



TOWN OF SYLVA BOARD OF COMMISSIONERS REGULAR MEETING

Thursday, December 14, 2023 at 5:30 PM
Board Room, 83 Allen Street Sylva, North Carolina

MINUTES

PRESENT: Mary Gelbaugh, Mayor Pro-Tem
Greg McPherson, Commissioner
David Nestler, Mayor
Natalie Newman, Commissioner
Ben Guiney, Commissioner

Richard Hicks, Interim Town Manager
Amanda Murajda, Town Clerk
Eric Ridenour, Town Attorney

ABSENT: Brad Waldrop, Commissioner

CALL TO ORDER

Mayor Nestler called the meeting to order at 5:30 p.m, following the Board of Adjustment meeting.

STAFF PRESENT: Lynn Bryant (Finance Officer), Jake Scott (Public Works Director), Robbie Carter (Police Lieutenant) and Chris Hatton (Police Chief).

VISITORS: Joe Hamilton, Barbara Hamilton, Chuck Hall, Carol Hall, Cameron Estridge, Esiah Bird, Alicia Stewart, Maurice Moody, Kenyon Thweatt, Juanita Burrell, Cody Lewis, Carter Lewis, Eddie Wells, Savannah Wells, William Allen, Laura Estridge, Devin Estridge, Christie Hooper, Ellie Freeman, MG Davis, Carolyn Cagle, Davey Stephens, Rick Buchanan, Sandy Buchanan, Gayle Woody, Jamie Cunningham, Autumn Cunningham, Martha Jones, Luther Jones, Richard Wilson, Ray Faircloth, Keith Blaine, Chip Hall, Selena Hall, Dave Russell, Jonathan Brown and Tammy Brown.

APPROVAL OF AGENDA

Commissioner Gelbaugh made a motion to approve the agenda. The motion carried with a unanimous vote.

APPROVAL OF CONSENT AGENDA

Commissioner McPherson made a motion to approve the consent agenda. The motion carried with a unanimous vote.

PUBLIC COMMENTS: Barbara Hamilton thanked the board for their service to the Town. Luther Jones addressed the board and asked for more directional signage for Pinnacle Park on Fisher Creek Road.

AUDIT REPORT: Bronwyn Burluson of Burluson and Earley, PA presented the financial statements and auditor's report for the fiscal year ended June 30, 2023. A clean audit opinion was given with no findings. Burluson encouraged the board to review the report and to read the management discussion.

MAYOR'S REPORT: Mayor Nestler noted it had been an honor to serve on the Town Board for the past eight years as it was one of the best learning experiences for him. He also reminded the incoming board that the most important thing they do is set the budget and to be a strong advocate for employees.

COMMISSIONER'S REPORT: Commissioner Gelbaugh thanked the outgoing board members for their service to the Town. Commissioner McPherson thanked staff and commissioners as well as family for their support of his time as a commissioner. Commissioner Newman thanked the outgoing board members for their service to the Town. Commissioner Guiney thanked staff for their work on the Christmas parade. He reminded everyone that there was a lot of flu and other sickness in the community. Guiney congratulated the incoming board members and reminded them that it was important to do what is right for the Town whether it is liked or not.

MANAGER'S REPORT: Interim Town Manager Richard Hicks reported the following:

- Thanked the outgoing board members for their service to the Town and reminded them to be proud of their accomplishments.

OLD BUSINESS

DOWNTOWN PUBLIC RESTROOM PROJECT:

A: BUDGET AMENDMENT: *Commissioner McPherson made a motion to appropriate \$5,976 from fund balance using the ARPA related funds for the TWSA Allocation Fees and associated services. The motion carried with a unanimous vote.*

B: PROJECT ORDINANCE AMENDMENT: *Commissioner Guiney made a motion to approve the project ordinance as presented. The motion carried with a unanimous vote.*

PRESENTATIONS OF APPRECIATION: Commissioner Gelbaugh presented awards of appreciation to outgoing board members David Nestler (Mayor), Ben Guiney (Commissioner) and Greg McPherson (Commissioner).

SWEARING-IN CEREMONY: The Honorable Judge Alan Thornburg performed the ceremony and administered the oath of office to the newly elected mayor and commissioners.

Johnny Phillips, Mayor
Blitz Estridge, Commissioner
Mark Jones, Commissioner

NEW BUSINESS

MAYOR PRO-TEM APPOINTMENT: *Commissioner Jones made a motion to appoint Mary Gelbaugh as Mayor Pro-tempore (Vice Mayor). The motion carried with a unanimous vote.*

OATH OF OFFICE TO MAYOR PRO-TEM: The Honorable Judge Alan Thornburg administered the oath of office to the newly appointed mayor pro-tempore, Mary Gelbaugh.

DISCLOSURE OF COMMISSIONER BUSINESS OWNERSHIP: Interim Town Manager Richard Hicks reported that normally an elected official is prohibited from entering into contracts with local government, or the purchase of goods or services from an elected official. For local governments that have a population of less than 20,000, the N.C. General Statutes (14-234) provide for an exception. This is in recognition that small towns have fewer options for many types of businesses. The statutes allow Town Boards to authorize doing business with their elected officials as long as it is approved at a meeting of the Board; the costs shall not exceed \$60,000 per year; a running total of contracts and/or purchases are kept and posted in a prominent location; and the total annual expenditure is listed in the Town's annual audit. Staff is requesting the Board's approval to allow Town staff to contract and/or purchase goods and services from Catamount Electric (Commissioner-Elect, Blitz Estridge) and Ward's Plumbing and Heating (Commissioner Brad Waldrop). The Town has done business with each of them in the past.

Commissioner Jones made a motion pursuant to NCGS 14-234 (d1), to authorize the Town of Sylva to conduct general operating business with Catamount Electric for the purchase of goods and services, acknowledging that Blitz Estridge, current Town of Sylva Commissioner, is part owner of the company. Furthermore, a summary of expenditures shall be posted in a conspicuous place, shall not exceed \$60,000 on an annual basis and shall be specifically noted in the audited annual financial statement of the Town in accordance with NCGS 14-234(d1)(3 and 4). Commissioner Estridge abstained from voting. The motion carried with a unanimous vote from Commissioners Gelbaugh, Jones and Newman.

Commissioner Jones made a motion pursuant to NCGS 14-234 (d1), to authorize the Town of Sylva to conduct general operating business with Ward Plumbing and Heating, Inc. for the purchase of goods and services, acknowledging that Brad Waldrop, current Town of Sylva Commissioner, is part owner of the company. Furthermore, a summary of expenditures shall be posted in a conspicuous place, shall not exceed \$60,000 on an annual basis and shall be specifically noted in the audited annual financial statement of the Town in accordance with NCGS 14-234(d1)(3 and 4). Commissioner Waldrop was absent from the meeting. The motion carried with a unanimous vote from Commissioners Estridge, Gelbaugh, Jones and Newman.

FIRE DEPARTMENT PERSONNEL DISCUSSION: Fire Chief Mike Beck was unable to attend the meeting for illness so Interim Town Manager Richard Hicks explained that the department had seen a significant increase in calls in the current year and would like to explore adding additional personnel. They would like permission from the Town Board to approach County Commissioners regarding personnel. *Commissioner Newman made a motion to authorize the Fire Department to have discussions with the Jackson County Commissioners regarding additional fire department personnel for the Fiscal Year 2024-2025. The motion carried with a unanimous vote.*

FY 2024-2025 BUDGET CALENDAR: *Commissioner Gelbaugh made a motion to approve the FY 2024-2025 budget calendar. The motion carried with a unanimous vote.*

Regular Board Meeting December 14, 2023

ADJOURNMENT: *Commissioner Gelbaugh made a motion to adjourn the meeting at 6:35 p.m. The motion carried with a unanimous vote.*

Johnny Phillips
Mayor

Amanda W. Murajda
Town Clerk