TOWN OF TRYON
BOARD OF COMMISSIONERS
TRYON TOWN HALL – MCCOWN MEETING ROOM
NOVEMBER 19, 2024 7:00 PM

Present: Mayor J. Alan Peoples

Mayor Pro Tem Chrelle Booker

Commissioners Present: Bill Crowell

Staff Present:
Jim Fatland, Town Manager
Greg McCool, Public Works Director
Brad Gordon, Harmon Field Superintendent
William Morgan, Town Attorney
Lourdes Gutierrez, TDDA Director
Susan Bell, Town Clerk
Tim Daniels, Planning Director
Scott Holt, Police Chief
Randy Darley, Sanitation Supervisor

I. CALL TO ORDER

Mayor Peoples called the meeting to order.

II. INVOCATION

Mayor Peoples led the invocation with a moment of silence for late Adrian Chapman who recently succumbed to cancer.

III. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Booker led with the Pledge of Allegiance.

IV. SPECIAL PRESENTATION: SWEARING IN OF POLICE OFFICER MADDOX MCCARY

Town Clerk Bell swore in Maddox McCrary as Police Officer for Tryon.

V. SPECIAL PRESENTATION: SWEARING IN OF ASSISTANT TOWN CLERK GINA MACALUSO

Town Clerk Bell swore in Gina Macaluso as Assistant Town Clerk for Tryon.

VI. AGENDA ADOPTION

Mayor Peoples asked for any deletions, additions, or corrections to the agenda. I couldn't make out the changes…something about part a and part b—historic preservation committee and applications. He made a motion to adopt. Commissioner Crowell so moved. The motion carried unanimously.

VII. CONSENT AGENDA ADOPTION

Mayor Peoples asked for any questions, comments, thoughts, exclamations, or clarifications to the Consent Agenda. Hearing none, he entertained a motion to adopt. Mayor Pro Tem Booker so moved. The motion carried unanimously.

VIII. UPDATE ON TROPICAL STORM HELEME DAMAGES AND RESTORATION

Town Manager Fatland reported that weekly and biweekly with the county with the 3 cities in the county. The Army Corp has entered into a contract with the county and 3 towns for degree clean up. He thanked Harmon Field Superintendent and his crew for cleaning up as much as Harmon Field as possible in order to open it for public use. The rest of the park is closed off until March 1, 2025. About $78,000 was spent to ServePro to clean the cabin, restrooms, concession stand, and open-air gym area. One of the reasons things are moving slowly is because FEMA has a lot of rules to follow. Two FEMA employees have been assigned to work with Tryon to submit applications for reimbursement as the town fixes damages. The Polk County Community Foundation offered the Town a $25,000 grant for Harmon Field in an area that FEMA will not reimburse. The insurance company has spent 6-7 hours with Brad and Greg which was a requirement of FEMA. The report generated afterwards showed that the Town will receive about $32,000 net from the insurance company since 30% of the damages were caused by wind and the rest by flood; the Town doesn't have flood insurance. The boardwalk was lost at Harmon Field and the estimate to replace it is $162,000, which FEMA will cover. The screen porch and back deck behind the cabin were also lost and FEMA will cover the cost of those as well.

IX. FY25 BUDGET ORDINANCE AMENDMENT NO. TWO

Manager Fatland presented three funds for amendment:

a. Fire Department: received a $25,000 grant from the Carolinas Foothills Association
b. Tourism Board wants to probate $6200 of the fund balance and transfer it to General Fund Administration to purchase Christmas decorations, new tables, and so forth for the pedestrian deck and plaza
c. $300,000 cash advance to the Project Fund which will be transferred back to the General Fund once FEMA grants money to the Town

Mayor Peoples made a motion to adopt the Budget Ordinance Amendments as presented by the manager. Commissioner Crowell so moved. The motion carried unanimously.

X. INSTALLMENT FINANCING FOR NEW TRACTOR AT HARMON FIELD

Manager Fatland reported when Harmon Field purchased a new tractor and his recommendation was to minimize the impact of the major purchase and finance it over 5 years with a loan from HomeTrust Bank

paid for by the Harmon Field Budget. Mayor Peoples made a motion to adopt. Mayor Pro Tem Booker entertained the motion. The motion carried unanimously.

XI. REMOVED?

XII. PURCHASE OF NEW/USED EQUIPMENT

Manager Fatland reported the Town's equipment is old and requiring very high maintenance. He asked Sanitation Supervisor Darley to search for used equipment. They located and visited a vendor in Georgia and found 2 used trucks in great condition with low mileage. The Sanitation asked Council to purchase both trucks, $49,500 and $30,000, previously owned by Georgia Power.

Mayor Peoples made a motion to adopt. Commissioner Crowell so moved. The motion carried unanimously.

XIII. APPOINTMENTS TO COMMITTEES

a. **Rails to Trails Planning Committee**: Town Clerk Bell mentioned the committee is full but someone applied. She recommended appointing an alternate, Christopher Gilman. Mayor People made a motion to appoint Christopher Gilam as an alternative member. Commissioner Crowell so moved. The motion carried unanimously.
b. **Two nominees for the Historic Preservation Committee**: NAMES? Mayor Peoples made a motion to appoint both women. Mayor Pro Tem entertained the motion. The motion carried unanimously.

XIV. APPROVE TDDA CHAIRMAN

Town Clerk Bell reported that Maria Mason Freeman needs to be appointed as TDDA Chairman. Mayor Peoples made a motion to appoint Freeman as TDDA Chairman. Commissioner Crowell so moved. The motion carried unanimously.

XV. DOWNTOWN/TDDA UPDATE

TDDA Director Gutierrez reported that the Beer Fest was a success—beautiful weather, 625 tickets were generated, profit margin of about $20,000, over 100 volunteers took part. On November 30, TDDA is hosting Small Business Saturday. A band, Borderline Therapy, will play in the plaza from 2:30-5:30. The Polk County Toy Run will be riding through downtown as well. Tryon Christman Stroll is Friday, December 6th from 5:00-8:00 and she requested closure of the Depot Street parking area for a petting zoo. The Tryon Christman Parade is December 11th at 6PM. Already 30 organizations are registered to walk in the parade. She requested closure of Trade Street from Howard to New Market from 5:45-6:30 that evening. Tryon Midnight is on December 30th from 7-10PM and requesting another street closure of Trade St. from 6:45-10:45. The ball will drop at 10:30 from the clock tower.

Mayor Peoples made a motion to accept all 3 road closures. Commissioner Crowell so moved. The motion carried unanimously.

XVI. MINIMUM HOUSING/PLANNING UPDATE (28:53)

Planning Director Daniels reported that the Peak St. house was burned on Saturday and will make sure the lot is cleaned. The owner of the Harold St. home has a county permit that expires on February 2025. The process has started with the owner of the Cleveland Rd. property on the corner.

XVII. TOWN MANAGER REPORT

Town Manager Fatland thanked the Council for doing things a little differently with the agenda. Typically, when an election takes place, the newly elected are sworn in at the first regularly scheduled meeting in December, which would be December 17th, resulting in a much longer evening. But on the agenda is to adjourn this meeting to December 3, 2024 at 5:30PM here to allow the elected officials to be sworn in, the election of Mayor Pro Tempore, and a resolution on authorized signors to bank accounts.

XVIII. COUNCIL/MAYOR REPORT

Mr. Crowell expressed his appreciation for everyone's hard work with FEMA, storm clean-up, and the Beer Fest.

Mayor Peoples did not add to Commissioner Crowell's comments. He moved to Item 21 and clarified that when they finish the closed session, they will have a recess, not to adjourn.

XIX. CITIZEN COMMENTS & RESPONSES

Carol Cloud: Ms. Cloud asked if a vote is to take place about a property staying residential or becoming a commercial property. Mayor Peoples explained that votes about properties do not take place during Board of Commissioner meetings but during Zoning and Planning meetings. Planning Director Daniels reported that the issue she is speaking of got rescinded. Ms. Cloud thanked the Council.

Erin Miller: Ms. Miller made a recommendation that a committee be formed to look at the Town's ordinances and review them especially ordinances pertaining to growing food and protecting it on personal property. She feels the way the ordinances are written make it very difficult to grow and protect food grown on personal property. She wants to take a look at other aspects of the Town's ordinances that she feels are not fair to the Town's people nor meeting the needs of the Town's people. She expressed she would be happy to be a part of a committee tasked with this. Mayor Peoples asked if the Zoning and Planning Committee takes care of ordinances. Planning Director Daniels responded yes. These meetings are open to the public.

PJ Teason: Ms. Teason mentioned two ordinances of concern that contradict each other: people who live in Tryon cannot grow food in Town and a fence over 4 feet tall is allowed for agricultural purposes. She expressed her concern about other contradictory ordinances that effect people's ability to grow food or

store wood for burning on their property. She said it is unfair for the people of Tryon to face such obstacles and, therefore, the ordinances need revising in order to meet the needs of the citizens.

Commissioner Crowell said a garden is allowed, just not in the front yard. Ms. Teason said many properties, including hers, does not a backyard due to large hill, so her front yard is the only option.

Ms. Miller explained that her situation has already been handled, but she was curious if her neighbors were bothered that she has a garden so she inquired with all of them. Every single one of her neighbors (11) had no problem with her fence, and, in fact, thought it looked like a work of art. They also believe they should be allowed to grow fruits and vegetables, whether it be in the back, front, or side yard. Another example of an ordinance she believes needs revising states that if there's a 50/50 vote from the Planning Committee for a variance, the vote then goes to the Town. She disagrees that the vote should not go the "government", it should go to the people.

Someone interjected to say that the Planning and Zoning Board is planning to look at the ambiguity that exists with the ordinances and to look at what other towns and communities might have in the way of exceptions to accessory structures. Mayor Peoples concurred and sees both sides, however, he mentioned the ordinances and policies came about because somebody violated something in the past that resulted in the creation of a new policy. Therefore, care needs to be taken when changes are made to avoid opening the door to problems that have already been solved.

Ms. Miller further expressed her concern about ordinances that may need revising. Commissioner Crowell explained that as a citizen, she has every right to go through the Town's ordinances, take note of the ones she thinks are unfair, and bring them to the Town Manager or Council or the Planning and Zoning Committee to express why they're unfair. She thanked the Council for the opportunity, and lastly reminded that the North Carolina Constitution states that citizens enjoy the fruits of their own labor.

Lue?: The citizen suggested a community garden as an alternative. Mayor Peoples said he's smiling because the Town had a community garden for years. Citizens could rent a space to grow their own food. However, some people wanted to rent the entire lot instead of one small space.

Town Manager Fatland added that the Harmon Field Board is considering adding a community garden somewhere in the park.

A citizen asked about chickens. Planning Director Tim Daniels said the Town has ordinances for chickens and to schedule a meeting with him if they want to keep some on their property.

XX. ADJOURN TO CONTINUE MEETING DECEMBER 3, 2024 AT 5:30

XXI. CLOSED SESSION PERSONNEL—TOWN MANAGER EMPLOYMENT CONTRACT

Mayor Peoples entertained a motion to start the closed session. Mayor Pro Tem Booker so moved. The motion carried unanimously.

XXII. RECESS

XXIII. Mayor Peoples called the continued meeting from November 19, 2024 back into session at 5:30PM

Mayor Peoples called upon Town Manager Fatland if there was any additional items to be added to the agenda.

AMENDED AGENDA

Fatland requested agenda item "Establishment of New Town Committees" be added.

Motion by Town Commissioner Crowell to amend agenda. Seconded by Mayor Pro Tempore Booker. Mayor called for a vote, motion passed unanimously.

PROCLAMATION FOR MAYOR PRO TEMPORE CHERELLE BOOKER

Mayor Peoples then read and presented a Proclamation to outgoing Mayor Pro Tempore Chrelle Booker thanking her for her service to the Town of Tryon.
Community responded with a standing ovation in appreciation of Booker's dedicated service to the Town of Tryon.

OATH OF OFFICE FOR NEWLY ELECTED OFFICAILS

Mayor Peoples called upon the Deputy Town Clerk Gina Macaluso to swear in newly elected officials.

Deputy Clerk called upon Mayor Alan Peoples to be sworn in as Mayor.

Deputy Clerk called upon Skip Crowe to be sworn in as Town Commissioner.

Deputy Clerk called upon Julie Lambakis to be sworn in as Town Commissioner.

Deputy Clerk called upon Tracie Greenway Morris to be affirmed as Town Commissioner.

ELECTION OF MAYOR PRO TEMPORE

Mayor Peoples opened the floor for nominations for Mayor Pro Tempore

Town Commissioner Crowell nominated Town Commissioner Skip Crowe. Mayor said seeing no other nominations, called for a vote. Skip Crowe was elected Mayor Pro Tempore unanimously.

RESOLUTION ON AUTHORIZED SIGNORS TO TOWN BANK ACCOUNTS

Town Manager Fatland reported that the signing of Town checks requires two signatures. One signature from either the Mayor or Mayor Pro Tempore and the second signature either the Town Manager or Planning Director. Mayor Pro Tempore Skip Crowe would be added along with

Mayjor Alan Peoples, Town Manager Jim Fatland and Planning Director Tim Daniels as authorized signatories. Motion by Town Commissioner Bill Crowell and seconded by Town Commissioner Tracie Greenway. Motion passed unanimous.

ESTABLISHMENT OF TOWN COMMITTEES FOR FINANCE AND PUBLIC WORKS

Fatland reported to the Town Board that to develop long term strategic planning and oversight of finance and public works projects and operations, staff recommends the establishment of two new Town Board Committees.

Finance: The Town of Tryon has been on the Local Government Commission Unit Assistance Letter since July 1, 2015. The Town has been late on audit reports, expenditures exceeding budget, and weakness in internal controls. Management has implemented improvements the past 1 ½ years and improved communication with the Local Government Commission. The establishment of Finance and Human Resources Committee will enhance this effort.

Public Works and Utilities: The Town of Tryon has aging infrastructure. The Town Board approved a Capital Improvement Plan in March 2020. Subsequently the Town has approved over $6.2 million in water and sewer projects. The source of funding for these projects was $5.6 million in grants and $.6 million in a no interest loan for 20-years. To facilitate the continued planning, engineering, construction and financing for new projects, the establishment of a Public Works and Utilities Committee is recommended.

Management recommends one Town Board Commissioner be appointed to each Committee and a second Town Commissioner appointed as an Alternate.

RECOMMENDATION:

(1) Establish Finance and Human Resource Committee. Committee will review annual audit reports, investment policies, internal controls, Local Government Commission Unit Assistance Letter recommendations, and updates to Employee Personnel Policies.
(2) Establish Public Works and Utilities Committee. Committee will review water, sewer, stormwater, streets and sanitation projects and operations

Motion by Town Commissioner Crowell and seconded by Commissioner Tracie Morris to approve recommendation of establishing Finance and Human Resources Committee and Public Works and Utilities Committee. Motion passed unanimously.

Seeing no further business to come before the Town Board the Mayor called for a motion to adjourn. Motion passed unanimously.

Meeting adjourned at 6:01PM