

**TOWN OF TROUTMAN  
400 NORTH EASTWAY DRIVE  
TROUTMAN, NORTH CAROLINA**

**TOWN COUNCIL AGENDA BRIEFING MEETING MINUTES**

**March 07, 2022 – 4:00 P.M. – Troutman Town Hall**

Presiding: Mayor Teross W. Young, Jr.

Council Members Present: W. Paul Henkel; Edward R. Nau; Felina L. Harris; Jerry R. Oxsher; George W. Harris

Council Members Absent: None

Staff Present: Ronald Wyatt, Town Manager; Kimberly Davis, Town Clerk; Gary Thomas, Town Attorney; Lynne Hair, Planning Director; Justin Mundy, Finance Director; Chip Smith, Parks & Rec. Director; Michael Barker, IT

Press Present: Debbie Page, Iredell Free News

Others: See attached Sign-In sheet

**I. MAYOR YOUNG CALLED THE MARCH 07, 2022 AGENDA BRIEFING MEETING TO ORDER**

**• Adjustment(s) to the Agenda Briefing Agenda**

None

**• Adoption of the Agenda Briefing Agenda**

\*Upon motion by Councilmember Eddie Nau, seconded by Councilmember George Harris, and unanimously carried, approved the March 07, 2022 Agenda Briefing Agenda as presented.

**II. GENERAL BUSINESS**

**A. Mayor and Council Items (During this time elected officials have the opportunity to make reports, comments and/or ask questions of staff)**

**Councilmember Felina Harris**

- Expressed appreciation wishing all Town Staff a happy belated Employee Appreciation Day that was last Friday.
- Recognized Women's History Month stating that we have witnessed history with the 1<sup>st</sup> female Vice-President.
- Recognized and thanked the Public Works Department for all their hard work, especially the last few weeks with water breaks and leaks.

### **Councilmember Jerry Oxsher**

- Commented he has enjoyed getting to know the department heads and what they do during the Budget Retreat and that he looks forward in continuing to work with staff moving forward.

### **Councilmember George Harris**

- Expressed that he is glad to be back following his surgery and thanked everyone for all the nice comments and concern.
- Thanked Staff and Department Heads on good job in preparation and presentation for the retreat commenting it was all good information.

### **Councilmember Eddie Nau**

- Stated that with Spring coming up he would like to see Code Enforcement more proactive, making sure that permits are issued and inspections are made for vendors.

### **Councilmember Paul Henkel**

- Requested that staff review the food vendor policy to see if updates are needed.
- Expressed appreciation and thanks to Public Works for a good job in dealing with all the water main breaks in the last few weeks. He also expressed thanks to all staff members for what they do for the Town and the Town citizens.
- Commented that it was a good retreat and he looks forward to the budget retreat.

### **Mayor Young**

- Asked that appreciation and thanks be expressed to Public Works for the work they accomplish and hopefully they will not have any more weeks like the past few.
- Expressed thanks to staff for their time and energy in preparing for the retreat commenting that there may have to be additional time built in at the next retreat to possibly do a deeper dive into some of the issues and as to how we serve our customers. He commented that sessions seemed to be better and more focused.
- Suggested that next year the Planning Retreat be called Strategic Planning.
- Commented that he misses participating in School Breakfast Week held in the month of March and hope that the Town can again participate.

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Upon the arrival of Iredell County Economic Development staff Jenn Bosser and Chad Thomas, Town Manager Ronald Wyatt requested that Council modify the agenda to hold a Closed Session stating that Ms. Bosser and Mr. Thomas are on a time restraint in order to attend another appointment.

\*Upon motion by Councilmember Eddie Nau, seconded by Councilmember George Harris, and unanimously carried, approved to modify the Agenda Briefing Agenda to hold the Closed Session as listed in Item III.

**\*\*HOLD CLOSED SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTES (NCGS) 143-318.11(a)(4) TO DISCUSS ECONOMIC DEVELOPMENT**

Mayor Young called for a Closed Session pursuant to North Carolina General Statutes (NCGS) 143-318.11(a)(4) to discuss economic development.

Along with Mayor Young and Town Council, Ronald Wyatt, Town Manager; Kimberly Davis, Town Clerk; Gary Thomas, Town Attorney; Jenn Bosser and Chad Thomas with Iredell County Economic Development Corporation (ICEDC) joined the Closed Session.

\*Upon motion by Councilmember Eddie Nau, seconded by Councilmember George Harris, and unanimously carried, approved to hold a Closed Session pursuant to NCGS 143-318.11(a)(4) to discuss economic development.

*Mayor Young Opened the Closed Session.*

**\*\*MINUTES OF CLOSED SESSION HAVE BEEN SEALED UNTIL SUCH TIME PUBLIC INSPECTION WILL NO LONGER FRUSTRATE THE PURPOSE OF THE CLOSED SESSION\*\***

*Closing of Closed Session and Reconvene Open Session*

\*Upon motion by Councilmember Paul Henkel, seconded by Councilmember Felina Harris, and unanimously carried, approved to reconvene open session.

**Action taken as a result of the Closed Session: None**

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**B. Staff Items:** (At this time Mayor Young provides an opportunity for staff to make reports, comments and/or ask questions)

**1. Staff Comments**

**Town Manager Ronald Wyatt**

- Expressed appreciation to the Public Works Department for their hard work pertaining to three water issues/breaks in the last few weeks. One was a water main break Dixie's Fish and Chicken/Food Lion; second a clogged/failed drain on Old Murdock Road; and third a crushed pipe at the entrance to Dixie's.
- Updated Council regarding several code enforcement issues: 1) Ruffin Loop with abandon tree and debris-property owner has been notified by John Ganus. If not removed by this Friday, the Town will cleanup and a lien will be placed on the property; 2) code enforcement will follow up regarding the carports located at the business on the north side of town; 3) code enforcement will follow up with the waste can's issue at the business on Main Street in front of the fairground.
- Expressed thanks and appreciation to all Town Staff for their work and preparation for the retreat along with appreciation to Council for their positive comments to staff and himself.

**2. Annual Audit Update, (Justin Mundy, Finance Director)**

Justin Mundy, Financial Director updated Town Council regarding the progress of the Town's annual audit by summarizing a letter from Phillis Pearson, CPA with Petway Mills & Pearson, PA that assured that the Town of Troutman took no action resulting in the delay of filing the audit report timely. All of the Town records were provided to them in a timely manner and the Town Staff has been most gracious in assisting them in locating the documentation to complete their audit tests. He advised that the letter will be issued to the state explaining the delay. Ms. Pearson sent a draft of the audit late last week for review and he sent to her several requested items. Mr. Mundy stated that he and Town Manager Wyatt had responded to comments this morning regarding forecasting that goes in the

management discussion and analysis part of the audit report. Mr. Mundy stated that he was advised that the annual audit will be ready to be presented at Council regular scheduled meeting on April 14<sup>th</sup>.

Town Manager Wyatt informed Council that he and Mr. Mundy are in the process of getting a proposal ready to go out to accept bids from other auditing firms.

(Copied in full, Petway Mills & Pearson audit letter is filed on CD titled: "Town Council Supporting Documents" dated March 7<sup>th</sup> and 10<sup>th</sup>, 2022 in CD Book #1 titled: "Town Council Supporting Documents")

### **3. Discuss Rural Economic Development Grant Agreement Between the North Carolina Department of Commerce and the Town of Troutman for a Building Reuse Grant for CR Onsrud, Inc., (Gary Thomas, Town Attorney)**

Attorney Gary Thomas stated that a few months ago Jenn Bosser CEO of Iredell County Economic Development Corporation brought before Council a Resolution of which Council approved in support CR Onsrud, Inc.'s effort to get a Building Reuse Grant. He explained how the grant works stating that Onsrud up-fits a current building and to get approval of this grant they have to keep a base number of employees (170) and add 25 new full time employees. The grant will come from the Department of Commerce in the amount of \$125,000 to the Town, and the Town then loans the money to Onsrud. If Onsrud keeps the all 170 employees, plus the 25 new employees for 6 months, Onsrud keeps the money and the loan is forgiven. Attorney Thomas stated if Onsrud gets the grant money and does not hire the 25 new employees, the Town is on the hood to pay part or all of the funds back to the Department of Commerce. He explained that as part of the documentation, Onsrud will actually sign a Promissory Note to the Town saying if they do not meet the requirements, they will pay the money back to the Town. If Onsrud defaults and does not pay the Town back, he stated there are several remedies: 1) sue Onsrud (normal promissory lawsuit); or 2) secure the funds with a Deed of Trust against the Onsrud property. He stated that the documents asked specifically if the Town is going to secure the funds with a Deed of Trust. Attorney Thomas encouraged Council not to do the Deed of Trust, and if they default the Town can simply sue and get a judgement against them. Attorney Thomas went into detail explaining why the Town may not want to do a Deed of Trust. In speaking with other Town Attorneys, he stated that Davie County requires a letter of credit from a bank and Onslow County does not request the grant money until the company meets the criteria; so in this case the Town would not request the funds until the 25 new employees are hired and retained for the 6 month period, which is the one he likes. He would have to talk to Onsrud's representative and the NC Department of Commerce project manager to see if each are good with that option. He thinks that both parties would be. Town Manager Wyatt stating that he agrees with Attorney Thomas to not do a Deed of Trust and asked if the Town could receive the funds and distribute them ourselves after the criteria is met while earning interest for the 6 month period. Attorney Thomas stated he would need to check with the Dept. of Commerce regarding Manager Wyatt's suggestion. Council asked to pursue the following options in the order as presented in case of default; agreeing not to do a Deed of Trust:

- a. The Town applies and receives the funds and waits to distribute them after all criteria is met while earning interest for the 6 month period (if allowed by the Department of Commerce)
- b. Not to request the grant money until the company meets the criteria
- c. Require a Letter of Credit

Attorney Thomas is to speak to Onsrud's representative to see if Onsrud would hold off on seeking funds until the project/program is complete. He explained that the concept of the program is that Onsrud spend \$125,000 on the up-fit of the building and present invoices showing that the funds were

spend for reimbursement; then hire the 25 employees. Funds have to be disbursed before December 9, 2023.

#### 4. Overview of Town Council's Upcoming Regular March 13, 2022 Meeting Agenda Items Scheduled to be Presented, *(Wyatt)*

**Consent Items 1-3 – Three (3) sets of minutes to be approved.**

**Consent Item 4 – Town of Troutman Schedule of Fees Amendment**  
Addition of a \$5 fee for taking payments by phone.

**Consent Item 5 – Multifamily Building Façades - Design Review Board Case No. DRB-22-02;**  
**Project: DeWitt -US Hwy 21 (PIN 4732819524)**  
Apartments to be located beside the Iredell Charter Academy.

**Consent Item 6 – Annexation Request AX-21-05 (Contiguous) Applicant: Andrew & Christy Phillips; 1.0 acres; PIN(s) 4750022170; (Charlotte Hwy)**  
Setting a Public Hearing Date of April 14, 2022 for consideration of Annexation. Once annexed the applicant will be requesting rezoning to Highway Business (HB).

**Items 7-8 – Two (2) recognitions: Cathy Emory-Suicide Prevention Awareness; and Dylan Donaldson-South Iredell High School Wrestling Achievement**

**Item 9 – Rezoning Request CZ-RM-22-02: Applicant: BBC Troutman, LLC; Project: Rocky Creek Phase 2; to rezone 19.5 acres; located on the east side of Byers Road (PIN 4740490827) from Residential Suburban (RS) and Heavy Industrial (HI) to Conditional Zoning-Mixed Residential (CZ-RM)**  
Hold a Public Hearing to consider adoption of rezoning Ordinance 04-22 and to consider a Statement of Consistency.

**Item 10 – Economic Incentive Request by Iredell County Economic Development Corporation (IEDC) for TPA Group “Project Kat”**  
Hold a Public Hearing to consider an Economic Incentive request for Project Kat.

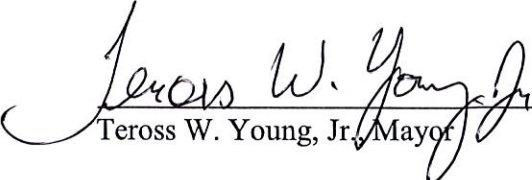
**Item 11 – Ordinance 03-22 Titled: “*Amendment To The Town Of Troutman Code Of Ordinances To Decriminalize Certain Ordinances And To Repeal A Subsection Related To The Police Chief*”**  
Town Attorney Gary Thomas stated that Ordinance 03-22 will change the two required sections in the code of ordinances that have to be decriminalized. Section 1 and 2 of the ordinance will decriminalize the section pertaining to peddlers and transient merchants and will add a civil penalty. Section 3 of the Ordinance pertains to driveways which the penalty is simply being taken out. Attorney Thomas explained that Section 4 pertains to a 1970 Ordinance that is in conflict with the current Town Charter regarding the appointment of the Police therefore that section is being repealed.

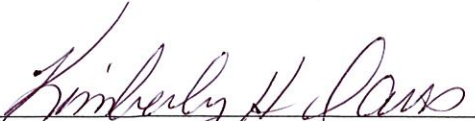
**OTHER:**

- Budget Retreat dates were presented and discussed. Councilmember Eddie Nau to check his calendar for availability on April 19<sup>th</sup> and report back to Council and staff.
- Attorney Gary Thomas advised Council that the court hearing for the appeal by the C2C Land Development verses Troutman regarding property located on Wagner Street is set for March 21, 2022 at 3:30 pm.

**IV. ADJOURNMENT**

\*Upon motion by Councilmember George Harris, seconded by Councilmember Paul Henkel, and unanimously carried, approved to adjourn the Agenda Briefing of March 07, 2022. Time of adjournment: 6:25 p.m.

  
Teross W. Young, Jr., Mayor

  
Kimberly H. Davis, Town Clerk



- (\*) Motion(s)
- (\*\*) Addition(s)