

Regular Meeting – April 16, 2024

The Fairmont Board of Commissioners held their regular meeting on Tuesday, April 16, 2024, at 6:00 p.m. in the Fairmont-South Robeson Heritage Center with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Terry Evans, Melvin Ellison, Clarence McNeill, Jr., Heather Seibles, and Jan Tedder-Rogers. Staff present included Town Manager Jerome Chestnut, Town Attorney Jessica Scott, Town Clerk Jenny Larson, Deputy Town Clerk Rodney Cain, Public Works Director Ronnie Seals, and Police Chief Jon Edwards. Others in attendance included Reverend Steve Johnson, and around 100 citizens.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order at 6:00 p.m. Reverend Steve Johnson, Pastor of Proctorville Baptist Church, gave the invocation, which was followed by the Pledge of Allegiance.

Approval of Agenda

Town Manager Jerome Chestnut asked the board to move Public Comment up before the Evidentiary Public Hearing and to withdraw the Special Use Permit 001-24, Resources for Humanity on Rosewood Drive. Commissioner Ellison made a motion to approve the amended agenda. Commissioner Tedder-Rogers seconded the motion and it passed unanimously.

Public Comment Period/Citizens Appearance

Mace Grantham, 505 Iona Street

Mrs. Mace Grantham has lived in Fairmont for 12 years and is a stay-at-home mom. She uses Church Street to walk and run and is concerned about the long-term consequences of the proposed apartment complex in the currently quiet neighborhood.

Mary Ellen Bass, 305 Delmus Street

Mrs. Mary Ellen Bass is concerned about the three ladies whose property is adjacent to the proposed apartment complex that will only be 25 feet from their property line. She worries that the town's sewer system will not be able to handle the additional 76 apartment units, drainage problems will increase, and that the development will not be in harmony with the existing homes.

Sandra Owens, 705 Church Street

Ms. Sandra Owens lives next to the proposed entrance of the apartment complex and is concerned for her safety.

Nate Thompson, PO Box 960, Fairmont

Mr. Nate Thompson feels Fairmont is starting to thrive and that the board should consider the thoughts of the majority instead of the opinions of a few.

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Shep Oliver, Fairmont Rotary Club

Mr. Shep Oliver announced the Fairmont Rotary Club has voted to provide internet services to the Fairmont-South Robeson Heritage Center for one year at a cost of \$2,000.

Scott Ivey, 706 Church Street

Mr. Scott Ivey feels the citizens have had no voice in their concerns about the proposed apartment complex. He is also worried about increased flooding from overgrown drainage canals.

Gina Leggett, 904 East White Pond Road

Ms. Gina Leggett wondered how the town would pay for a ladder fire truck that would be required due to the apartment complex being three stories. She also fears the residents of the apartment complex will be selling drugs near the Little League ballfield.

Alice McNair, 706 Stafford Street

Ms. Alice McNair lives on Stafford Street near the Old Field Canal. She said her yard floods every time it rains and has washed away three loads of dirt. She also complained about overgrown yards and snakes in her neighborhood.

Vanessa Abernathy, 604 Floyd Street

Ms. Vanessa Abernathy said the board should develop a vision for Fairmont in preparation for the 2030 census and to incorporate plans for public transportation when considering new housing developments.

Chris Mitchell, 708 Church Street

Mr. Chris Mitchell is against the proposed apartment complex because our sewer system can't handle it, the police department will be overwhelmed, and flooding will increase.

Bishop J.J. Moultrie, Pastor of Oak Grove Missionary Baptist Church

Bishop J.J. Moultrie stated that affordable housing with variable rent based on income is needed in Fairmont. He asked the board to consider the citizens of Fairmont as a whole and not just the residents of Church Street when deciding on the special use permit for the apartment complex.

Henry Bernacki, 405 Mitchell Street

Mr. Henry Bernacki is concerned about infrastructure and crime with the proposed apartment complex and feels the residents are not getting answers to their questions about the development.

Shea Ann DeJarnette, 401 West 34th Street, Lumberton

Ms. Shea Ann DeJarnette cares for Mrs. Joyce Russ, who lives on Friendly Street. She stated that since the announcement of the proposed apartment complex Mrs. Russ is scared to go into her backyard. She urged the board to vote no on the development and look at other options.

Public Evidentiary Hearing - Special Use Permit 002-24 – Michael Walters, Church Street

Commissioner McNeill made a motion to go into the Public Evidentiary Hearing on Special Use Permit 002-24, Michael Walters, Proposed Multi-Family Housing on Church Street, at 6:58 p.m. Commissioner Ellison seconded the motion and it passed unanimously.

Town Manager Jerome Chestnut announced that the Public Evidentiary Hearing for the special use permit is statutorily authorized by NCGS Chapter 160D-406 and Fairmont Zoning Ordinance, Article 6. The only people authorized to present testimony are the applicant and adjacent property owners. Mr. Chestnut stated for the record that town staff had no issues with the proposed apartment complex and the Fairmont Planning recommended approval at their meeting on April 4, 2024.

Town Attorney Jessica Scott swore in the following people to make statements in the case: Gabrielle Lazarus, Leslie Heasley, and Dixon Ivey.

Ms. Gabrielle Lazarus spoke on behalf of property owner Michael Walters and developer, Chatham Banks Development. Their goal is to provide affordable housing for the local workforce. Ms. Lazarus stated the property will have a full-time property manager and maintenance supervisor on call 24/7. There will also be security cameras throughout the property at every angle. She stated the town's sewer system is 100% capable of handling the housing units and the property will be built to withstand a 100-year flood. Stormwater issues are still being studied. The apartment complex will be built using a combination of public and private investments. She emphasized the need for affordable housing for hardworking people and families and that the rent will vary based on income. All potential residents will be screened using strict background and credit checks. The proposed complex will not be completed until 2026. Mayor Kemp asked Ms. Lazarus if the developer would be willing to install fencing to help shield the complex from the existing property owners and she replied in the affirmative.

Mr. Dixon Ivey is a certified zoning official and state building inspector. He asked the board to consider the following when making their decision: will the proposed apartment complex be in harmony with the surrounding area, will it injure property values and will it endanger safety. Mr. Ivey also stated the back part of the property is in a flood zone and will need to be reviewed by engineers.

Ms. Leslie Thompson Heasley, of 414 Friendly Street, stated her family has lived there for 45 years and the property has always flooded. She feels the apartment complex will only increase the flooding. She said her mother and neighbors are terrified and urged the board to vote no.

Commissioner Ellison made a motion to come out of the Public Evidentiary Hearing at 7:24 p.m. Commissioner Tedder-Rogers seconded the motion and it passed unanimously.

Commissioner Terry Evans asked the board to recuse him from voting on the special use permit.

Commissioner McNeill made a motion to approve the applicant’s Special Use Permit 002-24 to allow for multifamily housing in an R-10 district. In making this motion, Commissioner McNeill believes that this project:

1. Will not materially endanger the public health or safety;
2. Will meet all required conditions and specifications;
3. Will not substantially injure the value of adjoining property and that it is a public necessity;
4. Will be in harmony with the surrounding area and compatible with the surrounding neighborhood; and
5. that it will be in general conformance with all adopted plans.

Commissioner McNeill further believes that the proposed development will be consistent with the Town of Fairmont’s Comprehensive Land Use Plan. Commissioner Seibles seconded the motion and it passed with a vote of 4 to 1 as follows:

For:	Commissioner Ellison, McCree, McNeill, and Seibles
Against:	Commissioner Tedder-Rogers
Recused:	Commissioner Evans

Consent Agenda

Upon motion by Commissioner McNeill and seconded by Commissioner Ellison, it was unanimously voted to adopt the following consent agenda items:

- a. Approval of Minutes – Regular Meeting, March 19, 2024, and Special Meeting, April 2, 2024.
- b. Response to LGC Financial Performance Indicators of Concern on the Fiscal Year 2023 Audit.
- c. Budget Workshop meeting schedule for Fiscal Year 2024-2025.

Signed copies of the minutes and letter are hereby incorporated by reference and made a part of these minutes.

Old Business

There was no old business this month.

New Business

There was no new business this month.

Commissioner Input

There was no commissioner input this month.

Mayor Input

Mayor Kemp read a proclamation designating May 5-11, 2024, as the “55th Annual Professional Municipal Clerks Week” and presented copies to Town Clerk Jenny Larson and Deputy Town Clerk Rodney Cain. A signed copy of the proclamation is hereby incorporated by reference and made a part of these minutes.

Announcements

Wednesday, April 17 – Blood Drive/Job Fair, 10:00 a.m. to 3:00 p.m., Fairmont-South Robeson Heritage Center.

Saturday, April 20 – Senior Bingo, 12:00 noon to 2:00 p.m., Fairmont-South Robeson Heritage Center.

Saturday, April 27 – Trash/Litter pickup, 10:00 a.m. to 12:00 noon.

Tuesday, April 30 – Tornado Tank, 6:00 p.m., Fairmont-South Robeson Heritage Center.

Saturday, May 18 – May Day Fun Festival, parade starts at 10:30 a.m., food and crafts all day downtown.

Tuesday, May 21 - Regular Town Board meeting, 6:00 p.m., Fairmont-South Robeson Heritage Center.

Adjournment

There being no further business, Commissioner Seibles made a motion to adjourn the meeting at 7:32 p.m. Commissioner McNeill seconded the motion and it passed unanimously.

Jennifer H. Larson
Town Clerk