

Agenda

Town of Fairview



Agenda

Town Council Meeting

September 10, 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:**

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) Approve Constitution Week Proclamation
- e) Approve Domestic Violence Awareness Month Proclamation
- f) Park & Rec August Draft Minutes (*Minutes Accepted as Information*)
- g) Planning Board August Draft Minutes (*Minutes Accepted as Information*)

Agenda

h) Approve Council Minutes for August 13, 2018

4. Items of Business:

Item 1: Conduct Public Hearing: Major Development Permit MDP 18-082 requested by Helms Partners Inc. to develop a subdivision of 8 lots at the corner of Sikes Mill Road and Brief Road. Subdivision name is Sikes Mill Crossing II. --- *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)

Item 2: Conduct Public Hearing: Conditional Use Permit request CUP 18-057 by Blossman Gas Company to install a propane gas and storage facility on Brent Haigler Road. --- *Nancy Randall*

****this hearing will be conducted in a Qusi-Judicial procedure****

Swear in all people who want to speak

Mayor Thomas to open Public Hearing

Public Comments

Mayor Thomas to Close Public Hearing

Approve "Finding of Facts": **motion on each:**

- 1) The proposed conditional use will not materially endanger the public health or safety;
Motion: the proposed conditional use permit will not endanger the public health or safety because: _____
- 2) The proposed conditional use will not substantially injure the value of adjoining or abutting property;
Motion: the proposed conditional use permit will not substantially injure the value of adjoining or abutting property because: _____

Agenda

- 3) The proposed conditional use will be in harmony with the area in which it is to be located;
Motion: the proposed conditional use permit will be in harmony with the area in which it is located because: _____
- 4) The proposed conditional use will be in general conformity with the land use plan, thoroughfare plan, or other plan;
Motion: the proposed conditional use will be in general conformity with the land use plan, Thoroughfare plan or other plan because: _____

Discuss Approval of request: Motion to approve would include the conditions and the following statement: (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 3: Conduct Public Hearing: Financing agreement to purchase 65 acres for \$650,000 from Sandra and Harry Haigler adjacent to the Fairview Park (parcel # 08189031) for future development of the park. The terms of the agreement will be a loan amount of \$600,000 for a term of 15 years at a rate of 3.9%. ---
Ed Humphries/Darrell Baucom

Mayor to Open Public Hearing

Hear public comments

Mayor to Close Public Hearing

Minutes of this public hearing will be sent to the Local Government Commission (LGC) as required for the approval of the loan.

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

Item 5: Update on new office space --- *Ed Humphries*

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.

Town of Fairview
Balance Sheet
As of August 31, 2018

	Aug 31, 18
ASSETS	
Current Assets	
Checking/Savings	
American Community Bank	402,053.56
Total Checking/Savings	402,053.56
Other Current Assets	
Franchise Tax Receivable	33,813.84
Investments	
Investments NCCMT	983.97
Total Investments	983.97
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	43,136.94
Total Current Assets	445,190.50
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	1,961,519.34
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	23,479.12
Total Accounts Payable	23,479.12
Other Current Liabilities	
Accrued payroll	3,524.87
Deferred revenue - ad valorem	2,962.15
Payroll Liabilities	578.80
Prepaid tax interest	36.58
Prepaid taxes	199.84
Total Other Current Liabilities	7,302.24
Total Current Liabilities	30,781.36
Total Liabilities	30,781.36
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	-99,198.63

10:25 AM
09/01/18
Accrual Basis

Town of Fairview
Balance Sheet
As of August 31, 2018

	Aug 31, 18
Total Equity	1,930,737.98
TOTAL LIABILITIES & EQUITY	1,961,519.34

10:25 AM

09/01/18

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	2,200.00			
Donation - vendors	300.00			
Fund balance appropriated	0.00	-4,000.00	4,000.00	0.0%
Interest on delinquent taxes	19.89			
Investment income	229.20	0.00	229.20	100.0%
Motor vehicle taxes	1,720.58	9,200.00	-7,479.42	18.7%
Park rental income	600.00	2,500.00	-1,900.00	24.0%
Sales and use tax	4,417.60	27,000.00	-22,582.40	16.4%
Sales and use tax refund	1,070.76			
Utility Franchise taxes	0.00	145,000.00	-145,000.00	0.0%
Zoning fees	3,005.00	7,000.00	-3,995.00	42.9%
Total Income	13,563.03	280,600.00	-267,036.97	4.8%
Expense				
Advertising and Promotion	417.92	500.00	-82.08	83.6%
Audit fees	0.00	8,050.00	-8,050.00	0.0%
Bank Service Charges	108.49			
Capital Outlay - Office Reno	15,395.93	0.00	15,395.93	100.0%
Capital outlay - Park	51,250.00	9,634.98	41,615.02	531.9%
Dues and Subscriptions	5,095.00	5,520.00	-425.00	92.3%
Festival expense	200.00	10,000.00	-9,800.00	2.0%
Fire Dept Grant	2,499.99	10,000.00	-7,500.01	25.0%
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	738.33	6,500.00	-5,761.67	11.4%
Legal fees	350.00	7,200.00	-6,850.00	4.9%
Office expense	977.47	10,736.00	-9,758.53	9.1%
Office utilities	335.20	2,880.00	-2,544.80	11.6%
Park Maintenance	1,764.05	19,300.00	-17,535.95	9.1%
Park Utilities	380.25	3,300.00	-2,919.75	11.5%
Payroll Expenses	16,467.68	92,345.58	-75,877.90	17.8%
Payroll taxes	0.00	7,064.44	-7,064.44	0.0%
Postage and Delivery	7.25			
Professional Fees	0.00	3,000.00	-3,000.00	0.0%
Rent Expense	750.00	12,000.00	-11,250.00	6.3%
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	48.39	1,400.00	-1,351.61	3.5%
Telephone Expense	463.46	3,000.00	-2,536.54	15.4%
Training expense	0.00	500.00	-500.00	0.0%
Travel Expense	57.26	1,200.00	-1,142.74	4.8%
Total Expense	113,844.99	280,600.00	-166,755.01	40.6%
Net Ordinary Income	-100,281.96	0.00	-100,281.96	100.0%
Net Income	-100,281.96	0.00	-100,281.96	100.0%

10:26 AM

09/01/18

Accrual Basis

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

Type	Date	Num	Adj	Name	Memo	Debit	Credit	Balance
American Community Bank								
Deposit	08/03/2018				Deposit	50.00		459,471.38
Deposit	08/03/2018				Deposit	900.00		459,521.38
Deposit	08/03/2018				Deposit	150.00		460,421.38
Deposit	08/10/2018				Deposit	150.00		460,571.38
Deposit	08/10/2018				Deposit	150.00		460,721.38
Deposit	08/10/2018				Deposit	150.00		460,871.38
Deposit	08/10/2018				Deposit	750.00		461,621.38
Bill Pmt -Check	08/11/2018	102301		All-Points Waste Ser...	Office garbage service		174.80	461,446.58
Bill Pmt -Check	08/11/2018	102302		Clark, Griffin and Mc...	Retainer fee		350.00	461,096.58
Bill Pmt -Check	08/11/2018	102303		CompuNetworld	Email and server hosting		260.00	460,836.58
Bill Pmt -Check	08/11/2018	102304		Darrell H. Baucom_	expense reimbursement		84.97	460,751.61
Bill Pmt -Check	08/11/2018	102305		Enquirer Journal	Advertising for public hearings		288.56	460,463.05
Bill Pmt -Check	08/11/2018	102306		Fairview VFD and R...			1,083.33	459,379.72
Bill Pmt -Check	08/11/2018	102307		FNB Commercial Cr...	Office and Amazon prime member...		81.30	459,298.42
Bill Pmt -Check	08/11/2018	102308		Killingsworth Environ...	Quarterly pest control		125.00	459,173.42
Bill Pmt -Check	08/11/2018	102309		Local Government C...	Haigler land loan app fee		1,250.00	457,923.42
Bill Pmt -Check	08/11/2018	102310		UNC School of Govt	Membership dues for 18-19		462.00	457,461.42
Paycheck	08/13/2018	102311		Darrell H. Baucom			746.65	456,714.77
Paycheck	08/13/2018	102318		Teresa Gregorius			1,424.25	455,290.52
Paycheck	08/13/2018	102312		Edward D Humphries			2,227.96	453,062.56
Paycheck	08/13/2018	102313		Gary H Wilfong			138.53	452,924.03
Paycheck	08/13/2018	102314		Jerry C. Clontz			863.73	452,060.30
Paycheck	08/13/2018	102315		John A Biggers, Jr.			138.53	451,921.77
Paycheck	08/13/2018	102316		Patricia H. Kindley			138.53	451,783.24
Paycheck	08/13/2018	102317		Phillip C Thomas			184.70	451,598.54
Liability Check	08/13/2018	To Print		IRS	55-0789092		2,071.60	449,526.94
Check	08/14/2018	102319		Enquirer Journal	Public hearing		129.36	449,397.58
Deposit	08/14/2018				Deposit	2,201.43		451,599.01
Deposit	08/14/2018				Deposit	1,070.76		452,669.77
Bill Pmt -Check	08/14/2018	102320		Performance Lawn &...			1,075.00	451,594.77
Deposit	08/14/2018				Deposit	0.00		451,594.77
Check	08/15/2018	Draft		Great American Fina...	copier lease		89.20	451,505.57
Check	08/15/2018	Draft		Great American Fina...	Copier lease	0.00		451,505.57
Bill Pmt -Check	08/20/2018	102321		Harry T. Haigler	Down payment on land purchase		25,000.00	426,505.57
Bill Pmt -Check	08/20/2018	102322		Sandra Haigler	Down payment on land purchase		25,000.00	401,505.57
Deposit	08/20/2018				Deposit	850.65		402,356.22
Check	08/23/2018	Draft		Duke Energy	Office power		179.56	402,176.66
Bill Pmt -Check	08/23/2018	102323		Teresa Gregorius_	Reimburse for PB&J Entertainment		200.00	401,976.66
Deposit	08/24/2018				Deposit	50.00		402,026.66
Deposit	08/24/2018				Deposit	350.00		402,376.66
Deposit	08/24/2018				Deposit	65.00		402,441.66
Check	08/27/2018	Draft		Duke Energy	Park power		189.70	402,251.96
Check	08/27/2018	Draft		Frontier Telephone	Land lines		198.40	402,053.56
Total American Community Bank						6,737.84	64,155.66	402,053.56
TOTAL						6,737.84	64,155.66	402,053.56

10:26 AM

09/01/18

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
Bill	08/14/2018	16339	Performance Lawn &...	Park maintenance	850.00		1,764.05
Total Park Maintenance					1,764.05	0.00	1,764.05
TOTAL					1,764.05	0.00	1,764.05

9

10:29 AM

09/01/18

Accrual Basis

Town of Fairview Transaction Detail By Account

July 2018 through June 2019

Type	Date	Num	Adj	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 Fin...	Duplicate payment for copier; to be credite...	35.86		323.98
Bill	08/01/2018	2846		FNB Commercial Cr...	Office and Amazon prime membership	81.30		405.28
Bill	08/09/2018	00000...		All-Points Waste Se...	Office garbage service	174.80		580.08
Bill	08/14/2018	16340		Performance Lawn ...	Office maintenance	225.00		805.08
Check	08/15/2018	Draft		Great American Fin...	copier lease	89.20		894.28
Check	08/15/2018	Draft		Great American Fin...	Copier lease	0.00		894.28
Bill	08/21/2018	23220...		Great American Fin...	Copier payment	83.19		977.47
Total Office expense						977.47	0.00	977.47
TOTAL						977.47	0.00	977.47

10:32 AM

09/01/18

Accrual Basis

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

Type	Date	Num	Adj	Name	Memo	Debit	Credit	Balance
Capital Outlay - Office Reno								
Bill	08/10/2018	30848A		Byrum Heating & AC, Inc.	New office HVAC	9,786.21		9,786.21
Bill	08/29/2018	902500		Contractors Building Supply	Office renovation	2,509.72		12,295.93
Bill	08/29/2018	160697		Hill Paint and Walcovering ...	office renovation	1,975.00		14,270.93
Bill	08/29/2018	EL828		Brian C. Austin	Light fixtures for office	1,125.00		15,395.93
Total Capital Outlay - Office Reno						15,395.93	0.00	15,395.93
TOTAL						15,395.93	0.00	15,395.93

August 2018 Zoning Permits

12

2-Aug	N/A	TUP 18-091	Temp Permit	N/A	Eligah Helms	508 Simpson Road	08228005C
7-Aug	282	TUP 18-092	Temp Permit	\$75	Shirdi Sai Temple	2006 Highway 218 West	08282019D
7-Aug	1510	UP 18-093	Upfit	\$50	E and L Services	1216 Brief Road West	8243001
7-Aug	Cash	H18.094**	Home	\$125	David Murza	7001 West Duncan	8258002
21-Aug	16181	MS 18-95	Minor	\$65	Tyler Nelson	Old Ferry Road	8117023
28-Aug	12544	U 18-96	Upfit	\$50	Beth Presbyter Church	7608 Concord Highway	8189020
28-Aug	12543	CUD-S 18-97	Sign	\$325	Beth Presbyter Church	7608 Concord Highway	8189020
28-Aug	286992	H-18-098	Home	\$75	McGee	7513 Crooked Creek	08120018D
30-Aug	6790	A-18-099	Addition	\$50	Guilcano Niuan	605 Simpson Road	8228004
30-Aug	1137	Comp 18-100	Compliance	\$100	Semyou Kervsenko	1000 Biggers Farm Rd	08180004H
30-Aug	4334	A-18-101	Accessory	\$50	Honey Const	9216 Black Road	08210006B
30-Aug	11879	U 18-102	Unfit	\$50	Jessia Baucan	85240 Martin Tucker rh	08114004A
total		12		\$1,015			
4-Sep	3572	H-18-103	Home	\$75	AmericashHome-Phipps	1318 Earl Duncan	08255009L

Ed Humphries

From: Burke, Neil [nburke@ci.charlotte.nc.us]
Sent: Thursday, August 16, 2018 6:56 AM
Subject: August CRTPO Board Meeting Results and Request for September 6 TCC Agenda Items

September TCC Meeting

The next TCC meeting is scheduled for Thursday, September 6 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, August 29:

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

August 15 CRTPO Board Meeting Results

Consent Agenda: The CRTPO Board approved the July 2018 Minutes, and a 2018-2027 TIP Amendment to add the Kensington Drive STBG-DA project in Waxhaw.

US 74 Bypass Route Designation: The CRTPO Board endorsed the designation of the Monroe Expressway as US 74 Bypass.

2018-2027 TIP Amendment: NC 51 & Johnston Drive: The CRTPO Board approved a TIP amendment to add the NC 51 and Johnston Drive/Church Street intersection realignment project in Pineville.

2018-2027 TIP Amendment: South Prong Rocky River Greenway (EB-5775): The CRTPO Board approved a TIP amendment to allocate an additional \$628,000 in STBG-DA funds to the South Prong Rocky River Greenway Project in Cornelius.



Neil Burke, AICP PTP | Planning Coordinator
Charlotte Regional Transportation Planning Organization
704-353-0198 | nburke@charlottenc.gov





CONSTITUTION WEEK PROCLAMATION

WHEREAS: The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS: September 17, 2018, marks the two hundred thirty first anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Phillip Thomas by virtue of the authority vested in me as Mayor of the Town of Fairview do hereby proclaim the week of September 17 through 23, 2018 as

CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Fairview to be affixed this seventeenth day of September in the year of our Lord two thousand eighteen.

Signed _____
Phillip C. Thomas, Mayor

SEAL Attest _____



PROCLAMATION DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, domestic violence affects all Union County residents, and far too many people suffer abuse at the hands of a spouse, partner, parent, child, or sibling; these victims can be of any age, race, religion, or economic status and the resulting damage is inflicted not only on the victims, but their children, families, and communities; and

WHEREAS, domestic violence includes not only physical but also mental abuse, emotional abuse, financial abuse, sexual abuse, and isolation; and

WHEREAS, domestic violence is widespread, including one in three Americans who have witnessed an incident of domestic violence with an annual cost to US companies of \$3.5 billion in lost work time, increased health care costs, higher turnover, and lower productivity; and

WHEREAS, according to the North Carolina Coalition Against Domestic Violence, there have been 1,244 women, men, and children murdered as a result of domestic violence since January 1, 2002 in North Carolina; and

WHEREAS, according to the North Carolina Council for Women, domestic violence programs across the state responded to over 119,000 crisis calls and provided services to over 50,000 victims last year; and

WHEREAS, the key to prevention is education, community awareness, having zero tolerance for domestic violence, and requiring accountability by the abuser; and

WHEREAS, Union County recognizes the importance of having collaborations by multiple partners to promote social norms, policies and laws that support gender equity and foster intimate partnerships based on mutual respect, equality, and trust; and

NOW, THEREFORE, be it resolved that I, Phil Thomas, Mayor of the Town of Fairview, do hereby proclaim October 2018 as Domestic Violence Awareness Month in Union County and urge all citizens to support this observance. I further urge our citizens to increase their awareness and education of this destructive force which deeply affects a large number of families in our State each year and to become part of the efforts to stop violence in families.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Fairview to be affixed this the 1st day of October 2018.

Phil Thomas, Mayor of the Town of Fairview



**Town of Fairview
Park-Rec & Event Committee Meeting
August 2, 2018**

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

Others present: Teresa Gregorius, Town Clerk

Public Comments

None

Items of Business

A. Sub-Committee Updates

Advertising/Lisa Thomas: All the signs are at the printers to change the dates and will be ready by Labor Day. Ms. Thomas has reached out to Gordon Funeral Home and Hartsell Funeral Home and both have expressed a desire to help out with the festivals. Gordon's has agreed to furnish the cost of printing the 2000 flyers and 25 11x14 posters which will be approximately \$350-400 with the stipulation that they be the only funeral home represented. At this time, Hartsell has not been back in contact with Ms. Thomas as to what they would be willing to do. The Committee discussed and decided to accept Gordon's offer and ask Hartsell if they would like to help with the Winter Festival.

Children's Entertainment/Theresa Donaldson: Ms. Thomas reached out to Chick-fil-a about the cow coming to the festival. They will get back to her regarding the cow appearing and also about providing coupons and/or small toys. The Committee discussed and agreed to purchase 12 tents for the various kids' activities.

Craft Vendors/Wendy Nielsen: Received 4 vendor applications so far. Please let Ms. Nielsen know if there are any vendors you would like for her to contact.

Custodian/Bill Riffle: Researched the price for purchasing two-way radios for the staff to use during the festivals and 10 radios would be approximately \$150.00. The Committee discussed and agreed to purchase the radios.

Decorating/Rita Price: Lisa Thomas reported that Ms. Price will not be able to head up the decorating committee and Spencer Thomas and Tracy Biggers will be heading up the decorating for the Fall Festival.

Food Vendors/Todd Donaldson: No Report

Music/Lisa Thomas: Brian Hinson has agreed to provide the sound system to use the entire day for \$1,500.00. The Town of Midland has offered to let the town use their portable covered 14x36 stage for both the fall and winter festivals. The Town of Fairview would be responsible for moving the stage back and forth to Midland. Mr. Cuthbertson will research the cost of moving it.

The entertainment schedule for the day is as follows:

10:00 – 11:00	Hosanna
11:00 – 12:00	Benton's Crossroads
12:00 – 12:30	Oak Creek
12:30 – 2:00	Village Green
2:00 – 3:00	Pine Ridge Boys
3:00 – 3:30	Fairview Elementary School Children
3:30 – 4:00	Charlotte Dance Alliance
4:00 – 5:00	Maggie Aldridge

Ms. Thomas will reach out to the scout troop and see if they can camp out overnight on Friday night before the festival again this year.

The Committee discussed the opening ceremony and agreed to have the opening act perform the National Anthem and Mayor Thomas will have opening comments.

Parking/Mike Medlin: Working on his helpers and he has the parking signs that were used last year. Mr. Medlin is currently working on getting an additional overflow parking area.

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.

Transportation/Scott Cuthbertson: Will work on obtaining golf carts and utility vehicles.

The Committee discussed having a cleanup day at the park before the festival. Everyone agreed on September 15th at 7:00 AM.

Ms. Thomas reported that she had received correspondence from a resident regarding the ducks at the pond. The resident expressed concern about individuals feeding the ducks bread and suggested that Carolina Waterfowl Rescue should be contacted to check on proper feeding of the ducks.

The town clerk updated the Committee regarding memorial items that could be purchased for the park. At the park grand opening ceremony applications for memory benches and trees were offered at a cost of \$1,000.00 and \$500.00 respectively but no applications were ever

received. Carolina Recreation and Design has quoted a price of \$1,134 for the benches like the ones currently at the park. This price would not include assembly, installation or memory plaque. The Committee discussed and decided to revisit the memorial offerings at the first of the year.

B. Minutes

Wendy Nielsen made a motion to approve the July 12, 2018 minutes. Scott Cuthbertson seconded the motion. Committee members Thomas, Carter, Cuthbertson, Medlin, Nielsen and Riffle voted yes (6-0).

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
August 21, 2018**

The following Planning Board members were present: Kelvin Baucom, Doug Buchanan, Sara Furr, Tony Helms, Mike Medlin, Rick Pigg and Nancy Randall

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

Public Comments

None

Reports

Ed Humphries reported that at the August Council meeting:

- Council amended the current Flood Damage Prevention Ordinance
- Received update on status of new office renovations
- Set public hearing for park land financing for September 10th
- Received update on Fairview Fall Festival slated for October 6th

Items of Business

A. Review Major Development Permit MDP 18-082

Ed Humphries stated that Helms Partners Inc. has applied for a Major Development Permit MDP 18-082 to develop a subdivision of 8 lots at the corner of Sikes Mill Road and Brief Road. The subdivision name is Sikes Mill Crossing II. The Board discussed.

Mike Medlin made a motion to recommend approval of #MDP 18-082 to the Council. Doug Buchanan seconded the motion. Board members Baucom, Buchanan, Furr, Helms, Medlin, Pigg and Randall voted yes (7-0).

B. Review Conditional Use Permit request CUD 18-057

Ed Humphries stated that Blossman Gas & Appliance has applied for a Conditional Use Permit CUD 18-057 to install a propane gas and storage facility on Brent Haigler Road. Mitch Rose, Blossman Gas, answered questions from the Board. The Board discussed.

Rick Pigg made a motion to recommend approval of CUD 18-057 to the Council. Kelvin Baucom seconded the motion. Board members Baucom, Buchanan, Furr, Helms, Medlin, Pigg and Randall voted yes (7-0).

C. New Business

Ed Humphries asked the Board to start thinking about “tiny houses” and how the Town of Fairview should deal with them. He will put it on the agenda for discussion in the near future.

D. Minutes

Kelvin Baucom made a motion to approve the June 19, 2018 minutes. Doug Buchanan seconded the motion. Board members Baucom, Buchanan, Furr, Helms, Medlin, Pigg and Randall voted yes (7-0).

Rick Pigg made a motion to adjourn. Sara Furr seconded the motion. Board members Baucom, Buchanan, Furr, Helms, Medlin, Pigg and Randall voted yes (7-0).

Respectfully submitted,

Teresa Gregorius
Town Clerk

Nancy Randall
Chair

Approved this _____ day of _____, 2018



**Town of Fairview
Regular Town Council Meeting
August 13, 2018**

The following Council members were present: Mayor Pro Tem Jerry Clontz, John Biggers, 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

Gary Wilfong stated that he would like to add a discussion about additional parking for the park as Item 5 in Items of Business.

Public Comments

None

Presentation

Pat Simpson presented information regarding a Pitch/Hit/Run Competition. Council discussed. Patricia Kindley made a motion to allow Pat Simpson to work with the Park-Rec & Event Committee to move forward with a Pitch/Hit/Run Competition to be held next spring. John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Consent Agenda

- a) Accept Financial and Tax Reports as Information
- b) Accept Land Use Report as Information
- c) Accept CRTPO Report as Information
- d) Park & Rec July Minutes --- Minutes Accepted as Information
- e) Planning Board Minutes--- No July Meeting
- f) Approve Council Regular Minutes for July 9, 2018

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

Items of Business

Item 1: Public Hearing TC 18-081 amending Section 253 B of the Town of Fairview Flood Prevention Ordinance. Ed Humphries noted that the amendment to the ordinance was to update the effective dates to November 16, 2018 per the FIRM (Flood Insurance Rate Map) for insurance rating purposes. The Town of Fairview did not have any changes to the mapping.

Mayor Pro Tem Clontz opened the public hearing

No public comments

Mayor Pro Tem Clontz closed the public hearing

Discuss Approval of request: Council members discussed the amendment.

Gary Wilfong made a motion to approve text amendment TC 18-081 of the Town of Fairview Flood Prevention Ordinance with the effective date of November 16, 2018. The proposed zoning 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 August 11, 2014), and the Town of Fairview Land Use Ordinance (effective July 1, 2005). John Biggers seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Item 2: Update on new office space

Ed Humphries reported that Union County Public Schools has signed the lease agreement for the Old Fairview School on 7/26/18. The heating/air has been installed in the new office space.

Item 3: Update on Haigler property purchase

Ed Humphries reported that he received the signed purchase agreement from the Haiglers and will get the checks cut for the deposit of \$50,000. He is in the process of applying for the loan approval through the LGC. A public hearing on the financing of the property will be held September 10, 2018. The LGC will be meeting in October. If the financing is approved by the LGC the first payment to the Haiglers will be on 1/1/2020.

Item 4: Update on Fairview Fall Festival

Lisa Thomas, Park-Rec & Event Chairman, reported the following to the Council regarding plans for the upcoming Fairview Fall Festival:

- Advertising costs will be covered by Gordon Funeral Home

- There will be 13 children's entertainment stations and all items (pumpkins/candy/toys) for the stations have been donated by Wal-Mart, Dollar General and Food Lion.
- Five craft vendors have signed up so far and hope to have at least 15. We have 5 food vendors
- The entertainment for the day will include: Hosanna, Benton's Crossroads singers, Oak Creek, Village Green, Pine Ridge Boys, Fairview Elementary School Children, Charlotte Dance Alliance and Maggie Aldridge
- Brian Hinson will be running his sound system for the day.
- The Town of Midland has donated their covered 14x36 stage to the town for use at the fall and winter festival.
- McGee Corp. has agreed to purchase some tents (with their company name) that can be used year after year for the children's entertainment stations
- Donation letters were sent out to Fairview and Union County businesses and so far \$2,200 has been received to be used for the fall and winter festivals

Ms. Thomas informed the Council that the Park-Rec & Event Committee decided to have an apple and pumpkin pie baking contest this year, and the Committee would like for the Mayor and Council to serve as judges.

Item 5: Park Parking Overflow

Gary Wilfong reported that he met at the park with Lisa Thomas, Tracy Biggers and B.B. Haigler to discuss where an overflow parking area could be placed and the logistics of how it could be accomplished. He and Mr. Haigler have also spoken with Mark Cash, Cash Grading Company. It was decided that to the right of the pond along the field would be acceptable. This location would require going over a culvert. John Biggers agreed to check into securing plastic or cast iron piping from Charlotte Pipe. After discussions with Mr. Cash he quoted a price of \$2,500 to \$4,000 depending on the type of piping used. The Council discussed.

Gary Wilfong made a motion to fund accessing an overflow parking area at the park by adding culvert piping/gravel (12 inch size pipe and 6 inches of soil/gravel) not to exceed \$4,000. Patricia Kindley seconded the motion. Council members Biggers, Clontz, Kindley and Wilfong voted yes (4-0).

Council Comments

John Biggers stated that he would like to see a permanent entrance archway for the park. This archway would be similar in design to what was used for the fall festival last year but set permanently in the ground in concrete with a structure at the top to which signage/banners can be attached.

Patricia Kindley stated that a handout in a recent Enquirer Journal publication excluded some information about the Town of Fairview. She was disappointed that the festivals were not mentioned. She emailed the paper regarding the omission and requested a correction in the paper. She has not received a response to her email.

Attorney Joe McCollum stated that he had attended the annual municipal attorneys' conference last week. The sessions regarding employment, drug problems in the state, and the legislature allowing municipalities to form charter schools were very informative. He appreciated the town sending him to the conference.

Jerry Clontz reported that he, along with John Biggers, Tucker Biggers, Greer Donaldson and Tyler Price performed a study of the fish population of the pond and concluded that the town should wait one more year before holding a kids' fishing tournament.

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

Respectfully submitted,

Teresa Gregorius
Town Clerk

Jerry Clontz
Mayor Pro Tem

Approved this _____ day of _____, 2018

Public Hearing On MDP 18-082

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

DATE: Aug. 21 2018

CASE #: MDP 18-082	Silks Mill Crossing II
Applicant(s):	Helms Partners Inc. 3721 Ridge Road Indian Trail NC 28079
Property Owner(s):	DP Construction (Drew and Katie Helms) 1504 Tom Helms Road Monroe NC 28110
Requested Action:	To subdivide a 17.59 ac tract parcel # 08087035H into 8 residential lots on Sikes Mill Road and Brief Road East
Existing Zoning:	RA-40
Requested Zoning:	Major Subdivision permit to build 8 residential homes. Major Development Permit
Location:	Corner of Sikes Mill and Brief Road East
Property Size:	17.59 Acres
Tax Parcel(s):	Parcel # 08087035H
Purpose/Narrative:	To subdivide a 17.59 acre tract parcel # 08087035H into 8 residential lots on Sikes Mill Road and Brief Road East. Lots range in size from 3.2 ac to 1.4 ac. Each lot will have access to Sikes Mill or Brief Road (NCDOT maintained) therefore no subdivision roads are required. No street lights are planned. The plan has been reviewed by NCDOT and they have provided comments to the developer about driveway permits. There is no flood plain on the property. County water will not be provided.
Surrounding Area Zoning:	Residential, Farming
Existing Conditions:	Wooded and Field – adjacent to Sikes Mill Crossing I A Five (5) home subdivision
Land Use Plan Recommendation:	RA-40 Residential Meets current Future Land Use Plan dated March 12, 2018
Compliance with Zoning Ordinance:	Complies with present Zoning Ordinance RA-40 Residential requiring Major Development Permit approval for 5 or more lots

Conditional Use Permit Conditions:	<p>Requires Major Development Permit -- 8 lots per ordinance reviewed by the Planning Board and approved by the Fairview Council. The conditions are as follows:</p> <p>See: Restrictive Covenants Of Sikes Mill Crossing II</p>
Staff Recommendations	<p>Staff recommends the permit request be recommended to the Council for approval with the conditions presented.</p>

Town of Fairview

7400 Concord Highway
Monroe NC 28110

MAJOR DEVELOPMENT PERMIT APPLICATION

MDP.18082

Name of Development: Sikes Mill Crossing II	Date of Submission: 7-3-2018	Check if Conditional Use Permit is associated with this application: yes
---	--	---

Applicant Information

Contact Name: Doug Helms / Sikes Mill Crossing II (HELMS PARTNERS INC.)
Contact Phone/Fax: 704-363-8765 Email: helmspartners@yahoo.com
Address: 3721 Ridge Road Indian Trail NC 28079
Engineer/Surveyor: Newt Huneycut Phone: 704-201-0041

Owner Information

If different from applicant, specify legal relationship of the applicant to the owner that entitles the applicant to make application and provide contact info below:

Contact Name: Drew Helms / KATIE
Address: 1504 Tom Helms Rd. Monroe NC 28110
Contact Phone/Fax: (704) 201-8790

Provide summary statement of the development proposed:

To build 14 homes on 17.59 acres located on Sikes Mill and Brief Road for single family units.

Property Information

Property Location: Sikes Mill and E. Brief Road
Tax Parcel Number: 080870354
Existing Zoning: RA-40 Proposed Zoning: RA-40 Major Development Permit
Existing Use: FARMING Proposed Use: Homes
Existing Buildings Floor area: Proposed Buildings Floor area: 1400 sq ft
Property Size (square feet) 40,000+

Fee amounts: (per Land Use Administrator) PAID \$500 - EDA
Attached? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Checklist Completed and attached? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

I, the undersigned owner or authorized representative, hereby submit this application with the attached information and understand that any engineering review fees incurred by the Town will be paid by me. The information and documents provided are complete and accurate to the best of my knowledge.

Douglas O. Helms Cynthia L. Helms **7-01-2018**
SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE DATE

BELOW TO BE COMPLETED BY TOWN OF FAIRVIEW

It is anticipated that this plat will be reviewed by (date):
Anticipated Planning Board Date: **AUG 21 2018**
This Permit is [approved / denied] by Town Council on (date):

Signature of Authorized Town Official: **[Signature]**
ON SITE WASTEWATER PERMITS ON FILE 8/2/2018

Town of Fairview

MAJOR DEVELOPMENT PERMIT CHECKLIST

Please complete the following MAJOR DEVELOPMENT PERMIT CHECKLIST developed from Appendix A of the Town of Fairview Land Use Ordinance.

If the item is included in the development site plan, check the space provided. If the item is not applicable or not included, please write N/A in the space provided and make any explanation in the comments area following each section.

Graphic Materials Required for Plans

- ☒ 1. Name of development
- ☒ 2. Title block containing the subdivision name and the name of the owner
- ☒ 3. The name, address and phone # of the subdivider/preparer of plat
- ☒ 4. The names, addresses and telephone number of all owners, mortgages, registered land surveyors, developers, land planners, architects, landscape architects, and professional engineers responsible for the subdivision.
- ☒ 5. Location (including address, township, county and state)
- ☒ 6. Date or dates survey was conducted and plat prepared
- ☒ 7. A scale drawing in feet per inch listed in words and figures (drawing shall not be at a scale less than 1" equals 200')
- ☒ 8. A sketch vicinity map with north arrow showing the relationship between the proposed subdivision and surrounding area at a scale of 1" = 2000'
- ☒ 9. A Bar graph scale
- ☒ 10. North Arrow and orientation (North arrow shall be oriented to the top of the plat where applicable)

Comments/Explanation for items not checked in section above:

Existing Natural, Man-Made and Legal Features

- ☒ 1. Tree line of wooded areas.
- ☒ 2. Individual tree eighteen inches in diameter or more identified by common or scientific name.
- ☒ 3. Orchards or other agricultural groves by common or scientific name.
- ☒ 4. Streams, ponds, drainage ditches, swamps, boundaries of floodways and floodplains.
- ☒ 5. (If the proposed development is a subdivision or mobile home park of more than fifty lots or if more than five acres of land are to be developed), base flood elevation data (See Article XVI, Part I).
- ☒ 6. Contour lines (shown as dotted lines) with no larger than five foot contour intervals. (As indicated in Subsection A-6 (2t), proposed contour lines shall be shown as solid lines.)
- ☒ 7. Vehicle accommodation areas (including parking areas, loading areas and circulation areas, see Section 290), all designated by surface material and showing the layout of existing parking spaces and direction of travel lanes, aisles, or driveways.
- ☒ 8. Streets, private roads, sidewalks, and other walkways, all designated by surface material.
- ☒ 9. Curbs and gutters, curb inlets and curb cuts, and drainage grates.
- ☒ 10. Other storm water or drainage facilities, including manholes, pipes, and drainage ditches.
- ☒ 11. Underground utility lines, including water, sewer, electric power, telephone, gas, cable television.

Town of Fairview - Major Development Permit Checklist

- ☒ 12. Above ground utility lines and other utility facilities.
- ~~NA~~ 13. Fire hydrants.
- ~~NA~~ 14. Buildings, structures and signs (including dimensions of each).
- ~~NA~~ 15. Location of exterior light fixtures.
- ~~NA~~ 16. Location of dumpsters.
- ☒ 17. The zoning of the property, including zoning district lines where applicable.
- ☒ 18. Property lines (with dimensions identified).
- ☒ 19. Street right-of-way lines.
- ☒ 20. Utility or other easement lines.

Comments/Explanation for items not checked in section above:

Proposed Changes in Existing Features or New Features

- ☒ 1. The number of square feet in every lot created by a new subdivision.
- ☒ 2. Lot dimensions, including lot widths measured in accordance with Section 183.
- ~~NA~~ 3. The location and dimensions of all buildings and freestanding signs on the lot, as well as the distances all buildings and freestanding signs are set back from property lines, streets or street right-of-way lines (see Section 184).
- ~~NA~~ 4. Principal side(s) building elevations for typical units of new buildings or exterior remodeling of existing buildings, showing building heights (see Section 186) and proposed wall sign or window sign area;
- ~~NA~~ 5. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures.
- ~~NA~~ 6. Elevation in relation to means sea level to which any non-residential structure will be flood-proofed.
- ~~NA~~ 7. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.
- ~~NA~~ 8. The location and dimensions of all recreational areas provided, with each area designated as to type of use;
- ~~NA~~ 9. Areas intended to remain as open space or designated buffer areas (Section 265.)
- ~~NA~~ 10. Streets, labeled by classification (see Section 210) and street name showing whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths. Private roads in subdivisions shall also be shown and clearly labeled as such.
- ~~NA~~ 11. Curbs and gutters, curb inlets and curb cuts, drainage grates, and other storm water or drainage facilities, including manholes, pipes, drainage ditches, retention ponds, etc.
- ~~NA~~ 12. Sidewalks and walkways, showing widths and surface material.
- ~~NA~~ 13. Bridges.
- ~~NA~~ 14. Outdoor illumination with lighting fixtures sufficiently identified to demonstrate compliance with Section 242.
- ~~NA~~ 15. Underground utility lines, including water, sewer, electric power, telephone, gas, cable television. Water and sewer pipeline signs shall be labeled.
- ~~NA~~ 16. Aboveground utility lines and other facilities.
- ~~NA~~ 17. Fire hydrants.
- ~~NA~~ 18. Dumpsters.
- ~~NA~~ 19. New contour lines resulting from earth movement (shown as solid lines) with no larger than five foot contour intervals (existing lines should be shown as dotted lines).
- ~~NA~~ 20. Scale drawings of all signs requiring permits pursuant to Article XVII, together with an indication of the location and dimensions of all such signs.
- ~~NA~~ 21. Vehicle accommodation areas (including parking areas, loading areas, and circulation areas, see Section 290), all designated by surface material and showing the dimensions and layout of proposed parking spaces and the dimensions and direction of travel of lanes, aisles, and driveways.

Town of Fairview - Major Development Permit Checklist

- NA 22. Proposed plantings or construction of other devices to comply with the screening requirements of Article XIX, Part I, as well as proposed plantings of trees to comply with the shading requirements of Article XIX, Part II. Plans shall label shrubbery by common or scientific name, show the distance between plants and indicate the height at the time of planting and expected mature height and width. Plans shall label trees by common or scientific name, show the circles of the mature crowns (major trees shall be drawn at diameter = 30'; dwarf or decorative trees shall be drawn at their actual mature crown), and indicate the height at the time of planting.

Comments/Explanation for items not checked in section above:

Documents and Written Information in Addition to Plans

- ✓ 1. Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person.
- ✓ 2. Certifications from the appropriate agencies that proposed utility systems are or will be adequate to handle the proposed development, as set forth in Article XV, and that all necessary easements have been provided.
- NA 3. For proposed non-residential flood proofed structures, or for enclosed areas below the lowest floor that are subject to flooding, certification from a registered professional engineer or architect that the proposed structure meets the criteria in Article XVI, Section 254(d), (f).
- NA 4. Certification and supporting technical data from a registered professional engineer demonstrating that any proposed use within a floodway if permitted under Article XVI, Section 253, shall not result in any increase in flood levels during occurrence of the base flood discharge.
- ✓ 5. Legal documentation establishing homeowners associations or other legal entities responsible for control over required common areas and facilities.
- EDH 6. Bonds, letters of credit, or other surety devices. *NONE REQUIRED*
- EDH 7. Stamped envelopes containing the names and addresses of all those to whom notice of a public hearing must be sent to comply with Section 22, 102, or 323. *TOWN WILL HANDLE*
- NA 8. Complete documentation justifying any requested deviation from specific requirements established by this ordinance as presumptively satisfying design standards.
- NA 9. Written evidence of permission to use satellite-parking spaces under the control of a person other than the developer when such spaces are allowed pursuant to Section 298.
- NA 10. Written evidence of good faith efforts to acquire satellite parking under the circumstances set forth in Section 299.
- NA 11. Verification that Manufactured Goods, Class 1 and 2 uses will meet the supplementary standards set forth in Article XI. Such verification shall be made by a licensed engineer or other qualified expert unless it is utterly apparent from the nature of the proposed development that such expert verification is unnecessary.
- NA 12. Time schedules for the completion of phases in staged development, as required by Section 61.
- NA 13. The environmental impact of a development, including its effect on historically significant or ecologically fragile or important areas.
- NA 14. The traffic of a development, including its effect on pedestrian or vehicular traffic or congestion.

Comments/Explanation for items not checked in section above:

STATE OF NORTH CAROLINA

UNION COUNTY

RESTRICTIVE COVENANTS OF SIKES MILL CROSSING II

WHEREAS, Andrew H. Helms and Katie M. Helms (hereinafter, collectively called "Developer") are the owners of certain property in Union County, North Carolina being all of Lots 1 through 8 of Sikes Mill Crossing II (hereinafter, each a "Lot") which is more particularly described by plat thereof recorded in Plat Cabinet N, File 708, in the Union County Registry, to which reference is hereby made for a more complete description (hereinafter, collectively the "Subdivision"); and

WHEREAS, Developer desires to place and impose certain protective covenants and restrictions upon the Subdivision for the use and benefit of the individual owners, their successors and assigns and future owners of the lots in the Subdivision.

NOW THEREFORE, in consideration of the mutual covenants and the agreements herein Developers hereby contract covenant and agree with all other persons, firms or corporations now owning or hereafter acquiring any property in Sikes Mill Crossing II subdivision and does hereby impose upon all of the lots known as Sikes Mill Crossing II subdivision, said property being Lots 1 through 5 as shown on a map thereof recorded in Plat Book N, File 708 Union County Registry the following covenants and restrictions upon each and all lots in said subdivision:

1. These covenants are to run with the land and shall be binding on all parties and all persons, firms or corporations claiming under them for a period of twenty (20) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years, unless and instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part and the major development permit with the town of Fairview is amended.

2. All of said property shall be used for single family residential purposes only and no structure shall be erected, altered, placed or permitted to remain on any residential building lot within the subdivision other than one single family dwelling of construction not to exceed two and one half stories in height and not more than one garage or accessory structure customarily incidental to residential use of the lot. Any garage and other accessory structure shall be constructed so that the outward appearance of the structure is in keeping with the general architecture as the residence on said lot. Each such garage or other accessory structure shall be no more than twenty-four (24) feet by twenty-four (24) feet. Each dwelling shall have a permanent brick rock or stone foundation with steps constructed of the same material, provided, however, that in the event that the residential structure has a wooden front porch entry way, the steps on said porch may be constructed of wood. Each dwelling shall be connected to the

subdivision road or adjoining street or road by a concrete or asphalt driveway.

3. No trailer, modular home, mobile home, tent, shack, or similar structure shall be erected or maintained on any Lot.
4. No residence in the subdivision shall be erected or allowed to remain on any of the lots which is less than one thousand four hundred (1,400) square feet of heated space, exclusive of garages and porches.
5. The setback provisions noted on the subdivision plat will control, unless they are less restrictive than the Fairview Zoning and Subdivision Ordinance or such rules and regulations as may apply through the Fairview Planning and Zoning and or the Building and Inspection Department. In the event such rules and regulations are different than designated on the recorded plat; the setbacks shall be regulated by the rules, regulations and ordinances of Fairview, provided that such are more restrictive.
6. Easements for installation and maintenance of utilities and drainage facilities are reserved over the rear ten (10) feet of each lot, over the side five (5) feet of each lot, and the front ten (10) feet of each lot. Within these easements, no structure, planting or other materials shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may change the direction of flow of surface water.
7. No chain-link fences shall be permitted within the Subdivision except as may be necessary to enclose tennis courts or other similar amenities, and even then, if chain link fence is used, it must, itself, be adequately and thoroughly screened from view by appropriate landscaping and plant-life.
8. No satellite dish or similar device may be located on any lot except a Direct Satellite Service (DSS) or satellite dish either of which is 30 inches in diameter or less. Satellite dishes must be located to the rear of the dwelling, In the event that the dish is ground mounted it shall not be visible from the street and must be fully enclosed or surrounded by an appropriate structure or by shrubbery and/or trees of sufficient size and height so as to screen said satellite dishes from view.
9. No sign of any description shall be displayed upon any Lot with the exception of signs "For Rent" or "For Sale", which signs shall no exceed two (2) feet by three (3) feet in size.
10. No portion of any Lot shall be used or maintained as a dumping ground for rubbish or other refuse. Trash, garbage and other waste shall be kept in sanitary containers. There shall be no storing of any lawn or garden equipment except within a garage or accessory building. In addition no portion of a Lot shall be used for the storage of building materials. No supplies used in a trade or business shall be stored on any Lot.
11. No unlicensed, uninspected or inoperative, stripped, partially wrecked motor vehicle or junk motor vehicle shall be permitted to be parked or shall be permitted to be kept on

any Lot or any street within the Subdivision. Such vehicles may be kept on a Lot, provided it belongs to the property owner and is stored within a garage.

12. There shall be no permanent parking of any motor vehicle on any street of the Subdivision.

13. No tractor-trailer rigs, trailers, dump trucks or buses shall be stored or parked on any Lot or street of the Subdivision.

14. No above ground pools other than inflatable children's play pools shall be permitted to be erected or maintained on any Lot in the Subdivision.

15. All driveways on each Lot shall be paved with asphalt or concrete.

16. Wooden decks are permitted only on the rear of the main residential structure and steps to the deck may be constructed of wood, brick or stone.

17. Owners of Lots that require separate septic lots (if any) shall maintain those lots and keep the grass cut on said lots. All plumbing fixtures, laundry and dishwashers, toilets or sewage disposal systems shall be connected to a septic tank sewage system constructed by the tract owner and approved by the appropriate governmental authority unless public sewage becomes available in the subdivision.

18. No noxious or offensive trade or activity shall be carried upon any Lot, nor shall anything be done thereon which may become an annoyance or nuisance to the Subdivision and/or owners of other Lots, to include, but not limited to, the discharge of firecrackers and similar activities, and no animals or poultry or livestock of any kind or description shall be kept or maintained on any Lot or any other portion of the Subdivision except customary household pets such as dogs and cats; provided no household pets shall be kept within the Subdivision for commercial breeding purposes.

19. No right of way or easement for egresses and ingress shall be granted by the owner of any Lot to create access by adjoining landowners not a part of this original subdivision to the Subdivision's streets (if any).

20. So long as Declarant owns one (1) Lot in the Subdivision, Declarant shall have the right to approve the plans for any improvements built on a Lot (including but not limited to residential structures, garages, accessory buildings, and fences), the location thereof, and the materials used in construction of said improvement. The owner of any Lot proposing to build an improvement shall submit plans, including examples of building materials to Declarant by first class mail, return receipt requested or overnight delivery at the following address: 1504 Tom Helms Road, Monroe, NC 28110, or such other address as Declarant shall designate. Declarant shall have thirty (30) days to approve, disapprove or request additional information from such owner. If Declarant does not respond to such owner within thirty (30) days of receipt of a request for approval, said request shall be deemed approved.

21. Declarant reserves the right to add the additional property listed in Exhibit A to these restrictive covenants by filing a supplemental declaration in the Union County Registry. Upon the filing of such supplemental declaration, the additional property listed in Exhibit A shall be incorporated into the definition of Subdivision herein and any platted lots within such additional property shall be included in the definition of Lots herein.

22. These restrictive covenants may be enforced in law, or equity by any aggrieved party owning a Lot in the Subdivision, jointly or severally, and the invalidation of any of these restrictive covenants by judgment of a Court shall in no way effect any of the other provisions herein contained, which shall remain in full force and effect, further, any such action shall be entitled to be awarded reasonable attorney's fees as a part of such action.

23. These restrictive covenants may be amended in whole or in part by recording in the Union County Registry, of a written instrument agreeing to amend said covenants signed by seventy-five percent (75%) of the then owners of the Lots in the Subdivision, provided, however, Developer reserves the right to amend, delete or change these restrictive covenants, in whole or in part so long as it owns one (1) Lot in the Subdivision and the major development permit with Fairview is amended.

IN WITNESS WHEREOF, Developers have hereunto set their hands and seals, the
_____ day of _____, 2018

_____ Andrew H. Helms

_____ Katie M. Helms

STATE OF NORTH CAROLINA COUNTY OF UNION

I, the undersigned, a Notary Public of the County and State aforesaid, certify that Andrew H. Helms and Katie M. Helms, personally appeared before me this day, acknowledging to me that he/she voluntarily signed the foregoing instrument for the purpose stated therein and in the capacity indicated.

This _____ day of _____, 2018.

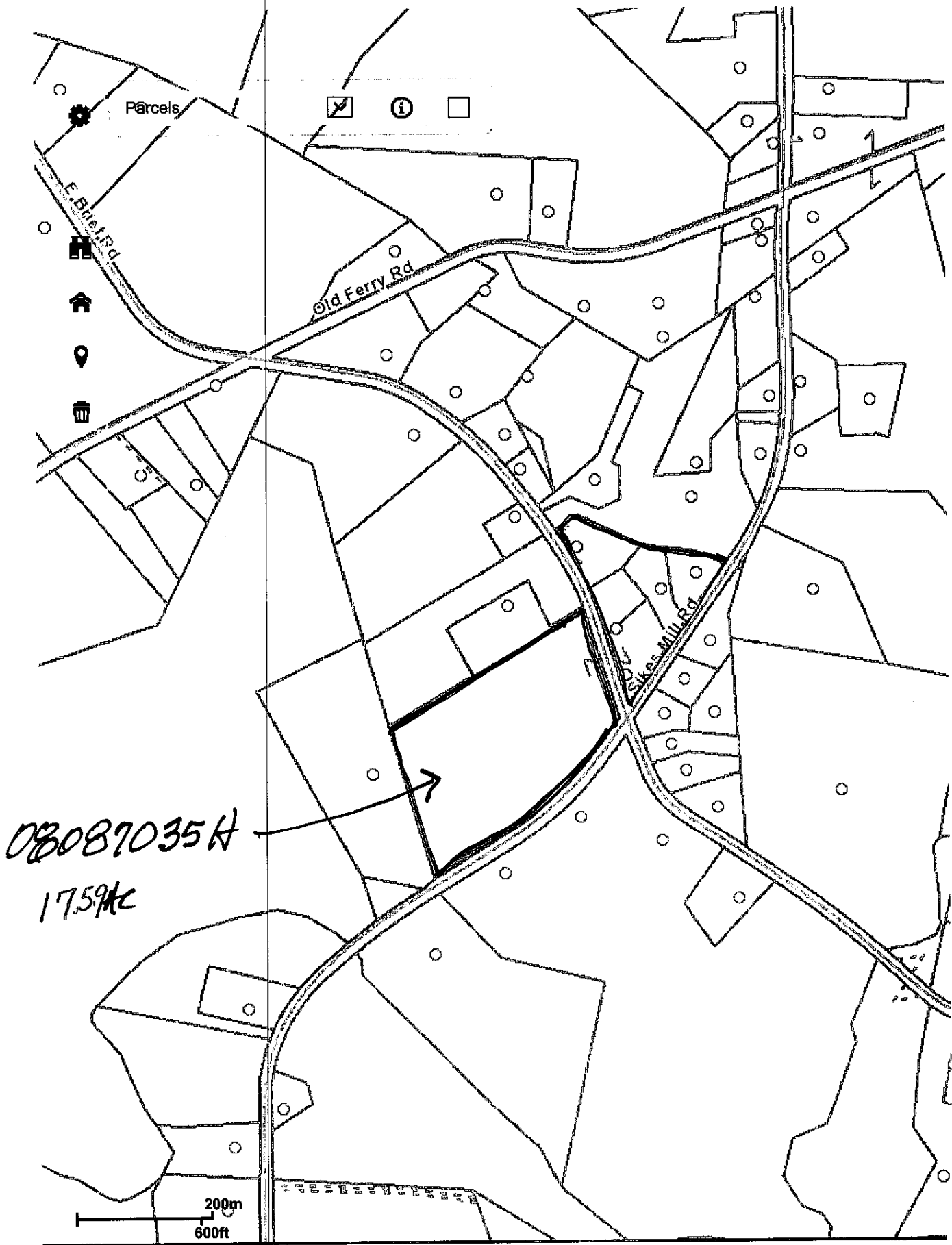
_____ Notary Public Typed or
printed name of Notary: _____

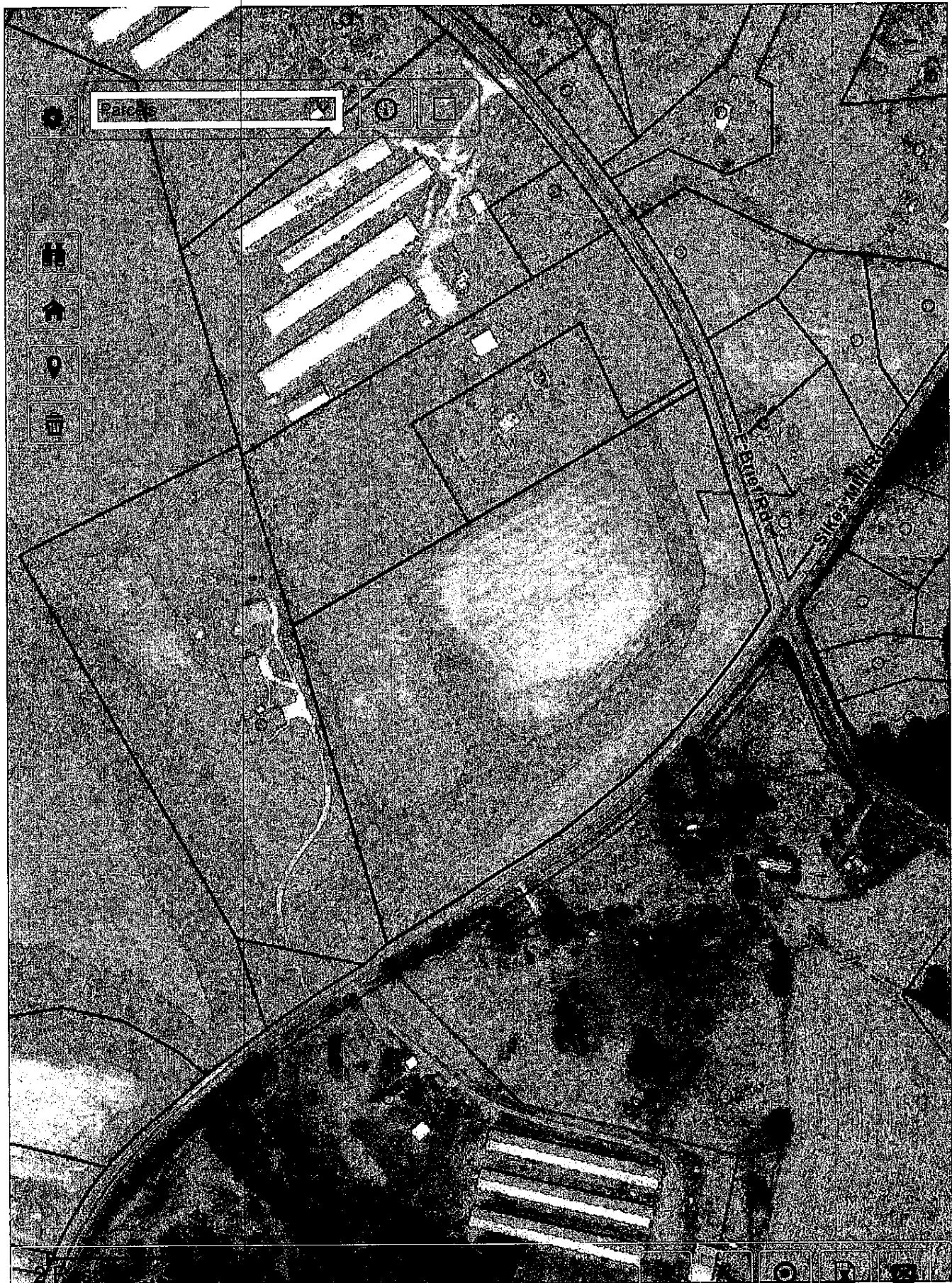
My commission expires: _____

Exhibit A**Additional Property**

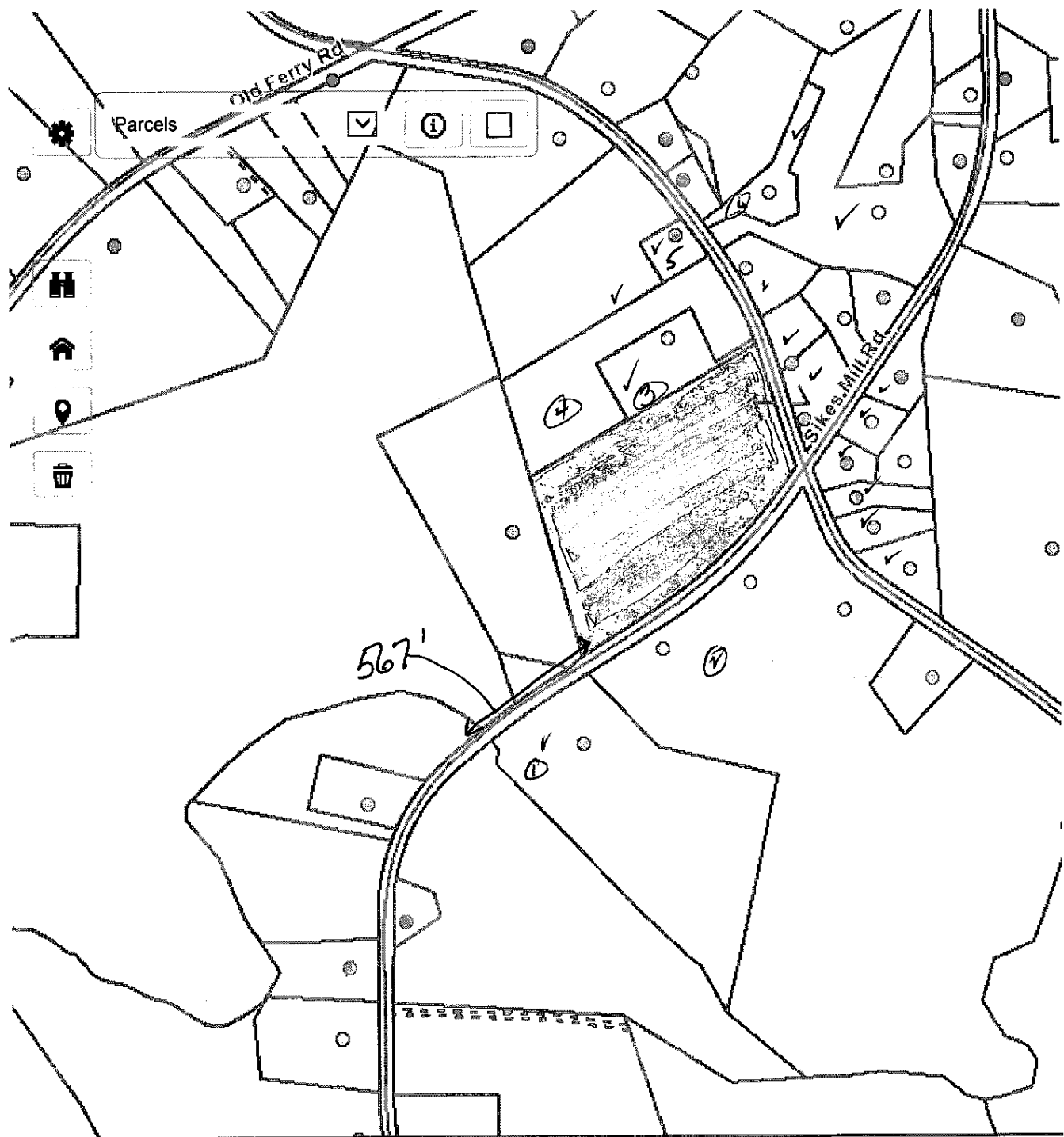
BEING described as New Parcel 1 and containing 17.590 acres, as shown on that plat, plan or survey entitled "Minor Subdivision Survey for G. Gordon Love and wife, Donna B. Love, Penny N. Love and Jimmy R. Carter", made by Michael Bron Hyatt, NCPLS, dated October 31, 2016 and recorded in Plat Cabinet N at Page 603 of the Union County Registry, to which plat reference is hereby made for a more complete description.

For deed reference see Deed Book 923, Page 242 and Deed Book 1250, Page 668 of the Union County Registry.





39



- ① Rodney Love 5620 Sikes Mill Rd
- ② Joe Love 5718 " "
- ③ Millie Drake 3104 Briar Rd
Wilson
- ④ Sam
- ⑤ Russell Drake 3018 E Briar
- ⑥ Frances Kiker 3021 E Briar

200m
600ft

40

Helms Partners, Inc. Douglas O. Helms

3721 Ridge Road Indian Trail, NC 28079

704-363-8765

Mr. Brock,

NC DOT

Thank you for speaking with me today on the phone regarding access for spec homes we are hoping to build. There will be a total of 8 houses of which 3 will face East Brief Road and 5 will face Sikes Mill Road in Monroe, NC. The accesses that we need are for driveways to come off of each of these 2 roads to the homes. I am enclosing a copy of the survey for the above spec homes. I understand from our conversation on Thursday that you will be on vacation next week. Would you please forward to Mr. Lee Ainsworth? Thank you so much. ~~We are planning~~ *CH* [?]

CH

Contact Doug Helms at 704-363-8765. He will be the contractor/builder in charge. Thank you so much.

Cindy Helms

helmspartners@yahoo.com

704-290-9290

Helms Partners, Inc. Douglas O. Helms

3721 Ridge Road Indian Trail, NC 28079

704-363-8765 – President - Douglas O. Helms

Authorization to Act as Agent for Owner

Any application/document/permit requiring a signature must be signed by the property owner or their authorized agent. This form shall be provided by the owner to allow specified individuals to act as agent for the owner. This form also allows the specified individuals to sign or receive any application/document/permit on behalf of the owner and allows the authorized agent to make decisions on behalf of the owner pertaining to modifications permits in the field. It is the responsibility of the owner to assure that any and all permit conditions stated on permits issued by Union County Services are followed.

I, Andrew Helms and Katie Helms, am the legal owners of the property located at Sikes Mill + Brier (address, subdivision and lot #). The tax parcel identifications number(s) is/are 08087035 H located in Union County, North Carolina.

I do hereby authorize Doug + Cynthia HELMS HELMS PARTNERS INC (print agent and company name, if applicable), to act as an agent on my behalf in applying for/signing/obtaining any of the documents associated with Union County Services.

Andrew Helms

7-18-2018

Signature of Owner

Date

Katie Helms

7-18-2018

Signature of Owner

Date

Douglas O Helms
Helms Partners Inc
Cynthia L. Helms
Signature of Authorized Agent

7-18-2018

Date

Public Hearing on CUP 18-057

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

DATE: Aug 21, 2018

CASE #: CUD 18-057	Blossman Gas Company
Applicant(s):	Blossman Gas Company 6109 Wilkinson Blvd Belmont NC 28012
Property Owner(s):	B.B. Haigler Haigler Farms, LLC 9606 Indian Trail Fairview Road Indian Trail NC 28079
Requested Action:	To put wholesale and retail propane gas and storage
Existing Zoning:	RA-40
Requested Zoning:	Condition Use Permit for L-I CUD 18-057 (Ordinance Requires Condition Use Permit Use—Petroleum Bulk Sales and Storage)—Propane gas and storage
Location:	7205 Brent Haigler Road
Property Size:	One Acre (1 ac.)
Tax Parcel(s):	Parcel # 08228025C
Purpose/Narrative:	Company wants to put a large tank for propane gas and storage in Fairview to supply their retail customers that use propane gas in homes and businesses
Surrounding Area Zoning:	Residential, Farming and L-I CUD use
Existing Conditions:	Open (Used for Farming)
Land Use Plan Recommendation:	It is zoned L-1 CUD and can be used for any permitted light industrial use
Compliance with Zoning Ordinance:	Complies with present Zoning Ordinance L-1 CUD Conditional Use permit required

Conditional Use Permit Conditions:	<p>Conditions for Conditional Use Permit:</p> <ul style="list-style-type: none"> • Provide propane and appliances to the Town of Fairview and surrounding areas. • Operate the facility during normal business hours, except for emergencies. • Facility will be open to the public up to weekly on Fridays in order to fill grill cylinders at a discount. • Receive approvals from the NC Department of Agriculture and County Fire Marshall to construct/operate the facility. • Fence will be installed around the loading, unloading, and metered area of the facility. • A Port-A-Jon will be installed to service the staff and limited public access. • A gate will be installed at the entrance to limit access to the property. • Will coordinate with and educate the Fire Department in the safety features of the tank and loading equipment. • Provide a 24-hour phone number for cases of emergency. • The facility will be inspected every business day by Blossman staff. • All driving areas will have gravel for vehicle access. • The facility will have up to 3 employees. • There will be one handicapped, and one customer, and three staff parking spaces.
Staff Recommendation on Application:	<p>Staff would recommend sending a positive recommendation to the Council for Approval with the conditions stated.</p>

Town of Fairview

7400 Concord Highway
Monroe NC 28110

CONDITIONAL USE PERMIT APPLICATION

Fees: \$325 to \$500

Application Number: CUD18-057 Date of Application: Aug 7 2018

I. Applicant / Owner Information

- A. Applicant's Name: Blossman Gas and Appliance
Address: 6109 Wilkinson Blvd., Belmont, NC 28012
Phone: 704-825-4427 Email: RR05E@blossman gas.com
- B. Owner's Name: Blossmas Gas and Appliance
Address: 6109 Wilkinson Blvd., Belmont, NC 28012
Phone: 704-825-4427 Email: RR05E@blossman gas.com

II. Property Information

- A. Property Location: 7205 Brent Haigler Rd., Indian Trail, NC 28079
- B. Tax Parcel Number: 08-225-012
- C. Deed Book 3115 Page 012
- D. Existing Zoning L-1 CUD Proposed Zoning L-1 CUD
- E. Existing Use Farming Proposed Use Petroleum Sales and Storage
- F. Property Size 43,560 / 1.00 acres (Sq. Ft./Acres)
- G. Is a Rezoning Application being submitted with CUP Application? NO

III. Other Required Information (Attach The Following)

- A. Narrative describing the requested conditional use in sufficient detail and a justification that the conditional use meets the standards and intent contained in the Land Use Ordinance.
- B. The owners' names, addresses, the tax parcel numbers use(s), and current Zoning Classifications of all adjoining properties. Please include this information on the Attachment "A" form.
- C. A scaled boundary survey drawn to an appropriate scale prepared by and certified to be correct by a surveyor or engineer registered with the State of North Carolina,

showing dimensions of the property and adjacent lots and streets, the total acreage, present zoning classification(s), date and north arrow. On copies of this survey shall be drawn the following Information:

- (1) All existing easements, reservations, right-of-way and all yard requirements for the zoning district.
 - (2) A site plan showing all existing and/or proposed buildings, storage areas, parking and access areas, proposed size layout and setbacks of land and proposed structures, and proposed number, type, and location of signs. For residential uses this shall include the number of units and an outline of the area here the structures will be located. For nonresidential uses, this shall include the approximate square footage of all structures and an outline of the area where the structures will be located.
 - (3) Traffic, parking and circulation plans, showing the proposed locations and arrangement of parking spaces and access points to adjacent streets. (Shopping Centers, having two (2) or more individual uses shall show the parking spaces, channelization and ratios shown, service areas, off-street loading facilities, service drives and dimensions thereon; and all pedestrian ways.)
 - (4) Landscape plan at the same scale as the site plan showing existing and proposed trees, ground cover and landscape material, proposed screening, and buffering (if applicable) including walls, fences or planted areas as well as treatment of any existing natural features.
- D. Plans and elevations for all proposed structures.
- E. A map at the same scale as the site plan showing the following:
- (a) Delineation of areas within the floodplain as shown on the official flood hazard boundary maps.
 - (b) Accurate mapping of all soil classifications found on the site and general depths thereof. The applicant shall use the same classifications used by the U. S. Department of Agriculture.
 - (c) Existing and proposed topography at five (5) feet contour intervals.
 - (d) Plans for providing potable/public water and for the treatment of wastewater.
- F. Certification from owner of record that applicant has authorization to apply for this zoning action. (This is needed only if the applicant is not the property owner). Certification shall be notarized.

- G. State whether or not the applicant or owner, owns, has a proprietary interest, or in any way has any other contractual interest in any land that is contiguous to the land, which is the subject of this request. If so, please provide a sufficient legal description of such land and state the interest of the applicant or owner.
- H. Application processing fee of **\$325** for buildings 1000 square feet or less and **\$500** for buildings 1001 square feet or more. Attach check, payable to the *Town of Fairview*, Attn: Ed Humphries 7400 Concord Highway Monroe NC 28110

Comments: _____

I, the undersigned owner or authorized representative, hereby submit this application with the attached information. The information and documents provided are complete and accurate to the best of my knowledge.

8-7-2018
DATE

Robert M. Rose
SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

(The Following Information is to be Completed by the Land Use Administrator)

RECOMMENDATIONS OF THE PLANNING BOARD:

Planning Board Meeting - 8/21/2018

PUBLIC HEARING DATE:

Sept 10

Notice of Public Hearing Published On:

29 & 3/82

Notices to Applicant and Adjoining Property Owners Mailed on:
(Verification Attached)

N/A

CONDITIONS

- Provide propane and appliances to the Town of Fairview and surrounding areas.
- Operate the facility during normal business hours, except for emergencies.
- Facility will be open to the public up to weekly on Fridays in order to fill grill cylinders at a discount.
- Receive approvals from the NC Department of Agriculture and County Fire Marshall to construct/operate the facility.
- Fence will be installed around the loading, unloading, and metered area of the facility.
- A Port-A-Jon will be installed to service the staff and limited public access.
- A gate will be installed at the entrance to limit access to the property.
- Will coordinate with and educate the Fire Department in the safety features of the tank and loading equipment.
- Provide a 24-hour phone number for cases of emergency.
- The facility will be inspected every business day by Blossman staff and annually by the NC Department of Agriculture.
- All driving areas will have gravel for vehicle access.
- The facility will have up to 3 employees.
- There will be one handicapped, and one customer, and three staff parking spaces.

- F. An email from the landlord is on the next page.
- G. The lessee does not have a proprietary or contractual interest in any land that is contiguous to the subject property. There is a 10 year lease with extension options only on the subject property.
- H. The application fee has been paid to the Town of Fairview.

Mitch Rose

From: Michael Maxson
Sent: Tuesday, August 7, 2018 1:07 PM
To: Mitch Rose
Subject: Fwd: Land Lease

Sent from my iPhone

Begin forwarded message:

From: Jan Bb <bbhaigler@gmail.com>
Date: August 7, 2018 at 1:01:09 PM EDT
To: Mike Maxson <mmaxson@bloosmangas.com>, "Mitch Rose. Bloosman"
<rose@bloosmangas.com>
Subject: Land Lease

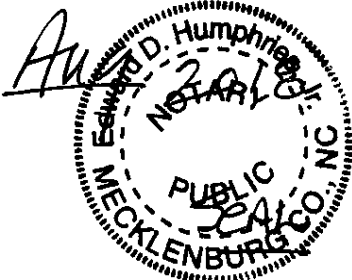
To whom it may concern:

B. B. Haigler and C. Jan Haigler, doing business as Haigler Farms LLC, 9906 Indian Trail-Fairview Rd., Indian Trail, N. C., 28079 agree to lease app. 1 ac. of land on Brent Haigler Rd. to Blossman Gas and Appliance Co., 6109 Wilkenson Blvd., Belmont N.C. 28012

BB Haigler C. Jan Haigler
BB HAIGLER C. JAN HAIGLER

DATE

Signed in my presence this 9th day of



Edward D. Humphries
NOTARY
COMMISSION EXPIRES 3/31/2019

1

CONDITIONAL USE PERMIT APPLICATION

BLOSSMAN GAS

III. Other Required Information

- A. Blossman Gas and Appliance is a propane and appliance supplier. We serve Southeast since 1951 with over 70 locations. Blossman currently services this area from Belmont, NC but because of continued growth, would like to install a bulk facility in Fairview. The bulk facility would be for fueling our propane truck for the distribution of propane and for limited retail servicing of the public by filling gas grill cylinders.

First, I would like to describe the delivery cycle of propane to this facility to the end customer.

The propane is transported to the Bulk Plant by Sterling Transport and other carriers and the trucks are similar to the one shown below.



We will have a port-a-jon on-site to primarily take care of our employees needs during working hours. We will be starting with one delivery truck and hope to grow the business to two delivery trucks and one service technician.

This facility is regulated by the Fire Marshall and the North Carolina Department of Agriculture. Both of these entities inspect the facility at least annually. The NC Department of Agriculture approves the location of any new facility and ensures the facility is built according to the regulations.

The site will have one handicapped parking space, one customer parking space, and three employee parking spaces.

B. The adjoining property owners and parcel numbers are shown on the map on the next page. The information requested is listed below.

Haigler Farms, LLC
9906 Indian Trail Fairview Road
Indian Trail, NC 28079

Haigler Building, LLC
9906 Indian Trail Fairview Road
Indian Trail, NC 28079

Smith Brothers
3325 Smith Farm Road
Matthews, NC 28105

C. A scaled boundary survey drawn by Jeffery S. Gordon Surveying is shown on the next page.

(1) All easements, reservations, right-of-way and yard requirements are included on the survey.

Once the truck arrives it is pumped into the 30,000 gallon bulk tank at the facility. The Bulk tanks are shown below in a picture taken at our Belmont location this past winter.

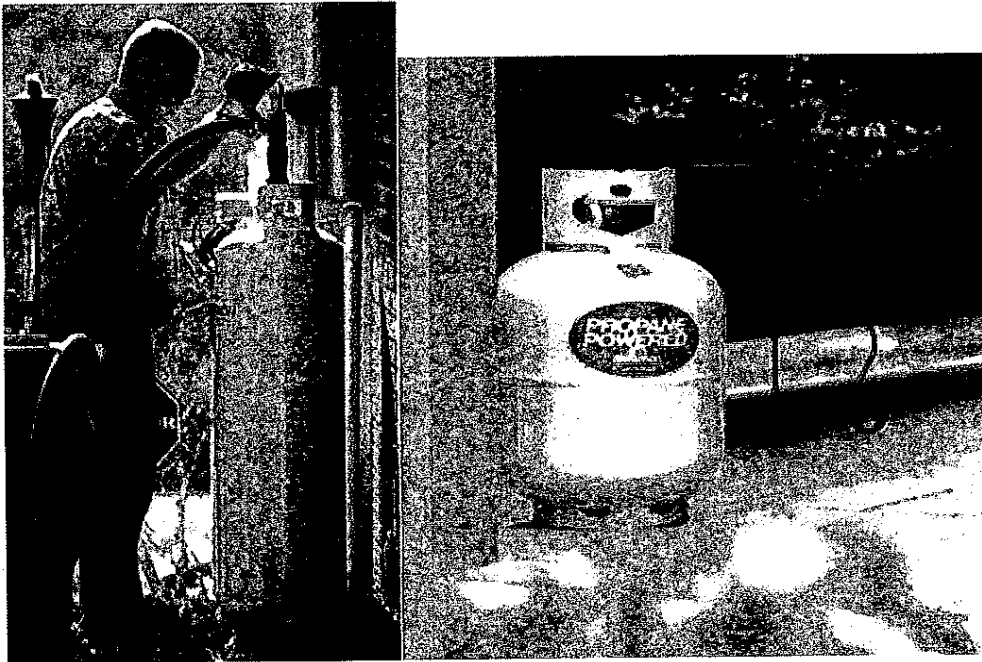


The propane is stored in the tank until one of our delivery truck, bobtails, deliver the product to a home, business, or a commercial facility. The picture on the next page is one of the trucks currently located at our Belmont location.



The types of tanks that receive the propane are shown below.

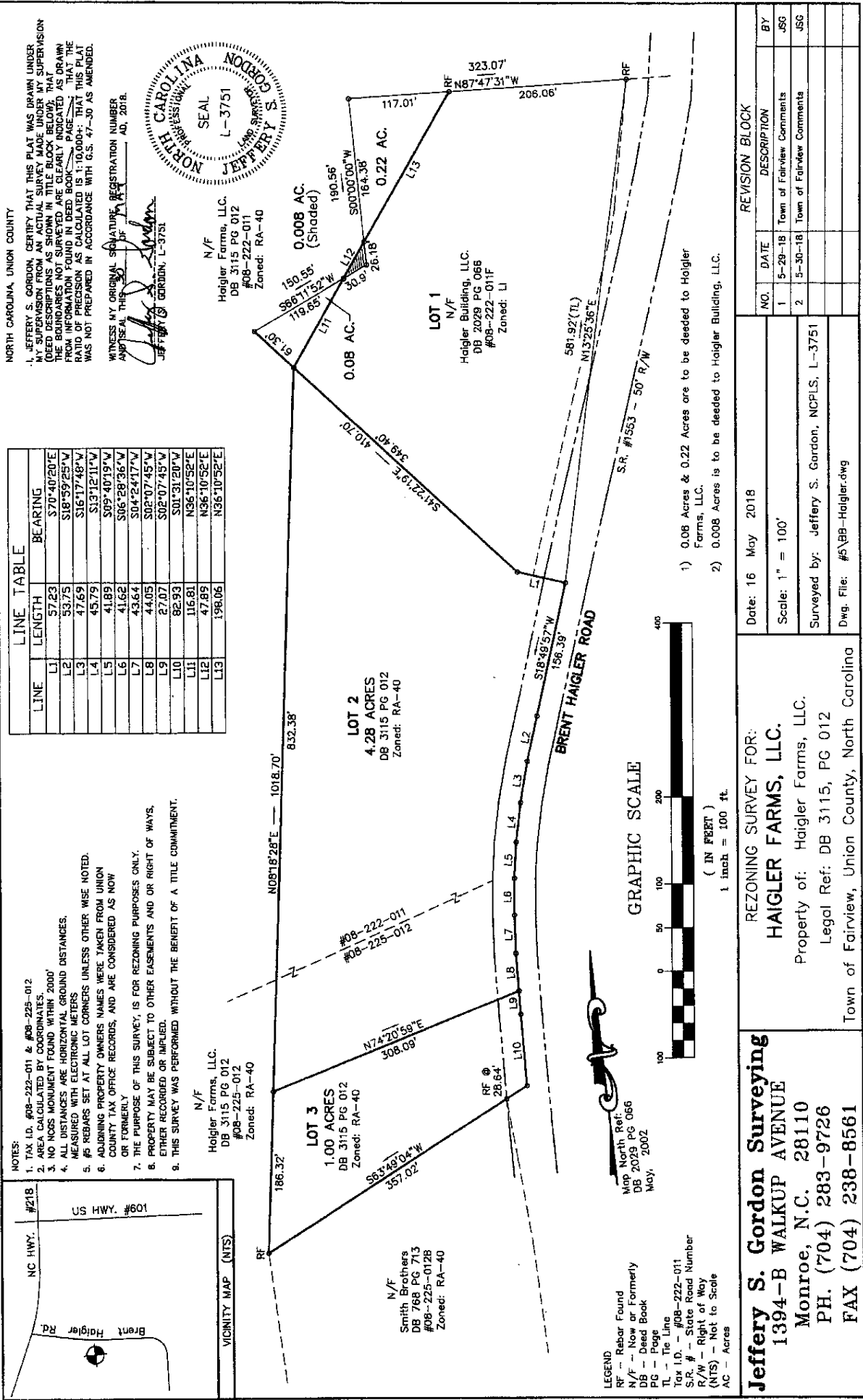


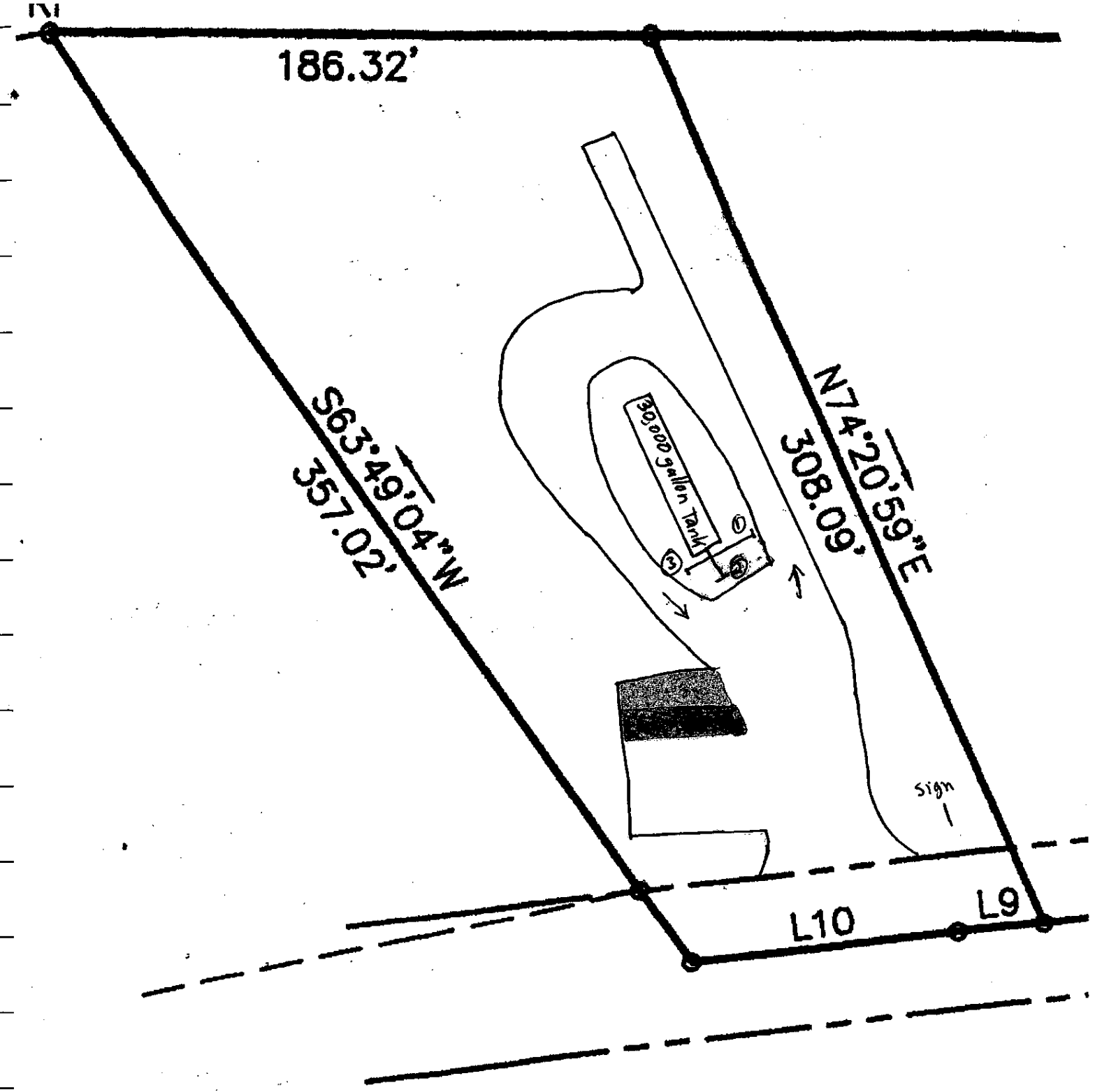


This bulk facility will service Mecklenburg, Union, Cabarrus, Stanley, Anson Counties in North Carolina and York, Lancaster, and Chesterfield Counties in South Carolina.

Propane is a very versatile product that is produced as a byproduct of drilling for Crude Oil and Natural Gas. Propane boils at -44 degrees Fahrenheit so it turns into a vapor when it is not confined and is therefore not a risk to the environment through spills/leaks. This characteristic make propane useful in many different ways. Some examples of propane uses are for heating homes, commercial applications, chicken houses, forklifts, gas logs, automobiles, refrigeration, grilling, mobile food trucks, etc.

One of the benefits to the public and our customers is filling grill cylinders for \$5 for customers on the custom payment plan plus and \$7 for others. This will be offered at our facility at least once every 2 weeks, if not more often.





Proposed Blossman Location

- Key
- Unloading
 - ② Loading
 - metered sales
 - - Handicapped Parking
 - ▬ - Employee Parking
 - - - Fenced Area

Not to Scale

Public Hearing on Financing Agreement

**STATE OF NORTH CAROLINA
DEPARTMENT OF STATE TREASURER**

*State and Local Government Finance Division
and the Local Government Commission
3200 Atlantic Ave, Raleigh, North Carolina 27604*

**APPLICATION FOR APPROVAL OF INSTALLMENT PURCHASE
OR LEASE CONTRACTS**

CHECK ONE:

☐ G. S. 160A-19

☒ G. S. 160A-20

☐ G. S. 153A-165

1. Unit Fairview Population 3600 Date Sept. 20, 2018
2. Project Description To purchase property next to present park for future development (65 acres)
3. Necessity _____
4. Principal Amount to be Financed \$600,000
5. Interest to be paid during life of contract \$187,200
6. Amount due throughout life of contract \$40,000 principal +
3.9% interest for 15 years
(i.e., amount of periodic payment times number of payments. Should
also be the total of 4 + 5 above.) ** See Amortization Schedule
7. Estimated increase in tax rate by reason of proposed financing \$ None. If other funding
sources are anticipated, explain in one of the following forms:
☐ LGC-108C Revenue Projection for Water and Sewer
☐ LGC-108D Revenue Project for Other Enterprises
☐ LGC-108E Repayment Plan for Non-Enterprise Purposes
8. Term of contract including options to renew (if any) 15 years
9. Basis of design and estimated cost of project (engineer) _____

Date construction bids will be opened N/A

10. Capital budget based on estimates as of

<u>Estimated Cost</u>		<u>Funding Sources</u>	
Construction Cost	\$	Loan	<u>\$600,000</u>
Engineer or Arch. Fees .....	.....	Grants (indicate source) .....	.....
Land and Rt.-of-way	<u>650,000</u>	.....	.....
Special Counsel Fees .....	.....	.....	.....
Other Legal/Fiscal Cost .....	.....	.....	.....
Administrative Cost .....	.....	.....	.....
Capitalized Interest .....	.....	Available Cash/Down Payment	<u>50,000</u>
Contingency .....	.....	Other .....	.....
.....
Total	<u>\$650,000</u>	Total	<u>\$650,000</u>

60

11. The attached are furnished in support of this application:

- ☒ a. Certified copy of governing body resolution making necessary findings and authorizing the contract.
- ☒ b. Publisher's Affidavit of the Notice of Hearing.
- ☒ c. Certified copy of minutes of hearing.
- ☒ d. Certified net debt statement.
- ☒ e. Certified fiscal information by finance officer.
- ☒ f. Revenue projections on repayment plan, Form 108E.
- ☐ g. Engineer's or architect's report establishing feasibility, if applicable.
- ☒ h. Proposed financing contract.
- ☒ i. Completed IRS form 8038-G (2 copies) (To be provided at loan closing).
- ☒ j. Unit Attorney's Opinion.
- ☐ k. Fee Arrangement Letters:
 - ☐ Special Counsel
 - ☐ Banker/Underwriter
- ☒ l. Independent appraiser's report if applicable.
- ☒ m. Bid specifications and summary of competitive bids from contractors.
- ☒ n. Bid specifications and summary of competitive bids from banks and other financial institutions.
- ☐ o. Required licenses and permits.
- ☐ p. Evidence that plans and specs have been approved by appropriate State agencies.
- ☐ q. Other: Specify _____
- ☐ r. Engineer's/Architect's engagement letter (fee arrangement) and a copy of proposed contract
- ☒ s. Application fee for installment/lease purchase agreement contract. Attach check for appropriate amount.
 - ☒ \$1,250 for private placement.
 - ☐ \$12,500 for public offering.

12. Current audited financial statements have been received by Fiscal Management. **Audit Reports are due October 31 each year.** For units with a calendar year or fiscal year not ending on June 30, audited financial statements should be received within four months of year-end. Yes ☒ No ☐

13. Unit's Attorney Joe McCollum Telephone 704-283-8148 Fax _____
Address P.O. Box 308, Monroe, NC Zip 28111

14. Financing contract/agreement with Harry & Sandra Haigler

Contact Person Harry Haigler (hhaigler@uci.edu)
Telephone 949-274-0140 Fax _____

15. Consulting Firm N/A
(Architect or Engineer)
Contact Person N/A Title _____
Telephone _____ Fax _____

16. Unit's Authorized Agent Mayor Phillip Thomas
Title Mayor Telephone 704-993-8276 Fax _____
Address c/o Town of Fairview, 7400 Concord Hwy., Monroe, NC Zip 28110

This application and supporting documents are deemed to be true and accurate to the best of my knowledge and belief.

Phillip C Thomas
Signature of Authorized Agent
(As Designated by Board)

8-21-18
Date

61



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 Councilman Jerry Clontz, seconded by Councilwoman Patricia Kindley and passed by a vote of 3 to 0.


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



7/9/18
Date

**Town of Fairview Capital Improvement Plan
For Balance of Fire Truck & Purchase of Land**

Project	Total							Future Years		
	Costs	Revenue Source	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	Payments		
Fire Truck Debt Payment	52,569	General Fund	\$52,569	\$52,569	\$52,569	\$0	\$0			
Parkland Purchase (65 acres)	650,000	Fund balance for 3 yrs	\$50,000	\$63,400	\$61,840					
		Annual Budget for 12 yrs				\$60,280	\$58,720	\$40,000 plus interest @ 3.9%		

STATE OF NORTH CAROLINA
DEPARTMENT OF STATE TREASURER

*State and Local Government Finance Division
and the Local Government Commission
3200 Atlantic Ave, Raleigh, North Carolina 27604*

REPAYMENT PLAN FOR NON-ENTERPRISE PROJECTS

Complete if the proposed financing is for non-enterprise purposes. List below the available sources of repayment and the amounts available to service debt over a three-year period. Explain in detail and attach supporting schedules.

AVAILABLE AMOUNT

<u>Available Sources</u>	<u>Fiscal Year 19/20</u>	<u>Fiscal Year 20/21</u>	<u>Fiscal Year 21/22</u>
<u>Fund Balance</u>	\$ <u>377,619</u>	\$ <u>314,219</u>	\$ <u>246,379</u>
<u>Additional Revenue of Fire Truck Payment</u>			<u>52,569</u>
Total Amount Available	\$ <u>377,619</u>	\$ <u>314,219</u>	\$ <u>298,948</u>
Debt Service Amount	\$ <u>63,400</u>	\$ <u>61,840</u>	\$ <u>60,280</u>

Amortization of Payments

Fiscal Year	Principal	Interest (3.9%)	Payment	Balance
19-20	\$600,000	\$23,400	\$63,400	\$560,000
20-21	\$560,000	\$21,840	\$61,840	\$520,000
21-22	\$520,000	\$20,280	\$60,280	\$480,000
22-23	\$480,000	\$18,720	\$58,720	\$440,000
23-24	\$440,000	\$17,160	\$57,160	\$400,000
24-25	\$400,000	\$15,600	\$55,600	\$360,000
25-26	\$360,000	\$14,040	\$54,040	\$320,000
26-27	\$320,000	\$12,480	\$52,480	\$280,000
27-28	\$280,000	\$10,920	\$50,920	\$240,000
28-29	\$240,000	\$9,360	\$49,360	\$200,000
29-30	\$200,000	\$7,800	\$47,800	\$160,000
30-31	\$160,000	\$6,240	\$46,240	\$120,000
31-32	\$120,000	\$4,680	\$44,680	\$80,000
32-33	\$80,000	\$3,120	\$43,120	\$40,000
33-34	\$40,000	\$1,560	\$41,560	\$0
		\$187,200	\$787,200	

Fixed Payment amounts of \$40,000

First Payment to be made on January 1st 2020

666

Update Fairview Fall Festival

Update New Office Space