



**TOWN OF SYLVA
BOARD OF COMMISSIONERS
REGULAR MEETING**

Thursday, February 08, 2024 at 5:30 PM
Board Room, 83 Allen Street Sylva, North Carolina

AGENDA

CALL TO ORDER

APPROVAL OF AGENDA

All items listed and adopted are for discussion or possible action

APPROVAL OF CONSENT AGENDA

1. February 8, 2024 Consent Agenda

PUBLIC COMMENTS

REPORTS

2. Mayor's Report
3. Commissioner's Report
4. Manager's Report

PUBLIC HEARING

5. Community Input: Bryson Park Playground Equipment
6. Ordinance Amendment: Section 30-14: Streets and Sidewalks--Public Solicitation

NEW BUSINESS

7. Ordinance Amendment: Section 30-14: Streets and Sidewalks--Public Solicitation
8. Mainstreet Lighting: Selection of Lighting for Mainstreet
9. Resolution of Intent: Schedule Public Hearing to Rename a Portion of Municipal Drive
10. Reschedule March 28, 2024 Regular Board Meeting to March 21, 2024 at 9:00 A.M.

ADJOURNMENT

Town of Sylva
CONSENT AGENDA
February 8, 2024

1- APPROVE MINUTES: January 11, 2024, **Regular Board Meeting;**
January 25, 2024, **Regular Board Meeting;** January 25, 2024,
Budget Work Session.

2- BUDGET AMENDMENT:

#20 10-580-1000 Sanitation W/C \$ 2,000 C
10-590-3400 FM Building Maintenance 2,000 D

REF: To appropriate additional funds into facility maintenance due to unanticipated expenses.

#21 10-336-0200 GUTM Arts and Crafts \$ 1,000 C
10-336-0300 GUTM Sponsorship 1,300 C
10-336-0100 Parade 550 C
10-450-1700 GUTM 2,850 D

REF: To amend GUTM budget for additional expenses which will be offset by additional anticipated revenues.

3- TAX RELEASES:

#6 2023 Postmarked Interest Release #2 ~ \$77.45 ~See attached for detail

4- REPORTS:

- 1- Business Registration Permit as of **January 2024**
- 2- Vehicle Tax Report as of **December 31, 2023**
- 3- Ad Valorem Tax Report as of **December 31, 2023**
- 4- Statement of Revenues, Expenditures, Changes in Fund Balance as of **December 31, 2023**
- 5- Financial Report as of **December 31, 2023**
- 6- Special Revenue Quarterly Report as of **December 31, 2023**

2023 POSTMARKED TAXES

<u>Acct#</u>	<u>Taxpayer</u>	<u>Interest</u>
5246	HPE Depositor Master Trust	0.39
4436	South Carolina Telecommunications	40.85
5144	Sage Ventures Inc	8.97
4146	FRC, LLC	27.24

\$77.45

**Business Registration Permit Application
January 2024**

Item 1.

<u>Date Submitted</u>	<u>Business Name</u>	<u>Business Location</u>	<u>Owner</u>
1/9/2024	Jackson County Farm Bureau	142 E. Sylva Shopping Ctr.	NC Farm Bureau
1/19/2024	Strickland's Enterprises	415 E. Main Street	10 Minute Oil Change
1/19/2024	Strickland's Enterprises	1585 E. Main Street	10 Minute Oil Change

JACKSON COUNTY ACTIVITY TOTALS REPORT
ACTIVITY FROM 12/01/23 THRU 12/31/23

Tax Year 2022	Levy	Penalty	Subtotal	Charges	Interest	Subtotal	Total
SGR Sylva Gross Receipts			0.00	326.69		326.69	326.69
Totals For Year 2022			0.00	326.69		326.69	326.69

Grand Totals	Levy	Penalty	Subtotal	Charges	Interest	Subtotal	Total
			0.00	326.69		326.69	326.69

Tax Summary
as of December 31, 2023

(10-301-XX)	2022	2021	2020	2019	2018	2017	2016	2015	2014	2013	Total	Current Year	TOTALS
Starting Balances	54618.14	19247.75	14712.84	6778.87	5799.32	5182.1	2905.81	1924.22	1452.88	3,447.23	116,069.16	\$2,197,834.50	10-28-0000
July	-1498.16	-496.62	-43.35	-101.49	-102.25	-102.25	-102.25	-101.74	-101.74	-101.74	-2,038.13	-14,662.01	-2,038.13
August	-1256.79	-134.46	-328.37	-36.68	-38.25	-102.25	-102.25	-101.74	-101.74	-101.74	-2,433.08	-359,534.01	-17,095.09
September	-1041.67	-29.46	-35.99	-36.68	-38.25	-102.25	-102.25	-101.74	-101.74	-101.74	-1,182.05	-114,973.86	-360,716.06
October	-1174.94	-112.52	-150.29	-101.49	-102.25	-102.25	-102.25	-101.74	-101.74	-101.74	-1,437.75	-265,562.31	-114,973.86
November	-3600.47	-293.97	-100.3	-101.49	-102.25	-102.25	-102.25	-101.74	-101.74	-101.74	-3,994.74	-1,055,677.13	-269,557.05
December	-1935.54	-4.88	-100.3	-101.49	-102.25	-102.25	-102.25	-101.74	-101.74	-101.74	-1,940.42	-1,055,677.13	-1,057,617.55
January											0.00		0.00
February											0.00		0.00
March											0.00		0.00
April											0.00		0.00
May											0.00		0.00
June											0.00		0.00
July - June Totals	-10507.57	-1071.91	-658.3	-138.17	-140.5	-102.25	-102.25	-101.74	-101.74	-101.74	-13,026.17	-1,808,971.57	-1,821,997.74
Releases											0.00		-200.82
Add to Original Levy											0.00		101,221.91
Under Appeal											0.00		0.00
Bankruptcy											0.00		0.00
Refund/Adj											0.00		0.00
Subtotals	-10,507.57	-1,071.91	-658.30	-138.17	-140.50	-102.25	-102.25	-101.74	-101.74	-101.74	-13,026.17	-1,707,950.48	-1,720,976.65
EOY Adjustment													
(10-110-XX) Balance	\$44,110.57	\$18,175.84	\$14,054.54	\$6,640.70	\$5,658.82	\$5,079.85	\$2,803.56	\$1,822.48	\$1,351.14	\$3,345.49	103,042.99	\$489,884.02	\$592,927.01
Interest													142.82
July	105.39	37.1	0.33	33.19	41.97	51.09	60.21	68.90	78.02	87.14	703.61	96.26	799.87
August	50.45	192.96	39.68	13.05	17.01						121.72		121.72
September	77.33	4.97	9.36	13.05							130.02		130.02
October	89.26	11.57	29.19								390.86		390.86
November	321.12	68.99	0.75								218.91		218.91
December	198.79	20.12											
January													
February													
March													
April													
May													
June													
Interest Collected		\$335.71	\$79.31	\$46.24	\$58.98	\$51.09	\$60.21	\$68.90	\$78.02	\$87.14	\$1,707.94	\$96.26	\$1,804.20
Submitted by: Amanda Murajda, Tax Collector											Collection Rate	78.6920%	

Top 10 Delinquent Accounts (2022 & prior)

Name	Balance 12/31/2023
Angela George	\$ 15,224.13
Joe Wilson	\$ 5,431.48
Dorothy Worley	\$ 4,803.86
Marjorie Herbert Smith	\$ 3,800.79
5 Grindstaff Cove (Nantahala Brewing)	\$ 3,776.76
David George Howell	\$ 3,575.69
Teena Marie Woodard	\$ 3,565.89
Joyce Straton	\$ 3,452.55
Ja Beck	\$ 3,036.88
Realty LLC	\$ 2,964.71

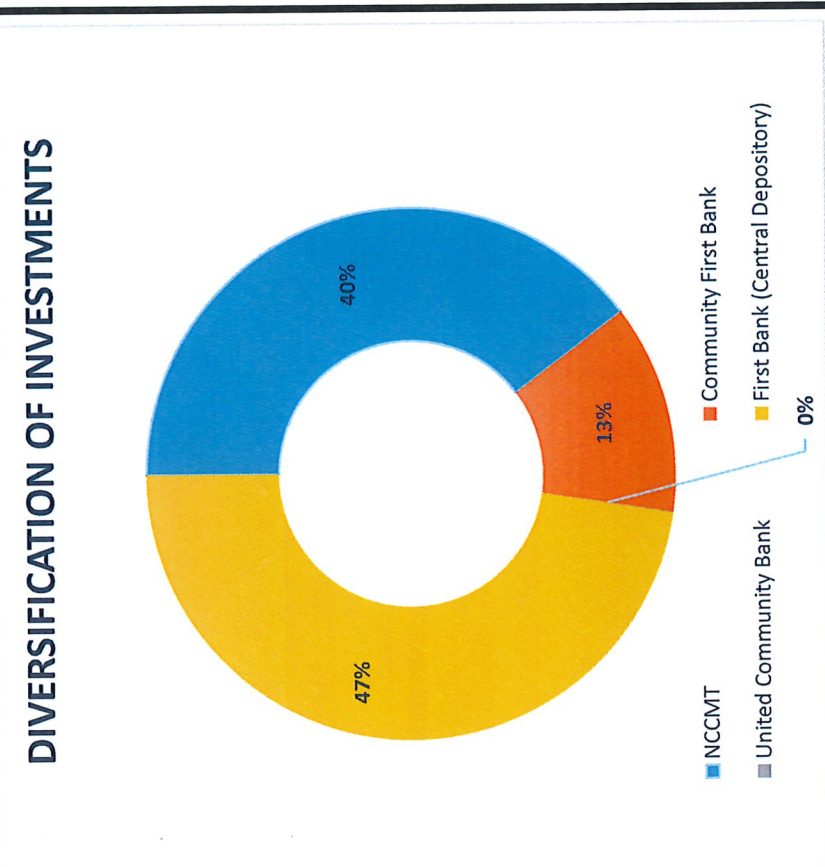
General Fund
Statement of Revenues, Expenditures, and Changes in Fund Balances
12/31/2023

		General Fund				Actual to	Statement		
		2023-2024	Previously	2023-2024	Current	Budget	Period	Variance	
		Budgeted	Reported	YTD Actual	Month	2022-2023	6		
						Budget Balance			
						Percent			
Revenues:									
Ad valorem taxes	\$	2,318,925	\$ 804,603.59	\$ 1,872,232.73	\$ 1,067,629.14	\$ 446,692.27	80.74%	50.00%	30.74%
Other taxes and licenses	\$	6,200	4,945.00	5,105.00	160.00	1,095.00	82.34%	50.00%	32.34%
Unrestricted intergovernmental	\$	2,847,272	973,552.17	1,265,574.68	292,022.51	1,581,697.32	44.45%	50.00%	-5.55% *
Permits and Fees	\$	18,250	5,002.80	7,562.93	2,560.13	10,687.07	41.44%	50.00%	-8.56% *
Restricted intergovernmental	\$	156,485	53,691.81	97,484.08	43,781.27	59,000.92	62.30%	50.00%	12.30%
Investment earnings	\$	68,590	113,302.28	134,459.15	21,156.87	(65,869.15)	196.03%	50.00%	146.03%
Other revenues	\$	35,782	22,639.14	23,807.09	1,178.95	11,974.91	66.53%	50.00%	16.53%
Total revenues	\$	5,451,504	1,977,736.79	3,406,225.66	1,428,488.87	2,045,278.34	62.48%	50.00%	12.48% *
Expenditures:									
General Government									
Salaries & Benefits	\$	1,009,966	410,449.86	483,100.54	72,650.68	526,865.46	47.83%	50.00%	2.17%
Capital outlay	\$	426,778	168,160.10	202,374.25	34,214.15	-	-	-	-
All other expenditures	\$	26,000	26,000.00	26,000.00	-	-	-	-	-
	\$	557,188	204,879.64	254,726.29	38,436.53	-	-	-	-
Public Safety									
Salaries & Benefits	\$	3,273,692	1,231,155.40	1,448,676.13	217,520.73	1,825,015.87	44.25%	50.00%	5.75%
Capital outlay	\$	1,813,587	688,494.57	793,459.67	124,198.85	-	-	-	-
All other expenditures	\$	127,993	46,547.39	46,547.39	-	-	-	-	-
	\$	1,332,112	28,773.70	28,773.70	93,321.88	-	-	-	-
Culture and Recreation									
Salaries & Benefits	\$	111,090	26,042.59	28,694.56	2,651.97	82,395.44	25.83%	50.00%	24.17%
Capital outlay	\$	31,990	10,159.99	10,159.99	1,693.55	-	-	-	-
All other expenditures	\$	7,000	-	-	-	-	-	-	-
	\$	72,100	15,882.60	18,534.57	958.42	-	-	-	-
Transportation									
Salaries & Benefits	\$	841,005	314,799.80	361,008.97	46,209.17	479,996.03	42.93%	50.00%	7.07%
Capital outlay	\$	350,246	137,651.28	164,807.44	27,156.16	-	-	-	-
All other expenditures	\$	131,538	47,805.54	47,805.54	-	-	-	-	-
	\$	359,221	129,342.98	148,395.99	19,053.01	-	-	-	-
Economic and Physical Development									
Salaries & Benefits	\$	-	-	-	-	-	0.00%	0.00%	0.00%
Capital outlay	\$	-	-	-	-	-	-	-	-
All other expenditures	\$	-	-	-	-	-	-	-	-
Environmental Protection									
Salaries & Benefits	\$	209,581	79,455.04	92,079.08	12,624.04	117,501.92	43.93%	50.00%	6.07%
Capital outlay	\$	92,154	36,385.41	43,105.66	6,720.25	-	-	-	-
All other expenditures	\$	-	-	-	-	-	-	-	-
	\$	117,427	43,069.63	48,973.42	5,903.79	-	-	-	-
Total expenditures	\$	5,445,334	2,061,902.69	2,413,559.28	351,656.59	3,031,774.72	44.32%	50.00%	5.68%
Revenues over expenditures	\$	6,170	(84,165.90)	992,666.38	1,076,832.28	(986,496.38)	-18.12%		
Other financing sources (uses):									
Transfers in	\$	423,085	423,085.00	423,085.00	298,085.00	-	-	-	-
Appropriated fund balance	\$	845,000	-	-	-	-	-	-	-
ARPA Related Appropriations	\$	308,220	-	-	-	-	-	-	-
PB Appropriated fund balance	\$	35,000	-	-	-	-	-	-	-
Fund Balance rollover	\$	42,561	-	-	-	-	-	-	-
Contributed Capital	\$	-	-	-	-	-	-	-	-
Sale of Assets	\$	20,000	-	-	(3,400.00)	-	-	-	-
Loan Proceeds	\$	-	-	-	-	-	-	-	-
	\$	1,673,866	423,085.00	423,085.00	294,685.00	-	-	-	-
Transfers to other funds:									
Contributed to GF fund balance	\$	-	-	-	-	-	-	-	-
Transfers out	\$	856,305	-	856,305.00	98,447.00	-	-	-	-
Transfer to Capital Reserve	\$	823,731	823,731.00	823,731.00	-	-	-	-	-
	\$	1,680,036	823,731.00	1,680,036.00	-	-	-	-	-
Total other financing sources (uses)	\$	(6,170)	(400,646.00)	(1,256,951.00)	294,685.00	-			
Revenues and other sources over expenditures and other uses	\$	-	(484,811.90)	(264,284.62)	1,371,517.28	(986,496.38)			

Analysis:

* Timing of revenues and prior year reversing entries

INVESTMENT PORTFOLIO:		3 Month Avg
BANK	INVESTMENTS	INTEREST
NCCMT	\$6,514,060	5.26%
Community First Bank	\$2,086,907	3.38%
United Community Bank	\$6,891	0.25%
First Bank (Central Depository)	\$7,815,052	2.50%
	\$16,422,910	



STATE REVENUE ANALYSIS: (33% Budget)		
	Revenue	% Collected
Telecommunication	\$12,633	58.49%
Natural Gas	\$3,780	47.25%
Video Programming	\$5,218	52.18%
Franchise on Power	\$154,400	54.18%
Total 2nd QTR (Avg should be 50%)	\$176,031	
Article 40 (.50 % pooled - per capita)	\$82,483	40.04%
Article 42 (.50% point of sale)	\$89,803	41.01%
Article 39 (1% point of sale)	\$181,172	41.18%
Hold Harmless (related to county medicaid)	\$71,676	38.74%
Total 4 Months (Avg should be 33.32%)	\$425,134	

FUND BALANCE ANALYSIS:		
Unassigned - 6/30/23 + Subsequent	\$5,423,523	
Subsequent appropriation/rollover	-\$83,150	
Appropriated/rollover after 7/1/23	-\$47,911	
Recommended transfer to GF Capital Res.	-\$788,000	
ARPA related funds (per 6/30/2023 audit)	-\$446,642	
Available Fund Balance	\$4,057,820	Goal
	68.00%	68.00%

What does 1 cent = \$50,000

GF Approp. after 7/1 1 Not ARPA Related Balance \$17,276

Contingency Approp. 3

GF Rollovers after 7/1 3

Note: Board policy states that Fund Balance will not drop below 40% and the goal is to have Fund Balance at 68% of expenditures.

CAPITAL RESERVE FUNDS:		Fire Department	
General Fund		FD Res. 6/30/23 + Sub	FD Available Funds
GF Res. 6/30/2023 + Sub		\$222,974	\$573,040
Recommended/Over 68%		\$788,000	\$0
Interest		\$6,664	\$16,796
Transfer in GF		\$35,731	\$4,107
Subsequent/Approp after 7/1			
GF Available Funds		\$1,053,369	\$593,943

REVOLVING LOAN FUND:		Fisher Creek Funds Available	
		Fund Balance + Sub	Subsequent/Roll Over
RLF Balance 6/30/23 + Subsequent		3,247,653	-20,000
Interest			-1,249,819
Investment in Real Estate			60,869
Subsequent Year Approp.			-60,064
RLF Available Funds		\$1,978,639	

Note: \$3,500,000 received from Clean Water Management Trust Grant 10/2007. The grant requires that \$1,400,000 (40%) be spent on water quality. Currently \$182,141 has been expended towards this purpose leaving \$1,217,859 remaining.

FISHER CREEK ANALYSIS:		Current	
Bank Investments	FY Interest as of 12/31/2023	Interest Rate	Total Interest starting 10/2007
NCCMT	\$22,183.40	5.26%	\$170,701
Entegra/Select Bank/First Bank	\$3,535.81	2.50%	\$120,326
Community First Bank	\$35,095.15	3.38%	\$86,922
UICB	\$0		\$71,236
HomeTrust	\$0		\$55,723
Wachovia	\$0		\$66,937
1st Citizen	\$0		\$13,844
	\$3,228,458		\$585,689

PROPERTY TAX ANALYSIS (52% Budget)		OUTSTANDING LOANS	
		Loan	P/I
Budgeted	\$2,181,525	Pumper Truck - FD	\$15,015
Original Billing	\$2,299,056	Building Renovations - FD*	\$29,783
Est. 97.96% Collection	\$2,252,156		\$44,798
Collection/Releases	\$1,809,172		
Discovery/Penalties	\$85,845		
Appeals (Total)	\$0		
Outstanding	\$489,884		
Collection % Rate	78.69%		
Prior Year Collection % Rate	72.87%		

Submitted by: Lynn Bryant, Finance Officer

Town of Sylva
 Special Revenue Funds/Capital and Grant Project Quarterly Report
 December 31, 2023

Item 1.

Public Art Fund (Fund 23) - Special Revenue Fund:

Original Ordinance (2017-01)	0
Fund Balance (6/30/2022)	3,748
Revenue - Donations/ Interest	47.74
Fund Balance Appropriation (Operating Budget)	-2,000
Expenditures	-1,489
Balance to Date	\$306

Sidewalk SRF (Fund 27) - Special Revenue Fund:

Original Ordinance (2017-02) Note: Amended from RLF	103,713
Budget Amendment #1 (Skyland Drive 7/11/19)	174,687
Budget Amendment #2 (Skyland Drive 3/12/20 - Note: will be reapproved on 2/10/22)	2,800
GF Transfer In from GF (Hwy 107)	200,000
Budget Amendment #3 (Skyland Drive 11/12/22)	100,000
Revenue/Interest	28,233
Expenditures (Skyland Drive)	-114,974
Balance to Date	\$494,459
* Remaining DOT Contract Skyland Drive	\$269,432

Allen Street Landslide (Fund 22) - Capital Project Fund:

Original Ordinance (GF end of year - could have rolled into Capital Reserves)	(5/31/2021)	426,000
Amended (GF Fund Balance - Approved 6/10/2021)		324,000
Amended (6/30/2021 Capital Transfer)		490,500
Amended (4/21/22 GF Fund Balance)		323,647
Amended (4/21/22 DOT Contingency) Reimbursement		750,000
Expenditures		-\$186,578
Encumbrances (CDC Contract)		-\$140,618
Encumbrances (Wurster Contract)		-\$1,096,592
Encumbrances (Kessel Contract)		-\$18,109
Contribution to Allen Street Fund Balance		-\$349,820
Interest	59,555	
Balance to Date		\$522,429

Bryson Park/Playground (Fund 31) - SCIF Grant Capital Project Fund:

Original Ordinance (SCIF Grant 11612) (2/24/22)	3,000,000
Expenditures	-27,700
Encumbrances (CDC Contract 7/28/2022)	-63,623
Encumbrances (Wurster Contract)	-1,524,379
Encumbrances (Kessel Contract)	0
Interest	78,559
Balance to Date	\$1,384,298

Town of Sylva
Special Revenue Funds/Capital and Grant Project Quarterly Report
December 31, 2023

Item 1.

Public Restrooms (Fund 30) - SCIF Grant Capital Project Fund:

Original Ordinance (SCIF Grant 11611) (2/24/22)		250,000
Amended - SWC Grant (Reimbursable) (5/12/22)		40,000
Amended - (SCIF Grant 11613) (10/27/2022)		100,000
Amended - Project Interest (SCIF #11611 and SCIF#11613) (October 26, 2023)		8,900
Amended - ARPA Related Funds (10/26/2023)		209,773
Amended - ARPA Related Funds (12/14/2023)		5,976
Expenditures		-21,214
Encumbrances (Cinderella Partners 1/3/2024) \$507,423		0
Encumbrances (Odell Contract 3/24/2022) \$32,500		-27,440
Interest	10,915 minus appropriations	2,015
		\$565,995

Bridge Park Stormwater Project (Fund 32) - Capital Project Fund:

Original Ordinance (10/27/2022) ARPA Related Funds		421,000
Amended Ordinance (11/10/2022) ARPA Related Funds		-3,000
Amended Ordinance (9/14/2023) JCTDA		367,757
Amended Ordinance Bridge Park Interest (11/9/2023)		9,500
Expenditures		0
Encumbrances (Equinox Contract 11/21/22) \$67,500		-10,679
Encumbrances (BSI 11/27/2023) \$749,360		
Interest	11,414 minus appropriations	1,914
		\$784,578



TOWN OF SYLVA BOARD OF COMMISSIONERS REGULAR MEETING

Thursday, January 11, 2024 at 5:30 PM
Board Room, 83 Allen Street Sylva, North Carolina

MINUTES

PRESENT: Blitz Estridge, Commissioner
Mary Gelbaugh, Mayor Pro-Tem
Mark Jones, Commissioner
Natalie Newman, Commissioner
Johnny Phillips, Mayor
Brad Waldrop, Commissioner

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

ABSENT:

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), Robbie Carter (Police Lieutenant) and Chris Hatton (Police Chief).

VISITORS: Rose Bauguess, Russ Harris, LeNay Shuler, Luther Jones, Carol Hall and Chuck Hall.

APPROVAL OF AGENDA

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

APPROVAL OF CONSENT AGENDA

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

PUBLIC COMMENTS: David Nestler addressed the board and expressed his support for appointing Commissioner Newman to the NC Home Consortium board.

MAYOR'S REPORT: Mayor Phillips noted that he would like to see the brick wall at the Police Department repaired and he is willing to volunteer with others to make that happen. He also added that there was a need for guardrail on Kings Mountain. He noted that he had been approached by a few citizens requesting the Town look at improvements to a dog park. Phillips would like the sidewalk ordinance reviewed in the near future.

COMMISSIONER'S REPORT: Commissioner Gelbaugh reported that she had a conversation with Motion Makers who said that the skatepark was in need of repair. Commissioner Jones followed up on signage for Pinnacle Park on Fisher Creek and would like the Town to investigate the need. Commissioner Estridge reported that he recently met with Bernadette Peters regarding the Mainstreet program as well as he toured the Fire Department with Mike Beck.

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

- The first budget meeting will be January 25, 2024
- The Fire Department will be conducting training burns in the next few weeks.
- The Police Department still has 2 vacancies.
- Town Hall will be closed on January 15, 2024 for the Martin Luther King, Jr. holiday.

NEW BUSINESS

APPOINTMENT TO THE RURAL PLANNING ORGANIZATION (RPO): Russ Harris and Rose Bauguess from the Southwestern Commission addressed the board and discussed the mission and purpose of the RPO. Commissioner Gelbaugh made a motion to appoint Mayor Phillips to the RPO. The motion carried with a unanimous vote.

Regular Board Meeting January 11, 2024

SOUTHWESTERN NC HOME CONSORTIUM BOARD OF DIRECTORS: Mayor Phillips noted that Commissioner Newman had an interest in serving on this board. *Commissioner Jones made a motion to appoint Commissioner Newman to the Southwestern NC Home Consortium Board. The motion carried with a unanimous vote.*

HISTORIC PRESERVATION BOARD APPOINTMENT: Mayor Phillips reported that Luther Jones wished to be reappointed to the Historic Preservation Board. *Commissioner Estridge made a motion to reappoint Luther Jones to the Historic Preservation Board. The motion carried with a unanimous vote.*

PUBLIC NOTICE: BRYSON PARK PLAYGROUND EQUIPMENT SURVEY OPEN: Mayor Phillips reported that the Bryson Park Playground Equipment is now open to the public.

SCHEDULE PUBLIC HEARING FOR THE BRYSON PARK PLAYGROUND RENOVATIONS: *Commissioner Newman made a motion to schedule the public hearing for February 8, 2024. The motion carried with a unanimous vote.*

REQUEST FOR AUTHORIZATION TO JOIN THE NATIONAL COOPERATIVE PURCHASING ALLIANCE AND THE PURCHASING COOPERATIVE OF AMERICA: Interim Manager Hicks explained the purchasing alliance process and suggested it would be beneficial for the Town in light of upcoming projects. North Carolina General Statutes allow for purchases made through a competitive bidding group purchasing program, which is a formally organized program that offers competitively obtained purchasing services at discount prices to two or more public agencies. The two purchasing programs used by numerous local governments in North Carolina are the National Cooperative Purchasing Alliance and the Purchasing Cooperative of America. Both of these agencies routinely prepare detailed bid documents for an extensive list of materials and equipment. As a member, a local government is allowed to purchase from vendors that have gone through the bid process. The bid price on an item is provided to all of the members of the organization. Staff is requesting authorization to join both agencies. There is no cost to join. By joining both agencies, staff will be able to get competitive prices on items such as playground equipment at a nationally competitive price. This would save the staff a tremendous amount of time by not having to develop our own specifications and bid documents. Selecting playground equipment is comparable to selecting oranges to tangerines with a few different selections of apples being thrown in. Both agencies have already done all of the hard work with professionals that are familiar with playground equipment. This will allow the staff to provide the Board with two nationally competitive proposals for the Bryan Park improvements. The same process can be used for other equipment and materials in the future the Town may be interested in purchasing.

Commissioner Waldrop made a motion to authorize the Town of Sylva to join both organizations. The motion carried with a unanimous vote.

REQUEST FOR STAFF TO DEVELOP A PROPOSED PANHANDLING ORDINANCE: Mayor Phillips opened the discussion and noted that he believed the Town needed to look at panhandling and solicitation. He would like the board to approach carefully a way to regulate panhandling.

Commissioner Estridge made a motion request that staff draft an ordinance regarding panhandling. Mayor Phillips asked for discussion.

Commissioner Waldrop expressed his concerns with the ordinance. Commissioner Jones added that the ordinance needed to also address safety. Commissioner Newman questioned the goal of the ordinance. The board continued to discuss these suggestions. Commissioner Gelbaugh asked if it should be more of a public conduct and solicitation ordinance.

Commissioner Estridge withdrew his motion. Commissioner Gelbaugh made a motion to request that staff propose a solicitation ordinance. The motion carried with a 4-1 vote. Voting in the affirmative were Commissioners Estridge, Gelbaugh, Jones and Newman. Voting against the motion was Commissioner Waldrop.

ADJOURNMENT: *Commissioner Waldrop made a motion to adjourn the meeting at 6:22 p.m. The motion carried with a unanimous vote.*

Johnny Phillips
Mayor

Amanda W. Murajda
Town Clerk



TOWN OF SYLVA BOARD OF COMMISSIONERS MEETING

Thursday, January 25, 2024 at 9:00 AM
Board Room, 83 Allen Street Sylva, North Carolina

MINUTES

- PRESENT:** Blitz Estridge, Commissioner
 Mark Jones, Commissioner
 Natalie Newman, Commissioner
 Johnny Phillips, Mayor
- Richard Hicks, Interim Town Manager
 Amanda Murajda, Town Clerk
 Eric Ridenour, Town Attorney
- ABSENT:** Mary Gelbaugh, Mayor Pro-Tem
 Brad Waldrop, Commissioner

CALL TO ORDER

Mayor Phillips called the meeting to order at 9:00 a.m.

STAFF PRESENT: Jake Scott (Public Works Director), Bernadette Peters (Main Street Director), Mike Beck (Fire Chief) and Chris Hatton (Police Chief).

VISITORS: Luther Jones, Dave Russell, Galadriel LaVere, Cyndy Caravelis, and Greta Worley.

APPROVAL OF AGENDA

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

APPROVAL OF CONSENT AGENDA

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

PUBLIC COMMENTS

None.

MAYOR'S REPORT

Mayor Phillips reported that he had attended the RPO board meeting as a representative of the Town of Sylva.

COMMISSIONER'S REPORT

None.

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

- Thursday, February 1, 2024 will be his last day serving as Interim Town Manager.

PUBLIC WORKS DEPARTMENT REPORT: Jake Scott reported the following:

- Allen Street slope failure repairs are 95% complete.
- Bridge Park Green Infrastructure project has begun.
- Public restroom project is also underway.
- Working on pricing for Bryson Park playground equipment.
- Commissioner Estridge will visit the Public Works Department on Friday, January 26th.

POLICE DEPARTMENT REPORT: Chris Hatton reported the following:

- Gave presentation updating the board on the Community Care Program with Galadriel LaVere and Cyndy Caravelis.

Regular Board Meeting January 25, 2024

FIRE DEPARTMENT REPORT: Mike Beck reported on the following:

- 1,492 calls for 2023
- 94 calls so far in 2024

MAIN STREET REPORT: Bernadette Peters reported the following:

- New Mainstreet website is up and running.
- Planning for GUTM is well underway; currently have 75 vendors signed up.
- Received a community enhancement grant of \$10,000 for a façade grant program.
- Cycle NC Mountain Rod will be held in 2025.
- Coworking feasibility study part 2 is nearing completion.
- NC Highway 107 project update will be soon.

RECESS: *Commissioner Jones made a motion to recess for 15 minutes. The motion carried with a unanimous vote.*

NEW BUSINESS

BRYSON PARK PLAYGROUND EQUIPMENT PRESENTATION: Jake Scott gave a presentation on possible equipment for the new Bryson Park playground. The Town received a \$3,000,000 SCIF grant for the park.

MAIN STREET LIGHTING—DISCUSSION OF LIGHT POLES: Jake Scott reported that there are 55 decorative lights on Main Street/Mill Street. The poles are owned and maintained by Duke. Since making a gradual transition from compressed sodium (halogen) to LED, the lights we currently have are no longer available for replacement. There are currently several spots missing lights because no replacement is available. Additionally, there are currently several lights on Mainstreet that don't match because of sourcing issues. Scott reviewed the cost increase the Town will face when selecting new lights. The board discussed the lighting options and will make a decision at the February 8, 2024 meeting.

INTRODUCTION OF PUBLIC SOLICITATION ORDINANCE: Mayor Phillips announced the draft agenda was on the website and the board had a copy to review.

SCHEDULE PUBLIC HEARING FOR FEBRUARY 8, 2024—PUBLIC SOLICITATION ORDINANCE:

Commissioner Jones made a motion to schedule a public hearing for February 8, 2024 at 5:30 p.m. The motion carried with a unanimous vote.

ADJOURNMENT: *Commissioner Estridge made a motion to adjourn the meeting at 11:30 a.m. The motion carried with a unanimous vote.*

Johnny Phillips
Mayor

Amanda W. Murajda
Town Clerk

BUDGET WORK SESSION
Town of Sylva Board of Commissioners
January 25, 2024

The Town of Sylva Board of Commissioners held a budget work session on January 25, 2024 at 10:00 a.m. hosted in the Board Room of Municipal Hall, 83 Allen Street, Sylva, N.C. and held electronically by Zoom meeting.

PRESENT: Mary Gelbaugh, Mayor Pro-Tem
Blitz Estridge, Commissioner
Mark Jones, Commissioner
Natalie Newman, Commissioner
Johnny Phillips, Mayor
Brad Waldrop, Commissioner

Richard Hicks, Interim Town Manager
Amanda Murajda, Town Clerk

ABSENT:

Mayor Phillips called the budget work session to order at 12:00 p.m. following the regular board meeting.

STAFF PRESENT: Lynn Bryant (Finance Officer), Jake Scott (Public Works Director), Bernadette Peters (Mainstreet Director), Mike Beck (Fire Chief) and Keith Buchanan (Assistant Fire Chief) Robbie Carter (Police Lieutenant) and Chris Hatton (Police Chief).

VISITORS: None.

Interim Manager Hicks reviewed the budget schedule for the upcoming months as well as the Town's assets, vision and mission. Individual department heads reviewed their respective department's duties and services.

DISCUSSION:

Lynn Bryant, Finance Officer, reviewed the Town's Financial Report as of 12/31/23. She noted areas of interest on the financial report presented to the board. Bryant reviewed the Town's investment accounts and explained the quarterly finance report. She also reviewed the general capital reserve funds for equipment, the Fisher Creek Analysis, state revenues, fund balance and the Revolving Loan Fund.

Bryant discussed current predictions from financial analysts. Sales tax revenue, currently at a high rate, and other categories of revenue are difficult to predict. The Town will need to be cautious in planning for future expenditures.

Amanda Murajda, Tax Collector, reported that the 2022-2023 tax collection rate was 97.66%. To date, the collection rate for the 2023 taxes was 91.29%. Murajda advised the board that tax collections are directly affected by the economy. As the town prepares for the Highway 107 project, tax revenue could be affected.

Budget Review:

Accomplishments 2023-2024 Budget

- Completion of Allen Street slope failure
- Bids awarded and construction started on Depot Bathroom Project
- Bids awarded and construction started on Bridge Park Green Infrastructure Project
- Contract awarded for Pinnacle Park Master Plan
- Skate ramp was completed and opened to the public
- Employee wellness fair was held
- Funding source allowed Police Department Community Care Liaison to be full-time for 3 years
- Successful transition to Paid/Volunteer Fire Department
- FY 22/23 Audit was unqualified with no findings
- Town's website was updated and activated
- Exterior of Town Hall was painted
- Skyland Drive sidewalk project underway

January 25, 2024 Budget Work Session

Budget Priorities 2023-2024 Budget

1. Full-time Mainstreet Director
2. Crosswalk flashing signs
3. Communication platform between Board and community
4. Prioritize a significant COLA
5. Master Plan—Pinnacle Park
6. Entry sign coming in to Town from Dillsboro
7. Landis Street ramp to sidewalk (will require ADA study)
8. Pedestrian Plan
9. Murals on Mill--\$3,000
10. Upgrades/beautification of closed land on Spring Street
11. Tree removal/replacement at Ritz lot
12. "Sylva" sculpture—letters spelled out--\$30,000
13. Poteet Bathrooms--\$95,000
14. Depot bathroom/landscaping/site work
15. Redo zoning map--\$40,000
16. Ongoing: Pay Plan Implementation

OPEB Concerns—Items reviewed by the Interim Manager:

- Retiree medical insurance
- Separation allowance
- Aging workforce
- Increasing costs of medical insurance for current employees

Project Review:

Allen Street Slope Repair

Approved Budget Ordinance: \$2,314,147

Expenditures & Encumbrances:

- To Date: \$1,783,198
- Wurster Construction Contract: \$1,426,268
- This slope stabilization is the largest and most expensive in the town's history
- Funding sources:
 - NCDOT Contingency Funds
 - General fund: Fund Balance

Bryson Park Playground Equipment & Capital Improvements

Approved budget ordinance--\$3,000,000

Funding Source: State Capital & Infrastructure Grant Fund (SCIF)

Expenditures & Encumbrances:

- To date--\$2,151,232
- Wurster Construction Contract--\$1,997,915

Downtown Public Restroom

Approved budget ordinance--\$614,649

Funding Sources:

- State Capital & Infrastructure Grant Fund (SCIF): \$390,000
- ARPA Related Funds: \$215,749
- Interest: \$8,900

Expenditures & Encumbrances:

- To Date: \$561,137
- Cinderella Partners Construction Contract: \$507,422

Bridge Park Stormwater Project

Approved Budget Ordinance: \$893,704

Funding Sources:

- ARPA Related Funds: \$516,447

- Jackson County TDA: \$367,757
 - Interest: \$9,500
- Expenditures & Encumbrances:
- To Date: \$816,860
 - Buchanan & Sons, Inc. Contract: \$749,360

Additional Budget Issues

1. R5600/NC107 Sidewalks
 - a. \$200,000 Committed
 - b. \$100,000 budgeted in FY 2018-2019
 - c. \$50,000 budgeted in FY 2019-2020
 - d. \$20,000 budgeted in FY 2021-2022
 - e. \$30,000 budgeted in FY 2022-2023

2. Skyland Drive Sidewalk
 - a. Total town portion of project is \$384,406
 - b. Town funds expended on engineering & right-of-way: \$114,974
 - c. Town funds committed to construction: \$269,432
 - d. Anticipated completion: Late March 2024

Department Needs

Public Works:

- Equipment Trailer--\$7,000
- Air compressor--\$3,000
- Computer (Director)--\$2,500

Police

- Maintain vehicle replacement schedule of 2 vehicles
- Firearms Upgrade--\$6,500
- PD Computer Server Replacement--\$8,000

Fire Department

- Building Heat--\$100,000
- Pumper Truck--\$700,000

Department Wants

Public Works

- Upgraded tire machine--\$8,500
- Upgraded welder--\$5,000

Fire Department

- Repaint 2nd Floor of station
- Replace carpet on 2nd Floor of station

Board:

- Update bathrooms at Poteet Park/Completely Renovate and Upgrade Poteet Park
- Improve Mill Street (Streetscapes, new lighting, underground utilities, improve building facades, façade grants, technical assistance, move HVAC units to rooftop, public/private partnerships)
- Review of sidewalk requirements for new business/change of occupancy. Are we business friendly?
- Develop closer relationships with other community leaders (Jackson County, Western Carolina, Southwestern Community College, Town of Dillsboro). Joint meetings. Improve community engagement.
- Continue to assist with business relocation and development on Hwy. 107 project. Make sure citizens are informed and traffic safety is a priority. Recruit retail and restaurants. Recruit major grocery store.
- Develop partnership to bring a passenger train to Sylva for tourism, small business growth and food trucks.
- Develop Housing Master Plan to address the need for affordable housing and/or workforce housing.

- Upgrade crosswalks in central business district (flashing lights, in-pavement markings, LED lights, advance caution signs, speed humps, improved pavement markings, curb extensions, crosswalk flags)
- Joint discussion between Town and County on development of pump track/skatepark at Mark Watson Park or other publicly owned land.
- Dress up Sylva for all seasons (such as Fall, Western Carolina, Smoky Mountain High School). Decorative lighting and banners for downtown utility poles.

ADJOURNMENT: *Commissioner Newman made a motion to adjourn the meeting at 2:27 p m. The motion carries with a unanimous vote.*

Johnny Phillips
Mayor

Amanda Murajda
Town Clerk

**An Ordinance to Amend
Chapter 30 of the Town of Sylva Code of Ordinances:
Streets and Sidewalks**

The Ordinance is now after discussion and affirmative vote amended to state the following:

Section 30-14. Public solicitation and begging upon the Streets and Sidewalks Regulated

A. Definitions:

Accosting: approaching or speaking to an individual or individuals in such a manner as would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon his or her person, or upon property in his or her immediate possession.

Solicit: use of the spoken, written, or printed word, or other acts as are conducted in the furtherance of the purpose of immediately collecting contributions for the use of oneself or others. As used in this Section 30-14 the word "*solicit*," and its forms, includes soliciting and begging. This definition shall not include transactions between family members or mutual acquaintances.

Financial institution: any bank, industrial bank, credit union, savings and loan, or automated teller machine.

Forcing oneself upon the company of another:

- (1) Continuing to solicit within eight (8) feet of the individual addressed after the person to whom the solicitation is directed has made a negative response, either verbally, by physical sign, by attempting to leave the presence of the person soliciting, or by other negative indication.
- (2) Blocking the passage of the individual solicited; or
- (3) Otherwise engaging in conduct that could reasonably be construed as intending to compel or force a person to accede to a solicitation.

B. Prohibited acts. It shall be unlawful for any person to solicit or beg as defined above:

1. By accosting another, or by forcing oneself upon the company of another.
2. Within 20 feet of any financial institution.
3. Within 10 feet of any bus stop, train station, or taxi stand, or while in a public transit vehicle.
4. Within 20 feet of any commercial establishment which is open for business.
5. While the person being solicited is standing in line waiting to be admitted to a commercial establishment.
6. By touching the person being solicited without that person's consent.
7. By blocking the path of a person being solicited or blocking the entrance or exit to any building or vehicle.
8. By following the person who has been solicited after that person has declined the request or walked away.
9. By or with the use of threatening, profane, or abusive language, during the solicitation or following an unsuccessful solicitation.
10. By or with the use of any gesture or act intended to cause a reasonable person to be fearful of the solicitor or feel compelled to accede to the solicitation.
11. During nighttime hours from dusk to dawn.

C. Related Activities Prohibited. In accordance with North Carolina General Statutes, it shall further be unlawful for any person to solicit or beg as defined above:

1. While intoxicated as prohibited by N.C.G.S. §14-444.
2. By using false or misleading information such as stating that the donation is needed to meet a specific need which does not exist, is already met, or when the requestor already possesses the funds necessary to meet the stated need; or such as representing that the solicitor is a veteran when the requestor is in fact not a veteran of the military as prohibited by N.C.G.S §14-100.
3. By indicating that the solicitor or any member of his/her family suffers from a physical or mental disability when such information is false as prohibited by N.C.G.S. §14-113 and/or N.C.G.S. §4-100.

D. Penalty. A violation of Section B is punishable as a \$50 fine in accordance with Sec. 1-7 and 1-9 of the Town of Sylva Code of Ordinances. Any protest or appeal of the issuance of a fine shall be made in writing or in person within 30 days of issuance to the Sylva Chief of Police, who shall have full authority to decide and render decision. Further appeal of the decision by the Chief of Police shall be made to the Town Manager, who shall have final authority over the matter.

N.C. Statutory Reference - Authority to prohibit or regulate begging. N.C.G.S. §160A-179.

Existing N.C. General Statutes prohibiting acts described above in section C.

N.C. Statutory Reference – Intoxicated and Disruptive in Public, N.C.G.S. §14-444

N.C. Statutory Reference – Obtaining Property by False Pretenses. N.C.G.S. §14-100

N.C. Statutory Reference – Obtaining Money by False Representation of Physical Disability. N.C.G.S. §14-113

This ordinance shall be in full force and effect upon its adoption on February 8, 2024.

Johnny Phillips, Mayor

Attest:

Approved as to form:

Amanda W. Murajda, Town Clerk

Town Attorney

**RESOLUTION OF INTENT
2024-01**

**A RESOLUTION DECLARING THE INTENTION OF THE
TOWN OF SYLVA BOARD OF COMMISSIONERS
TO CONSIDER CHANGING THE NAME OF A PORTION OF
MUNICIPAL DRIVE TO VANCE STREET**

BE IT RESOLVED by the Town of Sylva Board of Commissioners that;

- (1) A public hearing will be held at 5:30 pm on the 14th day of March, 2024, at Sylva Municipal Hall to consider a resolution to change the name of a portion of the following street:
 - A. A portion of Municipal Drive, noted below in red, to Vance Street.



This the 8th day of February, 2024.

Johnny Phillips, Mayor

ATTESTED BY:

Amanda W. Murajda, Town Clerk