

**TOWN OF TRYON
BOARD OF COMMISSIONERS**

AUGUST 15, 2017 7:00 P.M.

TRYON TOWN HALL: MCCOWN ROOM

Present: Mayor J. Alan Peoples Mayor Pro Tem Crys Armbrust

Commissioners: Bill Ingham, Bill Crowell, Chrelle Booker

Staff Present: Town Manager Zach Ollis Town Clerk Susan Bell

Police Chief Jeff Arrowood Comm. Dev. Dir. Paula Kempton

Town Attorney William Morgan Fire Chief Geoff Tennant

CALL TO ORDER

Mayor Peoples called the meeting to order and asked for a moment of silence. Mayor Pro Tem Armbrust led the invocation.

SWEARING IN OF NEW COMMISSIONER

Town Clerk Bell swore in new Commissioner Chrelle Booker.

AGENDA ADOPTION

Mayor Peoples stated that there has been a request to add Mary Prioleau. Town Attorney Morgan asked to add real estate acquisition to the closed session. Mayor Pro Tem Armbrust made a motion to adopt the agenda with additions. The motion carried unanimously.

CONSENT AGENDA ADOPTION

Mayor Peoples asked if there were any changes or corrections to the consent agenda, which includes the minutes, tax releases for Panache Boutique (\$17.31), Town of Tryon (\$22.20), Lois Tirre (\$254.84), Village Book Shoppe (\$6.74), Dominick Ferullo (\$517.14), Stephen Saft (\$45.30), Billie McConnell (\$826.93), Nancy Roth (\$367.54) and Head to Toe Salon (\$12.85), along with the July 2016 – June 2017 Tax Settlement Report. Being no changes, Mayor Peoples entertained a motion to adopt. Commissioner Ingham so moved. The motion carried unanimously.

POLK COUNTY OPIOD FORUM

Manager Ollis introduced Josh Kennedy. Mr. Kennedy stated that he is with Polk County Consolidated Services. They have been charged to help organize a county-wide forum on opiod misuse. Law Enforcement, Mental Health, the hospital and others are going to be at the meeting. Opiod and substance abuse is increasing in Polk County. He encouraged everyone to save the date October 24, 2017.

Mr. Kennedy stated we are the bypass through the metropolitan areas with I-26. They are working hard with law enforcement and others to help educate. Mayor Peoples asked about the position at the Pavilion. Mr. Kennedy will check on that. He encouraged everyone to come to the meeting.

MARY PRIOLEAU PRESENTATION

Mary Prioleau stated she serves on the Alcohol Task Force with Josh and Jeff. It is heart breaking when substance abuse leads to death. Average deaths for suicide or substance abuse in Polk County is 23%, the national average is 11%. She has talked with Zach and each of you. She has ordered t-shirts with the Town of Tryon logo on it and asked the town to write her a check. This year she asked ten businesses to sponsor the walk and placed their names on the t-shirts. This will help give 400 t-shirts away for the Remembrance Walk. They have a huge amount of vendors this year. There will be food and a dove release. It's a walk to honor those who lost their struggle.

The sponsors are: St. Luke's, Days Inn, DSS, Polk County Sheriff's Department, Steps to Hope, John Walters Architect, The I am Somebody movement, Nature's Storehouse, Clayton's, Town of Tryon and Be a Voice for Kids. It will be a great event on September 9, 2017 from 6:00 – 9:00.

PROPOSED POLICIES

Manager Ollis stated at the previous meeting he presented the Town of Tryon Finance Policy as well as a driving policy. The finance policy was requested by the LGC and the driving policy was suggested by our insurance company. They were presented at the last meeting and are now being presented for the second review. Mayor Peoples asked if there were any questions. All thought these were good policies for the town.

Mayor Peoples entertained a motion to adopt both policies. Commissioner Crowell so moved. The motion carried unanimously.

ORDINANCE AMENDMENT-BRUNCH BILL

Manager Ollis stated he is presenting the proposed ordinance that he pulled from the League of Municipalities. Due to the changes to the South Carolina laws, North Carolina has seen a decrease in sales. Legislation has looked into the sale of alcohol and have decided to give the local governments the authority to decide if they want to allow the sale of alcohol starting at 10:00 a.m. on Sunday.

Armbrust thinks we should do this. It will help on the economic development side for those entities that sell alcohol. Hendersonville passed it last month, Asheville passed it two weeks ago in their consent agenda. Leah Justice stated that Saluda passed it last night. Commissioner Booker asked how many businesses this would effect. Ollis stated that it would probably effect only a few. Huckleberry's, Lavendar Bistro, and Pine Crest. It was asked if IGA could sell before 12 and the gas station. It was explained in Saluda that the truck stop and gas stations could sell starting at 10 a.m.

Ollis stated that it is not clear, but he would check. It does say to allow the hospitality community and retail merchants to meet the needs of their customers. Retail would include the gas stations and IGA.

Booker asked how many businesses would commit to opening at 10:00. Christine Cowles stated they don't open until 11:00. Booker stated she is wondering about the restaurants and is thinking about our youth and young adults. She doesn't want to see her nephew that just turned 21 or any other youth in

Huckleberry's drinking at 10:00 a.m. The police are going to have to police more and may have more arrests. The businesses are going to complain the police are ruining their business. Her bottom line is that she doesn't want our youth to get accustomed to starting at 10:00. It's only two hours out of the week. She feels that we need to draw some boundaries.

Ken Dahlstrom suggested making it for the restaurants only and exclude retail. Armbrust stated if it was only made applicable to restaurants it seems to him that we unnecessarily would be inhibiting on the retail providers. Seems unfair. Ingham stated he would rather not see retailers sell alcohol before lunch. He thought we were making a decision for customers at restaurants. He is opposed to it for retail.

Joyce Kimpton stated she is speaking from experience. In 2004 her husband was going to Landrum and was hit by a car full of young men that had been drinking all weekend and killed him. We owe some responsibility to our citizens. Ingham stated it is called the Brunch Bill. He doesn't think about IGA for this. Armbrust stated we need to reserve and respect the right for retailers to come back to us and make a request to revise. Crowell asked if we could pull the retailers. Town Attorney stated he would find out, because he hasn't heard of a jurisdiction doing this yet. He will check on this and get back to you next month.

Anne Day asked if it couldn't be changed to 11:00 a.m. since the restaurants don't open until then. Mayor Peoples asked if the state statutes specified 10:00 a.m. Armbrust stated they do specify 10:00 a.m. Ollis stated that he needed to look in the non-retail capabilities as well as the 11:00 a.m. He will bring back next month.

VOTING DELEGATES

Manager Ollis stated that we need to nominate a voting delegate and an alternate voting delegate for the League basically for year round for anything the League does. Mayor Peoples stated that he and Commissioner Booker will be attending the conference. Commissioner Ingham made a motion to appoint Commissioner Booker as the voting delegate and Mayor Peoples as the alternate. The motion carried unanimously.

POLK COUNTY TOURISM

Manager Ollis stated this involves possible changes with Polk County Tourism. Polk County is looking to change the way they collect their occupancy tax. They have asked the municipalities to see if they would work with them. If the municipality chooses they could make more money. There are four options:

1. Do nothing and county continues to collect occupancy tax at 3% county-wide and municipalities continue to collect up to 3% within their municipal borders.
2. County rescinds its current occupancy tax ordinance. General Legislature creates a special tax district consisting of unincorporated areas of the county, authorizes county to establish Tourism Development Authority (TDA) and to collect 6% occupancy tax within the newly established special tax district.
3. General Legislature authorizes county to collect 6% occupancy tax county-wide and to create a TDA to collect and manage all occupancy taxes. Municipalities enter into an inter-local

agreement with County whereby the parties agree as to how county will expend funds to promote tourism. Municipalities rescind their respective occupancy tax ordinances.

4. General Legislature authorizes county to collect 6% occupancy tax county-wide and to create a TDA. Municipalities rescind their respective occupancy tax ordinances and enter into an inter-local agreement with County whereby County remits to municipalities a share (3-5%) of the 6% occupancy tax collected within their respective municipal borders.

Basically the board can do nothing. There is an opportunity to make more money, but the town would lose some control. With option 4 we could still create a committee to handle the funds remitted back to us. The committee would be required to spend in a specific manner, consistent with the laws that regulates Polk County's TDA. He has met with the county and told them he would bring it before you. Mayor Peoples asked what percentage they are willing to give us. Ollis stated that would be discussed in the inter-local agreement. Crowell stated if we decided on 5% and give them 1%, they would become our collection agency. Ollis stated one of the benefits with the county collecting, they will deal with everything and this would free up our tax collector to focus more on other issues. It would make life for one of our staff easier. Ingham stated if we benefit marginally, he doesn't want to give up control. Armbrust stated as he remembers the county formally never served our needs in regards to tourism is why we went to the state and asked to create a separate unique authority. The mistrust that existed between the town and county. HE doesn't know that he is willing to give up our Tourism Authority and lose the \$21,000. It seems the greatest benefit is for Polk County to collect on all of the unincorporated areas.

Wanda May asked for clarification of what the town collects. Mayor Peoples stated 3%. Ms. May asked if the county collects the 6%, what they are offering the town. Ollis stated it would only be the portion collected within the corporate limit. Based on the inter-local agreement, we could get 3-5%. The county wins by getting the one percent and the town wins by the additional revenue. Armbrust stated this is the only monies that we collect to promote the Town of Tryon. He is not willing to lose that. Mayor Peoples stated the only options to us is Option 1 and Option 4. Crowell stated they need all three of the municipalities to do this.

The county has found out that they can collect the 6% on the unincorporated portion of the county. Crowell suggested option 4. Ollis stated the idea is that the town would have to rescind our ordinances. If we went with #4, they write us a blank check and then we spend it according to their ordinance. It might be limited, because of the way our ordinance was passed at the time. The county wants to get started as soon as possible. He told them he would present it to the board and see what happens. Wanda May stated it doesn't seem like all the facts are in. Mayor Peoples stated there is no way that we can lose with option 4, but it may limit us to how we can use the money.

The work session of the county EDTC sounded like the laws are more flexible now. The inter-local agreement once signed can't be changed unless both parties agree.

Mayor Peoples stated we will wait until we get more information before making the decision.

FARMER'S MARKET

Manager Ollis stated the Farmer's Market has moved back downtown on Thursdays from 4:30-6:30 at the Depot Plaza. They have made a request to him to give out or sell alcohol at the market. They believe

beer and wine sales could boost attendance. They have spoken to businesses that carry the permit. The board would have to give permission. They have also requested to build a pergola at the depot for shade and use grape vines and herbs. He told them that he would bring to you.

Mayor Peoples asked if anyone was interested in allowing them to build anything at the Depot Plaza. Armbrust, Ingham and Crowell said no. Commissioner Ingham stated they do not have anything like this anywhere else. Scratch that one.

Commissioner Ingham asked if they would be able to stroll down the stairs and into the street. Ollis stated that would not be allowed. The current ordinance only allows for it on the sidewalk, not in the road. He is happy to have them back downtown. He just wants them to know that he is communicating their thoughts to you.

Commissioner Crowell stated he would like to see the vineyards there. Mayor Pro Tem Armbrust stated we can't deny the wineries in Polk County. Commissioner Ingham stated he doesn't want to see someone with a cooler of beer setup there. Mayor Peoples suggested tying it into the first Thursday of the month only. He doesn't have a problem with the wine sipping tasting, he also doesn't want to see somebody with a cooler set up. Armbrust stated it should only be an option for winery owners. Wanda May asked if the farmer's market didn't have a criteria that everything has to be locally produced. Everyone agreed. Commissioner Crowell stated that only TDDA would be able to sell beer.

Christine Cowles asked about the Depot when used by TDDA or Beerfest they have it roped off, how it was going to be controlled at the farmer's market. Ms. Cowles asked what if someone wanders off and down the street, what happens?

Armbrust stated his real concern is that the Depot is not the best location for Tryon. The market was more visible on McCown Street. Ingham stated he liked McCown Street better too, but there are people parking there now.

Ollis stated the way the farmer's market works. They park their cars, put their tent up behind their car and into the road and that only allows for about four feet to walk. Also if people are to park on McCown, they have to exit in the wrong direction. Water and electricity is also an issue, because they have expanded and have a chef that works at the market making different items from the local vendors. The vendors prefer the Depot area. Armbrust asked how many vendors were there. Ingham stated more than at Harmon Field. Armbrust stated eight vendors. It is at capacity. Ingham stated if they get too big, they are going to make adjustments. All the parking spaces have been taken.

Crowell stated let the vineyards come in, they are an agriculture business. Ken Dahlstrom stated there are local breweries here. Ingham stated the grapes are grown here, the hops are not.

Mary Prioleau stated she is so tired of alcohol being related in all the events of Tryon. We need to be more family related. You are taking away from businesses that are in town. Joyce Kimpton stated that she received a comment this morning that Tryon seems to be leaning toward alcohol for everything they do. The Beerfest ropes off the area. We are missing the boat about family oriented events. Ingham stated he has no problem with telling them no. Ms. Cowles asked if the farmers market had contacted Columbus or Saluda. Ollis stated he didn't know if they had approached them. Makes more sense in Tryon, because of the time. The others are held in the morning. They feel it will benefit the farmer's market. Ingham stated the more information we have helps us to make our decision.

Ms. Cowles asked what Commissioner Booker's opinion was. Commissioner Booker stated that she doesn't have one.

EMPLOYEE WORK

Ollis stated employee evaluations start this week. You have a copy of the evaluation. The department heads will evaluate each of their employees. He is also giving out town evaluations, so that employees can let us know how they feel about the town as a whole. Mayor Pro Tem Armbrust is very pleased that we are doing annual evaluations. It is appalling that the last evaluations were done in 2009, which will tell you an incredible amount about the culture here with regards to the employees of the town of Tryon and their supervision. We claim to be the Friendliest Town in the South and sometimes we fall short. It comes down to attitudes in a very general way. He hopes that this will cause our workforce to work more effectively and efficiently to accomplish goals and objectives of the Town of Tryon.

INTERCONNECT

Manager Ollis stated the inter-connect between Tryon, Columbus and Saluda needs to be discussed. Paula has been working very hard on this. Jonathon Hollifield is starting to gather data from all three towns to see what has to be done to get the system into working order. We are supposed to put in a number, press a button and it will send water to Saluda. It doesn't work that way. We have to go from pump station to pump station and manually override the system to do this. In sending down from Saluda they have some pressure issues that fall short. From Tryon to Columbus is working fairly well. Mayor Peoples stated that has been working for a long time. The cost is \$8,500 for each town and supposed to be pulled from the money received from the settlement. Commissioner Ingham stated that he doesn't mind using that money, but other than that it is for someone else. We have plenty of water. CDD Kempton stated all this is going to do, is determine if this can even work. Mayor Peoples stated when this was proposed to the towns, someone was hired to connect the three systems together, because Hendersonville could buy from Asheville, Saluda could buy from Hendersonville, we could all pump to each other either up or down. The state said it would work and everyone else said it would work. We spent \$1.5 million dollars. He was called and asked to testify, then he was called and said it was settled out of court and he asked why? You have spent the money on something that doesn't work and settled for \$300,000. He never understood that. If it's not going to work, then just say it's not going to work.

Commissioner Ingham made a motion to spend the money on hiring the engineer. The motion carried unanimously.

MONTHLY PROJECT PRIORITIZATION LIST

Manager Ollis stated he thought he had put in the actual list. Basically there has been a lot going on in town. He would like to reprioritize since Ms. Booker has come on board. There are some things that have been accomplished. He does want to get started on the list.

Commissioner Ingham stated Howard Street. Mayor Pro Tem Armbrust asked why this has been put off for so long. Ingham stated we are going to have to pull off some men and they have had so much other stuff to do. Mayor Peoples stated we have enough money to pave Howard Street, but do we have enough money to cover the infrastructure under it. Ollis stated that basically we have enough in the budget to cover it. CDD Kempton stated we know what the cost to procure it out, but we don't know

the cost to do it in house. Armbrust asked why has the process stopped. We pass these things and wait years before doing anything. There are other providers. A decision has to be made which way we are going to do this, in house or bid it out. Mayor Peoples asked about the difference in the cost. Kempton stated that she backed out of this when she didn't know where the decision was falling, whether it was in house or procured.

Ingham stated we had talked about doing it in house, but Gary was still here then. Kempton stated the cost for outside was \$87,000. Commissioner Crowell stated that was moving the water and sewer lines or upgrading. Kempton stated that you only have one bid. Then the discussion became can it be done in house or by contractor.

Ingham stated we don't have enough money set aside for this project. Kempton stated no. Armbrust stated we approved this last November. Ingham stated you can't take Gary out of the equation. We probably would still pay him to come and help us. He understands that we have sort of a man power shortage. He would like to see Howard Street just get paved. Kempton stated man power, losing Gary's expertise and permitting on that area was going to be a problem, and could the staff handle it. Ingham stated we have to start thinking about the difference between in house and \$85,000 and see where we can come up with this money. The difference may be \$40,000. Ollis will get with Gary, because he was meeting with Trace and someone else regarding whether he can go in basically as the brains and say this is what we need to do. If we don't use Gary it will require an engineer to basically move those pipes. He will let you know.

Commissioner Booker stated she was speaking on behalf of Ms. King and asked about Aspen Street. Ollis stated this in Jody's box. He will be back tomorrow. They received the quotes that ranged from \$8,000 to \$28,000. We are going to have to use our man power. He has talked with Dr. Carson. We are going to have to wait on our man power to be able to help. When we have to hire someone outside, the cost is more and what we can do is less and less. Trying to save money, use our guys and equipment. These two things are going to be at the top, unless the board has anything else to throw in.

Armbrust asked when he had scheduled the sealing of the light poles. Ollis stated we are going to do the sealing, but we need to run a test strip to see if it is going to work. They can do that Thursday and see how far the solution will go. Armbrust stated the last time that he did it, it didn't take that long. This will help preserve them.

Commissioner Crowell asked if the light in front of Missildine's had been repaired yet. Ollis stated that Adrian is going to have to find a way to make it work and you know that he can build almost anything. He knows this is on the list. There are actually a handful that needs repaired.

Mayor Pro Tem Armbrust asked if the refuse provider had paid for the one that they had destroyed. Ollis stated that he would have to look into that.

TOWN MANAGER'S REPORT

Manager Ollis stated Blue Ridge Health that is above Larkin's are having National Health Service week on Friday, August 18 at lunch. They will be giving tours of the facilities. The board has been invited. Let him know and he will RSVP to them. There is a call for ABC Board members, stop by Town Hall for an application if interested. He thanked public works and explain some of the work that they put forward. There was an issue with the Hogback Mountain water tank. The guys dropped their plans and came in

to fix the problem. They worked until about three o'clock in the morning that the town received five inches of rain, went home, took a nap and were back at six o'clock cutting trees. The crew laid four and a half tons of asphalt and picked up 62,500 pounds of brush in July. He is happy with the numbers.

COUNCIL/MAYOR REPORT

Commissioner Booker wants to make it perfectly clear that she is not opposed to the sale of alcohol. She thanked this board for appointing her to serve all the people. She thanked everybody for coming out. She thanked her mom and uncle for staying.

Commissioner Crowell thanked everyone for coming tonight and welcomed Chrelle. He feels they made a good choice. He was coming from his friend's house tonight on Winner's Circle and noticed the road is being consumed by kudzu. The house being consumed by kudzu, because the renters won't do anything. Grass growing in the curbs. He feels the homeowners should take time to help maintain their curb. We can't afford to do the whole town, unless you want us to raise taxes. We don't want to do that. Between Pine Crest and the Methodist Church a homeowner has left kudzu to take it over. He would like to see citizens take energy and some pride in taking responsibility for their property. He spent \$100 on spray to spray his property on Carson Street.

Commissioner Ingham stated that he went up Highway 176 to Saluda today and the kudzu is taking over the road. He welcomed everyone. He does appreciate everyone's comments. He thanked Zach for all of his work. He reminded everyone that it is easy to find faults in our employees, but they work very hard and we need to let them know they are appreciated. He thanked everyone for coming and welcomed Chrelle.

Mayor Pro Tem Armbrust stated several citizens have approached him about long term parking in front of Owen's Pharmacy's fifteen minute parking. Another concern brought to him by a number of business owners is business owners parking on Trade Street. This is unacceptable. He suggested having more police officers walking Trade Street, not the Chief. He reminded the board the ABC Store owes the town \$10,000. Trade Street speeding needs to be addressed. Thanked Chris Bachon for the mural. Huge thank you following our meeting last Wednesday with NCDOT while discussing the upcoming upgrades to last section of Trade Street. They had requested the road be raised to do away with the step down. At the end of the meeting, through their own generosity NCDOT agreed to foot the entire bill for this and the re-asphalting of the Central business at a total of over \$400,000. Our tax dollars coming back to this area. He welcomed Chrelle to the board. Congratulations in advance to tomorrow's opening of Katy D's. He also thanked the citizens for participating in the meeting.

Mayor Peoples stated the young man called out earlier is a runner on his track team and is working on his Eagle Scout and is the son of a retired two star Marine General. He just wanted to give Jack a shout out. He has been here since 1979. He and his wife love living here.

CITIZEN COMMENTS & RESPONSES

Ken Dahlstrom asked for an update on DOT plans. Armbrust stated that our people are meant to do their work in February, March, April and DOT will come in right behind them in May or June.

Dr. Warren Carson stated Crys frustration with Howard Street, now you know what it feels like. The Howard Street happened the same time as Peake Street. Finally Peake Street has been taken care of.

The terms of priorities he likes. He echoed Ms. Booker's comments on Aspen Street project. He would add to those priorities all those issues that they have brought from the eastside. The kudzu is engulfing the streets and homes. He tips his hat to Shawn and Randy for cutting the kudzu, so people can walk safely in the streets. The creek overflowed when we got the five inches of rain. Corrections need to be found out how to correct the overflow. Duke Power needs to be ashamed of themselves for the kudzu on the poles. It's absolutely unacceptable. The Eastside Citizens Advisory Committee will be meeting September 7 at the Roseland Center. He congratulated Chrelle.

Joyce Kimpton asked how many years has it been that she has complained about the parking. She has done a lot research since she has retired and found that other towns have issued stickers. Commissioner Ingham stated when he owned the coffee house he was glad to see his car sitting there. Now business is better. Some businesses have five or six cars each. Ms. Kimpton stated she had customers that called and said they couldn't find a parking space so they went home. Ingham suggested starting out with a friendly letter. Example Myrna Viehman needs to be allowed to park on the street. Mary Prioleau stated TDDA had talked to all the businesses a few years ago and no one cared. Allowing parking on Sundays is okay, but not during the week. Ms. Kimpton stated that drains are full of dirt, trash and sticks. The gravel is still on the road at her house.

Commissioner Crowell stated the railroad had sprayed the kudzu recently. Commissioner Booker stated that a young man out of Georgia has invented a way to kill kudzu. He drills down and shoots helium into the ground and it will kill the kudzu. Also, if you cut the nodules off, it will kill it.

Anne Day stated two small little kittens were hot, tired and lost in a twenty foot long hole. Members of this town, Zach Ollis, the bull dozer driver, Geoff Tennant, Tank Waters, Theda Rickman and the Town of Tryon in general rescued the two little kittens. The lady told her that it restored her belief in humanity.

Wanda May invited everyone to coffee and muffins on September 12, 2017 at the new addition to White Oak at 8:00 a.m.

Christine Cowles asked where the raising of the grade will begin. Armbrust stated the crosswalk. Ken Dahlstrom stated the way he read the plans it looks like it will start with the crown and blend down to the sidewalk.

Ken Dahlstrom stated that he would like to see a portable bridge across the railroad tracks for safety. Tons of people are crossing.

Nowell Guffey stated speeding is an issue. He sits at his business and watches the traffic. It needs to be fixed. Ms. Cowles stated that Crys had helped her put a cone in the road. People turn their head to see what is happening, but they slow down. Chief Arrowood had informed her they couldn't do that. He suggested she go through the proper channels and it may work. She asked if with the new paving if something could be done. Kempton stated that NCDOT will not allow anything in the road. The police will have to control the speeding. Ollis stated he is working with Jeff to put the speeding sign back up. Dr. Carson said he is well aware of speeding, because he almost got hit the other day. Speeding in the residential area is also a concern. The speeding equipment does help.

Ken Dahlstrom asked about the surveyors in town. Kempton stated they are only mapping.

MOTION TO CONVENE TO CLOSED SESSION

Mayor Peoples entertained a motion to convene to closed session to approve closed session minutes, to discuss personnel pursuant to 143-318.11(a)(6), attorney-client privilege pursuant to 143-318.11(a)(3) and real estate acquisition pursuant to 143-318.11(a)(5). Mayor Pro Tem Armbrust so moved. The motion carried unanimously.

J. Alan Peoples, Mayor

Attest:

Susan B. Bell, Town Clerk