

Agenda

Town of Fairview



Agenda

Town Council Meeting

July 9, 2018

7:00 pm

(Meeting to be held at the Old Fairview School)

1. Call the meeting to order: ---Mayor Thomas

Invocation

Pledge of Allegiance

- a. Agenda Changes
- b. Approval of Agenda

2. Public Comments / Presentations:**

Presentation: Carleen Crawford, Regional Tobacco Control Mgr.
Mecklenburg County Public Health

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 --- *No Report*
- d) Park & Rec June Draft Minutes (*Minutes Accepted as Information*)
- e) Planning Board June Draft Minutes (*Minutes Accepted as Information*)
- f) Approve Council Minutes for June 11, 2018

Agenda

4. Items of Business:

Item 1: Public Hearing RZ 18-055

Haigler Farms LLC would like to subdivide 5.28 ac (to include lot # 2 and # 3) of parcel #08250002 and rezone it to L-I CUD (Conditional District). The property is next to the Haigler Building LLC parcel # 08222011F which is presently zoned L- I CUD --- *Nancy Randall*

Mayor to Open Public Hearing

Hear public comments

Mayor 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) --- *Mayor Thomas*

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

Setback for Cell Towers

Text change: "Except as otherwise expressly stated, wireless support structure must be set back from all property lines a distance that is at least equal to its engineered fall zone" --- *Nancy Randall*

Mayor to Open Public Hearing

Hear public comments

Mayor 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) --- *Mayor Thomas*

Agenda

Item 3: Call 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. --- *Mayor Thomas*

Item 4: Approve a resolution #R-18-LGC authorizing 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 \$1200.00 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). --- *Ed Humphries*

Item 5: Approve New Office Renovation Costs --- *Ed Humphries*

Item 6: Review 2018 Retreat Goals --- *Mayor 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**

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.

3:35 PM
06/29/18
Accrual Basis

Town of Fairview
Balance Sheet
As of June 30, 2018

	Jun 30, 18
ASSETS	
Current Assets	
Checking/Savings	
American Community Bank	489,563.21
Total Checking/Savings	489,563.21
Other Current Assets	
Franchise Tax Receivable	33,813.84
Investments	
Investments NCCMT	981.09
Total Investments	981.09
Prepaid assets	5,614.00
Sales Tax Receivable	4,189.16
Taxes receivable	2,733.22
Taxes receivable - ad valorem	-346.38
Taxes receivable - motor veh	946.31
Total Other Current Assets	47,931.24
Total Current Assets	537,494.45
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	2,053,823.29
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	15,293.33
Total Accounts Payable	15,293.33
Other Current Liabilities	
Accrued payroll	3,524.87
Deferred revenue - ad valorem	2,962.15
Payroll Liabilities	789.30
Prepaid tax interest	36.58
Prepaid taxes	199.84
Total Other Current Liabilities	7,512.74
Total Current Liabilities	22,806.07
Total Liabilities	22,806.07
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	-712,243.66
Net Income	19,364.04

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06/29/18

Accrual Basis

Town of Fairview
Profit & Loss Budget vs. Actual
July 2017 through June 2018

	Jul '17 - Jun 18	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Ad Valorem taxes	74,136.98	73,000.00	1,136.98	101.6%
Alcoholic beverage	15,796.13	15,500.00	296.13	101.9%
Cable TV franchise taxes	2,584.80	2,500.00	84.80	103.4%
Donation	100.00			
Fund balance appropriated	0.00	29,200.00	-29,200.00	0.0%
Interest on delinquent taxes	354.56			
Investment income	1,707.47	1,500.00	207.47	113.8%
Misc income	80.11			
Motor vehicle taxes	11,147.26	10,800.00	347.26	103.2%
Park rental income	2,700.00	2,500.00	200.00	108.0%
Sales and use tax	25,873.35	25,000.00	873.35	103.5%
Utility Franchise taxes	146,677.00	140,000.00	6,677.00	104.8%
Zoning fees	11,865.00	10,000.00	1,865.00	118.7%
Total Income	293,022.66	310,000.00	-16,977.34	94.5%
Expense				
Advertising and Promotion	144.28	500.00	-355.72	28.9%
Audit fees	8,050.00	8,100.00	-50.00	99.4%
Capital Outlay - Office Reno	0.00	25,000.00	-25,000.00	0.0%
Capital outlay - Park	10,691.00	10,700.00	-9.00	99.9%
Dues and Subscriptions	5,396.30	5,450.00	-53.70	99.0%
Elections expense	3,020.03	3,100.00	-79.97	97.4%
Festival expense	7,362.16	8,000.00	-637.84	92.0%
Fire Dept Grant	9,999.96	10,000.00	-0.04	100.0%
Fire Dept Truck Payment	52,569.24	52,569.24	0.00	100.0%
Grants	3,450.00	3,500.00	-50.00	98.6%
Insurance Expense	4,813.53	4,900.00	-86.47	98.2%
Internet and website	9,129.50	9,250.00	-120.50	98.7%
Legal fees	7,024.48	7,700.00	-675.52	91.2%
Miscellaneous Expense	454.52	500.00	-45.48	90.9%
Office expense	3,388.69	4,000.00	-611.31	84.7%
Office utilities	658.45	1,000.00	-341.55	65.8%
Park Maintenance	25,417.26	31,755.04	-6,337.78	80.0%
Park Utilities	2,486.85	2,817.92	-331.07	88.3%
Payroll Expenses	46,146.92	47,219.80	-1,072.88	97.7%
Payroll taxes	6,723.37	6,762.04	-38.67	99.4%
Planning and zoning	41,100.96	41,100.96	0.00	100.0%
Professional Fees	6,162.00	5,000.00	1,162.00	123.2%
Rent Expense	3,000.00	3,000.00	0.00	100.0%
Repairs and Maintenance	1,720.37	2,000.00	-279.63	86.0%
Solid Waste Manage cost share	7,865.00	8,000.00	-135.00	98.3%
Tax collection fees	1,407.11	1,475.00	-67.89	95.4%
Telephone Expense	3,111.04	3,600.00	-488.96	86.4%
Training expense	1,641.54	2,000.00	-358.46	82.1%
Travel Expense	724.06	1,000.00	-275.94	72.4%
Total Expense	273,658.62	310,000.00	-36,341.38	88.3%
Net Ordinary Income	19,364.04	0.00	19,364.04	100.0%
Net Income	19,364.04	0.00	19,364.04	100.0%

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06/29/18

Accrual Basis

Town of Fairview
Transactions by Account
As of June 30, 2018

Type	Date	Num	Adj	Name	Memo	Debit	Credit	Balance
American Community Bank								
Bill Pmt -Check	06/02/2018	102247		Kira Franco	Refund for picnic shelter rental		50.00	465,610.30
Bill Pmt -Check	06/02/2018	102248		Union County AP	Solid waste convenience for 1...		7,865.00	465,560.30
Bill Pmt -Check	06/02/2018			Union County AP	QuickBooks generated zero a...	0.00		457,695.30
Bill Pmt -Check	06/02/2018	102249		Duke Energy_	Office power bill for April and ...		396.02	457,299.28
Bill Pmt -Check	06/02/2018	102250		Fairview VFD and Re...			1,083.33	456,215.95
Bill Pmt -Check	06/02/2018	102251		Great American Fina...	Copier lease		147.41	456,068.54
Bill Pmt -Check	06/02/2018	102252		Patricia Kindley_	Gift card reimbursement		90.00	455,978.54
Bill Pmt -Check	06/02/2018	102253		Performance Lawn &...	Spray overgrowth		300.00	455,678.54
Deposit	06/05/2018				Deposit	50.00		455,728.54
Deposit	06/05/2018				Deposit	650.00		456,378.54
Deposit	06/07/2018				Deposit	175.00		456,553.54
Bill Pmt -Check	06/08/2018	102254		Clark, Griffin and Mc...			350.00	456,203.54
Bill Pmt -Check	06/08/2018	102255		CompuNetworkd	Email and server hosting		260.00	455,943.54
Bill Pmt -Check	06/08/2018	102256		Darrell H. Baucom_	expense reimbursement		69.54	455,874.00
Bill Pmt -Check	06/08/2018	102257		Union County Public...	water for park		119.50	455,754.50
Paycheck	06/11/2018	102258		Darrell H. Baucom			753.95	455,000.55
Paycheck	06/11/2018	102259		Jerry C. Clontz			843.93	454,156.62
Paycheck	06/11/2018	102260		Edward D Humphries			2,152.06	452,004.56
Paycheck	06/11/2018	102261		Gary H Wilfong			138.53	451,866.03
Paycheck	06/11/2018	102262		John A Biggers, Jr.			138.53	451,727.50
Paycheck	06/11/2018	102263		Patricia H. Kindley			138.53	451,588.97
Paycheck	06/11/2018	102264		Phillip C. Thomas			184.70	451,404.27
Paycheck	06/11/2018	102265		Teresa Gregorius			967.72	450,436.55
Liability Check	06/12/2018	To Print		IRS	55-0789092		1,889.64	448,546.91
Check	06/12/2018	102266		Phil Thomas	Gift cert for Chad McLemore f...		75.00	448,471.91
Check	06/12/2018	102267		FNB Commercial Cre...	Name tags and prime member...		88.20	448,383.71
Check	06/12/2018	102268		City of Charlotte	Cost sharing with Charlotte R...		1,162.00	447,221.71
Check	06/12/2018	102269		Enquirer Journal	Budget hearing advertising		144.28	447,077.43
Bill Pmt -Check	06/12/2018	102270		Performance Lawn &...			1,075.00	446,002.43
Check	06/13/2018	Draft		Duke Energy	Office power bill and 8.50 con...		262.43	445,740.00
Deposit	06/15/2018				Deposit	39,939.15		485,679.15
Deposit	06/15/2018				Deposit	2,324.45		488,003.60
Deposit	06/15/2018				Deposit	779.46		488,783.06
Deposit	06/15/2018				Deposit	50.00		488,833.06
Deposit	06/15/2018				Deposit	575.00		489,408.06
Deposit	06/15/2018				Deposit	100.00		489,508.06
Check	06/25/2018	Draft		Frontier Telephone			196.61	489,311.45
Check	06/27/2018	Draft		Duke Energy			193.24	489,118.21
Deposit	06/27/2018				Deposit	395.00		489,513.21
Deposit	06/27/2018				Deposit	50.00		489,563.21
Total American Community Bank						45,088.06	21,135.15	489,563.21
TOTAL						45,088.06	21,135.15	489,563.21

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Accrual Basis

Town of Fairview
Transaction Detail By Account
July 2017 through June 2018

Type	Date	Num	Name	Memo	Debit	Credit	Balance
Office expense							
Bill	07/07/2017	07072...	Darrell H. Baucom_	expense reimbursement	2.80		2.80
Bill	07/10/2017	07102...	Ed Humphries_	Stamp and supplies	175.45		178.25
Bill	07/21/2017	21017...	Great American Fina...	Copier payment	110.65		288.90
Bill	08/21/2017	21179...	Great American Fina...	Copier lease	154.46		443.36
Bill	08/30/2017	4786	FNB Commercial Cre...	Office and park	75.57		518.93
Bill	09/20/2017	21346...	Great American Fina...	Copier lease payment	106.93		625.86
Bill	10/05/2017	AR682...	Vision Office System...	Toner bottle	38.42		664.28
Bill	10/09/2017	10092...	Ed Humphries_	office expense reimbursement	25.98		690.26
Bill	11/20/2017	21677...	Great American Fina...	Copier charges	234.03		924.29
Bill	12/01/2017	4760	FNB Commercial Cre...	Credit card charges	65.92		990.21
Bill	12/08/2017	12112...	Ed Humphries_	Office reimbursement	174.55		1,164.76
Bill	12/21/2017	21847...	Great American Fina...	Copier lease Dec and Jan	134.07		1,298.83
Bill	01/01/2018	4760	First National Bank	Credit card bill	74.57		1,373.40
Bill	02/01/2018	4760	FNB Commercial Cre...	credit card payment	106.58		1,479.98
Bill	02/12/2018	02122...	Ed Humphries_	expense reimbursement	61.34		1,541.32
Check	02/15/2018	Draft	Great American Fina...	Copier lease	84.42		1,625.74
Bill	03/01/2018	4778	FNB Commercial Cre...	credit card payment	11.10		1,636.84
Bill	03/12/2018	03122...	Ed Humphries_	expense reimbursement	17.12		1,653.96
Check	03/15/2018	Draft	Great American Fina...	Copier charges	110.20		1,764.16
Check	04/05/2018	Draft	Deluxe Business For...	Cost of checks	257.88		2,022.04
Bill	04/09/2018	04092...	Ed Humphries_	Moving furniture to office	429.96		2,452.00
Check	04/15/2018	Draft	Great American Fina...	Draft for copier lease	98.20		2,550.20
Bill	05/01/2018	4760	First National Bank	Prior period credit		59.75	2,490.45
Bill	05/01/2018	4760	First National Bank	Stamps and Staples	47.14		2,537.59
Bill	05/01/2018	4760	First National Bank	Staples	96.46		2,634.05
Bill	05/14/2018	05142...	Ed Humphries_	office supplies	57.87		2,691.92
Bill	05/14/2018	15958	Performance Lawn &...	Mowing in front of office	225.00		2,916.92
Check	05/15/2018	Draft	Great American Fina...	Copier usage	200.30		3,117.22
Bill	05/21/2018	22693...	Great American Fina...	Copier lease	147.41		3,264.63
Check	06/12/2018	102267	FNB Commercial Cre...	Name tags and prime memberships	88.20		3,352.83
Bill	06/20/2018	22870...	Great American Fina...	Color image charge	35.86		3,388.69
Total Office expense					3,448.44	59.75	3,388.69
TOTAL					3,448.44	59.75	3,388.69

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06/29/18

Accrual Basis

Town of Fairview
Transaction Detail By Account
July 2017 through June 2018

Type	Date	Num	Name	Memo	Debit	Credit	Balance
Park Maintenance							
Bill	07/11/2017	1572	Refined Outdoors, L...	Lawn maintenance	1,318.00		1,318.00
Bill	08/01/2017	408	Carolina Fish Hatche...	Stock pond in park	1,585.00		2,903.00
Bill	08/01/2017	4778	FNB Commercial Cr...	Supplies for park	228.22		3,131.22
Bill	08/11/2017	1611	Refined Outdoors, L...	Monthly maintenance	1,318.00		4,449.22
Bill	08/30/2017	4786	FNB Commercial Cr...	Office and park	145.96		4,595.18
Bill	08/31/2017	08312017	BB Haigler	Reimbursement for park repairs e...	75.00		4,670.18
Bill	09/11/2017	09112017	Ed Humphries_	Hose	48.34		4,718.52
Bill	09/11/2017	10004759	Union Power	Light poles, supplies, etc	354.15		5,072.67
Bill	09/11/2017	1633	Refined Outdoors, L...	Yard maintenance	1,318.00		6,390.67
Bill	09/19/2017	12015	EMT Electric	Park permits and electrical	155.50		6,546.17
Bill	09/26/2017	3956	A to Z Farms	Ant control and labor	964.00		7,510.17
Bill	10/01/2017	4760	FNB Commercial Cr...	Credit card bill	55.55		7,565.72
Bill	10/04/2017	000011	X-Stream Pressure ...	Concrete cleaning	400.00		7,965.72
Bill	10/06/2017	10062017	Teresa Gregorius_	Park supplies	12.80		7,978.52
Bill	10/09/2017	10092017	BB Haigler	Park supplies	190.00		8,168.52
Bill	10/09/2017	10092017	Lane Griffin	Bales of straw	60.00		8,228.52
Bill	10/11/2017	1676	Refined Outdoors, L...	October maintenance	1,318.00		9,546.52
Check	10/16/2017	102044	Jerry C. Clontz	Reimburse for park expenses	183.52		9,730.04
Bill	11/01/2017	4760	FNB Commercial Cr...	Dues and supplies	21.77		9,751.81
Bill	11/07/2017	11072017	Bill Riffle	Security system for park	532.05		10,283.86
Bill	11/11/2017	1721	Refined Outdoors, L...	Landscape maintenance	1,318.00		11,601.86
Check	11/13/2017	102080	Jerry C. Clontz	trash fees	33.50		11,635.36
Check	11/13/2017	102080	Jerry C. Clontz	supplies	58.22		11,693.58
Bill	11/14/2017	MNR/099...	Brian C. Austin	Electrical supplies	0.00		11,693.58
Bill	11/16/2017	MNR/099...	City Electric Supply	Christmas tree and park picnic lig...	69.92		11,763.50
Bill	12/01/2017	4760	FNB Commercial Cr...	Storage building	564.71		12,328.21
Bill	12/05/2017	12052017	BB Haigler	Trash cans for park	76.82		12,405.03
Bill	12/12/2017	1744	Refined Outdoors, L...	mowing	1,318.00		13,723.03
Bill	12/19/2017	MNR/099...	City Electric Supply	Brian Austin bill	603.64		14,326.67
Bill	12/19/2017	MNR/099...	City Electric Supply	Brian Austin bill	0.00		14,326.67
Bill	01/01/2018	4760	First National Bank	Credit card bill	48.56		14,375.23
Bill	01/11/2018	1773	Refined Outdoors, L...	Monthly landscape maintenance	1,318.00		15,693.23
Bill	02/01/2018	4760	FNB Commercial Cr...	credit card payment	247.10		15,940.33
Bill	02/11/2018	1807	Refined Outdoors, L...	February lawn maintenance	1,318.00		17,258.33
Bill	03/02/2018	02222018	Jerry Clontz_	Training and reimbursement	105.97		17,364.30
Check	03/12/2018	102189	Refined Outdoors, L...	Park maintenance	1,318.00		18,682.30
Bill	04/02/2018	087771	Charles Medlin	Park sign, community board	355.43		19,037.73
Bill	04/11/2018	1860	Refined Outdoors, L...	April bill	1,318.00		20,355.73
Bill	04/16/2018	536274	Ralph Rowell	Mulch for park	225.00		20,580.73
Bill	04/19/2018	99202	RCS. Inc.	Mulch for park	225.00		20,805.73
Bill	04/27/2018	15756	Performance Lawn &...	Monthly mowing starting May 1	850.00		21,655.73
Bill	05/01/2018	4760	First National Bank	Conder flag company	65.23		21,720.96
Bill	05/01/2018	4760	First National Bank	Fire extinguisher service	85.93		21,806.89
Bill	05/01/2018	4760	First National Bank	Park signs	60.90		21,867.79
Bill	05/14/2018	15955	Performance Lawn &...	Mowing for May	850.00		22,717.79
Bill	05/29/2018	15975	Performance Lawn &...	Spray overgrowth	300.00		23,017.79
Bill	06/11/2018	16108	Performance Lawn &...	Park and office maintenance	850.00		23,867.79
Bill	06/20/2018	31126	Kiker Plumbing Servi...	Park repairs	1,274.99		25,142.78
Bill	06/21/2018	06212018	Jerry Clontz_	Reimbursement of park expenses	274.48		25,417.26
Total Park Maintenance					25,417.26	0.00	25,417.26
TOTAL					25,417.26	0.00	25,417.26

Zoning Permits

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4-Jun	Mail*	CUP 18 057	CUP	\$500	Blossman	Belmont	08228025C
5-Jun	1601	A-18-058	Accessory	\$50	Kevin Omalley	9717 Covey Drive	08213073B
7-Jun	8748	P-18-059	Pool		Tara Pierce	620 East Highway 218	08153002B
7-Jun	367	H-18-60	Home	\$125	Anna Prokopchuck	6925 West Duncan	8258013
7-Jun	16146	MS-18-061	Minor	\$65	John Earnhardt	Concord Highway	08189031D
12-Jun	Cash	C-18-062	Compliance	\$100	Roger Thomas	9630 Kerr Road	08243004E
21-Jun	1691	A-18-063	Accessory	\$50	J Philmom	7711 Crooked creek	08120019j
14-Jun	cash	H-18-64	Home	\$125	Holster	9732 Pierce Road	8213048
14-Jun	1043	NR 18-065	Temple	\$250	Shirdi Sai Temple	2006 Highway 218	08282019D
19-Jun	340	H-18-066	Home	\$75	Austin	906 Simpson Road	8228003
19-Jun	cash	Add-18-067	Addition	\$50	Chagollan	7872 Concord Highway	8189018
21-Jun	2542	H-18-068	Home	\$75	Blake Center	618 Lawyers Road West	08228021B
26-Jun	11918	MS-18-069	Minor	\$65	J. Duncan	W. Duncan Road	8255009
26-Jun	16146	MS-18-070	Minor	\$65	J. Rowell	Tesh Road	8156006
26-Jun	16449	S-18-071	Sign	\$75	H and H Farm	Unionville-brief	9225188
28-Jun	1003	H-18-072	Home	\$75	Rushing Davis	9616 Mill Grove	08279011G

Mail* Not received as of this report

Totals 16 \$1,245



**Town of Fairview
Park-Rec & Event Committee Meeting
June 7, 2018**

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

Others present: Teresa Gregorius, Town Clerk

Public Comments

None

Items of Business

A. Sub-Committee Updates

Advertising/Lisa Thomas: Will reuse the large posters from last year and just change the date; flyers (per festival) will be \$280 for 2000; 11x14 posters will be \$0.75 each and we will need 25; 18x24 corrugated signs will be \$18 each. She will check with area churches about getting information into the church bulletins.

Children's Entertainment/Theresa Donaldson: Fall Festival - Planning on having most of the same activity stations as last year, adding 1 or 2 new ones. Arnold Price is checking on getting the duck race, peddle tractor pull and barrel ride equipment again this year. Ms. Thomas said that Fairview PTO would like up to 3 booths this time which may include children activities. Winter Festival –will do nativity, letters to Santa, Santa reading again but will not do Santa's Workshop this year. Possibly have children decorate ornaments.

Craft Vendors/Wendy Nielsen: The Committee discussed and decided to charge \$25 per vendor. Vendor application will be updated and emailed out soon.

Custodian/Bill Riffle: Mr. Riffle discussed last year's usage of port-a-jons and wash stations with B.B. Haigler and decided that 5 port-a-jons and 2 wash stations would be sufficient for the Fall Festival and none would be needed for the Winter Festival.

Decorating/Rita Price: Will be reusing Fall and Winter decorations and just adding a few new items for each festival.

Food Vendors/Todd Donaldson: Mr. Donaldson will contact the area churches to see if they are interested in participating.

Music/Lisa Thomas: The sound system rental for the Fall Festival from 9:00 AM till 6:00 PM will be \$2,159.00. Musical groups/acts that have committed to coming are: Hosanna from Bethel Church, Fairview Elementary Children, and Zack Herman from Zion United Methodist Church. Please let Ms. Thomas know if you have anyone else that she can contact.

Parking/Mike Medlin: Will check on parking signs.

Volunteer Coordinator: Ms. Thomas noted that we will need a volunteer booth set up for volunteers to check in and get their vests and assignments. This year the volunteers must be finer turned than last year. Once the children's entertainment stations have been decided, we will be able to determine how many volunteers will be needed. Ms. Thomas asked everyone to think about providing lunch for the volunteers. Also walkie-talkies would be very helpful for the Committee members to have this year.

The Town Clerk will contact EMS and law enforcement.

Larry Carter volunteered to clean-up the park before the festival and Ms. Thomas said it would be a great idea to schedule a clean-up day and get volunteers to help get the park ready for the festivals.

B. Park Additions

Scott Cuthbertson reported that additional single picnic tables to place in the wooded areas would start at \$750.00 up to \$1050.00. This would not include mulch or gravel for tables to sit on.

Ms. Thomas mentioned earlier that the sound system rental would be \$2,159.00 and to purchase a system would be \$8,000.00. It had also been mentioned that a fountain in the pond would be helpful for the fish but would require electricity. She also noted that electricity around the pond area would be very helpful especially during the festivals as well as lighting around the pond so that the park can stay open later in the evening.

Rita Price reported that a sand volleyball court would run from \$18,000.00 to \$21,000.00 based on the three quotes she received.

Larry Carter made a motion to request to the Council that the \$2,000.00 left over from the 2017 festivals be used toward acquiring additional electricity around the pond. Wendy Nielsen seconded the motion. Committee members Thomas, Carter, Cuthbertson, Theresa Donaldson, Todd Donaldson, Medlin, Nielsen, Price and Riffle voted yes (8-0).

C. Minutes

Wendy Nielsen made a motion to approve the May 1, 2018 minutes. Bill Riffle seconded the motion. Committee members Thomas, Carter, Theresa Donaldson, Todd Donaldson, Medlin, Nielsen, Price and Riffle voted yes (8-0).

Lisa Thomas adjourned the meeting.

Respectfully submitted,

Teresa Gregorius
Town Clerk

Lisa Thomas
Chairman

Approved this _____ day of _____, 2018



**Town of Fairview
Planning Board Meeting
June 19, 2018**

The following Planning Board members were present: Doug Buchanan, Tony Helms, Mike Medlin, Greg Morgan, Josh Presley, Nancy Randall and Kelvin Baucom

Others present: Ed Humphries, Land Use Administrator / Deputy Clerk, Teresa Gregorius, Town Clerk

Public Comments

None

Reports

Ed Humphries reported that Council approved the 2018-2019 budget and agreed to purchase 65 acres of land from Harry and Sandra Haigler for additional park land. He also reported that Mayor Thomas provided updated information on Highway 218 and the information is on the town website and Facebook.

Items of Business

A. Discuss/approve permit # RZ 18-055

Ed Humphries presented permit #RZ 18-055, a request from Haigler Farms LLC to rezone 5.28 acres from parcel #08250002 from RA-40 to L-I CU (Conditional District). Board members discussed.

Tony Helms made a motion to recommend approval of #RZ 18-055 to the Council. 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). Greg Morgan seconded the motion. Board members Randall, Buchanan, Baucom, Helms, Medlin, Morgan and Presley voted yes (7-0).

B. Discuss/approve Petition # TC 18-054

Ed Humphries presented Petition #TC 18-054 that amends a requirement for cell towers in Article XI Section 180E (k) regarding minimum setback requirements. Ralph Wyngarden, Faulk & Foster addressed questions from the Board members.

Tony Helms made a motion to recommend approval of Petition #TC 18-054 to the Council. 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). Josh Presley seconded the motion. Board members Randall, Buchanan, Baucom, Helms, Medlin, Morgan and Presley voted yes (7-0).

C. Review Fairview Land Development Plan (Written Version)

Ms. Randall tabled reviewing the Fairview Land Development Plan for a future meeting.

D. Minutes

Greg Morgan made a motion to approve the April 17, 2018 minutes. Mike Medlin seconded the motion. Board members Randall, Buchanan, Baucom, Helms, Medlin, Morgan and Presley voted yes (7-0).

Mike Medlin made a motion to adjourn. Kelvin Baucom seconded the motion. Board members Randall, Buchanan, Baucom, Helms, Medlin, Morgan and Presley voted yes (7-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Nancy Randall
Chair

Approved this _____ day of _____, 2018



**Town of Fairview
Regular Meeting
June 11, 2018**

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

Others present: Joe McCollum, Town Attorney; Darrell Baucom, Financial Officer, Ed Humphries, Land Use Administrator / Deputy Clerk and Teresa Gregorius, Town Clerk

Agenda Changes

Mayor Thomas stated that he would like to add Update of Hwy. 218 as Item 6 in Items of Business.

Approval of Agenda

Jerry Clontz made a motion to approve the agenda as amended. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Public Comments

The following people spoke regarding their appreciation of the park and being in favor of purchasing additional land for the park: B.B. Haigler, Brad Crofts, Kelly Thomas, Wendy Nielsen and Theresa Donaldson

Consent Agenda

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) CRTPO No Report
- d) Park & Rec June Draft Minutes --- Minutes Not Finalized
- e) Planning Board May Draft Minutes --- No May Meeting
- f) Approve Council Regular Minutes for May 14, 2018

Jerry Clontz made a motion to approve the consent agenda. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Items of Business

Item 1: Public Hearing on proposed 2018-2019 Town Budget

Darrell Baucom presented the 2018-19 budget.

Mayor Thomas opened the Public Hearing

No Public Comments

Mayor Thomas closed the Public Hearing

Item 2: Discuss/Adopt 2018-2019 Budget Ordinance for fiscal year

Jerry Clontz made a motion to approve the 2018-2019 budget. Gary Wilfong seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 3: Discuss/Approve budget amendments for the 2017-2018 Budget

John Biggers made a motion to approve the budget amendments for the 2017-2018 budget. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 4: Discuss purchase of Haigler property

Ed Humphries updated the Council on the offer to the Haiglers and counter offer from the Haiglers. The Council discussed various offer options.

Jerry Clontz made a motion to offer the Haiglers \$650,000.00 at 3.9% for 15 years with a \$50,000.00 non-refundable down payment for the 65 acres that includes the house and close within a year. Gary Wilfong seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 5: Discuss purchasing picnic tables for wooded areas of the park

Lisa Thomas, Chairman of the Park-Rec & Event Committee, reported that the Committee discussed and decided at the June 7th meeting that electricity/lighting at/around the pond is a priority. She asked the Council to consider adding the \$2,000.00 left over in the festival budget from this year to monies requested in the near future from the Committee for electricity/lighting. Council asked Ms. Thomas to obtain quotes for electricity/lighting and bring back to a future meeting. Also the Council asked Ms. Thomas to get updated quotes for benches, trees, swings and picnic tables so that the town can promote these items.

Item 6: Update on Hwy 218

After receiving questions regarding Hwy 218, Mayor Thomas reiterated that he met on May 2nd with two Union County Sheriff Captains, one Highway Patrol First Sergeant, three NCDOT representatives (including the regional traffic engineer) and one member of the Fairview Fire & Rescue. Information received at, as well as, after this meeting is as follows:

- There has been saturation enforcement (by the Highway Patrol, Union County Sheriff's Department, and other participating law enforcement agencies) on Hwy 218. In the month of April, Union County deputies made 61 stops on Hwy 218. In May, the deputies made 236 stops. Deputies are on Hwy 218 every day making stops.
- There is also a "Road Safety Audit" being done on the eastern end of Hwy 218. NCDOT is doing an in-house audit from Mint Hill to Hwy 205. Five year crash data is being analyzed to see what additional actions can be taken.
- Current planned and funded improvements include 3 roundabouts that currently are being designed.
 - Hwy 218 and Hwy 205: \$1,100,000, construction in Fall 2019
 - Hwy 218 and Hwy 200: \$1,020,000, construction in Summer 2020
 - Hwy 218 and Mill Grove: \$1,000,000, construction in Summer 2019
- Hwy 218 and Ashley Glen Drive: Install left turn lane \$550,000, submitted for funding.
- Hwy 218 and Sikes Mill Road: Roundabout - plans are to submit for funding at the next NCDOT turn-in in August.
- Here are some of the crash statistics over the past 5 years:
 - Almost 20% occurred on wet roads
 - Alcohol was involved in 4%
 - Striking an animal accounted for 12%
 - Lane departure accounted for 42%
 - Drivers that were not wearing a seat belt accounted for 4%
 - Speed was involved in 10%
 - Accidents involving large trucks or tractor trailers accounted for 10%
- The highest number of crashes occurred in October; next highest November; next highest December, then March, then July then June.
- The highest number of crashes occurred on Monday, next highest Thursday, then Friday, then Tuesday, then Wednesday, then Saturday, then Sunday.

Council Comments

Patricia Kindley expressed she was happy to be a part of the decision tonight regarding purchasing additional park property and feels it is a very fiscally responsible plan.

Jerry Clontz stated that there had been a water leak at the park in the restroom area that required 3 days to fix. Mr. Clontz stated that a single picnic table would be a nice addition at the park as well as possibly a few bench swings around the pond. Mr. Clontz asked Mr. Humphries to check on the power usage for the town hall building after receiving a \$266.00 power bill since the school vacated the property and the town is now paying the bill.

Mayor Thomas reminded Council that at the July meeting they would be asked to give an update on the goals assigned to them at the February Retreat.

Mayor Thomas reported he received a call last week from a lady in Wesley Chapel asking the town to send a letter to not support local laws to de-annex property from towns. This request is in response to Senator Tommy Tucker filing a local law to de-annex 82 acres in Wesley Chapel. Council members were not in favor of sending a letter.

Jerry Clontz made a motion to adjourn. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Phil Thomas
Mayor

Approved this _____ day of _____, 2018

Public Hearing on RZ 18-055

Town of Fairview Staff Report for:

Planning Board

DATE: June 19, 2018

CASE #: RZ 18-055	Haigler Farms LLC
Applicant(s):	Haigler Farms, LLC 9606 Indian Trail Fairview Road Indian Trail NC 28079
Property Owner(s):	B.B. Haigler
Requested Action:	To increase the size of the present CUD L-I (Conditional District) on Brent Haigler Road
Existing Zoning:	RA-40
Requested Zoning:	CUD L- I Conditional District (Any L-I use permitted in will be required to provide a Conditional Use Permit)
Location:	7205,7209 Brent Haigler Road
Property Size:	5.28 ac
Tax Parcel(s):	Parcel # 08250002
Purpose/Narrative:	Haigler Farms LLC would like to subdivide 5.28 ac (to include lot # 2 and # 3) of parcel #08222011 and rezone it to L-ICUD(Conditional District). The property is next to the Haigler Building LLC parcel # 08222011F which is presently zoned L- I CUD
Surrounding Area Zoning:	Residential, Farming and CUD use
Existing Conditions:	Open (Used for Farming)
Land Use Plan Recommendation:	RA-40 Residential
Compliance with Zoning Ordinance:	Complies with present Zoning Ordinance RA-40 Residential
Conditional Use Permit Conditions:	None – not a Conditional Use Permit
Staff Recommendation on Application:	Staff would recommend rezoning. This request is to expand what is already in place. The Conditional District L- I CUD requires that a new conditional permit be obtained for each change in use.

Town of Fairview

7400 Concord Highway
Monroe NC 28110

REZONING APPLICATION

FEE: \$300*

Date of Application 5/22/2018

Applicant's Name B. B. HAIGLER (HAIGLER FARMS LLC)
Applicant's Mailing Address 9906 INDIAN TRAIL FAIRVIEW Rd INDIAN TRAIL
Business Phone # _____ Home Phone # 28079
Cell # 704-221-2874 Email: JBHHAIGLER@gmail.com

Property Owner's Name HAIGLER FARMS, LLC
Property Owner's Mailing Address SAME
Business Phone # _____ Home Phone # _____
Cell # _____ Email Address _____

Relationship of Applicant to Property Owner SAME

Property Information

Location BRENT HAIGLER ROAD

Tax Map Parcel Number 08-222-011

Deed Book & Page Number 3115 PG 012 Acreage _____

Current Zoning District RA-40 Flood Hazard Area (Y/N) NO

Proposed Zoning District RA-40 - to L-1 CONDITIONAL USE DISTRICT

Attachments – The following shall be attached to this application:

- 1) If the property proposed for rezoning is less than the entire lot or tract as currently recorded in the Union County Register of Deeds Office, then three (3) copies of a survey and a legal description for the area to be re-zoned should be attached; OR, if an entire lot or tract is proposed for rezoning, then three (3) copies of a survey map or Union County Tax Map for the property should be attached;
- 2) The names and addresses of all adjoining property owners including those across streets and highways as currently registered in the Union County Tax Assessor's Office.
- 3) Any other information that may be needed to insure that this application is in compliance with all provisions of the Land Use Ordinance.

- 4) A fee (in cash or a check made payable to the Town of Fairview) in the amount of **\$300*** shall be submitted to the Town of Fairview, 7400 Concord Highway, Monroe, NC 28110.

*Plus any Town engineering fees, if applicable

CERTIFICATIONS

I, as the owner of the above-referenced property, or as the applicant duly authorized by the owner to submit this application in regard to the above-referenced property, do hereby certify that all of the information provided as part of this application is, to the best of my knowledge, accurate and complete.

B.B. Haigler
Signature of Owner/Applicant

5/22/2018
Date

I, as the Land Use Administrator, believe this application to be complete based on the certification of the owner/applicant, and accept it on the date designated below.

[Signature]
Signature of Land Use Administrator

5/29/2018
Date

(THE FOLLOWING SHALL BE COMPLETED BY THE LAND USE ADMINISTRATOR)

Date of Planning Board Review: 6/19/2018

Date for First Class Notice to Parties for Planning Board Review: _____

Date for Posting of Property for Planning Board Review: _____

Planning Board Recommendation: _____ Approval
_____ Approval with Comments
_____ Disapproval

Date of Map Change (if any): _____

By: _____

Comments: _____

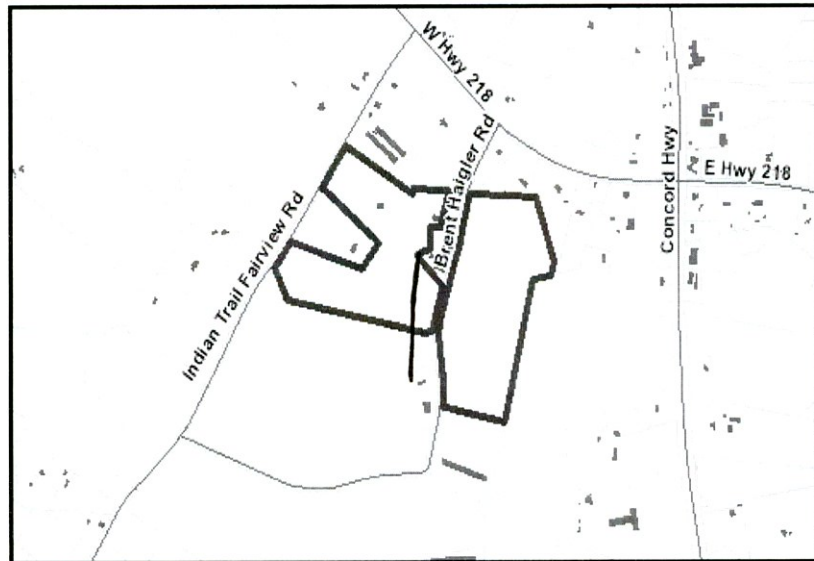
Land Use Administrator

Date



Parcel Number

08222011

OwnerHAIGLER
FARMS LLC**Mailing Address**9906 INDIAN TRAIL FAIRVIEW RD
INDIAN TRAIL
NC, 28079**Account Information**

Land Value \$432,700.00
 Building Value \$20,000.00
 Total Value \$452,700.00
 Acreage 70.8900

Subdivision
 Description HAIGLER
 Situs Address 576 BRENT HAIGLER RD
 Property Class FARM/RESIDENTIAL

Sales Information

Sale Date	Sale Amount	Book & Page	Grantor
01/08/2003	\$0.00	2029 069	HAIGLER BASIL BRENT
01/08/2003	\$0.00	3115 012	HAIGLER FARMS LLC
01/08/2003	\$0.00	3115 012	HAIGLER BASIL BRENT

Location Information

Municipal Administration	Fairview	School	School Assignment Information
County Zoning Code	CITY	Census Tract Number	202.04
Zoning Administration	Fairview	FEMA Panel	5530
ETJ		FEMA Zone	
Fire District	Fairview	Soils	GsB,CmB,GoC

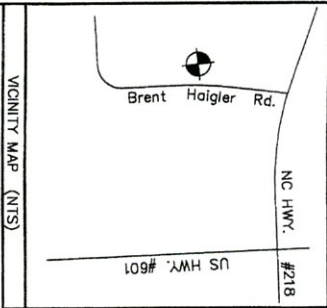
Building Information - [View Real Property Site](#)

Total Living Area	0	Type of Building	OTHER
Year Build	0	Improvement Type	

District Voting Assignments (Jurisdictions)

Polling Place	Bethlehem Presbyterian Church	School District	4	Congressional District	8
Precinct District	#12	State House	55	Senate District	36

25



- NOTES:
1. TAX I.D. #08-222-011 & #08-225-012
 2. AREA CALCULATED BY COORDINATES.
 3. NO NCOS MONUMENT FOUND WITHIN 2000'
 4. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
 5. MEASURED WITH ELECTRONIC METERS.
 6. #5 REBAR SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
 7. ADJOINING PROPERTY OWNERS NAMES WERE TAKEN FROM UNION COUNTY TAX OFFICE RECORDS, AND ARE CONSIDERED AS NOW OR FORMERLY.
 8. THE PURPOSE OF THIS SURVEY, IS FOR REZONING PURPOSES ONLY.
 9. PROPERTY MAY BE SUBJECT TO OTHER EASEMENTS AND OR RIGHT OF WAYS, EITHER RECORDED OR UNRECORDED.
 10. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LINE TABLE		
LINE	LENGTH	BEARING
L1	57.23	S70°40'20"E
L2	53.75	S18°59'25"W
L3	47.69	S16°17'48"W
L4	45.79	S13°12'11"W
L5	41.89	S09°40'19"W
L6	41.62	S06°28'36"W
L7	43.64	S04°24'17"W
L8	44.05	S02°07'45"W
L9	27.07	S01°31'20"W
L10	82.93	S01°10'52"E
L11	116.81	N36°10'52"E
L12	47.89	N36°10'52"E
L13	198.06	N36°10'52"E

NORTH CAROLINA, UNION COUNTY

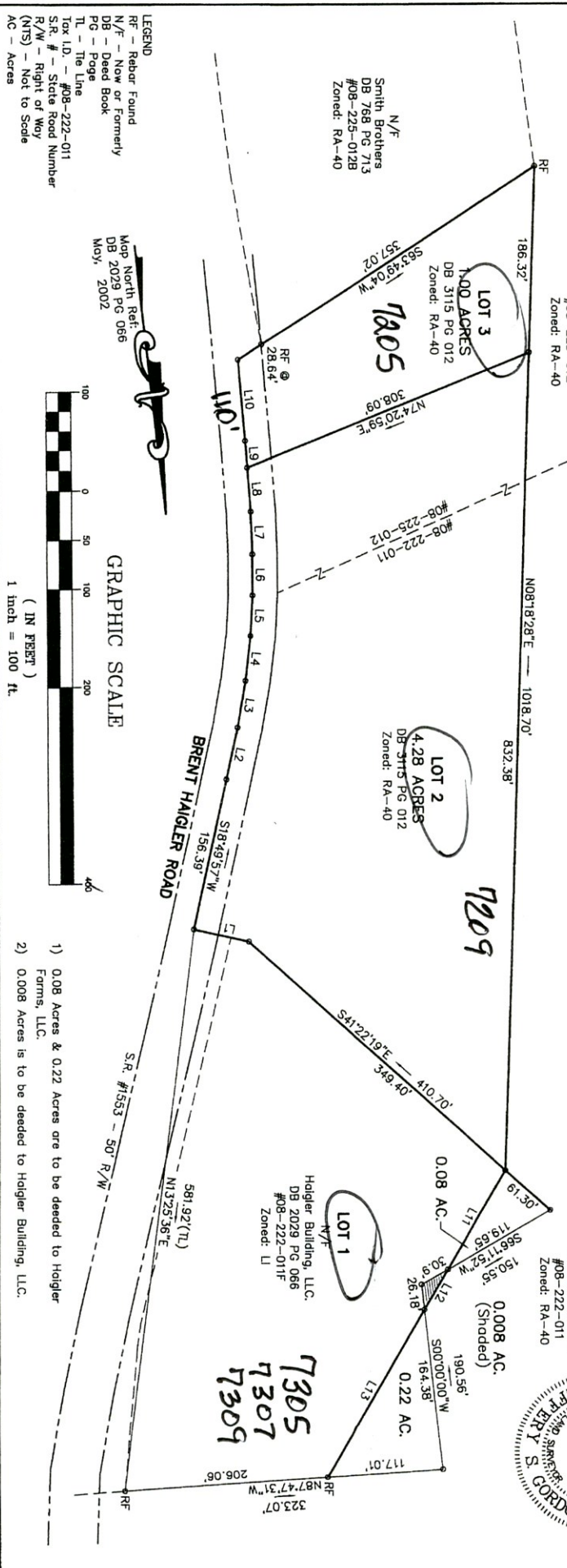
I, JEFFERY S. GORDON, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS AS SHOWN IN TITLE BLOCK BELOW), THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DEED BOOK PAGE 13751, THAT THE SURVEY WAS NOT PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE AND REGISTRATION NUMBER AND SEAL THIS 30th DAY OF MAY, 2018.

JEFFERY S. GORDON, L-3751

SEAL

JEFFERY S. GORDON, L-3751



- LEGEND
- RF - Rebar Found
 - N/F - Now or Formerly
 - DB - Deed Book
 - PG - Page
 - TL - Tie Line
 - Tox. I.D. - #08-222-011
 - S.R. # - State Road Number
 - R/W - Right of Way
 - (NTS) - Not to Scale
 - AC - Acres
- Map North Ref: DB 2029 PG 066 May, 2002

GRAPHIC SCALE

(IN FEET)

1 inch = 100 ft.

0	50	100	200	400
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Jeffery S. Gordon Surveying
 1394-B WALKUP AVENUE
 Monroe, N.C. 28110
 PH. (704) 283-9726
 FAX (704) 238-8561

REZONING SURVEY FOR:
HAIGLER FARMS, LLC.
 Property of: Haigler Farms, LLC.
 Legal Ref: DB 3115, PG 012
 Town of Fairview, Union County, North Carolina

Date: 16 May 2018

Scale: 1" = 100'


Surveyed by: Jeffery S. Gordon, NCPLS, L-3751

Dwg. File: #5\JB-Haigler.dwg

NO.	DATE	DESCRIPTION	BY
1	5-29-18	Town of Fairview Comments	JSG
2	5-30-18	Town of Fairview Comments	JSG

- (c) The B-2 (community business) district is designed to accommodate commercial development on a scale that is less intensive than that permitted in a B-1 district. A lesser intensity of development is achieved through setback, height, and minimum lot size requirements that are more restrictive than those applicable to the B-1 zone. The B-2 thus may provide a transition in some areas between a B-1 zone and a residential zone or may allow for smaller scale commercial development in rural areas, particularly at crossroads or other high traffic areas that are not generally suited for residential development.
- (d) The B-3 (office) district is designed to accommodate a mixture of office, clerical, research, and services uses. It is intended that this zoning classification be applied primarily in areas that no longer are viable as single family residential areas because of high traffic volumes on adjacent streets or because of other market factors but remain viable as locations for offices and services. Such areas will also generally constitute transition or buffer zones between major arterials or more intensively developed commercial areas and residential districts.
- (e) The B-4 (general commercial) district is designed to accommodate the widest range of commercial activities.
- (f) The HC (highway corridor mixed use) district is intended to accommodate a wide variety of commercial and light industrial uses along major transportation corridors, subject to performance standards designed to (i) ensure the viability of the highway as a carrier of high volumes of traffic, (ii) recognize and preserve the value of land along the corridor as the site of significant non-residential development, and (iii) protect the viability of residential neighborhoods adjacent to the corridor. It is intended that developments that occur within this district in particular be sensitive to the need to preserve a high degree of aesthetic appeal along major transportation corridors.
- (g) The B-6 (college campus) district is intended to accommodate a variety of residential and non-residential uses developed on land owned by an institution of higher learning and associated with that institution, such as dormitories, offices, classroom buildings, athletic facilities, etc.
- (h) The O (office district) is to provide areas which are conducive to the establishment and operation of offices, institutions, and commercial activities not involving the sale of merchandise. Standards are designed so that this district, in some instances, may serve as transitional use between residential districts and other commercial districts.

Section 137 Manufacturing Districts Established.

- 
- (a) The LI (light industrial) district is hereby established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment. This district is distinguished in that certain types of industrial uses that

tend to have significant adverse impacts on surrounding properties are excluded from the LI district.

- (b) There is also established a planned industrial development (PID) zoning district. The purpose of this district is to provide for the possibility of well-planned and large-scale industrial development in otherwise undeveloped areas that have not previously been zoned for industrial use. The district is thus a "floating zone," i.e., it is not applied to particular property except in response to a petition submitted by or on behalf of the owner or owners of all of the property intended to be covered by such zone. The district is subject to the following requirements:
- (1) The area to be zoned PID must be at least fifty contiguous acres in size and have at least 100 feet of frontage along a major arterial (See subsection 210(b)(7)).
 - (2) A planned industrial development is the only permissible use in a PID zoning district.
 - (3) Subject to subsection (2) of this subsection, and consistent with the restrictions contained in the definition of a planned industrial development (see section 15), land within a PID zone may be used in a manner that would be permissible if the land were zoned LI, except that the only permissible uses are (i) wholesale sales and (ii) manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment as long as all operations are conducted entirely within a fully enclosed building.

Section 138 Planned Unit Development Districts Established.

- (a) There are hereby established five different planned unit development (P.U.D.) districts as described in this section. Each P.U.D. district is designed to combine the characteristics of at least three and possibly four zoning districts.
- (1) One element of each P.U.D. district shall be the low-density residential element corresponding to the RA-40 or R-40 residential districts described in Section 135. Within that portion of the P.U.D. zone that is developed for low-density residential purposes, all development must be in accordance with the regulations applicable to the RA-40 residential district (except that planned residential developments shall not be permissible).
 - (2) A second element of each P.U.D. district shall be the higher density residential element corresponding to the RA-20 or R-20 zoning districts described in Section 135. Within that portion of the P.U.D. district that is developed for higher density residential purposes, all development must be in accordance with the regulations applicable to the higher density residential district to which the P.U.D. district corresponds.

Fairview Planning and Zoning Meeting
August 16, 2011
6:30 p.m.

The following members were present: Chairman, Phil Thomas, Vice Chairman, Jesse Hargett, Nancy Randall, Patti Freeman, John Phifer

Staff: Land Use Administrator, Ed Humphries

Chairman Thomas opened the meeting.

Committee Reports: None

Public Comments: None

New Business

Ed Humphries explained a request from Evan Crook to obtain a Conditional Use Permit (#CUP 11.043) to operate an auto repair, body work shop and towing operation on Parcel #08222011 (7305 Brent Haigler Road). This property is zoned as A Conditional Use District and requires a Conditional Use Permit with a change of use. The parcel is owned by B.B. Haigler. The property has been used by H&H Farm Equipment until August 1, 2011.

The applicant is setting the following conditions on the requested permit:

Conditions for CGS #CUP 11.043

Evan Crook

1. Auto Repair – Building #1. Office auto repair for cars and light duty trucks and small equipment. No big trucks. No car sales.
2. Auto Body Work – Building #2. Light body work
3. Storage – Building #3. Supplies and equipment inside storage
4. Paint Shop – Building #4. Certified paint shop for body shop
5. Towing – Fenced Area #5. Constructed by September, 2013. Area used to store vehicles 100' X 100' in size, privacy fence 6' in height with 3 layers of barbwire. Area will be used for vehicle storage.
6. Sign on building only
7. No additions to present footprint

B.B. Haigler stated there would not be a “junk yard” on the property.

Phil Thomas suggested the following condition be added:

All electrical wiring, lights, switches, etc. in the spray paint area must be UL listed for Class I, Division 1 hazardous locations (per NFPA 70 National Electrical Code definitions). Construction and protection of spray finishing facilities must comply with NFPA 33, Spray Application Using Flammable or Combustible Materials, 2011 Edition.

Nancy Randall made a motion to recommend approval of the request by Evan Crook, Permit #CUP 11.043 to the Town Council and have the Public Hearing scheduled. The motion will include the following conditions agreed to by Mr. Crook:

Conditions for CGS #CUP 11.043

Evan Crook

1. Auto Repair – Building #1. Office auto repair for cars and light duty trucks and small equipment. No big trucks. No car sales.
2. Auto Body Work – Building #2. Light body work
3. Storage – Building #3. Supplies and equipment inside storage
4. Paint Shop – Building #4. Certified paint shop for body shop
5. Towing – Fenced Area #5. Constructed by September, 2013. Area used to store vehicles 100' X 100' in size, privacy fence 6' in height with 3 layers of barbwire. Area will be used for vehicle storage.
6. Sign on building only
7. No additions to present footprint
8. All electrical wiring, lights, switches, etc. in the spray paint area must be UL listed for Class I, Division 1 hazardous locations (per NFPA 70 National Electrical Code definitions). Construction and protection of spray finishing facilities must comply with NFPA 33, Spray Application Using Flammable or Combustible Materials, 2011 Edition.

The motion also includes the following zoning statement:

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)

Jesse Hargett seconded the motion. All members present voted yes (5 – 0).

Ed Humphries gave an update on the Sign Ordinance.

There was a discussion regarding the proposed Solar Energy Amendment.

It was agreed that the amendment should have more conversation. The requirement of not permitting solar panels in the front yard will be removed.


Nancy Randall made a motion to approve the minutes of July 19, 2011. Patti Freeman seconded the motion. All members voted yes (5 – 0).

Patti Freeman made a motion to adjourn. Nancy Randall seconded the motion. All members voted yes (5 – 0).

Respectfully submitted,



Ed Humphries
Land Use Administrator



Phil Thomas
Chairman

Approved this 20 day of Sept, 2011.



Council Minutes

3

Bill Thomas made a motion to issue this permit with the two conditions stated above. Jerry Clontz seconded the motion. The motion passed. Thomas, Purser, Clontz and Long voting yes

Mayor Protem closed the public hearing.

Mayor Protem Long opened the second Public Hearing:

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 and wants the property to be zoned light industrial to conform to the current zoning map. The lot consists of 4.86 areas.

The public hearing was closed by the Mayor Protem Long.

Decision on request:

Bill Thomas made a motion to change the zoning on parcel # 08222011F from RA-40 to CUD-LI-09-01. The request is made by Mr. B.B. Haigler. Bradley Purser seconded the motion. The motion passed. (Thomas, Purser, Clontz and Long voting yes)

Bill Thomas made a motion to adopt this statement concerning the Haigler rezoning:

This rezoning (#CUD-LI-09-01) 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)

Long seconded the motion. The motion passed. Purser, Clontz, Thomas, and Long voting yes.

The Mayor Protem closed the public hearing

Mayor Protem Long opened this 3rd Public Hearing

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

Ed Humphries discussed the proposed text change to the LUD "shopping center requirements" (50,000 square feet or more). The Planning Board has been discussing this text change for some time and has recommended approval of the change.

Decision on request:

Bill Thomas made the motion to **continue this Public Hearing at the January 2010 meeting**. Bradley Purser seconded the motion. The motion passed Purser, Thomas, Clontz and Long voting yes

PUBLIC HEARING NOTICE

The Fairview Town Council will conduct a Public Hearings starting at 7:00pm on Monday, **July 9, 2018 during the Council Regular monthly meeting** at the Old Fairview School (location address: 7514 Concord Highway, Monroe, N.C.). The purpose of this hearing is:

To receive public comment on:

Permit # RZ 18-055 Haigler Farms LLC would like to subdivide 5.28 ac (to include lot # 2 and # 3) of parcel #08222011 and rezone it to L-I Conditional Use District. (L-I CUD). The property is next to the Haigler Building LLC parcel # 08222011F which is presently zoned L- I CUD. The property is located on Brent Haigler Road in the Town of Fairview

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.

mailed to Property owners within 500'

Public Hearing on TC 18-054

**Town of Fairview
Staff Report for:
Planning Board**

DATE: June 19, 2018

CASE #: TC 18-054	TEXT AMENDMENT
Applicant(s):	Faulk & Foster 678 Front Ave NW Suite 215 Grand Rapids, Mi 49504
Property Owner(s):	Text Amendment to the town of Fairview's Land Use Ordinance adopted April 2005
Requested Action:	To amend Article XI, Section 180E of the Land Use Ordinance. Text change: "Except as otherwise expressly stated, wireless support structure must be set back from all property lines a distance that is at least equal to its engineered fall zone"
Existing Zoning:	N/A
Requested Zoning:	N/A
Location:	Land Use Ordinance
Property Size:	N/A
Tax Parcel(s):	N/A
Purpose/Narrative:	See request
Surrounding Area Zoning:	N/A
Existing Conditions:	N/A
Land Use Plan Recommendation:	N/A
Compliance with Zoning Ordinance:	This amendment would change present setback requirements (125' from all sides) (property lines) for any cell tower
Conditional Use Permit Conditions:	All Cell towers are permitted with a Conditional Use Permit Article XI Section 180E
Staff Recommendation on Application:	Staff would recommend. Union County has the same requirement. Staff feels like it should be consistent with County to provide continuity.

Town of Fairview

7400 Concord Highway
Monroe NC 28110-6927

PETITION FOR ZONING TEXT CHANGE

FEE: \$300

Petition Number TC 18-054 Date of Petition 5/23/18

Petitioner's Name: Verizon Wireless

Petitioner's Address: Faulk & Foster, for Verizon Wireless, by Ralph Wyngarden

Petitioner's Phone: 616-490-9804 Email: ralph.wyngarden@faulkandfoster.com
678 Front Avenue NW, Suite 215, Grand Rapids, MI 49504

(Attach a separate sheet showing name, address, and phone of any co-petitioners)

State the exact nature of text change desired. Please make references to sections, page number, etc. Please make specific references to language that you desire deleted and/or language you desire to be added or to be put in place of deleted language. Interrelated changes may be made a part of the same application. Any change that is not interrelated to this change shall require a separate application. An example of an interrelated change is where a change in one section causes the need to change another section. If you need additional space, attach additional page(s).

Please see attached page.

Faulk & Foster, by Ralph Wyngarden, for Verizon Wireless

Ralph Wyngarden
Signature of Applicant

5/23/18
Date

Application Processing Fee: Attach Check payable to *Town of Fairview* in the amount of ~~\$275.~~

Mail Completed Application/Check to:

Ed Humphries
Town of Fairview
7400 Concord Highway
Monroe, NC 28110

\$300

Applicant proposes to change the text of the Town of Fairview Land Use Ordinance, Article XI, Section 180E, subsection (k) by adding the language highlighted in yellow and eliminating the crossed-out language as follows:

(k) Except as otherwise expressly stated, A minimum setback requirements for free-standing towers located in the residential zoning districts shall be one (1) foot for every one (1) foot of actual tower height (i.e. a 125 foot tower would require a 125 foot setback on all sides), a distance that is at least equal to its engineered fall zone. Setback requirements are applicable on all sides of the property including any side along the road right-of-way, and for all leased areas of a parcel. The purpose of these setback requirements is to prevent ice-fall materials and/or debris from tower failure or collapse from damaging off-site property.

Minimum setback requirements for freestanding towers located in the business or industrial zoning districts shall be based on the zoning district setbacks as described in Section 184. 167

For the purpose of establishing setbacks, the measurements shall be from the edge of the concrete base on which the tower is located, to the property line, unless the tower is located in a leased area. Setbacks for towers located on leased parcels shall be measured from the edge of the concrete base on which the tower is located to the edge of the parcel in which the leased area is located.

Minimum setback requirements may be reduced by the Town Council (as part of the conditional use permit) to allow the integration of a tower into an existing or proposed structure such as a church steeple, lighting poles, power line support device, or similar structure.

This language is modeled after the language in the Union County Development Ordinance. Section 30.190.D.2 of that ordinance regulates setbacks for Wireless Communication Facilities:

2. Setbacks

Except as otherwise expressly stated, wireless support structure must be set back from all property lines a distance that is at least equal to its engineered fall zone.



May 23, 2018

Ed Humphries, Land Use Administrator
Town of Fairview
7400 Concord Highway
Monroe NC 28110

704-564-3412

Re: Zoning Ordinance Text Change Application
(Amendment to Section 180E(k) to require a minimum tower setback equal to its engineered fall zone)

Dear Mr. Humphries:

Enclosed is a completed Petition for Zoning Text Change.

Our check in the amount of \$300 for the Zoning Text Change fee is coming to you under separate cover.

Please let me know if you have any questions. I look forward to working with you on this project.
Thanks.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ralph Wyngarden', is written over a horizontal line.

Ralph Wyngarden, Sr. Zoning Specialist
Faulk & Foster
678 Front Ave NW, Suite 215
Grand Rapids, MI 49504
Cell: 616-490-9804

PUBLIC HEARING NOTICE

The Fairview Town Council will conduct a Public Hearing starting at 7:00pm on Monday, **July 9, 2018, during the Council Regular monthly meeting** at the Old Fairview School (location Address: 7516 Concord Highway, Monroe, N.C. 28110). The purpose of this hearing is to:

Hear public comment on:

Text Amendment to the Town of Fairview's Land Use Ordinance adopted April 2005
TC 18-054

To amend Article XI, Section 180E (k) of the Land Use Ordinance.

Setback for Cell Towers

Text change: "Except as otherwise expressly stated, wireless support structure must be set back from all property lines a distance that is at least equal to its engineered fall zone"

The Public is invited to attend the public hearing and make comments. As a result of comments, the Town council reserves the right to make changes to the proposed Amendment 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.

Call for Public Hearing on Finance Agreement

Discuss/Approve Resolution #R-18-LGC



RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the Town of Fairview, North Carolina desires to purchase 65 acres from Harry and Sandra Haigler for future development of parkland for \$650,000 at 3.9% for 15 years (the "Project") to better serve the citizens of Fairview; and

WHEREAS, The Town of Fairview desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Fairview, North Carolina, meeting in regular session on the 9th day of July, 2018, make the following findings of fact:

1. The proposed contract is necessary because additional future parkland has become available to purchase (65 acres) next to the Fairview Park now in operation.
2. The proposed contract is preferable to a bond issue for the same purpose due to the amount of the contract and to the cost related to a general obligation bond. The Town of Fairview believes that using a portion of its fund balance and to borrow the principal amount would be in its best interest and remain in a position that taxes will not have to be raised. Being that the town has no debt other than a fire truck payment to be paid off in FY 20-21, borrowing from the owner of the property at a fair rate (fixed) for a 15 year term is in its best interest on this purchase.
3. The cost of financing under the proposed contract is less than the cost of issuing general obligation bonds. The Town favors this form of financing due to its amount of \$600,000, and 15 year fixed rate (3.9%).
4. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the Town is using fund balance for a down payment on this loan \$50,000 and also for the first two payments \$63,400 and \$61,840.

The balance of the payments, 13 years, will be paid from a retiring fire truck loan of \$52,569 and budgeted funds.

5. The Town of Fairview's debt management procedures and policies are good because of audits from date of corporation and Town officials continued effort to have clean audits.
6. There will be no tax increase.
7. The Town of Fairview is not in default in any of its debt service obligations.
8. The attorney for the Town of Fairview has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.
9. The Town of Fairview has no public service enterprise funds.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor is hereby authorized to act on behalf of the Town of Fairview in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 9th day of July, 2018.

The motion to adopt this resolution was made by Council _____, seconded by Council _____ and passed by a vote of _____ to _____.

Mayor

ATTEST:

Town Clerk

This is to certify that this is a true and accurate copy of Resolution No. R-18-LGC Adopted by the Fairview Council on the 9th day of July, 2018.

Town Clerk

Date

Approve New Office Expenditures

New Town Office Expenses for renovation

Heat and Air	Byrum	\$ 9,551.37***
	Union Mechanical	\$ 17,300.00
Painting	Hill Paint	\$ 1,575.00
Security	Bill Riffle	\$ 842.00
Carpet	Bradshaw Flooring	\$2,368.00
	Builders Supply	\$ 2,351.03***
Computer	CompuNetworld	\$ 2,500
Electrical	Estimate	\$ 3,800
Furniture		\$ 750.00
Contingency		\$ 3500.00
Total expense		\$ 25,000.00

***would recommend

Monthly charges (estimates)

Waste Removal	\$ 84.00	All Points
Electric	230.00	Duke
Water	50.00	Union County
Lawn Maintenance	22500	Estimate
Building cleaning	75.00	UCPS (once a month)
Internet Spectrum	191.95 *	Spectrum
Pest Control	42.00	Killingworth Pest Control
Total Monthly	897.95	

*\$99 one time fee

Review 2018

Retreat Goals