

Agenda

Town of Fairview



Agenda

Town Council Meeting

August 13, 2018

7:00 pm

(Meeting to be held at the Old Fairview School)

1. Call the meeting to order: ---Mayor Pro Tem Clontz

Invocation

Pledge of Allegiance

- a. Agenda Changes
- b. Approval of Agenda

2. Public Comments / Presentations:**

Presentation: Pat Simpson, Pitch/Hit/Run Competition

3. Consent Agenda:

- a) Financial and Tax Reports--- *Report Accepted as Information (including Pending Bills documentation provided at meeting)*
- b) Land Use Report---*Report Accepted as Information*
- c) CRTPO --- *Report Accepted as Information*
- d) Park & Rec July Minutes (*Minutes Accepted as Information*)
- e) Planning Board (*No July Meeting*)
- f) Approve Council Minutes for July 9, 2018

Agenda

4. Items of Business:

Item 1: Public Hearing TC 18-081 amending Section 253 B of the Town of Fairview Flood Prevention Ordinance dated January 13, 2014 to be effective on November 18, 2018 ---*Ed Humphries*

Mayor Pro Tem to Open Public Hearing

Hear public comments

Mayor Pro Tem to Close Public Hearing

Discuss Approval of request: (Include Zoning statement) The proposed zoning amendment under consideration is/is not found to be reasonable and consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Fairview Land Use Plan(Revised August 11, 2014), and the Town of Fairview Land Use Ordinance (effective July 1, 2005)

Item 2: Update on new office space ---*Ed Humphries*

Item 3: Update on Haigler property purchase ---*Ed Humphries*

Item 4: Update on Fairview Fall Festival --- *Lisa Thomas*

5. Council Comments:

6. Adjournment

AS A COURTESY, PLEASE TURN CELL PHONES OFF WHILE MEETING IS IN PROGRESS

**** Public Comments are limited to 3 minutes**

Presentation Pitch/Hit/Run

Fairview Community Involvement

Pitch, Hit & Run

Pitch, Hit & Run is a baseball competition sponsored by Scott's Lawn Turf Builder products.



The following pages have information from the website, <https://www.pitchhitrun.com>.

Briefly here are some key things to know:

- PHR has to be completed by mid-May so that winners can go on to the sectional competitions.
- Competition can be either, baseball, softball or two separate competitions, one for baseball and one for softball.
- Both boys and girls can participate.
- A baseball / softball field is ideal but not required. An open field will work with dimensions that meet standards of the PHR handbook.
- If/when Fairview decides to hold a PHR competition an administrator's kit (handbook for creating and running a successful event) will be sent to the person who will lead the activity.

Just random thoughts:

We are close to two minor league teams: Charlotte Knights and Kannapolis Intimidators. Perhaps some players would be willing to attend the event and have photos taken with children.

A hometown man, Andy Tomberlin, is a coach for the Charlotte Knights and played in the Major Leagues. I do not know him personally but perhaps he could attend the competition for a while.

Age limits prevent high school players from participating, but maybe they would be willing to come out in their uniforms to help with the competition.

Either the ball field behind old Fairview school or the grassy area in the new (beautiful- I love it) Fairview Park could be used for PHR.

I am willing to work on a committee to help make this possible.

Thank you all for the hard work you are doing for our community.

Pat Simpson

TheMissionFig@Hotmail.com

Fact Sheet

Major League Baseball Pitch Hit & Run (PHR) is a FREE, 1-day event for boys and girls ages 7-14* that is simple to host. PHR is the official skills competition of Major League Baseball and can be hosted by any organization, league, civic group or set of volunteers in the community. An administrative kit is provided and the competition is free of charge for participants and hosts.

Participants compete in either the Baseball Division or Softball Division and have the opportunity to advance through four levels of competition including Locals, Sectionals, Team Championships and the National Finals during MLB All-Star Week. Providing this great opportunity for your community is as easy as:

- Sign up to host a Local Competition -- PitchHitRun.com. Upon submitting an online registration with a date, time and location for your competition, you will receive a FREE administrative kit with materials necessary to host the competition. The kit includes a handbook, Strike Zone banner, registration forms, awards, participation cards, etc.
- After completing your competition - Award participants, provide Sectional Competition information to your winners, submit results online and mail all completed registration forms.

LEVELS OF COMPETITION

- Local Competition - early 2018 – Early/Mid May
 - All-Around, Pitching, Hitting and Running Champions advance from EACH division age group.
 - Sectional Competition - Mid May-Early June**
 - Each Sectional is part of an MLB team's geographic market.
 - All-Around Champions in each division age group are ELIGIBLE to advance.
 - The top 3 scores in each division age group among the Sectional All Around Champions within each MLB geographic market will advance to the Team Championships.***
 - MLB Team Championship - June (weekends)
 - Held in all 30 Major League Ballparks.
 - Participants must place first in their age group to be ELIGIBLE to advance. The top 3 scores in each division age group out of all 30 MLB Team Championships will advance to the National Finals.***

- National Finals - MLB All-Star Week
 - National Finalists will receive an all-expense paid trip to MLB All-Star Week. Finalists will participate in an array of festivities upon arrival, including competing on-field prior to shagging fly balls during the Home Run Derby!

PRIZES/AWARDS: At each level of competition competitors will receive an item for their participation. Prizes at different levels of competition include certificates, medals, trophies and other awards. National Finalists receive a trip to MLB All-Star Week.

* Competitors compete in four age groups: 7/8, 9/10, 11/12, 13/14. Age is determined as of July 17, 2018.

** Weather permitting, specific dates within your market will be available upon determination of each Team Championship date.

*** Advancement notified by PHR Headquarters. All-Around Champions at the Sectional and Team Championship do NOT automatically advance.

FAQ

When should the competition be held?

Competitions can be scheduled anytime from early 2018 through early/mid-May. Competitions can be held on a weekend or weekday - whichever works best for your organization and potential participants. Local hosts typically have the most participation when the competition is held along with a large league event, such as Opening Day, Picture day or as part of PE classes, or after-school activities.

Why "mid May?"

Your Local Competition should be completed prior to the Sectional Competition that you are assigned to in your area so that your local winners have the opportunity to advance. Some Sectionals take place in late May or early June, which means you COULD schedule your Local Competition later in May if you find out that your corresponding Sectional is scheduled later. To avoid any conflict with the winners advancing in the competition, please attempt to conduct your local event prior to the first weekend in May.

My team/league is coed, can a girl compete in the Baseball Division?

Yes. Participants may compete in either division (Baseball or Softball). Once a participant has competed in a division, he/she must remain in that division for all subsequent levels of the competition, and may not switch divisions.

Can I host both baseball and softball competitions on the same day/time?

Yes. It is very efficient to have baseball and softball competitions occurring at the same time. Participants in both divisions can compete simultaneously as the only difference is the ball being used and the pitching distance.

I want to host a softball competition, is it also required to host a baseball competition (or vice versa)?

Your local competition is not required to include both baseball and softball; however we encourage you to open your competition to both the Baseball and Softball Divisions for anyone in your community that may want to compete. It is very simple to score and award both divisions.

Is it required to have a minimum number of participants per division or age group?

No. It is recommended that a Local competition consist of a minimum of 30 participants, but there is no minimum required per division or age group.

How should I set up the competition? Can I use just one field or should I use multiple fields?

You can do either. We recommend that you structure the competition so that participants rotate through the skills. If you use one field, you can set it up so that hitting takes place on the field, while pitching takes place down the right or left field line, in a bullpen, or right outside the field (a pitcher's mound is not required). Running can then take place at the end, as it takes the least amount of time.

If you have a large amount of participants, we recommend that you use multiple fields to be more efficient. By using multiple fields, you can have different skills being conducted on each field and have the participants rotate.

What type of facility do I need to host this event?

A baseball/softball field is obviously the ideal location for the competition, but if you don't have a baseball/softball field available, the competition may still be held in an open field. You can use the handbook and a tape measure to measure out the distances.

Indoor facilities are fine, but usually aren't able to accommodate the hitting portion of the competition. You can have pitching and running indoors and move hitting to an outdoor parking lot or field, if one is available.

What is included in the administrator kit?

Your free local administrator kit will include a handbook (contains all the instructions you need on how to set up and run a successful competition), registration forms, award certificates, promotional posters, a "strike zone" banner, participation cards and other information required to host your event.

When will I receive my administrator kit?

If you sign up to host a competition prior to February, you will receive your kit by the end of February. Otherwise, you will receive your kit within 1-2 weeks of PHR National Headquarters receiving your online sign-up.

Is it required to know the finalized competition date, time and location for my competition prior to signing-up to host?

No. If you are unsure as to when exactly your event will take place, you may register now complete that information at a later date. However, it is strongly recommended to submit your finalized date, time and location as soon as possible. Please understand the number of

competitions is capped this year, therefore we need to receive competition details and results for each kit that is shipped.

Is it required to open the competition to anyone, or can we host only for the members of our organization?

While it is encouraged to open the competition to any interested participants, the local hosting organization can elect to host a "private" event where only those organization members can participate. The host must notify PHR Headquarters that they plan to host a "private" event.

Can I use PHR as a fundraiser?

PHR is promoted as a free program, so you cannot charge participants to compete. However, some hosts choose to have raffles, merchandise/concession sales, carnivals or other fundraising opportunities going on in conjunction with the competition day.

Can I run this program in my school?

Yes. You may run this program as part of PE classes, a school field day or as an after-school activity.

Can I host multiple Local Competitions?

Yes. You may host multiple Local Competitions if you have different groups, sites or leagues in your area to which you can offer the program. Hosting multiple competitions is a great way to allow multiple sets of winners from your area to advance to the next level of competition. Keep in mind each Local Competition should have a minimum of 30 participants.

Can I pre-register participants for the competition?

Yes. Once you receive your administrative kit, you may distribute the registration forms provided and have participants pre-register via the physical registration form or at www.PitchHitRun.com. For an electronic version of the registration form that can be emailed or posted to a website, please email pitchhitrun@mlb.com.

When and where will the Sectional Competition take place?

Sectional Competitions will take place from mid/late May to early June. Sectional sites will be determined based on prior experience and where Local Competitions break out geographically. You will be notified by your state coordinator or PHR National Headquarters as to when and where the Sectional will occur. If you have not received Sectional information from your state coordinator or PHR National Headquarters by the first week in May, please email pitchhitrun@mlb.com immediately.

Who will notify my Local Competition winners with the Sectional information?

It is the Local Competition host's responsibility to notify his or her winners of the Sectional Competition information.

How many participants advance in each division age group?

The number of participants advancing in each division age will vary. The following competitors will advance in each division age group: All-Around Champion, Pitching Champion, Hitting Champion, and Running Champion.

Please note that one child may win every category, in which case only that competitor would advance for that division age group. For another example, the Pitching Champion may also be the Running Champion. If this is the case, only that competitor will advance for both categories. Second place participants will not advance just because one person wins more than one category.

In addition, you may have ties for the Pitching, Hitting or Running Champion (most common in Pitching) - in that scenario, everyone who tied for 1st will advance (unless competitors tie for 1st with the minimum score of 50 points, in which case they would not advance based on that skill).

How long will the competition last?

Research shows that it takes each participant approximately two minutes to complete the competition. You can cut down on time by offering pre-registration and by offering multiple stations on multiple fields.

How do I promote my Local Competition?

Provided in your administrative folder is a Local Competition Press Release. You may fill this out and distribute it to your local media outlets - newspaper, television, radio, etc. Also provided in your administrative folder are promotional posters that you can fill out and post around your town as well as a sample flyer.

Leagues can have their coaches get the word out to their teams. They can also have coaches commit to bringing their kids to compete in the competition at a certain time. Recreation departments and community organizations often put notification of the competition on their website or in their newsletters announcing upcoming events. Another idea is to use your social networking sites to recruit participants and extra volunteers.

Consent Agenda

A consent agenda is an effective means of managing the length of a meeting. It is normally made up of routine items that are not controversial in nature and upon which no further discussion is anticipated. Action on the consent agenda usually occurs early in the meeting with all items listed being approved by one motion and vote.

If any member of the governing body feels the need to discuss one or more of the items more fully, the item may be removed from the consent agenda and placed on the regular agenda.

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08/03/18
Accrual Basis

Town of Fairview
Balance Sheet
As of July 31, 2018

	Jul 31, 18
ASSETS	
Current Assets	
Checking/Savings	
American Community Bank	459,471.38
Total Checking/Savings	459,471.38
Other Current Assets	
Franchise Tax Receivable	33,813.84
Investments	
Investments NCCMT	982.47
Total Investments	982.47
Prepaid assets	981.00
Sales Tax Receivable	4,189.16
Taxes receivable	2,733.22
Taxes receivable - ad valorem	-510.56
Taxes receivable - motor veh	946.31
Total Other Current Assets	43,135.44
Total Current Assets	502,606.82
Fixed Assets	
Accumulated Depreciation	-33,477.45
Building and Improvements	1,181,642.75
Computer Equipment	12,643.66
Furniture and Equipment	1,698.00
Land	202,216.33
Land improvements	10,145.00
Leasehold improvements	2,500.00
Park equipment	138,960.55
Total Fixed Assets	1,516,328.84
TOTAL ASSETS	2,018,935.66
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	9,833.89
Total Accounts Payable	9,833.89
Other Current Liabilities	
Accrued payroll	3,524.87
Deferred revenue - ad valorem	2,962.15
Payroll Liabilities	317.00
Prepaid tax interest	36.58
Prepaid taxes	199.84
Total Other Current Liabilities	7,040.44
Total Current Liabilities	16,874.33
Total Liabilities	16,874.33
Equity	
Equity	
Fixed assets	1,516,328.84
Total Fund Balance	397,520.00
Total Equity	1,913,848.84
Fund Balance - Park project	810,048.00
Retained Earnings	-693,960.23
Net Income	-27,875.28

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Accrual Basis

Town of Fairview
Balance Sheet
As of July 31, 2018

	Jul 31, 18
Total Equity	2,002,061.33
TOTAL LIABILITIES & EQUITY	2,018,935.66

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Accrual Basis

Town of Fairview
Profit & Loss Budget vs. Actual
July 2018 through June 2019

	Jul '18 - Jun 19	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Ad Valorem taxes	0.00	74,500.00	-74,500.00	0.0%
Alcoholic beverage	0.00	16,200.00	-16,200.00	0.0%
Cable TV franchise taxes	0.00	3,200.00	-3,200.00	0.0%
Donation	1,650.00			
Donation - vendors	150.00			
Fund balance appropriated	0.00	-4,000.00	4,000.00	0.0%
Interest on delinquent taxes	11.54			
Investment income	227.70	0.00	227.70	100.0%
Motor vehicle taxes	855.42	9,200.00	-8,344.58	9.3%
Park rental income	400.00	2,500.00	-2,100.00	16.0%
Sales and use tax	2,216.17	27,000.00	-24,783.83	8.2%
Utility Franchise taxes	0.00	145,000.00	-145,000.00	0.0%
Zoning fees	1,290.00	7,000.00	-5,710.00	18.4%
Total Income	6,800.83	280,600.00	-273,799.17	2.4%
Expense				
Advertising and Promotion	288.56	500.00	-211.44	57.7%
Audit fees	0.00	8,050.00	-8,050.00	0.0%
Bank Service Charges	108.49			
Capital outlay - Park	0.00	9,634.98	-9,634.98	0.0%
Dues and Subscriptions	5,095.00	5,520.00	-425.00	92.3%
Festival expense	0.00	10,000.00	-10,000.00	0.0%
Fire Dept Grant	1,666.66	10,000.00	-8,333.34	16.7%
Fire Dept Truck Payment	13,142.31	52,569.00	-39,426.69	25.0%
Insurance Expense	3,271.01	4,900.00	-1,628.99	66.8%
Internet and website	433.33	6,500.00	-6,066.67	6.7%
Legal fees	0.00	7,200.00	-7,200.00	0.0%
Office expense	413.18	10,736.00	-10,322.82	3.8%
Office utilities	155.64	2,880.00	-2,724.36	5.4%
Park Maintenance	914.05	19,300.00	-18,385.95	4.7%
Park Utilities	190.55	3,300.00	-3,109.45	5.8%
Payroll Expenses	8,271.40	92,345.58	-84,074.18	9.0%
Payroll taxes	0.00	7,064.44	-7,064.44	0.0%
Professional Fees	0.00	3,000.00	-3,000.00	0.0%
Rent Expense	500.00	12,000.00	-11,500.00	4.2%
Repairs and Maintenance	125.00	1,000.00	-875.00	12.5%
Solid Waste Manage cost share	0.00	8,000.00	-8,000.00	0.0%
Tax collection fees	25.53	1,400.00	-1,374.47	1.8%
Telephone Expense	265.06	3,000.00	-2,734.94	8.8%
Training expense	0.00	500.00	-500.00	0.0%
Travel Expense	24.54	1,200.00	-1,175.46	2.0%
Total Expense	34,890.31	280,600.00	-245,709.69	12.4%
Net Ordinary Income	-28,089.48	0.00	-28,089.48	100.0%
Net Income	-28,089.48	0.00	-28,089.48	100.0%

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08/03/18

Accrual Basis

Town of Fairview
Transactions by Account
As of July 31, 2018

Type	Date	Num	Adj	Name	Memo	Debit	Credit	Balance
American Community Bank								
Deposit	07/05/2018				Deposit	100.00		490,084.20
Deposit	07/05/2018				Deposit	200.00		490,184.20
Deposit	07/05/2018				Deposit	400.00		490,384.20
Bill Pmt -Check	07/06/2018	102271		Kiker Plumbing Servi...	Park repairs		1,274.99	489,509.21
Bill Pmt -Check	07/06/2018	102272		Clark, Griffin and Mc...	Real estate contract and retainer		1,287.50	488,221.71
Bill Pmt -Check	07/06/2018	102273		CompuNetworld			388.33	487,833.38
Bill Pmt -Check	07/06/2018	102274		Darrell H. Baucom_			69.54	487,763.84
Bill Pmt -Check	07/06/2018	102275		Ed Humphries_	postage		50.00	487,713.84
Bill Pmt -Check	07/06/2018	102276		Fairview VFD and R...			14,225.64	473,488.20
Bill Pmt -Check	07/06/2018	102277		Great American Fina...	Color image charge		35.86	473,452.34
Bill Pmt -Check	07/06/2018	102278		Interlocal Risk Finan...	18-19 insurance		3,271.01	470,181.33
Bill Pmt -Check	07/06/2018	102279		Jerry Clontz_	Reimbursement of park expenses		274.48	469,906.85
Bill Pmt -Check	07/06/2018	102280		NC League of Municip...	Dues for 18-19		4,633.00	465,273.85
Bill Pmt -Check	07/06/2018	102281		Performance Lawn &...			1,075.00	464,198.85
Bill Pmt -Check	07/06/2018	102282		Piedmont Signs	Signs for award winners		64.05	464,134.80
Bill Pmt -Check	07/06/2018	102283		Union County Public ...			315.48	463,819.32
Liability Check	07/09/2018	To Print		NC Dept of Revenue_	600391020		718.00	463,101.32
Deposit	07/09/2018				Deposit	167.36		463,268.68
Paycheck	07/09/2018	102297		Teresa Gregorius			1,183.80	462,084.88
Paycheck	07/09/2018	102284		Darrell H. Baucom			776.51	461,308.37
Paycheck	07/09/2018	102285		Doug Buchanan			46.18	461,262.19
Paycheck	07/09/2018	102286		Edward D. Humphries			2,227.94	459,034.25
Paycheck	07/09/2018	102287		Gary H. Wilfong			138.52	458,895.73
Paycheck	07/09/2018	102288		Gary M. Medlin			46.18	458,849.55
Paycheck	07/09/2018	102289		Greg Morgan			46.18	458,803.37
Paycheck	07/09/2018	102290		Jerry C. Clontz			863.73	457,939.64
Paycheck	07/09/2018	102291		John A. Biggers, Jr.			138.52	457,801.12
Paycheck	07/09/2018	102292		Joshua H. Presley			46.18	457,754.94
Paycheck	07/09/2018	102293		Kelvin L. Baucom			46.17	457,708.77
Paycheck	07/09/2018	102294		Nancy H. Randall			46.18	457,662.59
Paycheck	07/09/2018	102295		Patricia H. Kindley			138.52	457,524.07
Paycheck	07/09/2018	102296		Phillip C. Thomas			184.70	457,339.37
Paycheck	07/09/2018	102298		Tony FD Helms			46.17	457,293.20
Liability Check	07/09/2018	To Print		IRS	55-0789092		2,050.22	455,242.98
Deposit	07/10/2018				Deposit	50.00		455,292.98
Deposit	07/10/2018				Deposit	315.00		455,607.98
Deposit	07/10/2018				Deposit	50.00		455,657.98
Deposit	07/11/2018				Deposit	2,216.17		457,874.15
Deposit	07/13/2018				Deposit	100.00		457,974.15
Deposit	07/13/2018				Deposit	200.00		458,174.15
Bill Pmt -Check	07/14/2018	102299		First National Bank	Amazon prime fee		13.12	458,161.03
Bill Pmt -Check	07/14/2018	102300		Performance Lawn &...			1,075.00	457,086.03
Check	07/16/2018	Draft		Great American Fina...	Duplicate payment for copier, to b...		35.86	457,050.17
Check	07/18/2018	Draft		Verizon Wireless	ed's cell phone		68.39	456,981.78
Deposit	07/20/2018				Deposit	838.25		457,820.03
Deposit	07/20/2018				Deposit	1,000.00		458,820.03
Check	07/23/2018	Draft		Duke Energy	Officer power		155.64	458,664.39
Check	07/25/2018	Draft		Frontier Telephone	Town land line		196.67	458,467.72
Check	07/27/2018	Draft		Duke Energy	Park utilities		190.55	458,277.17
Deposit	07/27/2018				Deposit	250.00		458,527.17
Deposit	07/27/2018				Deposit	100.00		458,627.17
Deposit	07/27/2018				Deposit	150.00		458,777.17
Deposit	07/27/2018				Deposit	575.00		459,352.17
Check	07/31/2018				Service Charge		108.49	459,243.68
Deposit	07/31/2018				Interest	227.70		459,471.38
Total American Community Bank						6,939.48	37,552.30	459,471.38
TOTAL						6,939.48	37,552.30	459,471.38

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08/03/18

Accrual Basis

Town of Fairview
Transaction Detail By Account
July 2018 through June 2019

Type	Date	Num	Name	Memo	Debit	Credit	Balance
Park Maintenance							
Bill	07/01/2018	2154	Piedmont Signs	Signs for award winners	64.05		64.05
Bill	07/10/2018	16262	Performance Lawn &...	Park mowing	850.00		914.05
Total Park Maintenance					914.05	0.00	914.05
TOTAL					914.05	0.00	914.05

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08/03/18

Accrual Basis

Town of Fairview
Transaction Detail By Account
 July 2018 through June 2019

Type	Date	Num	Name	Memo	Debit	Credit	Balance
Office expense							
Bill	07/01/2018	4760	First National Bank	Amazon prime fee	13.12		13.12
Bill	07/09/2018	07092...	Ed Humphries_	postage	50.00		63.12
Bill	07/10/2018	16263	Performance Lawn &...	Office mowing	225.00		288.12
Check	07/16/2018	Draft	Great American Fina...	Duplicate payment for copier; to be credi...	35.86		323.98
Check	08/15/2018	Draft	Great American Fina...	copier lease	89.20		413.18
Check	08/15/2018	Draft	Great American Fina...	Copier lease	0.00		413.18
Total Office expense					413.18	0.00	413.18
TOTAL					413.18	0.00	413.18

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1-Jul	1473	P-18-073	Pool	\$50	Amanda Elliott	619 Clontz long Road	08156004A
5-Jul	16154	MS 18-074	Minor	\$65	Stan Pierezynski	109 Brief W	8177002
5-Jul	172	H-18-075	Home	\$75	Andrew Helms	5913 Sikes Mill	08087035L
10-Jul	173	C-18-076	Compliance	\$100	Andrew Helms	3113 Brief Road	08087035K
10-Jul	145	H-18-077	Home	\$75	Heather Rogone	8120 Unionville Brief	08117003J
12-Jul	N/A	FDP18078	Flood	N/A	S&ME (PNG)	9751 Southern Pine	N/A
12-Jul	1018	C-18-079	Permit	\$100	Berry Hames	305 East Old Dutch	08183005B
12-Jul	cash	C-18-080	Compliance	\$100	Rushing Const	8311 Ferguson Farms	08117010B
12-Jul	N/A	TC 18-081	Text	N/A			
17-Jul	11782	MDP-18-082	Change	\$500	Town of Fairview	Flood Prevention	N/A
19-Jul	2034	NR-18-083	Major	\$300	Helms Partners	Sikes Mill Crossing II	08087035H
24-Jul	N/A	NR-18-086	Garage	N/A	Fire Dept	7402 Concord highway	8189030
24-Jul	2337	AP-18-085	Upfit	\$50	Town of Fairview	7400 Concord	8189011
26-Jul	2560	C-18-084	Pool	\$100	Sylen Pools	9805 Tallwood Drive	8210052
26-Jul	1065	H-18-087	Compliance	\$75	Pohlmann	7816 W Duncan Road	08255008E
26-Jul	cash	C-18-088	Home	\$100	Kalashnik	6919 West Duncan Road	8258014
26-Jul	9795	NR-18-089	Compliance	\$300	T. Moss	9606 Mill Grove Road	08282019H
31-Jul	1028	A-18-090	Cell Tower	\$50	Crown Castle	7604 Water Oak	8189034
Totals	18		Unfit	\$2,040	Polmann	78160West Duncan Road	08255008E

Teresa Gregorius

From: Ed Humphries
Sent: Thursday, July 19, 2018 8:06 AM
To: Teresa Gregorius
Subject: Fwd: July MPO Meeting Results and Request for August 2 TCC Agenda Items
Attachments: image001.jpg; image002.png; image003.png

Sent from my iPhone

Begin forwarded message:

From: "Burke, Neil" <nburke@ci.charlotte.nc.us>
Date: July 19, 2018 at 8:32:00 AM EDT
To: Undisclosed recipients;
Subject: July MPO Meeting Results and Request for August 2 TCC Agenda Items

August TCC Meeting

The next TCC meeting is scheduled for Thursday, August 2 in Room 267 on the second floor of the Charlotte-Mecklenburg Government Center.

If you would like to have an item placed on the agenda, the following information must be e-mailed to me no later than close of business on Wednesday, July 25:

- The name of the item as it should appear on the agenda
- A brief description of the topic
- Presenter's name
- Estimated presentation length

July 18 CRTPO Board Meeting Results

Consent Agenda: The CRTPO Board approved the June 2018 Minutes, a 2018-2027 TIP Amendment for Hornet's Nest Park CMAQ Project, and a 2018-2027 TIP Amendment for Bonus Allocation & STBG-DA Funding Exchange (Bethlehem Rd/Fairview Rd Ext)

Request to Open Comment Period: The CRTPO Board approved the opening of a public comment period to receive public input on the following two topics: (1) Air quality conformity determination on the 2045 Metropolitan Transportation Plan (MTP) and 2018-2027 TIP, necessitated by the South Coast Air Quality Management District vs. EPA court decision, (2) Amendments to the 2045 MTP to incorporate performance measure targets.

2020-2029 TIP Development Local Input Points Allocation: The CRTPO Board approved the final list of Regional Impact tier projects proposed for the allocation of local input points for NCDOT Prioritization 5.0, and affirmed that CRTPO's public involvement procedures and the local input point methodology has been followed.

STBG Funds Exchange: The CRTPO Board approved an \$11,860,641 exchange between the CRTPO's STBG-DA funds and NCDOT's STBG-Flex funds.

Transportation Alternatives Program Funds Exchange: The CRTPO Board approved a series of funding exchanges to place STBG-DA funds on TAP funded projects to avoid a federal rescission.

Neil Burke, AICP PTP | Planning Coordinator



**Town of Fairview
Park-Rec & Event Committee Meeting
July 12, 2018**

The following Parks & Recreation Advisory Committee members were present: Lisa Thomas, Larry Carter, Scott Cuthbertson, Theresa Donaldson, Todd Donaldson, Rita Price and Bill Riffle

Others present: Teresa Gregorius, Town Clerk

Public Comments

None

Items of Business

Lisa Thomas reported that Todd Donaldson met with two companies at the park to outline additional electrical needs around the lake. Arc Electric and Boswell Electric will be forwarding quotes within the next few weeks.

A. Sub-Committee Updates

Advertising/Lisa Thomas: Will be sending out Fall Festival flyers to Fairview, Unionville and New Salem Elementary schools and contacting the area churches about including the Festival information in their church bulletins. Ms. Thomas shared a donation letter that she has been sending out or hand delivering to area businesses requesting donations to go toward funding the fall and winter festivals. As of this date \$550.00 has been received. She asked that anyone who knew of a business or individual that she had not contacted please let her know and she would make contact with them.

Children's Entertainment/Theresa Donaldson: Fall Festival – Will be doing the Passport Card again to give to each child as they enter the Festival that lists each of the games/activity stations. As the children go from station to station their Passport Card is checked off and when they leave they turn in their Passport Card for a small treat bag. There will be approximately 14 events, some of which include: duck races, face painting, tic-tac-toe, scavenger hunt, "dress" the scarecrow, art station for decorating journey/walking sticks, apple bobbing, art station for leaf rubbing, and yarn wrapped pine.

Craft Vendors/Wendy Nielsen: No Report

Custodian/Bill Riffle: Ms. Thomas reported that Sam Locklear with All Points Waste is donating 4 port-a-jons and 2 wash stations for the Fall Festival. Mr. Riffle will check on purchasing additional trashcans.

Decorating/Rita Price: Working on her decorating committee helpers and has about 8-10 people. Her committee will be meeting in August.

Food Vendors/Todd Donaldson: Vendors that have committed to the Festival so far are Big Guys Pizza, Zion United Methodist Church Men's Group and Gary Wilfong's Ice Cream trailer. Mr. Donaldson said he thought Gene's BBQ would come again also. The Committee discussed and decided that 4 entrée food vendors and 3 dessert/other food vendors would be enough for the space available.

Music/Lisa Thomas: Three acts have been booked so far – Pine Ridge Boys, Hosanna and Fairview Elementary Kids (k-2 and 3-5). Ms. Thomas went over options for the stage/venue for the acts and the Committee discussed the options. It was decided that renting a tent would be the best option and Scott Cuthbertson will investigate tent/flooring options.

Parking/Mike Medlin: No Report

Volunteer Coordinator: Ms. Thomas set up a "signup genius account" so that volunteers can go and signup to work. All of the events are posted and how many people are needed.

Ms. Thomas questioned the Committee about the vendor application and their final thoughts on how much they wanted to charge for a booth. The Committee discussed and decided to charge \$50 deposit fee and if the vendor stayed till the 5:00 PM closing time they would get their deposit back. The booth deposit fee will be waived for the Hines Farm booth since they are donating mums for the Fall Festival and Christmas trees for the Winter Festival.

Ms. Thomas also reported that for the Winter Festival Scoggins Farms has agreed to provide carriage rides free of charge and Dennis Rushing has been secured to portray Santa.

B. Minutes

Rita Price made a motion to approve the June 7, 2018 minutes. Todd Donaldson seconded the motion. Committee members Thomas, Carter, Cuthbertson, Theresa Donaldson, Todd Donaldson, Price and Riffle voted yes (7-0).

Lisa Thomas adjourned the meeting.

Respectfully submitted,

Teresa Gregorius
Town Clerk

Lisa Thomas
Chairman

Approved this 2nd day of August, 2018



**Town of Fairview
Regular Town Council Meeting
July 9, 2018**

The following Council members were present: Mayor Phil Thomas, John Biggers, Jerry Clontz and Patricia Kindley

Others present: Joe McCollum, Town Attorney; Darrell Baucom, Financial Officer and Teresa Gregorius, Town Clerk

Agenda Changes

Patricia Kindley stated that she would like to add the presentation of the winners of the yard and garden contest before the public comments/presentations section.

Approval of Agenda

Jerry Clontz made a motion to approve the agenda as amended. Patricia Kindley seconded the motion. Council members Biggers, Clontz and Kindley voted yes (3-0).

Yard & Garden Presentations

Patricia Kindley recognized the winners of the 2018 Town of Fairview yard and garden contests. Martha Gilmore won the "Town of Fairview Spring Garden of the Year" and Pat Simpson was honorable mention. B.B. and Jan Haigler won "Town of Fairview Spring Vegetable Garden of the Year".

Presentation

Carleen Crawford, Regional Tobacco Control Mgr., Mecklenburg County Public Health did a presentation regarding smoke-free/tobacco-free policies and ordinances.

Public Comments

Frank Deese, Mayor of Marshville, spoke regarding his run for seat in District 55 House of Representatives.

Consent Agenda

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) CRTPO - No Report
- d) Park & Rec January Draft Minutes --- Minutes Accepted as Information
- e) Planning Board January Draft Minutes --- Minutes Accepted as Information
- f) Approve Council Regular Minutes for June 11, 2018

Patricia Kindley made a motion to approve the consent agenda. John Biggers seconded the motion. Council members Biggers, Clontz and Kindley voted yes (3-0).

Items of Business

Item 1: Public Hearing RZ 18-055:

Nancy Randall, Chair, Planning Board, presented permit #RZ 18-055, a request from Haigler Farms LLC to subdivide 5.28 ac (to include lot # 2 and # 3) of parcel #08250002 and rezone it to L-1 CUD (Conditional District). The property is next to the Haigler Building LLC parcel # 08222011F which is presently zoned L-1 CUD.

Mayor Thomas opened the Public Hearing

Alan Dowdee, 225 Hwy. 218 East, spoke in opposition to the rezoning

Mayor Thomas closed the Public Hearing

Discuss Approval of request: Council members discussed the rezoning.

John Biggers made a motion to approve #RZ 18-055. The proposed conditional use permit under consideration is found to be reasonable and consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Fairview Land Use Plan (Revised September 13, 2010), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). Patricia Kindley seconded the motion. Council members Biggers, Clontz and Kindley voted yes (3-0).

Item 2: Public Hearing TC 18-054 (amend Article XI, Section 180E (k) of the Land Use Ordinance):

Nancy Randall presented Petition #TC 18-054 that amends a requirement for cell towers in Article XI Section 180E (k) regarding minimum setback requirements.

Mayor Thomas opened the Public Hearing

No Public Comments

Mayor Thomas closed the Public Hearing

Discuss Approval of request: Council members discussed the amendment.

Patricia Kindley made a motion to approve Petition #TC 18-054. The proposed text change amendment under consideration is found to be reasonable and consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Fairview land Use Plan (Revised September 13, 2010), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). John Biggers seconded the motion. Council members Biggers and Kindley voted yes, Clontz voted no (2-1).

Item 3: Call for a public hearing:

Mayor Thomas called for a public hearing at the regular meeting of the Town Council of Fairview on **September 10, 2018 at 7:00 pm** to hear public comment on a financing agreement to purchase land from Harry and Sandra Haigler in the amount of \$600,000 @ 3.9% for 15 years as Authorized by G.S 160A-20 and required by the Local Government Commission.

Item 4: Approve a resolution #R-18-LGC:

Mayor Thomas presented Resolution #R-18-LGC which authorizes the filing of an application for approval of a financing agreement authorized by G.S. 160A-20 and authorizing the Mayor to sign and approve a \$1250.00 fee to be paid to the Local Government Commission. (The application will be filed on September 20, 2018 after the public hearing is held on September 10, 2018 as required by the LGC).

Jerry Clontz made a motion to approve Resolution #R-18-LGC authorizing the filing of an application for approval of a financing agreement and authorizing the Mayor to sign and approve the \$1250.00 fee to be paid to the Local Government Commission. Patricia Kindley seconded the motion. Council members Biggers, Clontz and Kindley voted yes (3-0).

Item 5: Approve New Office Renovation Costs

Mayor Thomas stated that the new office renovation costs were originally approved in the last fiscal year but the renovations were not done. This is a formality to re-approve the renovation costs for the current fiscal year.

John Biggers made a motion to approve the new office renovation costs. Patricia Kindley seconded the motion. Council members Biggers, Clontz and Kindley voted yes (3-0).

Item 6: Review 2018 Retreat Goals

*Pursue purchasing additional park land – Mayor Thomas noted that the Haiglers accepted the Town's offer to purchase the land. As of tonight the resolution has been approved and the public hearing has just been called.

*Improve park offerings i.e. band stand, music – Mayor Thomas stated that at last month's meeting Lisa Thomas, Park-Rec & Event Committee Chairman stated that the committee was working on getting quotes for additional electricity around the lake, as well as looking into additional picnic tables, benches and swings.

*Set up school building for town hall/offices – Mayor Thomas has a copy of the lease agreement that the Union County Commissioners will review/approve at their July meeting. Mayor Thomas is waiting on verification regarding his request to waive the \$1,000.00 security deposit fee that is listed in the lease agreement.

*Secure right of first refusal on school – Mayor Thomas reported that since the Town has decided to purchase the Haigler property purchasing the school is probably not an option at this point. Mayor Thomas did speak with three of the current county commissioners who agreed to work with the Town on purchasing the property for the appraised value if the Town ever decides to pursue it.

*Franchise solid waste collection -- John Biggers met with Sam Locklear, All Points Waste, regarding the opportunity to franchise waste collection in the Town limits. Ed Humphries has also spoken with Mr. Locklear and discussions are ongoing.

*Improve communications with citizens -- Patricia Kindley reported that she will continue to work on the yard and garden contest so that the 2019 contest will have even more participation. Ms. Kindley agreed to take the lead on the tobacco-free policies/ordinance. Other ideas she is working on are:

- increasing the email base the town has for sending out information to residents
- reaching out to the elementary school and local churches to explore opportunities to work with them
- holiday light contest
- pitch/hit/run competition

*Work to improve relations with the fire department -- John Biggers has had informal meetings with Chief Andy Williams and Assistant Chief Brian Austin to open up communications and let them know that if they have anything they need to talk to the Council about they can come to him or anyone on the Council.

*Revisit and update town codes and policies -- Mayor Thomas stated that the flood ordinance will be updated for review in August.

Council Comments

Patricia Kindley stated that she would like to have a representative come to the August meeting to give a presentation regarding the pitch/hit/run competition.

Jerry Clontz reported that the bill for the plumbing services for the water leak was \$1,200.00. He also purchased a blower to clean steps and play area. He spoke with Chief Andy Williams, Fairview Fire & Rescue about watering the BMP because grass is starting to die and the BMP must be kept green.

Mayor Thomas announced that Patricia Kindley was awarded the Order of the Long Leaf Pine by the governor on June 29th.

Mayor Thomas announced that there would be a drop-in question and answer session in the Council meeting room on July 10th from 5-7 PM hosted by Union County and NCDOT regarding the roundabouts scheduled on Hwy. 218. Mayor Thomas stated that NCDOT requested his input regarding traffic improvement projects in Division 10 which he forwarded and subsequently received their appreciation for his input. Mayor Thomas is also continuing to stay in contact with NCDOT and the Sheriff's Department regarding their monitoring of Hwy. 218

Patricia Kindley made a motion to adjourn. Jerry Clontz seconded the motion. Council members Biggers, Clontz and Kindley voted yes (3-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this _____ day of _____, 2018

Public Hearing on TC 18-081



Federal Emergency Management Agency
Washington, D.C. 20472

May 16, 2018

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
1151

The Honorable Phil Thomas
Mayor, Town of Fairview
7400 Concord Highway
Monroe, North Carolina 28110

Community No.: 370024
Community: Town of Fairview,
Union County,
North Carolina
Map Panels Affected: See enclosed
Summary of Map Actions (SOMA)

Dear Mayor Thomas:

On August 30, 2016, you were provided copies of the preliminary Flood Insurance Study (FIS) report for Union County, North Carolina and Incorporated Areas and Flood Insurance Rate Map (FIRM) panels for your community. You were also notified of the proposed flood hazard information reflected in the FIS report and FIRM panels and of the dates the proposed flood hazard determinations would be published in your local newspaper. The flood hazard determinations for your community may include addition or modification to Base Flood Elevations, base flood depths, Special Flood Hazard Areas (SFHAs), zone designations, and regulatory floodways. SFHAs are the areas subject to inundation by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). The 90-day appeal period that was initiated on August 11, 2017, when the Federal Emergency Management Agency (FEMA) published a notice of proposed flood hazard determinations for your community in the *Union County Weekly*, has elapsed.

FEMA received no requests for changes in the flood hazard determinations. Therefore, the determination (copy enclosed) of the Agency as to the flood hazard information for your community is considered final. The notice of final flood hazard determinations will be published in the *Federal Register* as soon as possible. The modified flood hazard information and revised map panels, as referenced on the enclosed SOMA, are effective as of November 16, 2018, and revise the FIS report and FIRM which were in effect prior to that date. For insurance rating purposes, the community number and new suffix code for the panels being revised are indicated on the maps and must be used for all new policies and renewals.

No significant changes have been made to the flood hazard data since it was presented on the preliminary and/or revised preliminary FIRM for your community; therefore, we encourage you to use these materials in the floodplain management regulations adoption process described below. Final printed copies of the FIS report and FIRM will be mailed to you in the near future.

To assist your community in maintaining the FIRM, we have enclosed a SOMA to document how previous Letters of Map Change (LOMCs) (i.e., Letters of Map Amendment [LOMAs], Letters of Map Revision [LOMRs]) will be affected when the revised FIRM panels become effective. Information on LOMCs is presented in four categories: (1) LOMCs that have been included on the revised FIRM panels; (2) LOMCs that have not been shown on the revised FIRM panels because of scale limitations or because the LOMC that was issued had determined that the lots or structures involved were outside the SFHA shown on the FIRM; (3) LOMCs that have not

LOMCs that have not been included on the revised FIRM panels because they are being superseded by new detailed flood hazard data; and (4) LOMCs that will be re-determined. The LOMCs in Category 2 of this form are revalidated through a single letter that reaffirms the validity of a previously issued LOMC. LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures have changed (Category 4) cannot be revalidated through this administrative process. However, we will review the data which were previously submitted as part of the original LOMA or LOMR request and issue a new determination for the subject properties after the FIRM effective date.

By the effective date of the FIRM, your community is required, as a condition of continued eligibility in the National Flood Insurance Program (NFIP), to adopt or show evidence of adoption of floodplain management regulations that meet the standards of Section 60.3(d) of the NFIP regulations. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

It must be emphasized that all of the standards specified in Section 60.3(d) of the NFIP regulations must be enacted in a legally enforceable document. This includes the adoption of the effective FIS report and FIRM to which the regulations apply and the modifications made by this map revision. Some of the standards should already have been enacted by your community. Any additional requirements can be met by taking one of the following actions:

1. Amend existing regulations to incorporate any additional requirements of Section 60.3(d);
2. Adopt all of the standards of Section 60.3(d) into one new, comprehensive set of regulations; or,
3. Show evidence that regulations have previously been adopted that meet or exceed the minimum requirements of Section 60.3(d).

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 as amended.

The North Carolina Division of Emergency Management is available to assist your community with any difficulties you may be encountering in enacting the floodplain management regulations. Any questions may be directed to the following address:

Mr. John D. Brubaker, P.E., CFM
NFIP State Coordinator
North Carolina Department of Public Safety
Risk Management Section
4218 Mail Service Center
Raleigh, North Carolina 27699-4218
(919) 825-2300
dan.brubaker@ncdps.gov

In addition, a FEMA Region IV Compliance Specialist has been designated to assist your community. You may contact your FEMA Region IV Compliance Specialist at FEMA, Mitigation Division, 3003 Chamblee Tucker Road, Atlanta, Georgia 30341, or at (770) 220-8835, or the FEMA Map Information eXchange (FMIX), toll free, at (877) 336-2627 (877-FEMA MAP).

Additional information and resources your community may find helpful regarding the NFIP and floodplain management, such as *Use of Flood Insurance Study (FIS) Data as Available Data*, *The National Flood Insurance Program Code of Federal Regulations*, *Answers to Questions About the National Flood Insurance Program*, *Frequently Asked Questions Regarding the Effect that Revised Flood Hazards have on Existing Structures*, and *National Flood Insurance Program Elevation Certificate and Instructions*, can be found on our website at <http://www.floodmaps.fema.gov/lfd>. Paper copies of these documents may also be obtained by calling our FMIX.

Sincerely,



Luis Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

Enclosures:

Final SOMA

FEMA 495 brochure: Adoption of FIRMs
by Participating Communities

cc: Mr. Ed Humphries, Land Use Administrator & Clerk, Town of Fairview
Ms. Tonda Shelton, North Carolina Floodplain Mapping Program (NCFMP), Program Manager
Mr. John D. Brubaker, P.E., CFM, NFIP State Coordinator, North Carolina Department of Public Safety, Risk Management Section
Mr. Randy Mundt, AICP, CFM, NCFMP Outreach and Planning Manager
FEMA, Region IV

FINAL SUMMARY OF MAP ACTIONS

Community: FAIRVIEW, TOWN OF

Community No: 370024

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the effects of the enclosed revised FIRM panels(s) on previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs), Letter of Map Revision based on Fill (LOMR-Fs), and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on November 16, 2018.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels or will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

2A. LOMCs on Revised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	13-04-7728A	08/22/2013	TALLWOOD ESTATES I, LOT 36 -- 9808 RUNNING CEDAR LANE	3710553300L	3710553300N

2B. LOMCs on Unrevised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

FINAL SUMMARY OF MAP ACTIONS

Community: FAIRVIEW, TOWN OF

Community No: 370024

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new or revised flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
			NO CASES RECORDED	

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.
6. Superseded by another LOMC.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures is no longer valid, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and if appropriate issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

ARTICLE 3. GENERAL PROVISIONS.

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES.

This ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction, *including Extra-Territorial Jurisdictions (ETJs)*, of the Town of Fairview.

SECTION B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS.

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its FIS dated **November 16, 2018** for Union County and associated DFIRM panels, including any digital data developed as part of the Flood Insurance Study, which are adopted by reference and declared a part of this ordinance. Future revisions to the FIS and DFIRM panels that do not change flood hazard data within the jurisdictional authority of the Town of Fairview are also adopted by reference and declared a part of this ordinance.

SECTION C. ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT.

A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities within Special Flood Hazard Areas determined in accordance with the provisions of Article 3, Section B of this ordinance.

SECTION D. COMPLIANCE.

No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS.

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION.

In the interpretation and application of this ordinance, all provisions shall be:

- (a) considered as minimum requirements;
- (b) liberally construed in favor of the governing body; and
- (c) deemed neither to limit nor repeal any other powers granted under State statutes.

SECTION G. WARNING AND DISCLAIMER OF LIABILITY.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur. Actual flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Town of Fairview or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

SECTION H. PENALTIES FOR VIOLATION.

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$50.00 or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the Town of Fairview from taking such other lawful action as is necessary to prevent or remedy any violation.

ARTICLE 6. LEGAL STATUS PROVISIONS.

SECTION A. EFFECT ON RIGHTS AND LIABILITIES UNDER THE EXISTING FLOOD DAMAGE PREVENTION ORDINANCE.

This ordinance in part comes forward by re-enactment of some of the provisions of the Flood Damage Prevention Ordinance enacted June 9, 2009 as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit or proceeding instituted or pending. All provisions of the Flood Damage Prevention Ordinance of Town of Fairview enacted on June 9, 2009, as amended, which are not reenacted herein are repealed.

Municipal: The date of the initial Flood Damage Prevention Ordinance for Union County is July 18, 2008.

SECTION B. EFFECT UPON OUTSTANDING FLOODPLAIN DEVELOPMENT PERMITS.

Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a floodplain development permit has been granted by the Floodplain Administrator or his or her authorized agents before the time of passage of this ordinance; provided, however, that when construction is not begun under such outstanding permit within a period of six (6) months subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.

SECTION C. SEVERABILITY.

If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

SECTION D. EFFECTIVE DATE.

This ordinance shall become effective **November 16, 2018.**

SECTION E. ADOPTION CERTIFICATION.

I hereby certify that this is a true and correct copy of the Flood Damage Prevention Ordinance as adopted by the Town Council of Fairview, North Carolina, on the **13th day of August, 2018.**

WITNESS my hand and the official seal of the Town of Fairview, this the **13th day of August, 2018.**

Teresa Gregorius
Town Clerk

PUBLIC HEARING NOTICE

The Fairview Town Council will conduct a Public Hearings starting at 7:00pm on Monday, **August 13th , 2018 during the Council Regular monthly meeting** at the Old Fairview School (location address: 7516 Concord Highway, Monroe, N.C.). The purpose of this hearing is:

To receive public comment on:

Amending Section 253 B of the Town of Fairview Flood Prevention Ordinance dated January 13, 2014 to be effective on November 18 2018

The Public is invited to attend the public hearing and make comments. As a result of testimony, the Town council reserves the right to make changes to the proposed request prior to adoption. For More information, call Ed Humphries, Land Use Administrator at (704) 564.3412 during business hours. (Tuesday and Thursday 8:00am to 3:00pm)

The Town of Fairview does not discriminate on the basis of disability. If you need an auxiliary aid or service or other accommodation in order to attend or fully participate at this meeting, please contact the Ed Humphries at (704) 564.3412 as far in advance of the meeting as possible so that your request can be considered.

Update New Office Space

Update Haigler Property Purchase

Update Fairview Fall Festival