

TOWN OF TRYON
BOARD OF COMMISSIONERS
APRIL 21, 2015 6:00 P.M.
TRYON FIRE STATION

Present: Mayor Jim Wright, Mayor Pro Tempore Roy Miller

Commissioners: George Baker, Bill Ingham, Happy McLeod

Staff Present: Town Manager Joey Davis

Town Clerk Susan Bell

Public Works Director Gary Walker

Police Chief Jeff Arrowood

Town Attorney Bailey Nager

CALL TO ORDER

Mayor Wright called the meeting to order. Commissioner McLeod led the invocation. Mayor Pro Tem Miller led the Pledge of Allegiance.

AGENDA ADOPTION

Mayor Wright asked if there were any changes to the agenda. Town Manager Davis asked to remove the ABC Store purchase and replace it with Backhoe discussion and an attorney-client privilege to closed session. Mayor Wright entertained a motion to adopt the amended agenda. Mayor Pro Tem Miller so moved. The motion carried unanimously.

CONSENT AGENDA

Mayor Wright asked if there were any changes to the consent agenda. Being none, Commissioner McLeod made a motion to adopt the consent agenda. The motion carried unanimously.

CITIZEN COMMENTS ON THE WATER & SEWER SYSTEM

Mayor Wright stated that the Board has started its budget season. One of the things that is on everyone's mind is the water and sewer issues. We are here to listen to your comments.

John Salmon stated that he hasn't seen enough in the newspaper or heard enough to be educated on this to make a decision. He asked why would the board sell the water system and who would you sell it to?

Commissioner Baker stated that the board doesn't know. The board is trying to get a handle on this. Studies have been done. The board is looking for a reasonable solution. Mayor Pro Tem Miller stated that the board started in 2005 talking to Spartanburg Water System, Broad River Water System and the Mayor has talked with Inman Campobello. We've talked with other municipalities, talked about a water authority, talked with NiAmerica and just can't find the right fit for citizens. The water plant has been rehabbed and an emergency water line installed. There is debt from these two. Commissioner Ingham stated that the town has enough water to furnish the entire county. Anne Day asked what the

advantage is. Davis stated that we need to increase the number of customers. The cost of producing water has increased. A company like NiAmerica would go to the utilities commission and ask for a five or ten percent raise if they needed money, where the town would go to the citizens. Mr. Salmon asked if a study could be done. Miller stated that a twenty year study has been done. Council adopted it. The plan was to increase rates every year so not to have a large increase all at once. That plan was abandoned. The town can control the water rates, has localized customer service and a sewer plant that is running at one-third its capacity. The towns and county need to work together before going outside of the county.

Claire Nettles asked how we make something happen. Commissioner Ingham stated that the board needs to keep looking and meeting with other towns. Ms. Nettles stated the situation with private sectors is that they're only for profit. She suggested joining with other towns. If not, talk to Inman-Campobello. This is a wonderful town. She hopes the town can make it work.

Jerry Soderquist stated that when you have an outside company running your water system the level of service is not very good. There is no good communication. Whoever controls the water system controls the growth. John Salmon asked about the response time. When you call local people, they usually know what is going on and where you are located. Another entity wouldn't know this. Kathy Wright stated that she hoped the board didn't give up control. The water authority is a good idea. Mike Frye stated that the county is negotiating with Inman-Campobello. The negotiating could go away if a decision was made promptly.

Davis stated that in 2007 Grover Industries and Carolina Yarn were both running, the board was talking about extending water to Bradley Crossing, then the drought hit and people learned to use less water, Grover Industries closed and Carolina Yarn cut back.

Baker stated that the county is hell bent on making an agreement with other companies. The three towns have to get together to form a municipal water system and forget about Inman-Campobello.

Ingham stated that it is difficult to come up with a decision. Columbus is not interested and Saluda may be. Mayor Wright stated that in talking with others the three million dollars in debt that we have is an issue, because Columbus and Saluda have no debt. They need to move toward us, but Saluda likes the plan that they have with Hendersonville and Columbus likes their plan.

Mike B. asked if the town couldn't do the sewer for Columbus. Davis stated that they have been talked to several times, but had no interest. Mike B. stated that he has been studying the contract with Inman-Campobello and the county and it has problems.

Olin Sansbury asked if you couldn't increase taxes to pay for the three million dollar debt. Miller stated that it is an Enterprise fund. There are transfers out of the water and sewer fund to help pay for wages charged to administration.

Miller stated that he has heard a lot of conversations for several years, about a water authority and centrally locating our billing. There are no options if Saluda and Columbus are not interested. The board has done everything that has been talked about here this evening and he doesn't know where we go from here.

Commissioner McLeod asked if anyone had looked into floating bonds. Wright stated that we have to be able to pay for the debt.

Crys Armbrust stated that it is unwise to give away control of the water system. You have had successful discussions. If Tryon's debt is standing in the way then maybe it is wise to go into discussions saying Tryon's debt will be segregated. The state made the town do the rehab.

Ingham stated that the system could get water to Green Creek now. Mike B. asked about the interconnect line. Ingham stated that it connects Columbus and Saluda to Tryon. Miller stated that there was a line that would supply Columbus before the interconnect line.

Ms. Nettles asked if the rates would be different if Tryon was connected to the others. Ingham stated that they would have to be.

Miller thanked everyone for being here. The board is trying to make sure the rates don't drive citizens out of town. Wright also thanked everyone for their comments.

TRYON ROTARY CLUB ALCOHOL PERMIT FOR SHRIMP FEST

Town Manager Davis stated that the annual Shrimp Fest is being held on September 19, 2015. The Board has approved the alcohol permit in the open air gym for several years and the Rotary Club is asking that they approve it again this year. Commissioner Baker made a motion to approve the alcohol permit for Tryon Rotary Club in the open air gym. The motion carried unanimously.

AUDIT CONTRACT FOR FY 06/30/15

Town Manager Davis stated that the proposed audit contract for FY 06/30/15 is with Carland & Anderson. The price is still the same. Commissioner Baker stated that they have done the best he has seen and made a motion to approve the audit contract with Carland & Anderson. The motion carried unanimously.

SCHEDULE OF FEES REVISION CHART

Town Manager Davis asked the board if they want to change the way we handle permits at Lake Lanier. Commissioner Baker stated that they have continuously been a problem. Last week the town received a letter that a permit had been denied and the person had done the work anyway. Mayor Pro Tem Miller asked if the board needed to approve the new fee schedule.

Gary Turner, President of the Lake Lanier Association stated that on-site inspections would make better relationships with the town and would reduce the court cost for Tryon. Allen Smith thanked Baker for working on this. He wants people to do the right thing to avoid problems with the encroachment permits. The inspections would help and if Davis tells Greenville County that he has revoked a permit then they will put a stop work order into effect. Baker stated that this is a good suggestion and as the town looks at the new position, then maybe inspections could be one of the items that they oversee. Davis stated that he hopes to have someone in the new position as early as the next council meeting. The advertisement goes in the paper tomorrow. We will work on the schedule of fees with the new budget.

BACKHOE DISCUSSION

Town Manager Davis stated that he would like to discuss the issue of the backhoe once again. The 1996 Case has smoke coming out of it again. The original quote didn't include the warranty, but this one does. PWD Walker stated that the case has issues with the brakes and the fellow from caterpillar told them that honestly he wouldn't fix it. Mayor Pro Tem Miller stated we should go ahead and get the backhoe. Commissioner Baker asked if Davis had reached out to others. Davis stated yes and hasn't had a reply back from them. Bell stated that the \$741 difference could be paid directly by the town and then finance the rest with the original proposed financing.

Commissioner Baker made a motion to approve the previous financing resolution with BB&T for \$53,500 at an interest rate of 2.64%. The motion carried unanimously.

MANAGER'S REPORT

Town Manager Davis asked that TDDA give an update on the coming events. Anne Day, TDDA Representative stated that Phillip Walker will be here the first of May to talk on the revitalization of the town. TDDA is having picnics and focus group meetings. Mr. Walker will present his findings and suggestions on May 7, 2015 at 4:00 at the Tryon Fine Arts Center followed by music and food.

Davis stated that he had only heard great things about Super Saturday and the April Fools' Day Celebration. He reminded everyone that the Steeplechase is on May 2nd, the Eastside cleanup day is May 2nd from 9-12. The Fire Department will burn the house at 42 Grady Avenue on May 9th. The Green Blades tour of homes and the Harmon Field music festival is April 25th. There will be more budget dates coming. He and the Mayor met with Wanda May and Judd Daniel from TDDA and told them about the joint budget meeting they were wanting to have. The sink hole on Oak Street has been repaired. Mary Priouleau reminded everyone that the Lanier Library annual poetry festival is this Saturday and there is a free concert this Friday at the TFAC amphitheater.

COUNCIL/MAYOR REPORT

Commissioner McLeod thanked everyone for coming this evening. The Parks Committee is focused on forming a grant task force. The Committee is looking at a trail system that connects all the parks. The Committee meets every other month with John Vining as chairman.

Mayor Pro Tem Miller also thanked everyone for coming. Super Saturday was the best event in a long time. The store fronts are full and people are walking the streets. Tryon seems to be getting that small town feeling back. April Fools' Day event was a very good event. He would like to see budget meetings with TDDA, TTDA and other committees. He then thanked those for their volunteer service.

Commissioner Ingham thanked everyone for being here. He wanted to let everyone know that he had retired from the coffee house.

Commissioner Baker stated that at his "Corner the Commissioner" meeting, the dentist sign was brought up several times. He asked if it meets the specifications. Town Manager Davis stated yes. Baker asked about the street lights. How do we know that we are getting charged right? He stated that we are in the process of inventorying our sidewalks. Something needs to be done. He reminded everyone that Friends of the Library are having a book sale this weekend and thanked everyone for coming.

Mayor Wright stated that work on the Missildine Building has begun. The budget work is going well. Everyone is welcome to join the meetings. Super Saturday and April Fools event went very well.

CITIZEN COMMENTS & RESPONSES

Anne Day stated that the "Race for the Cure" event is being held May 2nd in the county. TDDA just received a \$1,000 grant from the Chamber Foundation for a basketball goal and netting at Roseland Center. She thanked the Police Department for their work on Godshaw Hill over the weekend.

John Davis stated that he was hoping to get council to move along the Planning and Zoning Board. He would like his sign up by May 2nd. The Planning and Zoning Board wants him to take down his clock, but he's not taking it down. Attorney Nager stated that his interpretation is that the clock is not a sign. John Walters asked if it was not a projecting sign and does it not have advertising on it. Illumination is not allowed. Nager stated that if there is an appeal with the zoning board, then it goes before the Board of Adjustments. His interpretation is that if she just signs her name on it, then it's a clock, but if it has Noah's Ark on it then it's a sign.

John Walters said there are several issues with it. It's projecting and illuminated. There are plenty of businesses that are in violation, but haven't been dealt with. The Planning and Zoning Board will give Mr. Davis an answer tomorrow.

Leslie Turnage asked if something couldn't be done about the old St. Luke's Hospital building. There are issues with trees and lots of rubbish. Is there not a timeline before the ordinance can be enforced? She contacted the stepdaughter of the owner of the property where trees are being cut and was told that she couldn't deal with this. She has seen the police and asked them to contact Manager Davis about the issue. She doesn't know if he is cutting down trees with his neighbor's permission. The status of the property is in foreclosure. She would like something done.

Mayor Wright stated that he lives in Gillette Woods also. He attended the County meeting. He understood from the County Manager and Tax Collector that the tax foreclosure of property could drag out as long as he wants it to. As long as he makes arrangements to make payments, then he can keep it from foreclosing. The Town cleaned up on the downhill side of the property because it was in the street. He doesn't know if he has permission to cut the trees not on his property.

Ms. Turnage stated that she was told that it was not in foreclosure and it was the Town's problem. Mayor Pro Tem Miller stated that code enforcement could take up to 90 days. Turnage stated that he is residing at the location.

Attorney Nager stated that he would have to take a look at the commercial code enforcement. He is not as familiar with this as with residential. Commissioner Baker stated that the Board will wait until they hear from the attorney.

Nancy McGarra stated that she talked with the owner of the property about the dogs barking all night. He was cordial. He has a kitchen, bedroom and two more dogs in the house. He told her of his plans for the banquet hall. He has four coon dogs tethered together. She asked if it is permissible to live in such situations. He had told her the dog situation would abate. Her niece saw four igloo dog houses there. The dogs run loose at night and have done damage to property.

Mayor Pro Tem Miller stated that they needed to contact animal control. The dogs can't be running wild. They have to be under his control or on a leash. Maybe the Health Department could be contacted.

Sharon Hunt stated that she also has had a conversation with Mr. Thomas. She has seen the dogs running around with no rabies tags. The dogs are loose all the time, running around, pooping in others yards and digging holes. Six or eight neighbors have made calls, but when she checked he told her that she was the only call that he had received. Mayor Pro Tem Miller stated that "Cowboy" is pretty responsible and will run the calls if received. Chief Arrowood stated that they are working on this.

Keith Collins stated that there is 20 tractor trailer loads of debris to be hauled off. The Police have done a great job. He asked if the owner had been issued a fine. Chief Arrowood stated that they have issued a civil citation. Mr. Collins stated that the Tryon Police respond immediately, but the owner tells them he has it under control. Chief Arrowood asked them to take pictures so that it will be documented. By the time the police gets there, the dogs are back at home.

Mayor Wright stated that the Town has done everything that we can under our ordinances. Commissioner Baker stated that our chief will be in touch with animal control and see what can be done. Wright stated that if they would like to hold a dog owners meeting then he would set up the meeting. Baker will talk to the sheriff.

MOTION TO CONVENE TO CLOSED SESSION

Mayor Wright entertained a motion to convene to closed session pursuant to N.C.G.S. 143-318.11(a)(3) for attorney-client privilege.

Jim T. Wright, Mayor

Attest:

Susan B. Bell, Town Clerk