Thomas says this is in line with the land use and is consistent with the recommendations for the Town's adopted comprehensive plan, the Town of Fairview Land Use Plan and the Land Use Ordinance.

Mayor Protem Long opened this 3rd Public Hearing:

3. Request to Amend Section 180N of the LUO by adding “Requirement for Shopping Centers: Permit #TC-09-01

Ed Humphries discussed these shopping requirements and the ordinance of 50,000 square feet. The Planning Board is still discussing this.

a. Decision on request:

Bill Thomas made the motion to continue this as a Public Hearing next month, January 2010. Bradley Purser seconded it. Purser voted yes. Thomas voted yes. Clontz voted yes.

New Business:

1. Consider adoption of a contract with Union County to collect taxes.

Bill Thomas made a motion to accept the contract. Bradley Purser seconded it. Thomas voted yes. Purser voted yes. Clontz voted yes.

The Council discussed appointing the Mayor. Bill Thomas made a motion to appoint Elizabeth Long as Mayor. Bradley Purser seconded. Thomas voted yes. Purser voted yes. Clontz voted yes.

The appointment of a Mayor Protem was discussed. Bradley Purser made a motion to appoint Bill Thomas as Mayor Protem. Jerry Clontz seconded it. Purser voted yes. Clontz voted yes. Thomas voted yes.

After some discussion, Bradley Purser made a motion to appoint BB Haigler as a Council Member. Bill Thomas seconded it. Purser voted yes. Thomas voted yes. Clontz voted yes.

Town Clerk, Jan Carter swore Mr. Haigler in as a Council Member.

Elizabeth Long was sworn in as Mayor by Town Clerk Jan Carter.

2. How the Council receives minutes and information for the next meeting.

Ed Humphries explained this to the Council. They will get a key so they can get their mail once a week.

Call a Public Hearing at the regular meeting on January 11, 2010 to hear a request from Primax Properties, Inc. to rezone parcel #08189012D from RA-40 to B-4 to construct a Dollar General Store.

Jerry Clontz made a motion to have a public hearing. Bill Thomas seconded it. Clontz voted yes. Thomas voted yes. Purser voted yes. Haigler voted yes.

Request for Land Use Administrator to update and replace Land Use Ordinance books for the Planning Board.

Ed Humphries wants their permission to redo the books for the planning board for \$350.00. Bill Thomas made a motion for this. Bradley Purser seconded it. Thomas voted yes. Purser voted yes. Clontz voted yes. Haigler voted yes.

Consider adopting a resolution on Legislative Positions for the 2010 Short Session of the North Carolina General Assembly.

Ed Humphries discussed this with the Council. Bill Thomas made a motion to adopt these. Bradley Purser seconded it. Thomas voted yes. Purser voted yes. Clontz voted yes. Haigler voted yes.

Approval of minutes: October 19th and November 16th, 2009 Jerry Clontz made a motion to approve the October 19th minutes as corrected. Bill Thomas seconded it. Thomas voted yes. Purser voted yes. Clontz voted yes. Haigler voted yes.

Bill Thomas made a motion to approve the November 16th minutes as corrected. Jerry Clontz seconded it. Thomas voted yes. Clontz voted yes. Purser voted yes. Haigler voted yes.

Approval of Special Meeting-November 23,2009 These minutes were not approved yet.

Approval of Executive minutes-June 15,2009 Jerry Clontz made a motion to approve the minutes. Bill Thomas seconded it. Thomas voted yes. Clontz voted yes. Purser voted yes. Haigler voted yes.

Approval of Closed minutes-August 24 and September 21, 2009

Jerry Clontz made a motion to approve the August minutes. Bill Thomas seconded it. Thomas voted yes. Clontz voted yes. Purser voted yes. Haigler voted yes.

Bill Thomas made a motion to approve the September 21, 2009 minutes as corrected. Jerry Clontz Seconded it. Thomas voted yes. Clontz voted yes. Purser voted yes. Haigler voted yes.

Council Comments:

The Council Discussed this meeting place. The Council does not like this room. They will discuss this again at the next meeting. They discussed North Carolina Wildlife and the Fire Department. Bradley Purser wants to honor Mayor Williams.

Adjournment:

BB Haigler made a motion to close the meeting. Bradley Purser seconded it. the meeting closed.

Respectfully submitted:

Town Clerk Jan Carter

Mayor Elizabeth Long

Approved: _____ of _____,2009