

**TOWN OF TRYON  
BOARD OF COMMISSIONERS  
APRIL 20, 2021 6:00 P.M.  
TRYON TOWN HALL – MCCOWN ROOM  
WORK SESSION**

Present: Mayor J. Alan Peoples Mayor Pro Tem Chrelle Booker

Commissioners: Bill Crowell, Bill Ingham, Crys Armbrust

Staff Present: Town Manager Zach Ollis Town Clerk Susan Bell

Town Attorney William Morgan

**CALL TO ORDER**

Ollis had several additions to the Regular meeting agenda.

1. Colored copy of the newer version of the FY21-22 budget
2. Karaman Properties TDDA bathroom
3. Outdoor lighting-dark sky lighting-Columbus has been working on this for 2 years
  - a. Numerous businesses that are lighting the entire neighborhood
  - b. Grandfather ones in place
  - c. Do this slowly – take it to the Planning Board
  - d. Incentive for Duke to replace the lights with LED
  - e. Changing – expensive
  - f. Town lights-shield over the top

Ingham wants to discuss 55 Melrose Ave property.

1. Ellis Fincher was the highest bid. He wants to build a house.
2. A bid from Crys' friend Darren came in at the last minute-he turned in via email and used a check from someone else-not a valid bid per School of Government
3. Problem if it were challenged by anyone-they would have argued that they were given an undue advantage-it was not advertised such as it could be done via email
4. With the bids received you can reject any and all bids-can start over again

Commissioner Armbrust came in and asked to be updated. Ollis updated him.

Crowell feels that Ellis Fincher won the bid. Ingham is in a dilemma. He wants to get all the money we can. In fairness can we deny. Morgan explained that you will have to have an offer on the table.

Armbrust-this is his bottom line. Seems to him in previous discussions, we would like for that property to make as much profit as possible. He personally feels we should reject the offers and continue the process. Crowell feels we are at the extreme with the property. Good news is that Ellis will build a house within the next year and we will receive tax revenue. There was no legitimate higher bid and Ellis should have it. Armbrust knows the end with Mr. Lynch. He will build his retirement home on the

property. He wants that property to make as much money as possible. Crowell thinks Ellis should get the property. We might not get another bid. Morgan asked what was the highest legitimate bid. Ollis replied Ellis Fincher at \$160,000. Morgan explained that he might challenge it, if the higher bid was accepted. The Resolution states you have the right to accept or reject any offer. Ollis explained that the next offer would be \$168,050. Upset bid process is the first \$1,000 is 10% (\$100), then 5% after that.

Armbrust asked how forthcoming does he need to be. He is in possession of two documents. Crowell asked if he had a check and a signed contract.

Morgan explained that you are going to have to, in a regular meeting, reject all bids. You will have to adopt a new resolution of intent just like in the beginning that the board intends to accept this, but we reserve the right to reject any and all bids. You will have to hold a special meeting, unless you wait until the next meeting.

Ingham feels Darren had full intent. Ollis feels Lynch was on time, but the check has to be from the bid person. It just didn't work out right. You can reject this and accept a new bid and start the bid process over. Ingham is hearing conflicting messages. We don't have to wipe it out completely. Ollis yes, reject all and you open a new bid process. He will have to let Ellis know what is going on and if he wants to continue the bid process he can. Morgan explained that if you want to go with the current high bid, you can move forward. Ollis the high bid will be Ellis.

Mayor Peoples asked they already have the language; couldn't we start tonight in the regular meeting. Morgan replied yes, but he wasn't sure of the optics. Peoples question is what is the difference in doing it tonight, tomorrow or in two weeks. Morgan replied he doesn't feel there is a legal reason.

Armbrust asked what is the difference between abstention and recusal. Morgan-you ask the board to recuse you from voting. If you just abstain, you would be counted as an affirmative vote, unless you were excused by the board.

Booker asked about the American Rescue Act money. Ollis-don't receive anything until the treasury gives the money to the states on the 15<sup>th</sup>. Word around Raleigh is the state will give us the money around June 11<sup>th</sup>, at least the first round. The second round we receive a year later. Booker explained that before it gets here, we are supposed to have a committee to decide what happens to the money. We are supposed to work backwards. Every penny has to be accounted for. Pretty much what we need now is a committee. You and the Mayor need to be on it. She suggested at least 2 council members be on the committee. All cities, towns, counties are going to be audited. We need a community committee. She has access to two videos and one city didn't do it right and had to pay all of the money back. First of all, have you done the DUNS # and Sam ID. Ollis replied yes. He has been reading information from the treasury and league. Any city over 50,000 will be treated differently.

Booker-the money is coming from the state. You need to gather your stakeholders and committee members. You need resident voices, get to know your community, solicit input from staff and get stakeholders to help create a comprehensive needs assessment. Make racial equality a part of your plan and ensure that you have support from those excluded. The main thing is that you have the committee. If working backwards and were audited, we would be covered. Ollis-we can do that. He is going from information from the treasury. We have our DUNS & SAM. He is waiting to see what funds can be actually spent on, because they are not really forthcoming. They say water and sewer infrastructure,

but they don't give hardly any terms on what that is. They say there are other ways to utilize it, by doing grants. You can even give directly to citizens. The Board is really going to have to think about what they are going to do with this money. Booker-you can give to non-profits, there is a lot of places you can give it to.

Ollis-we will probably do what we have done with the CARES ACT money. You have to have it in a special revenue fund. So, if they come back on us, they can just take the money back.

Booker-we need to make sure you separate the money from all other money. Get committee together and work on where to spend money and work your way back with the numbers. Ollis-send him that information and he will get started on that. She will. She wants to talk about engagement resources for our citizens. Steve Locket is someone that could take care of the money and keep up with every penny spent. She's not sure how he does that, but he is someone we could look at if needed.

Ollis-we will do it similar to how we have done the CARES ACT money. We haven't touched it yet- instead of making improvements to doors and bathrooms or other Coronavirus things, there is an exception that it can be used on salaries. So, we put that money toward the salaries of police officers and firefighters but we haven't touched the money. If we are audited the money is there. Whatever kind of committee that you want we can start.

Armbrust asked while we are on state matters, he would like for Zach to make an appointment for him and Booker to meet with the State treasurer's office. Booker thinks it is Beth Wood. Ollis replied she is the state auditor. Armbrust would like to set down with that person. Ollis will contact them tomorrow. Armbrust-you are welcome to join us, but that is your decision.

Ingham had nothing to discuss.

Crowell asked if there was no information on the dam in the agenda. Ollis replied yes it was included in the agenda packet. Armbrust asked for a one sentence update. Ollis – Concrete is actually pretty good, surface has some issues, they want to fix the earth where it is coming out and resurface the dam, want to find a way to lower the lake on a permanent basis and they don't like the bridge.

Crowell-they want a way to drop the lake rapidly in an emergency. Ingham-that's a pretty costly proposition. Crowell-probably a five-to-six-million-dollar project. Would need a massive siphon.

Booker – what about the company that wants to come in and do an evaluation of the dam. Ollis-State of SC DHEC-wants to conduct a risk analysis. He contacted the state. They want to take the Cranston numbers, come out and get a little more information and then package with their risk analysis information and file it with FEMA. They seem to think South Carolina is going to be able to get some money through FEMA and they would allegiantly like to help us.

Booker-make sure the public is kept up with movement on the American Rescue Act money. We are supposed to be transparent and publish articles about what is going on with project. She will get Ollis the information. Ollis is going off the treasury's site. She is also.

Crowell-are we going to ask to send the lighting thing to the Planning Board tonight. Ollis replied he is sending to them anyway.

Armbrust-do we have an update on minimum housing tonight. Ollis-Tim has an update.

**ADJOURN**

Mayor Peoples entertained a motion to adjourn. Commissioner Armbrust so moved. The motion carried unanimously.

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J. Alan Peoples, Mayor

Attest:

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Susan B. Bell, Town Clerk