

**TOWN OF TRYON  
BOARD OF COMMISSIONERS  
TRYON TOWN HALL – MCCOWN MEETING ROOM  
FEBRUARY 27, 2024 7:00 PM**

Present: Mayor J. Alan Peoples

Absent: Mayor Pro Tem Chrelle Booker

Commissioners Present: Bill Crowell, Crys Armbrust

Staff Present: Jim Fatland, Town Manager      Susan Bell, Town Clerk  
Tim Daniels, Planning Director      Scott Holt, Interim Police Chief  
Josh Walton, Fire Chief      Greg McCool, Public Works Director  
William Morgan, Town Attorney

**CALL TO ORDER**

Mayor Peoples called the meeting to order. Commissioner Booker's father passed away this morning. He had to put his wife in Palliative care this afternoon. He asked for a moment of silence recognizing her loss and others. Commissioner Crowell led the Pledge of Allegiance.

**AGENDA ADOPTION**

Mayor Peoples asked if there are any additions, deletions or corrections. Town Clerk Bell added the Dominion Energy Franchise Ordinance. Town Manager Fatland suggested adding it to his report. Mayor Peoples entertained a motion to adopt the agenda. Commissioner Armbrust so moved. The motion carried unanimously.

**CONSENT AGENDA**

Mayor Peoples would like to add item 14 h. Back Alley Boutique Hempfest April 21 or April 20 to the Consent Agenda. He entertained a motion to adopt the Consent Agenda which includes the Board minutes, Tax Reports, Tax Advertisement for 2023 Real and Personal Property, Financial Report, Grant Status Report and for information only the Harmon Field Board Minutes and Cemetery Commission minutes. Commissioner Armbrust so moved. The motion carried unanimously.

**UPDATE ON AUDITED FINANCIAL STATEMENTS FOR YEAR ENDED JUNE 30, 2023**

Manager Fatland reported that we had asked the auditors to have a report to us this evening, but we didn't receive it. We have to have the audit done by March 31. He tried calling ten minutes ago and there was no answer.

**FY24-25 BUDGET CALENDAR AND TOWN BOARD WORK SESSIONS**

Manager Fatland recommended having a community work session in the Depot Community Room on March 22, 2024 at 9:00 a.m. He will have the consulting engineers come in and give an update on the Braewick Sewer project. This project went out to bid and they are ready to start. Next Thursday we are having a pre-construction conference with the contractor and engineer. Also, the three projects that were funded, thanks to the help of State Senator Tim Moffit and House Member Jake Johnson for

\$2,223,000 are Hidden Hill, Markham-Grady, and Oak Street. The design is basically done for these projects and the engineer is working on permits.

The Town Board approved a capital improvement project back in 2020 and updated it in October 2022. He would like to add to it and update it with projects that we have on the horizon.

Also, he would like to hold public input sessions with the department heads for the public to come and ask questions to find out what you like about what we are doing, what improvements are needed.

Mayor Peoples entertained a motion to approve the budget calendar, work sessions and public input sessions with staff and manager. Commissioner Armbrust so moved. The motion carried unanimously.

#### **PROFESSIONAL ENGINEERING SERVICES FOR LAKE LANIER DAM REHAB PROJECT**

Manager Fatland reported that he has been working closely with South Carolina. They want us to apply for FEMA money through SCDEHEC. He met with a citizen a few weeks ago and was asked if the Town had wasted the \$200,000 that was spent on the Lake Lanier Dam Assessment. He told them absolutely not. That document together with South Carolina's work they are doing and Cranston's alternative analysis will all be part of the grant application. He is asking tonight for you to approve SDG Engineering to prepare the grant application. It requires federal procurement rules to be followed and his thought is to have an engineer to help this town out, because this is a very important project and the opportunity for FEMA funding is in 2024. The engineer for the grant application can't be the same engineer for the design of the project.

Commissioner Armbrust made the motion to approve SDG Engineering to apply for FEMA funding for Lake Lanier Dam Rehab Project. The motion carried unanimously.

#### **ESTABLISH JOINT COMMITTEE FOR TOWN OF TRYON/TDDA**

Manager Fatland reported that when he was here the first time, he had formed a joint committee, mainly to work on Streetscape, the street lights and so forth. He would like to bring it back. Tim Daniels is going to oversee the Downtown position. The committee will include eight individuals, a commissioner, town manager, Tim and Lourdes, and four TDDA members. They will spend time discussing public rest rooms, streetscape, and promotional events. The committee will thoroughly discuss the items and then bring recommendations to this board to approve.

Mayor Peoples entertained a motion to establish a joint committee for the Town of Tryon and TDDA. Commissioner Crowell so moved. Fatland also asked for a volunteer from the board to be on the committee. Commissioner Crowell responded that he would like to be on the committee. The motion carried unanimously.

#### **AUTHORIZE APPEARANCE COMMISSION GRANT APPLICATION FOR WOODLAND PARK**

Manager Fatland reported the Parks Commission met and the Appearance Commission has money left and would like to do additional work at Woodland Park. It will be \$1,500 from Polk County Appearance Commission, \$1,500 from the Town and in-kind (\$25 an hour for each hour worked) match. The total is around \$4,000. Mayor Peoples entertained a motion to approve the grant application to the Polk County Appearance Commission. Commissioner Crowell so moved. The motion carried unanimously.

### **RESOLUTION AUTHORIZING THE UPSET BID PROCESS TO DISPOSE OF TOWN OWNED PROPERTY**

Planning Director Daniels reported he had received an offer to purchase 0.0129 acres on W. Howard Street. It is on the corner of Academy, W. Howard and School Street. The offer is \$10.00. If you would like to approve the offer, we can start the upset bid process. Commissioner Crowell asked if \$10 is all that it is worth. Daniels replied yes. It is more or less 562 square feet to complete the whole plat. Commissioner Crowell made the motion. The motion carried unanimously.

### **ANIMAL CONTROL ORDINANCE UPDATE**

Manager Fatland reported this was discussed last month by the Harmon Field Board since they had to close the Dog Park. Brad Gordon will give an update. Since the attorney is not here, he will give the report for consideration and be on next month's agenda for adoption.

Harmon Field Supervisor Gordon reported they had closed the Dog Park on January 9 for a case of PARVO. With the help of Polk County Animal Control, they told us how to disinfect and maintain it. Going forward he needs to update some of the rules. He along with the Animal Control got to looking at the ordinance and it needs to be updated. The county and Town of Columbus are on the same page. They would like the Town of Tryon to look over the ordinance and change it, so they have more teeth in enforcement. Polk County Animal Control Officer reported the county ordinance covers everything. The Town's ordinance conflicts with some of the statutes. She suggested changing the Town's ordinance so they can enforce it. Rabies vaccination tags shall be attached to the dog. Animals have to be confined or under the control of their owner at all times. The two main things we need is the change of rabies. The town does not have a leash law, but needs one. Look over the ordinances and call her if you have any questions. The biggest thing is to make sure the state statutes match.

### **DOWNTOWN/TDDA UPDATE**

Planning Director Daniels introduced Lourdes Gutierrez, the new Downtown Development Director. She has been with us for about a month and has hit the ground running. The first event was the Guns and Hoses Chilli Cookoff, thanks to Fireman Stephen Siler's idea. He brought this to us. He wanted to do a quick shout out to Katie D's, won Judges choice, Road Kill Chilli won 1<sup>st</sup> Place, Burn-baby-Burn won 2<sup>nd</sup> Place and Gowensville Fire Chief's group won 3<sup>rd</sup> Place (the People's choice). The dog sniff test was Road Kill Chilli. They raised \$1,500 to go toward the Tryon Fire Alliance. They have a bunch of events lined up over the next couple of months.

Downtown Director Gutierrez reported the Hempfest has already been taken care of earlier, the St. Patrick's Day Parade requested Trade Street closure from 2-3 from Palmer to Sidestreet. Greg from the parade committee has made the request for the past two years and are hoping it has grown.

Mayor Peoples entertained a motion to adopt Trade Street closure for St. Patty's Day parade and April Fool's Day parade. Commissioner Armbrust so moved. The motion carried unanimously.

Gutierrez reported Denny Crowe organizes the Air Stream Festival and have asked for the street closure for McCown and Depot Street for the weekend of April 26. They will arrive at Harmon Field on April 25, then on April 26 at 10:00 am will proceed downtown and be there until the 28<sup>th</sup> about 11, they have requested Fire and Police and will parade into town and park on McCown and Depot for the weekend. An open house will be held so that people can come in and view their Air Stream.

Mayor Peoples entertained a motion to approve the street closures. Commissioner Armbrust so moved. The motion carried unanimously.

#### **APPOINTMENT(S) TO TRYON TOURISM DEVELOPMENT AUTHORITY**

Town Clerk Bell reported Melanie Jackson had made application to be back on the TTDA Board. Mayor Peoples entertained a motion to appoint Melanie Jackson. Commissioner Armbrust so moved. The motion carried unanimously.

#### **MINIMUM HOUSING/PLANNING UPDATE**

Planning Director Daniels reported Shepherd Street's second letter came back, so he is going to send the letter to the church and he is going to post it on-site, so that he can get started. Peake Street order is coming in next week. He has talked with the owner and had him to fill out the burn paperwork. It would be beneficial to the Fire Department to have two houses close by for burning.

#### **TOWN MANGER'S REPORT**

Manager Fatland reported before you are the Franchise Agreement with Dominion Energy. The town attorney has looked over it and is okay with it. Mayor Peoples entertained a motion to approve. Commissioner Armbrust so moved. The motion carried unanimously.

Fatland reported that he had attended the Department of Environment Quality session on grants. Next month he will bring a grant for the removal of lead piping. It is a national effort to remove all lead pipes.

#### **COUNCIL/MAYOR REPORT**

Commissioner Armbrust thanked everyone for being here.

Commissioner Crowell thanked everyone for being here. He thanked the three for pulling off the Chilli Cookoff. That was a fun event.

Mayor Peoples welcomed everyone to heaven.

#### **CITIZEN COMMENTS & RESPONSES**

Allan Casavant reported he had talked with one of the head guys at DEQ and was told he was willing to come down and speak to the public at next month's council meeting about the sewage that is falling into the creek. He will contact him if you like. Manager Fatland said the day we had an overflow, he was interviewed by Channel 7 WSPA. That same day, Hendersonville, which was at the meeting he was at today had eleven SSOs. These are going to happen when you have aging infrastructure like we do. We have to be very aggressive on our capital improvement program. He shares with council every month the grant status report. The CIP has \$25,000,000 of projects outlined on it. The first \$6.6 million dollars-worth of projects have been funded with six million dollars of grant money and \$600,000 from a no interest loan. He feels this community needs to be aggressive on grants, because we are a small community and we can't afford all of it through loans for twenty years. One of his frustrations is that you have to score pretty high. He presented three projects, Hidden Hill, Markham-Grady, and Oak Street and received \$2.3 million. Those projects are almost ready to be sent out to bid and he only found out in September that we were getting money from the state. When you have an SSO it helps with scoring. Tryon is scoring high. The information given to the news was incorrect on the sewage flowing into

Vaughn Creek. It took Brevard fifteen years to finish a \$38 million dollar project. They had a lot more SSO's that Tryon.

Only two towns showed up today for the training session. Hendersonville and Tryon. It gave him time to meet with staff at the state level. Being a distressed town, because of the audit, actually helps us out. If you apply for the grants, you might not get them, but if you don't apply, you definitely will not get them.

The Lake Lanier Dam, 2024 is the year to get the money. Our March 22<sup>nd</sup> meeting with the engineers would be a better meeting to invite them to.

Mr. Casavant reported he had received a letter from them that we had been fined \$40,421.83 and still owed \$14,875. Mr. Fatland reported that is not true and is an old statement, because the board approved paying them at a previous meeting. If we receive a NOV SSO, then we respond that we have projects under construction. Mr. Casavant heard from a lady that the Town or insurance company had paid her \$140,000 to her to make repairs to her basement. Fatland reported the insurance company may have. We turn each claim over to the insurance company and they handle all of the claims. Mr. Casavant reported he has his public utility license. He suggested hiring four more people to run new lines. That way you could tell citizens last month you run 1200 feet, last month you ran 400 feet of new lines. Fatland reported there is state laws that you can only use a certain threshold (can't compete with contractors), which he has already shared with Mr. Casavant earlier.

Fatland is thankful for this council. He has only been here for one year and we have four projects either under construction or in design, and ready to go out to bid on sewer projects. He would like to get more done. Mr. Casavant replied if you hire more employees, then you would get more done. Mayor Peoples intervened and asked Mr. Casavant to speak his peace, so that others could speak. Mr. Casavant has his public utility license and is just giving suggestions on how to fix the problems. He is trying to help the town. Doesn't it make sense to do it at cost? Mayor Peoples responded we are doing it the way it should be done, through the state, engineers and grants. Fatland responded yes, we could have done these projects 50 years earlier, but it would have been 100% loan for 20 years for everyone in this room to pay for it. At this time there is a lot of money out there for infrastructure grants, getting six million dollars out of 6.6 million is doing pretty good. He knows the CIP report that council adopted, assumed no grants at all. It was all loans. Even though we are late getting there, we are not the only ones. Hendersonville has problems and so does Brevard, especially the mountain communities, because you have a lot of rain and aging infrastructure. This town built all the lines and sewer plant with local money. The sewer plant was built in 1969 with 100% local money. Now we have the opportunity to get federal and state money. Mr. Casavant asked if he was going to be able to get enough money to fix all of the problems. Fatland replied we have gotten a \$600,000 no interest loan. Also, Jake Johnson our House Representative was successful in getting the loan for Saluda, Tryon and Columbus paid off. All the money that was paid on the loan by the three towns is coming back to the towns in May.

Richard Norton, Markham Road, reported he likes that the town has a manager filling out the paperwork for grants. However, this is the 20-year CIP, this is a 40-year-old problem, the plan was \$3.5 million and now it is \$22 million. The same thing over and over again is intentional. This is your legacy. What happens when the county comes in to re-access our property with sewer problems. The city loses tax money. What happens when someone sells their property and the sewer line is bad. You need better communication. You need to have goals listed. People are going to have to pay the money. He is happy

things are going to be done. He is happy with Jim. Tryon is on the bottom of the states list. Mr. Norton apologized for raising his voice.

Joyce Kimpton thanked Blake Arledge for getting the pothole filled in front of Katie D's. Her daughter came through last night and hit it and came close to hitting her car on the edge of the pavement. She would like to know where to go to get final answers on the water bills. How many people are getting a minimum water bill, because they can't find the water meters. A guy was wondering around in her yard looking for her water meter. He never marked anything. She's not sure he will know where it is later. Last December through June, she complained about her water bill. Recently, during the freezing weather she had water running in bathroom and kitchen and her water bill was lower than it is now. She doesn't know what is wrong. She's been told she has a leak. She doesn't get a straight answer. She had a plumber to check it and he found no leak. Her water meter has been replaced. She received \$25 credit on her water bill. She questioned the timing of the reading of the meters. The meters and computers need to be redone. She would like to know how many meters that you can't find.

Peter Hanson has been listening to everything that is going on in this town. He asked if this is a safe place to live. Are there diseases in our water system. PWD McCool responded the water is checked every day. Samples are checked by an outside vendor. Mr. Hanson replied that's not all, we have sewage problems. Sewage getting into our ground water. It's our responsibility to check on these problems.

Luta Sabo, Second Street, asked if all of the money we are supposed to get covers lights and sidewalks. Manager Fatland responded we have grants for water & sewer and Harmon Field. He is working on a grant for Harmon Field for pathway lighting for the whole park. We have some streetlights downtown to replace. He is proud of the town employees. The culture may be changing, but the crews want to be proud of this community just like you. When he gets up every day, he wants to go home at 5:00 thinking that the town has moved to be better. Negatives can be opportunities too. You can't get things done by just complaining. We have to ask what are we doing today and tomorrow as a community. He is committed to this Town. He thanked the mayor and council for their support of the grants.

Ms. Sabo asked, is there a timeline to get the problems solved. Fatland responded construction for the four projects will start in the summer. When you apply for a grant from the state, you only have two windows, one is April 30 and the other is in October. You hear back in three months whether you got it or not. If you got it, you have twelve months to design and usually twelve months of construction. Hidden Hill project would take roughly three years to get it done. However, getting the money from the state, the project will be under construction in June and we only heard from them in September. It is moving fast. He will ask for more money in the next state budget.

Ms. Sabo asked if this joint committee for downtown, will they be allotted any money for streetlights. Fatland responded the committee will come up with the plan, the cost and how you are going to pay for it. Things get done by a partnership. Planning Director Tim Daniels wanted to put in an EV charger, at a cost of \$30,000. He got a grant for \$22,500 and then we asked Tourism Board (Commissioner Crowell is on) and TDDA for \$2,500 and the town put up \$2,500. This basically saved the town \$5,000. He received grants for Harmon Field from Polk County Community Foundation and Polk County paid for half of the paving. The Harmon Field Board and the Town of Tryon all worked as a partnership to make things happen.

Ms. Sabo asked will this committee decide which sidewalks need to be done first. Fatland responded for downtown. Liz asked who was on the committee. Fatland responded Commissioner Bill Crowell, Planning Director Tim Daniels, himself, Downtown Development Director Lourdes Gutierrez and then four members from the TDDA Board. Where he gets frustrated is, people come up with an idea and talk about it and nothing happens. If you have a committee that will sit down and come up with a recommendation to this board, then they can make the decision whether or not to move forward. They then ask him where is the money going to come from and he will come up with ideas. He has a committee meeting tomorrow about the beautification at Harmon Field. He has another committee meeting on Pickle Ball. A lot of things going on at once.

Mr. Casavant asked about the timeline for the sewer projects. Commissioner Crowell responded 20-30 years. There is a sewer line on Broadway that was put in 1920's. Til the new sewer plant was built, it ran into the creek behind the house. Fatland replied that it took Brevard 15 years and they were in a lot worse shape than Tryon. The state senator asked for more projects. His idea is to ask for a lot more money in the next cycle.

Fatland reported that we have full funding to have the mapping of our water & sewer system lines done. We need this before we can apply for more money. It was asked how much money would it take to re-do the entire system. Fatland would ask for \$25,000,000 for the water and sewer system and he doesn't know how long it would take.

Mayor Peoples reported they were presented with a 15-year plan for \$15,000,000. We have received \$6,000,000 and that helps to shorten the years.

#### **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