



# TOWN OF SYLVA BOARD OF COMMISSIONERS MEETING

Thursday, February 23, 2023 at 9:00 AM  
Board Room, 83 Allen Street Sylva, North Carolina

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## AGENDA

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### CALL TO ORDER

### APPROVAL OF AGENDA

*All items listed and adopted are for discussion or possible action*

### APPROVAL OF CONSENT AGENDA

1. Consent Agenda 2-23-23

### PUBLIC COMMENTS

### REPORTS

2. Mayor's Report
3. Commissioner's Report
4. Manager's Report
5. Public Works Department Report
6. Police Department Report
7. Fire Department Report
8. Main Street Report
9. TWSA Board Report
10. Pinnacle Park Report

### NEW BUSINESS

11. Proclamation--Victoria Casey-McDonald Day--February 26, 2023
12. Request from NCDOT--US Highway 23 Speed Limit Changes
13. Board of Commissioner Vacant Seat Appointment

### ADJOURNMENT

*Town of Sylva*  
**CONSENT AGENDA**  
*February 23, 2023*

**1- BUDGET AMENDMENT:**

#28 27-399-0000 Sidewalk Fund Balance	\$ 38,000 C
27-413-0000 Sidewalk Expense	11,000 D
27-413-5000 Sidewalk Contingency	27,000 D

**REF: To appropriate Sidewalk Special Revenue Fund Balance (interest) into the Skyland Drive sidewalk budget to cover additional overages anticipated by DOT. A contingency is also being established for unanticipated overages. The contingencies monies will come from earmarked 107 Sidewalk funds (\$200,000-\$27,000). All unused contingency monies will continue to be accounted for as 107 Sidewalk.**

**2- OTHER:**

- ***Resolution Authorizing the Sale of Town Personal Property by Public Auction (R2023-01) ~ See Attached***

R2023-01

## Resolution Authorizing the Sale of Town Personal Property by Public Auction

WHEREAS, the Board of Commissioners of the town of Sylva, North Carolina desire to declare surplus and dispose of certain Town owned personal property,

WHEREAS, G.S. 160A-270 (b) allows for the disposal of surplus personal property through public auction,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Sylva that:

- 1- The following described property is hereby declared to be surplus to the needs of the Town of Sylva:
  - **2014 Dodge Charger (Vin# 2C3CDXAT6EH348427) (Asset #0553)**
- 2- The Finance Officer is authorized to receive on behalf of the Town of Sylva bids at public auction for the purchase of the described property.
- 3- The public auction will be held through GovDeals, an online governmental surplus auction service ([www.govdeals.com](http://www.govdeals.com)). The auction will start on February 27, 2023 at 8 a.m. and end on March 9, 2023 at 5 p.m. The terms of the sale shall be that the above listed items will be sold "as is" with no express or implied warranties.
- 4- The highest bid, if it complies with the terms of the sale, may be accepted by the Town of Sylva and the sale consummated.
- 5- The Town Clerk shall cause a notice of the public auction to be advertised solely by electronic means in accordance with G.S. 106A-270 (c). This will be accomplished by linking GovDeals to the Town of Sylva website at ([www.townofsylva.org](http://www.townofsylva.org)). The online auction will run for ten days; thus meeting the advertising requirements.

ADOPTED this 23rd day of February 2023

\_\_\_\_\_  
David Nestler, Mayor

Attest:

\_\_\_\_\_  
Amanda W. Murajda, Town Clerk



## *Proclamation*

### **VICTORIA CASEY-MCDONALD DAY FEBRUARY 26, 2023**

**WHEREAS**, the Town of Sylva affirms the tireless efforts and the invaluable contributions of the late Victoria A. Casey-McDonald (1943-2014) as it honors her on the memorial date of her 80th birthday; and

**WHEREAS**, Victoria was a life-long resident of Jackson County born in 1943 to Estus and Derosette Casey in Peter's Bluff, an African American community of Cullowhee. Victoria was one of 10 siblings, including twin brother, Victor Casey and the mother of son Creighton O. Casey, daughter, Faustine McDonald and grandson Victor Crimmins; and

**WHEREAS**, classrooms, churches, libraries and communities throughout Western NC and several organizations and innumerable programs (such as the Annual Martin Luther King National Holiday celebration) have all benefited enormously from Victoria's leadership and participation; and

**WHEREAS**, she is the author of four published books which document the Black experience in Appalachia and her work (in all its forms) has gained recognition from Catch the Spirit of Appalachia, the Western Carolina University's Mountain Heritage Center and the Affrilachian Artist Project (just to name a few); and

**WHEREAS**, Victoria was a devoted educator, a pioneering champion for diversity, tenacious coach and advocate for area youth through her encouragement, and efforts to create opportunities in the arts, athletics and cultural enrichment; and

**WHEREAS** The North Carolina Literary Review has selected the 2022 reissue of Victoria's book Just Over the Hill: Black Appalachians in Jackson County, Western North Carolina to be featured as part of its archived lessons plans, making Victoria's work accessible to teachers and classrooms everywhere.

**NOW, THEREFORE, BE IT HEREBY PROCLAIMED**, the Town of Sylva Board of Commissioners does hereby proclaim February 26, 2023, Victoria Casey-McDonald Day as we encourage all citizens to recognize her contributions and vow to make our lives more creative, and fulfilling in the service of others.

**ADOPTED** the 23<sup>rd</sup> day of February, 2023.

Attest:

By:

\_\_\_\_\_  
Amanda W. Murajda, Town Clerk

\_\_\_\_\_  
David Nestler, Mayor

### Certification of Municipal Declaration To Repeal Speed Limits and Request for Concurrence

Concurring State Ordinance Number: 1072663

Division: 14    County: JACKSON

Municipality: SYLVA

Type: Municipal Speed Zones

Road: US 23BUS

Car: 45 MPH

Truck: 45 MPH

Description: Between a point .47 mile north of NC 107 and a point .504 mile north of NC 107.

#### Municipal Certification

I, \_\_\_\_\_, Clerk of \_\_\_\_\_, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: \_\_\_\_\_ Page: \_\_\_\_\_ Ordinance Number: \_\_\_\_\_

In witness whereof, I have hereunto set my hand and the municipal seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(signature)

(municipal seal)

#### Department of Transportation Approval

Division: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Region: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

### Certification of Municipal Declaration To Enact Speed Limits and Request for Concurrence

Concurring State Ordinance Number: 1083344

Division: 14    County: JACKSON

Municipality: SYLVA

Type: Municipal Speed Zones

Road: US 23BUS

Car: 45 MPH

Truck: 45 MPH

Description: Between SR 1437 and a point 1.281 miles north of NC 107.

#### Municipal Certification

I, \_\_\_\_\_, Clerk of \_\_\_\_\_, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: \_\_\_\_\_ Page: \_\_\_\_\_ Ordinance Number: \_\_\_\_\_

In witness whereof, I have hereunto set my hand and the municipal seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(signature)

(municipal seal)

#### Department of Transportation Approval

Division: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Region: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

### Certification of Municipal Declaration To Repeal Speed Limits and Request for Concurrence

Concurring State Ordinance Number: 1072665

Division: 14    County: JACKSON

Municipality: SYLVA

Type: Municipal Speed Zones

Road: US 23BUS

Car: 45 MPH

Truck: 45 MPH

Description: Between a point .746 mile north of NC 107 and a point 1.281 miles north of NC 107.

#### Municipal Certification

I, \_\_\_\_\_, Clerk of \_\_\_\_\_, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: \_\_\_\_\_ Page: \_\_\_\_\_ Ordinance Number: \_\_\_\_\_

In witness whereof, I have hereunto set my hand and the municipal seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(signature)

(municipal seal)

#### Department of Transportation Approval

Division: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Region: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

### Certification of Municipal Declaration To Enact Speed Limits and Request for Concurrence

**Concurring State Ordinance Number:** 1083342

**Division:** 14    **County:** JACKSON

**Municipality:** SYLVA

**Type:** Municipal Speed Zones

**Road:** US 23BUS

**Car:** 35 MPH

**Truck:** 35 MPH

**Description:** Between a point 0.470 mile north of NC 107 and a point 0.504 mile north of NC 107.

#### Municipal Certification

I, \_\_\_\_\_, Clerk of \_\_\_\_\_, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: \_\_\_\_\_ Page: \_\_\_\_\_ Ordinance Number: \_\_\_\_\_

In witness whereof, I have hereunto set my hand and the municipal seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(signature)

(municipal seal)

#### Department of Transportation Approval

Division: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Region: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



### Certification of Municipal Declaration To Enact Speed Limits and Request for Concurrence

Concurring State Ordinance Number: 1083343

Division: 14    County: JACKSON

Municipality: SYLVA

Type: Municipal Speed Zones

Road: US 23BUS

Car: 35 MPH

Truck: 35 MPH

Description: Between a point 0.746 mile north of NC 107 and SR 1437.

#### Municipal Certification

I, \_\_\_\_\_, Clerk of \_\_\_\_\_, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

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In witness whereof, I have hereunto set my hand and the municipal seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(signature)

(municipal seal)

#### Department of Transportation Approval

Division: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Region: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_