

TOWN OF TRYON
BOARD OF COMMISSIONERS
FEBRUARY 16, 2016 7:00 P.M.
TRYON TOWN HALL MCCOWN ROOM

Present: Mayor J. Alan Peoples Mayor Pro Tem Bill Ingham

Commissioners: Roy Miller, Bill Crowell, Crys Armbrust

Staff Present: Town Manager Joey Davis Town Clerk Susan Bell

Police Chief Jeff Arrowood Community Development Director Paula Kempton

CALL TO ORDER

Mayor Peoples called the meeting to order. Commissioner Miller asked for a moment of silence for individuals who lost their lives last evening during the ice storm and others who are suffering. A gentleman in our community almost lost his life, because he about froze to death. Mayor Pro Tem Ingham led the Pledge of Allegiance.

AGENDA ADOPTION

Mayor Peoples asked if there were any additions or deletions to the agenda. Being none he entertained a motion to adopt the agenda. Commissioner Miller so moved. The motion carried unanimously.

CONSENT AGENDA ADOPTION

Mayor Peoples asked if there were any corrections to the Consent Agenda. Being none, he entertained a motion to adopt. Commissioner Armbrust so moved. The motion carried unanimously.

Police Chief Arrowood asked if to do an employee recognition. He introduced Officer Michael Ford, who is a reserve, part-time officer, a local boy and he is glad to have him. Commissioner Miller stated that he knows this young man. He comes from a good family. He's always been respectful, quiet and professional. He will be great to do community policing. Everyone welcomed him.

AUDIT PRESENTATION

Town Manager Davis stated that Terry Anderson from Carland & Anderson is here to present the audit. He helped with a budget amendment to get a lot of line items in line that were out of balance and he did away with the delinquent Fire Department deficit and the Sanitation deficit. He came in last week and went over the audit with Davis and Bell.

Mr. Anderson thanked the Board for the opportunity to do the audit for FY 14/15. He then presented the audit. The LGC has issued comments in the past on fund balance. The general funds fund balance is \$1,062,000 with \$545,000 reserved and with \$517,000 unassigned.

Davis told Mr. Andersen that the fire tax rate had been increased and you are looking at the sanitation rates.

STREETS AND SIDEWALKS DISCUSSION

Kempton stated that included in your packets are the estimates based on the original priority list. She received quotes from Darrell Price on streets only and Trace Co. A notation on the Trace Co. estimate concerning the \$52,604 was because their estimate included further down the road to Oak Street. Darrell Price's quote ended at Grady Ave. The higher cost from Myron Steppe for \$82,360 was for infrastructure on Howard Street. Only have one estimate on this. She could seek additional estimates if they would like. The rest is self-explanatory because she has boxed in the cost that you need to pay attention to. Trace is the only one that looked at the sidewalks (\$110,721) without the miscellaneous items that she and PWD Walker put in. They also have another one on Broadway that wasn't included. Basically what you are looking at if you add Maple Street corrections the entire list is \$372,211. If you want to back out and only do your priority list and leave off miscellaneous items, then you are looking at \$352,211 and this is only with the estimates that we have received. We haven't bid out to multiple agencies. She included a job creation in "theory" only. This is a way to say here is an option. You might could try it this way. She was talking with Mr. Lane and Commissioner Crowell has talked to Mr. Lane also. She and Crowell are going to talk with Mr. Lane further. The job creation is in theory is what she had contacted Commerce finance about and said this is what we have done before. She asked how to break down a job incentive program that would work and allow a town to offer tax incentives. She worked with Davis and he gave some suggestions. She is not saying this is the way to go, this is just another way to consider. She was basing this on the Oak Street, Pacolet project, where you originally had Trace & Co. at \$77,600 that was presented at an earlier meeting. She added 10% for the contingency and then an engineer would oversee the project for \$5,900. Those numbers are there because she put them there as a safety net, nothing is concrete. This helps with the overall project, if you want to go in that direction.

Mayor Peoples asked Manager Davis what terms the banks would be happy with, since they are not happy with twenty years. Davis stated ten seems to be the going term. Remember with the amount of money you are wanting to borrow you have to deal with the LGC (Local Government Commission) to see what their permission is. You do have unassigned fund balance \$517,000. You could pull some of that out if you choose. He wouldn't encourage that, but it is an option. You are looking at 10 years, borrow half a million dollars, you are looking at \$40,000 a year to repay. He assumes that \$20,000-\$25,000 is available from Powell Bill and then you would have another \$20,000 to come up with.

Miller asked what the total debt is that we are paying on currently, including the water plant, interconnect line and vehicles. Mayor Peoples stated that this would come from general fund and Powell bill monies. Those are the ones that he is concerned with. Davis stated that you have about \$11,000 from Powell bill debt that is coming off. In general fund \$20,000-\$25,000 debt. Crowell asked if he was saying that you have \$11,000 left in Powell bill at the end of the year. Davis stated that \$11,000 is obligated to debt payment. Peoples asked about the \$517 in fund balance. Anderson stated that fund balance is at 31%. Peoples stated that we could take \$100,000 out of fund balance. The LGC requires eight percent in fund balance.

Miller asked about total debt payments again. He agrees with Peoples, take some money out of general fund and Powell bill funds to cover it. That would bring it down to \$250,000. The projects can be cut done. He would suggest tonight they approve the three priorities in the beginning sidewalk on Oak

Street, Howard from Trade to Grady and Peake from East Howard to Shepherd Street. Kempton asked to include the infrastructure cost.

Armbrust asked if this recommendation included the sidewalk between Owen's and the theatre. Miller stated that something has to be done there. Kempton stated that has to be there to finish streetscape. He asked Trace if the estimates were good for thirty days. He also asked about the sewer lines. PWD Walker stated that he hasn't looked at working on the sewer lines yet. The sewer line needs to be tied into the existing manhole.

Darrell Price's quote was only to Grady.

Miller asked if water and sewer lines both would be replaced. Walker stated sewer only. There haven't been any issues with the water.

Mayor Peoples asked how much it would cost to do the repairs to the water also. Walker asked where you wanted to stop. Miller asked how old the water line is. Walker stated probably sixty-five years old. Miller asked if they were relocating the hydrant at the corner of Howard and Trade. Are we going to bring it back in line? Walker stated that we should move it across the road.

Miller made a motion that we do the three projects including the bump out to complete streetscape and sidewalks barring no tax increase, no increases what so ever levied onto the citizens.

Kempton stated that there only three priorities. Miller asked if the project could be done in house. Could we do that instead of outsourcing? Walker stated that is a two part question. It can be done in house, but we've already had thirteen water breaks since January 1. It depends on how soon you want the work to be done.

Kempton stated that is only one contractor bid. Walker stated we should get more bids before we start. Miller stated that if we can save the citizens money then we shouldn't outsource. Ingham stated that Walker's crew is going to be doing some work at Harmon Field. Walker stated that if you have problems, then the street maybe closed a month or more. Miller stated that if we can save money then we need to.

Kempton clarified that the three priority projects are East Howard between Trade and Grady, Peake from East Howard to Shepherd, with the intersection at Jackson. This is a joint project, unless the Board wants it split, and the Oak Street project.

Mayor Peoples asked what the cost was without infrastructure. Kempton stated around \$272,000. Miller stated that we are taking \$100,000 out of general fund, utilizing \$11,000 out of Powell bill fund. Crowell asked how far down Oak Street are you doing the sidewalk. Ingham stated it's all the way down to Howard Street. Crowell stated that we are not doing any of his emergency exits are we. He's going to have to do a retaining wall. Todd stated that they didn't do anything with that. Crowell doesn't feel a tractor trailer will be able to make the turn once the project is complete at Oak Street. Scott did say he would help pay for this. In Charlotte and Greenville he would have to pay for the entire project. He has an entire sidewalk that is falling apart and no one is taking care of it. Miller stated that White Oak has spent over four million dollars and asked for sidewalk changes last year.

Peoples asked if we have an appraisal on the white building yet. Davis stated that we are waiting on it. Peoples proposed the idea if the building is sold then we take that money and pay toward the sidewalk.

Davis asked Kempton if the \$82,360 and the \$25,000 for infrastructure cost could be taken out of the total, to reduce the cost and charge to water and sewer.

Miller asked when Mr. Lane would be available to look at the plans. Lane stated as soon as possible. Miller asked if he was willing to put an amount of money toward the project. Mr. Lane stated that he would be willing to discuss with the town.

Larry Eckstein stated that the end of Broadway will be gone this year if you don't take care of it. Miller stated that the board has identified sidewalks that needed to be repaired because of safety. During this process we had the sewer line project come up, the water plant needed rehabbed and the interconnect water line project. We have a lot of debt already. These projects have been on the books for at least twelve years. If it is a safety issue then we will get to it.

Miller withdrew his motion.

Armbrust made a motion that we move forward immediately with the complete three prioritized projects, including the bump out on Maple Street and that the town manager and community development director move forward to acquire the complete package of the necessary funding and that we initiate the work which we are presently prepared to begin especially in that we are applying \$100,000 from the department to get started with. The motion carried unanimously. Peoples stated that we still have to get approval from the LGC.

Peter Piacente stated his concerns on not having engineering drawings for this project to receive bids. Armbrust stated that we do have engineering drawings for most of the project and we do need to get them for the other projects. Miller stated that we have a capital project improvement plan that has engineering drawings included. He would never make a decision without them. He feels that we have qualified people in Kempton and PWD Walker (34 years with the town). We do have a better board now to say let's move forward.

Mr. Piacente is not doubting their qualifications, but an engineer would help protect the town against the unknown. Davis stated that this board wants oversight of each project. The LGC may want this for reassurance.

FARMERS MARKET

Town Manager Davis stated that he and CDD Kempton had met with the people of the farmer's market. They have held it on McCown Street and at the town parking lot. They would like to change the date to Wednesday mornings from 9-12. He thought about Harmon Field as the potential location. They were good with this. Their board approved Harmon Field. Mayor Pro Tem Ingham stated that if they want it at Harmon Field then let them have it there. Commissioner Miller agreed. Davis stated that they have talked about a covered area for the market. Armbrust stated that it is a loss of activity in our downtown. He doesn't feel that they will have the traffic at Harmon Field. Davis stated that the Harmon Field Board is fine with this. He will let them know there were no objections.

TRANSPARENCY

Commissioner Armbrust stated that he had a number of conversations with citizens and it has been a concern of his even in his former position with the Town of Tryon. Sharing of information and the storage of information. It is almost impossible to gather information about projects. It is difficult for

citizens to know exactly what we are doing. The only discernable definitive information generally available to our citizens about what we do, is the motions passed and recorded by our Town Clerk. She follows standard form and very brief. There is no texture information that would give any indication of the in-depth discussion having occurred sometimes on very important matters. He would like to propose as a possibility which would help our citizens that can't be at the meetings to know what was discussed. We do record the meetings. They are kept for a very short time. He would like to suggest that these recordings be archived on the website. Need to upload those recordings to the cloud account that cost nothing and will be accessible to everyone. This will help with the Freedom of Information Act. Mayor Pro Tem Ingham stated that basically he wants everyone to have access to our meetings. Armbrust stated that the recording will be accessible. Erik Olsen will have the equipment to tape the meetings before long. Miller stated that everyone doesn't have a computer or get the newspaper. Maybe we could back a meeting up to 6:00. Davis stated that he is working on something for the water bills.

Armbrust stated that he would like to make a motion to archive the recordings of meetings and move forward to see if there is any way for us to video the meetings.

Attorney Nager stated that when you record a meeting you are preparing a public record at that point. You have in your retention schedule a way that if you wanted to destroy those after so long you could or you could keep them. The procedure and cost would have to be looked at. Miller stated that he was not ready to vote on this yet. Crowell stated that they needed to see the cost before voting. The Board directed Town Manager Davis to look into the procedures and cost of videoing and storing the recordings.

APPOINTMENT(S) TO EASTSIDE CITIZENS ADVISORY

Town Manager Davis stated that we have one application from Coretha Littlejohn. Commissioner Miller stated that she attended our last meeting. She is a native. She took an interest in seeing that the east side be a part of Tryon. Mayor Peoples entertained a motion to appoint Coretha Littlejohn to the Eastside Citizens Advisory Committee. Commissioner Miller so moved. The motion carried unanimously.

APPOINTMENT(S) TO CEMETERY COMMITTEE

Town Manager Davis stated that we have one application from Marcella Mack. Mayor Peoples entertained a motion to appoint Marcella Mack to the Cemetery Committee. Commissioner Armbrust so moved. The motion carried unanimously.

APPOINTMENT(S) TO PARKS COMMITTEE

Town Manager Davis stated that we have applications from Julia Ernst, Bill Jenks, Susie Hursey and Brevard Henry. Mayor Peoples entertained a motion to appoint Julia Ernst, Bill Jenks, Susie Hursey and Brevard Henry to the Parks Committee. Commissioner Miller so moved. The motion carried unanimously.

TOWN MANAGER'S REPORT

Town Manager Davis reminded the commissioners of the Tryon Fire Department Ladies night on Tuesday, March 1. He also reminded Commissioner Crowell and Armbrust that they are in Asheville this

week for training by the School of Government for the Elected Officials Academy. Kudos to Tryon PD, FD and Public Works on the recent ice storm.

COUNCIL/MAYOR REPORT

Commissioner Crowell stated that he is glad that we have the sidewalks thing pushing forward. He is fairly conservative on financial means and really preferred a sit down budget work shop before they decided to spend this type of money. This would be done in an open session, with this being the only thing on the agenda. He feels that they are running a little fast on this. He is seeing damage on the light poles where the banners have been ordered in the wrong size and instead of sending them back, people are bending the rods. The streetlights need to be repaired. PWD Walker stated that the reason the one in front of Missildine's hasn't been repaired is because of the dumpsters. They're the reason that they are torn up and when they remove the dumpsters we will make repairs. The lights are obsolete. Hopefully they have enough spare parts to repair.

Commissioner Miller stated that he is very conservative also and hasn't voted for a tax increase since he has been here. Twelve years of sitting here and not moving on projects is a terrible pace. He thanked the citizens for their patience. He would hope that we progress. There is youth in this community. No strides have been made to help them. Their money is spent elsewhere. This is a good board and we are going to move forward.

Commissioner Armbrust commended Public Works for the excellent job during the ice storm. He would like to commend the ABC staff and Board. Their annual report came out and they are operating at 29.89% above last year's level. It has taken a great deal of work. Their dialogue of late has resulted following a suggestion from Ms. Prioleau in a former tourism meeting, Tryon ABC has been awarded the liquor contract for the Tryon International Equestrian Center. Those are rather significant monies. He hopes that they will be able to begin soon to repay the town \$10,000 that they had borrowed. Notice was given to citizens to report any crooked signs. Every sign in Tryon is crooked. PWD Walker stated that all the signs are going to have to be reset. Armbrust stated that he knows, the Town deserves that and the citizens deserve that. He then asked about the streetlamps, there was an agreement with TDDA that the poles would be annually sealed. His concern is that they are susceptible to damage and asked that Walker take a look at this.

Mayor Pro Tem Ingham commended PWD Walker and crew for helping out Alec Trumble. This type of help causes other items to be pushed back. PWD Walker stated that the town has a good group of people working for them.

Mayor Peoples stated that it is nice to hear positive things. The ABC store had the most growth in the state during one of the recent months. He moved here in 1979 expecting to stay a year and he is still here. This is the best place to live. He has worked with the best people. Town Manager Davis reminded him that he had a state track championship this past weekend.

CITIZEN COMMENTS & RESPONSES

Louis McRay complimented Commissioner Miller and CDD Kempton for their work with the property owner on Carolina Drive. He then asked who now owns the property after the sale this morning. Miller stated that he didn't know. Mayor Peoples stated that usually what happens is the person finds the money to pay the taxes before it is sold. Attorney Nager stated that no one here knows at this point who owns the property.

Joe McConnell stated that he and his wife moved here four years ago. When they moved in they found out his neighbor owned three to four coon dogs. The process he understood is when the dogs start barking call the police and they will send an officer. The officer listens for ten minutes and then fines the owner. The owner should owe thousands of dollars by now. He asked how many times Mr. Brock and his son had been fined. It is very disturbing. He has three formal complaints that he is going to give to the clerk. He asked if they could get something done. Chief Arrowood stated that he thought this had been taken care of. Mr. McConnell stated that he has new dogs and the problems are starting all over again. Billie McConnell stated that they are very short haired dogs with nowhere to go in this cold, except into a metal trash can. Mr. McConnell stated that the animals need relief. Chief Arrowood stated that they had tried to work with the owner to get food for the dogs and worked with him last summer to find homes for the dogs. Miller asked if he had contacted animal control. Mr. McConnell stated that he never got anywhere with animal control and these are not the same dogs. Chief Arrowood stated that he would work through the process after the complaints are filed.

John Vining asked if the Board could do away with the loading zone in front of Huckleberry's. Commissioner Armbrust stated that the loading zone is required because of upgrades to the Plaza. There needs to be a sign allowing parking after a certain time. Mr. Vining stated that he would like his water rates lowered. There has been a leak in front of Packard's for at least two to three weeks. It tells him that water is too cheap. He views water as our most precious resource. Mayor Peoples stated that the people searched and searched for a leak and couldn't find it. PWD Walker stated that they're waiting on a company to bring in a sonar machine to help them find a leak. It would be very expensive to dig up the entire road searching for a leak. Mr. Vining asked that the Town notify the paper or put on their website about the leak. Mayor Peoples stated that we could use the Nixle service. Mayor Pro Tem Ingham stated that PWD Walker had mentioned earlier in the meeting about all the leaks that they have been repairing. Also he seen Mr. Vining shoveling snow in front of Huckleberry's. He thanked him for that. Miller stated that not everyone has access to a computer. He asked how we get information to all of our citizens.

Steve King thanked staff for getting all the leaves up on Hidden Hill.

Anne Day stated that the website is extremely out of date. The delinquent tax report is from 2013. Town Clerk Bell stated that all the reports are updated each month. Ms. Day thanked PWD Walker and crew for their work during the snow storm. She was told that members of the council were told that she called to complain because snow had been plowed up in front of her driveway. She did call the town, because she was trying to get out to take care of people in her neighborhood. She asked if they were in her neighborhood could they please take care of the snow at her driveway. She didn't yell or demand that they had to come. She doesn't appreciate that. She did thank PWD Walker for sending Jody to take care of it and her neighbor that needed food also appreciated it.

MOTION TO CONVENE TO CLOSED SESSION

Mayor Peoples entertained a motion to convene to closed session to discuss economic development pursuant to N.C.G.S. 143.318-11(a)(4), to discuss personnel pursuant to N.C.G.S. 143.318-11(a)(6), to discuss attorney-client privilege pursuant to N.C.G.S. 143.318-11(a)(3) and to approve closed session minutes. Commissioner Miller so moved. The motion carried unanimously.

REGULAR SESSION

Following the closed session, a motion by Commissioner Armbrust to split the positions of Town Manager and Fire Chief effective upon the earlier of the hiring of a new manager or July 1, 2016, passed unanimously. Mr. Miller stated that he would like for there to be a meeting to set Mr. Davis's salary as Fire Chief. Mayor Peoples stated that this would be done through the budget process.

ADJOURN

A motion by Commissioner Miller to adjourn passed unanimously.

J. Alan Peoples, Mayor

Attest:

Susan B. Bell, Town Clerk