

Fairview Town Council meeting
September 13, 2010
7:00 p.m.

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

Other Present: Joe, McCollum, Attorney; Ed Humphries, Land Use Administrator; Darrell Baucom, Finance Officer and Tana McCannaughey

Agenda Changes:

Mayor Long stated that Hal Weil, Chairman of the board of the VFD, would like to make a report to the Council. This will be b. under B, Presentations.

Bradley Purser made a motion to approve the agenda as amended. Bill Thomas seconded the motion. Councilmen Thomas, Clontz and Purser voted yes.

Public Comments / Presentations:

Vann Harrell, with Tax Collection, Union County, stated that Fairview taxes had been mailed. Harrell requested that the Council adopt the "Order of Collection" tax charge for fiscal year 2010-2011.

Jerry Clontz made a motion to adopt the "Order of Collection" tax charge for fiscal year 2010-2011. Thomas seconded the motion. Councilmen Clontz, Thomas and Purser voted yes.

Hal Weil, Chairman of the Fire Department Board of Directors, gave an update on the operations of the department. Comments were: Hal Weil planned to report the Council on a regular basis; the department is in better shape; all trucks are in service; the 29th of this month, the County will perform a "pump test"; the Board has ordered a complete audit; the D.A. of Union County is working with the previous chief in hopes of receiving lost money; the County did approve the department's budget; the department will receive no income for the remainder of the year; the monthly income from the county in this years budget will be changed from \$3550 to \$1800 per month; the fire fee has been increased from \$46 to \$59 and is paid on a volunteer basis by residents of Fairview; the department has enough money in the current budget to meet obligations until the end of the year.

Hal stated that he had two major goals for the department:

1. Debt service reduction
2. Outfit approved gear (needs to be replaced every 10 years)

Mr. Weil would also like to request from the Town that the Council allocate a certain amount of money each month to be paid to the department from the Town's budget. This would aid in the department's budget process.

The department is growing with several new members.

Reports:

Darrell Baucom gave the financial report. Tana McConnaughey gave the tax report. Ed Humphries gave the land use report.

Old Business:

Public Hearing:

1. The Public Hearing planned for permit Z.01.01 is cancelled due to withdrawal of the application
2. A Public Hearing was opened to hear public comments to amend the Land Use Ordinance (TC 10.07) by adding Section 303 – Parking lots shall be placed behind buildings.

Ed Humphries explained the amendment.

Phil Thomas, Chairman of the Planning Board, was present and gave the thoughts of the Planning Board regarding the amendment.

Having no public comment, the hearing was closed.

3. A Public Hearing was opened to hear comments and recommendations to changes to the Future Land Use Map.

Ed Humphries explained the process of reviewing the map and thoughts of the Planning Board. Bill Thomas stated that he thought it was important to review but was not sure it needed changing.

New Business:

1. **Decision on Permit TC 10.07** request from the Fairview Planning Board to amend the Land Use Ordinance (TC 10.07) by adding Section 303 – Parking lots shall be placed behind buildings. Bill Thomas made a motion to approve the text change #TC 10.07. Bradley Purser seconded the motion. Included in the motion: This text change (#TC 1007) is consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Fairview Land Use Plan (adopted April, 2005), and Town of Fairview Land Use Ordinance (effective July 1, 2005). Councilmen Thomas and Purser voted yes. Clontz voted no. The motion passed.
2. **Decision on Revision (review) of the Future Land Use Map** for the Town of Fairview (last revised 2006). Bill Thomas made a motion to keep the map or plan as is and indicate on the new map that it has been revised on September 13, 2010. This statement is also included in the motion: This revision of the Future Land Use Map is consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Fairview Land Use Plan (adopted April 18, 2005), and the Town of Fairview Land Use

Ordinance (effective July 1, 2005). Jerry Clontz seconded the motion. Councilmen Thomas and Clontz voted yes. Purser voted no. The motion passed.

3. Bill Thomas made a motion to call a Public Hearing to hear public comments on permit #TC-10.008, amending the "Definition of Special Events" and Section 161 "Special Events" in the Land Use Ordinance. The hearing is to be held at the Council's regular meeting October 11, 2010 at 7:00 p.m. Jerry Clontz seconded the motion. Councilmen Clontz, Thomas and Purser voted yes.

4. An amendment to the Nuisance Ordinance was discussed. Ed Humphries suggested that the following be added to the Nuisance Ordinance adopted in April, 2010:

5. The practice of going in and upon private residences, business establishments, public buildings, public or city property or offices in the city, by solicitors, peddlers, hawkers, itinerant merchants and transient vendors of merchandise, books, pictures, periodicals or anything whatsoever, not having been requested or invited so to do by the owner, manager or occupant of such private residence, business establishment, public building or office, or by the Mayor or Sheriff of Union County, for the purpose of soliciting orders for the sale of goods, wares, merchandise or anything whatsoever, or for the purpose of disposing of or peddling or hawking the same, is hereby declared to be a nuisance and punishable as this ordinance permits.

6. Any attempt by any person referred to obtain an invitation to visit any private residence, business establishment, public building or office, by personal solicitation or promise of any demonstration, pecuniary benefit, advantage or any gift, shall be deemed a violation of the terms and provisions of this ordinance

7 Any person who sells at wholesale directly to the dealer, for the ultimate purpose of resale by such dealer, is hereby declared to be within the right of interstate commerce and is excluded from the provisions of this ordinance. Any local Not -for -Profit is excluded from this ordinance.

Bill Thomas made a motion to amend the Nuisance Ordinance as stated. Purser seconded the motion. Councilmen Purser, Clontz and Thomas voted yes.

Council Comments:

Bill Thomas stated that he attended the Union County Transportation Planning meeting. The bridge at 218 and Goose Creek was discussed.

Mayor Long stated that new population figures had come out and Fairview has a population of 5,241.

Bradley Purser asked if the Council wanted to act on the Fire Department's request of giving them money monthly to help the department's budget. It was decided that it should come up at a later time.

Minutes:

Jerry Clontz made a motion to approve the minutes of the August 9, 2010 meeting as corrected. Bill Thomas seconded the motion. Councilmen Clontz, Thomas and Purser voted yes.

Jerry Clontz made a motion to approve the minutes of the August 24, 2010 "Special Meeting" as written. Bill Thomas seconded the motion. Councilmen Clontz, Thomas and Purser voted yes.

Bradley Purser made a motion to go into Closed Session to discuss Real Estate. Bill Thomas seconded the motion. Councilmen Clontz and Purser voted yes.

Closed Session

Mayor Long re-opened the Regular Meeting.

Ed Humphries discussed his plan for the clerk position interviews. On October 1, 2010, an ad would be placed in the paper and website, advertising the position. Interviews by Haigler, Thomas and Humphries would be held in late October with a recommendation of several applicants for the entire board to interview at the November meeting. The goal would be to have someone in place by January 1, 2011.

Having no other business, Jerry Clontz made a motion to adjourn. Bill Thomas seconded the motion. Councilmen Clontz, Purser and Thomas voted yes.

Ed Humphries
Interim Town Clerk
Land Use Administrator

Elizabeth Long
Mayor

These minutes approved on the 11th day of Oct 2010.