TOWN OF TRYON
BOARD OF COMMISSIONERS
TRYON TOWN HALL – MCCOWN MEETING ROOM
OCTOBER 17, 2023

Present: Mayor Pro Tem Chrelle Booker Absent: Mayor J. Alan Peoples, came in at end of meeting

Commissioners Present: Bill Crowell, Bill Ingham Absent: Commissioner Crys Armbrust

Staff Present: Jim Fatland, Town Manager Susan Bell, Town Clerk
Tim Daniels, Planning Director Randall Hodge, Police Chief
Josh Walton, Fire Chief Greg McCool, Public Works Director
William Morgan, Town Attorney

CALL TO ORDER

Mayor Pro Tem Booker called the meeting to order and asked for a moment of silence. Commissioner Ingham led the Pledge of Allegiance.

AGENDA ADOPTION

Mayor Pro Tem Booker asked if there are any additions, deletions or corrections. Being none, she entertained a motion to adopt the agenda. Commissioner Crowell so moved. The motion carried unanimously.

SPECIAL PRESENTATION

Mayor Pro Tem Booker asked if anyone was here representing the Tryon Little Theater. No one is here, so the mayor will present it this Thursday to the Tryon Little Theater's special event recognizing their 75th Anniversary.

PUBLIC HEARING: AN ORDINANCE AMENDMENT TO ALLOW CHURCHES TO HOLD BEFORE AND AFTER-SCHOOL PROGRAMS

Planning Director Daniels reported he has been approached about childcare. It is a typical use for a church. This is for clarification. The addition would be to 4.6 Special Requirements to the Table of Permitted Uses, SR 29. Religious Institutions (churches) A. Child care programs may be provided for children enrolled in five-year-old kindergarten and grades one (1) or above, which are time limited to before and/or after a routine school day, or which extends to full days during school holidays. Before- and/or after-school child care programs shall meet all of the requirements for a child care facility as stated in Chapter 15 of the NC Division of Child Development handbook. The Planning Board met last Thursday and unanimously recommended that we adopt this.

Mayor Pro Tem Booker opened the public hearing. Michael Mizer asked the board to consider programs for 3k and 4k also. There are no programs offered within the school district that have the ability to serve those students. Commissioner Ingham felt there was no problems with adding those students to the ordinance. There were no other comments. Mayor Pro Tem Booker closed the public hearing.

APPROVE/DENY: ORDINANCE TO ALLOW CHURCHES TO HOLD BEFORE AND AFTER-SCHOOL PROGRAMS

Commissioner Ingham made a motion to adopt the proposed ordinance amendment including 3, 4 and 5-year olds. Commissioner Crowell seconded. The motion carried unanimously.

CONSENT AGENDA

Mayor Pro Tem Booker added item i. Parking Prohibited on Lyle Street to the consent agenda. Commissioner Crowell made a motion to accept the consent agenda. (Consent Agenda includes the August 15, 2023 Board of Commissioner minutes, along with the financial report for September, 2023, tax reports and grant status reports for approval and for information purposes only the Tourism Board minutes, the Harmon Field Board minutes and Planning Board minutes). The motion carried unanimously.

STATE BUDGET APPROVAL FOR TOWN SEWER REHAB PROJECTS

Town Manager Fatland reported the state budget as you are aware included $2,223,500 for Hidden Hill sewer rehab, Oak Street sewer rehab, Markham Road and Grady Avenue water and sewer rehab. It was coordinated along with State Senator Moffitt and House Speaker Jake Johnson who were instrumental in getting it on the state budget. Before you tonight, are the engineering contract with Summit Engineering, so that we can get the project designed and out to bid. The second part is approving one project ordinance for all three projects.

Commissioner Ingham made a motion to approve the engineering contract with Summit Engineering and the Project Ordinance. Commissioner Crowell seconded. The motion carried unanimously.

STATE BUDGET APPROVAL FOR SRF LOAN REPAYMENT FOR WATER INTERCONNECT

Town Manager Fatland reported that Jake Johnson worked with the City of Saluda to get $2,304,878 to pay off the loan for the interconnect water line between Saluda, Columbus and Tryon. This is to direct Susan Bell and Jim Fatland to work with Saluda to pay off this loan.

Commissioner Ingham made a motion to approve authorization to work with Saluda to get the loan paid off. Commissioner Crowell so moved. The motion carried unanimously.

RESOLUTION AUTHORIZING BRAEWICK SEWER REHAB CONTRACT AWARD PENDING FUNDING REQUEST

Town Manager Fatland reported this project has been discussed with council before. The second bid received was over budget and he directed WithersRavanel to go back to the state for additional funds. The state has offered the Town a loan for the $612,355 at an interest rate of .18% for twenty years.

His recommendation is to approve resolution authorizing application to NCDWI SRF for financing with the Local Government Commission, approve resolution authorizing the filing of an application with NCDWI for the State Revolving Loan, approve contract award to North American Pipeline Management Inc. in the amount of $2,650,500 subject to approval from NCDWI and LGC, and approve revised Project Ordinance for Braewick Sewer Rehab Project.

Commissioner Crowell made a motion to approve the Resolution Authorizing Application to NCDWI SRF for financing with the Local Government Commission, Resolution Authorizing the filing of an Application with NCDWI for the State Revolving Loan, the contract award to North American Pipeline Management Inc. in the amount of $2,650,500 subject to approval from NCDWI and LGC, and the revised Project Ordinance for Braewick Sewer Rehab Project. Commissioner Ingham seconded. The motion carried unanimously.

GRANT OFFER FROM POLK COMMUNITY FOUNDATION FOR HARMON FIELD OPEN AIR GYM

Town Manager Fatland reported he and Mr. Martinez went to the Foundation to make a presentation asking for a grant to make improvements to the Open-Air Gym at Harmon Field. On September 28, they agreed to $25,000. Additional funds are needed $29,522 for the project. He recommends to accept the grant offer from the Foundation, authorize Town Manager to submit applications to the Dallara Foundation and Rotary Club of Tryon for additional funds. Then he will come back here to amend the budget for any shortfall needed. Harmon Field put up $25,000. The total cost is $79,000. The interior of the Arts and Crafts rental space will be done by Tryon Arts & Crafts to put in a photography studio. The back half will be split into two rooms. One will be used for storage to store tables and chairs, put in a kitchen and a screened in porch area. The county is helping with funding to repave the parking area, along with the Arts and Crafts. He will come back next month to ask, if needed, for the shortfall of funds.

Commissioner Ingham made a motion to accept the offer from the Polk County Community Foundation and authorize the Town Manager to go after grants from the Dallara Foundation and the Rotary Club. Commissioner Crowell second. The motion carried unanimously.

FY24 CAPITAL EQUIPMENT FINANCING FOR POLICE VEHICLES & BUDGET AMENDMENT NO. THREE

Town Manager Fatland reported the town board has already approved the purchase of these three vehicles. The Town, being on the Unit Assistance list with the State Treasurer has to have their approval to purchase anything over $50,000. The Police Chief, Town Clerk and Town Manager had a conference call with three members from the LGC staff last Monday. One of the questions asked was, where are we going to come up with the money. He budgeted zero dollars for investment earnings this year. After three months the town has earned $29,000 with the Capital Trust Fund. He is projecting over $100,000 in investment earnings. The cost for the loan this year is $19,000. They also asked how we are going to afford the payments next year. The loan for the current cars will be paid off in January. He is submitting the paperwork that the LGC staff asked for and is projecting approval. He recommends approve Resolution authorizing application for capital equipment financing with Local Government Commission, approve Resolution authorizing capital equipment financing with HomeTrust Bank for Police vehicles, approve Finance Agreement with HomeTrust Bank and approve budget amendment to provide for loan repayment for principal and interest.

Commissioner Crowell made a motion to approve all items. Commissioner Ingham seconded. The motion carried unanimously.

FY24 CAPITAL EQUIPMENT FINANCING FOR HARMON FIELD LAWN MOWER

Town Manager Fatland reported Harmon Field Board hasn't received a tax rate increase in many years. A lawnmower is needed and he recommended financing the purchase with HomeTrust Bank at an interest rate of 4.34% for 59 months.

Commissioner Ingham made a motion to approve the loan financing with HomeTrust Bank. Commissioner Crowell seconded. The motion carried unanimously.

ORDINANCE AMENDING THE SOCIAL DISTRICT TO INCLUDE DEPOT STREET

Town Clerk Bell reported last month someone asked about the Social District on Pacolet Street. That was approved in March 2022. She believes they were talking about Depot Street. The Social Districts that have been approved are for the sidewalks. On Depot Street there is no sidewalk, so she drew it from the corner of 60 Pacolet Street to the corner of 70 Depot Street, right before the dentist office property.

Commissioner Crowell made a motion to add Depot Street as presented to the Social District. Commissioner Ingham so moved. The motion carried unanimously.

CONTRACT AMENDMENT FOR AIA SEWER WITH WITHERSRAVENEL ENGINEERS

Town Manager Fatland reported, earlier this year you approved the Asset Inventory & Assessment grant. In working with WithersRavanel, they want to reallocate some of the funding included in tasks 3 and 4. This is not an increase in the budget, it is strictly shifting the funding to ensure all the manholes are assessed.

Commissioner Ingham made a motion to approve the contract amendment for the AIA Sewer. Commissioner Crowell seconded. The motion carried unanimously.

DOWNTOWN STREET LIGHTS REPLACEMENT

Town Manager Fatland reported the Public Works Director is working on the replacement of three street lights. The cost is $11,000 for the pole and $4,000 for the installation. Let him know if you would like to proceed and he will bring back a budget amendment. Commissioner Crowell wondered if we had collected insurance on these. They had been hit by a DWI driver and a large truck about two years ago. Commissioner Ingham suggested tabling this until we find out if reports had been filed and if insurance had paid. Fatland responded he will look into this.

RESOLUTION AUTHORIZING THE UPSET BID PROCESS TO DISPOSE OF REAL PROPERTY

Town Clerk Bell reported this is the process that was started back in June for 134 Cleveland Road. After receiving comments about the advertising of the property (installing for sale signs), she is starting the process all over. The gentleman is still interested. For sale signs will be placed on the property and it will be advertised for upset bids. Commissioner Crowell made a motion to approve starting the process over. The motion carried unanimously.

TDDA UPDATE

TDDA Director Newman reported she had shared a listing of upcoming events with you and more information is on the TDDA website and the Facebook page. November 14th will start their networking sessions at 9:00 am to hear from the businesses that are in town. She appreciated Public Works for their

help getting the town cleaned up and ready for the Tryon International Film Festival. Choice award grants were approved for TIFF and the Fine Arts Center. The Tourism grant award is open to applicants that are bringing visitor's in from 50 miles outside of town. The grants are matching grants. Today, TDDA was approved as Main Street Champion for Small Business Saturdays. Thursday is TDDA's board meeting. Also on Thursday, Conserving Carolina is holding a Rail Trail public meeting at Polk County High School at 5:30 to give an update on the trail project and what to expect going forward. TDDA is working with a new program "Mountain True", a buildable outdoor community, to take inventory of the assets across Tryon and Polk County that are outdoor based to see what we have and how to market it. There will be grants that can be applied for.

NEW MARKET SIDEWALK FENCE

Planning Director Daniels reported based on comments received, he met with White Oak about the fence. They discussed replacing the fence along New Market and with Mr. Fatland's approval, the Town and White Oak will split the cost and replace the fence. All parties have agreed. Install will be 100 feet of three rail pressure treated wood. Men Without Jobs group are going to help with the install next Wednesday.

MINIMUM HOUSING/PLANNING UPDATE

Planning Director Daniels reported 51 Shepherd Street is up for courthouse auction. 161 Cleveland, all three parcels are for sale. He has sent a letter to go in for inspection. All are aware things don't stop just because it is for sale.

TOWN MANAGER'S REPORT

Town Manager Fatland reported last week he and Mr. Carson met to discuss how to deal with housing on the eastside. They invited Habitat out of Hendersonville, along with Thermal Belt Outreach. Tim Daniels did a great job on getting a listing of all the parcels from the county that were vacant to see about getting housing started. Also discussed, programs to help homeowners out. He took a couple of hours today with Thermal Belt Outreach to find out how their programs work and how they work with other organizations to provide assistance. Dr. Carson agreed it was a great meeting. They have been talking about this for some time. A lot of information has been handed out. A couple of applications have been turned it. He thanked Mr. Fatland for his help.

Fatland reported there has been a lot of progress at Harmon Field. Mulch will be delivered tomorrow. The staff and Brad Gordon are working really hard. The Harmon Field Boad is pleased to see things happening.

COUNCIL/MAYOR REPORT

Commissioner Ingham thanked all the staff for all their hard work and welcomed all the visitors.

Commissioner Crowell brought up Main Street. Merchants aren't cleaning the sidewalks or the gutters. They say it is the Town's responsibility. He remembers watching Jim Cowan every morning sweeping the sidewalk. He used to cleanup in front of the theater, especially during the fall when it was leaf season. He doesn't understand why the merchants are taking pride in their buildings. He thanked the staff for their hard work and Mayor Pro Tem Booker for running this meeting.

Mayor Pro Tem Booker thanked all the employees for their hard work and the citizens for coming out tonight. She also thanked our lawyer for helping them out. She thanked everyone for everything done in Tryon to help make it better.

CITIZEN COMMENTS & RESPONSES

Dr. Warren Carson wanted to reiterate from last month his concerns about moving the maintenance shed to the sewer plant. Specifically, the negative effects for the residents and the speeding traffic, volume, noise, danger to pedestrians and vehicular traffic. He presented two photos of children from the Roseland Center walking to Vaughn Creek. The only way to go is down E. Howard Street. Ages 6-13. There is a car in the second photo that is transporting two children that are not able to walk. It also serves as a protection to the kids. No further consideration should be taken until sidewalks are considered. His concern, the residents of E. Howard doesn't have any stake in this project. No one has informed them. Sidewalks are needed before anything can be done.

Commissioner Ingham apologized, he was so caught up in moving the maintenance shed, he didn't even think about the residents and the traffic. Mayor Pro Tem Booker reported we have been talking about sidewalks forever. Dr. Carson said probably since she was in high school. It goes way back. Ingham apologized again. Mr. Fatland took all responsibility, he will get the engineer to look into the sidewalks, before bringing back to council.

Joyce Kimpton asked what is going on with the visitor's center and museum. It has been closed the past two Wednesday's. She thought the Town was paying for them to be open. Mr. Fatland responded they haven't moved as of yet and council has let them know that they would like to see them open longer hours. Ms. Kimpton responded if they would just be open the hours that are posted. Skip Crowe, member of the Visitor & Museum Board responded they have had issues with the docents, it is all volunteer. They haven't moved yet and are trying to be open the hours posted and longer, but it has been a struggle. They are all volunteers. Ms. Kimpton replied it has been over a year and it hasn't been open all the time. Mr. Crowe understands and they are trying to raise funds to help have a paid staff member. Ms. Kimpton responded it doesn't look good on the town if you are not open. Mr. Crowe understands, they are struggling to get volunteers and are doing outreach all over the town. He asked for anyone that would like to take a two-hour shift once a week to let him know.

Anne Day thanked Mr. Fatland for his interest in getting the sidewalk on Whitney Avenue repaired. Mike ? added, it's dangerous, he walks his dog and the sidewalk has been a disaster.

CLOSED SESSION FOR REAL PROPERTY ACQUISITION AND POTENTIAL LITIGATION

Mayor Pro Tem Booker entertained a motion to enter closed session for real property acquisition pursuant to N.C.G.S. 143-318.11(a)(5) and potential litigation pursuant to N.C.G.S. 143-318.11(a)(3). Commissioner Crowell so moved. The motion carried unanimously.

ADJOURN

Mayor Pro Tem Booker entertained a motion to adjourn. Commissioner Crowell so moved. The motion carried unanimously.

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J. Alan Peoples, Mayor

Attest:

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Susan B. Bell, Town Clerk