

**TOWN OF SYLVA BOARD OF COMMISSIONERS  
PROPOSED AGENDA**

**REGULAR BOARD MEETING OF THURSDAY, FEBRUARY 13, 2020**

83 Allen Street  
Sylva, North Carolina  
**5:30 P.M.**

**CALL TO ORDER**

**APPROVAL OF AGENDA**

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

**APPROVAL OF CONSENT AGENDA**

**PUBLIC COMMENTS**

**REPORTS**

Mayor's Report  
Commissioner's Report  
Manager's Report  
Main Street Report  
Fire Department Report

**PUBLIC HEARING**

1. Ordinance Amendment—38-50: Food Trucks
2. Ordinance Amendment—22-15: License and Business Registrations

**NEW BUSINESS**

1. Swear In Planning Board Members
  - a. Alan Brown
  - b. Melissa Madrona
2. Ordinance Amendment—38-50: Food Trucks
3. Ordinance Amendment—22-15: License and Business Registrations
4. Schedule Board Work Session—March 26, 2020 prior to Budget Meeting

**ADJOURNMENT**

*Town of Sylva*  
**CONSENT AGENDA**  
*February 13, 2020*

**1-APPROVE MINUTES):** January 9, 2020, **Regular Board Meeting;** January 23, 2020, **Regular Board Meeting;** January 23, 2020, **Budget Work Session**

**2- TAX RELEASES:**

**#3 SP Hospitality LLC** ~ 2019 (Discovery 2018 & 2019 personal) ~ \$132.57  
(Includes tax, late listing, and interest) ~ computer error per Jackson County.

**3- REPORTS:**

- 1- Business Registration Permit as of **January 31, 2020**
- 2- Vehicle Tax Report as of **December 31, 2020**
- 3- Ad Valorem Tax Report as of **December 31, 2020**
- 4- Statement of Revenues, Expenditures, Changes in Fund Balance as of **December 31, 2020**
- 5- Financial Report as of **December 31, 2020**
- 6- Special Revenue Quarterly Report as of **December 31, 2020**

**4- OTHER:**

- Pool Report (2019 Season)

# Business Registration Permit Application

## January 2020

<u>Date Submitted</u>	<u>Business Name</u>	<u>Business Location</u>	<u>Owner</u>
1/7/2020	Mountainside Tanning and Boutique	58 Sunrise Park Suite D	Megan Hall
1/17/2020	American Sewing Corp	95 Harold Street	Kyle Coar
1/21/2020	Tagged Out Hunting Supply LLC	472 E. Main Street	Dustin Hayes
1/28/2020	Duke's Towing & Recovery Office	68 Asheville Highway Suite C	Erik Enberg

**SYLVA COLLECTIONS**

**DECEMBER 2019**

	<b>YEAR</b>	<b>TAX</b>	<b>INTEREST</b>	<b>TOTAL</b>
<b>RENTAL VEHICLE TAX</b>		2,001.43	-	2,001.43
<b>TOTAL</b>		<b>2,001.43</b>	-	<b>2,001.43</b>

**Tax Summary**  
as of December 31, 2019

(10-301-XX)	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	Total	Current Year	TOTALS	
<b>Starting Balances</b>	41157.98	17812.17	8365.05	4275.63	2594.86	4,259.57	1,700.96	2,442.53	4,435.93	3,027.98	90,072.66	\$1,743,823.36	10-281-0000	
July	-1459.1	-74.61	-131.66	-68.4	-68.4	-68.4	-68.4	-68.4	-68.40	-119.83	-2,127.20		-2,127.20	
August	-2792.28									-29.53	-2,821.81		-2,821.81	
September	-1043.7	-111.48	-39.12							-29.75	-1,224.05	-189,432.78	-190,656.83	
October	-1337.83	-549.54	-485.3	-339.9	-45.7					-3.54	-2,761.81	-119,077.20	-121,839.01	
November	-230.44		-18.32								-248.76	-259,836.49	-260,085.25	
December	-615.18	-575.18	-575.18	-25.36							-1,790.90	-916,037.44	-917,828.34	
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	-7478.53	-1310.81	-1249.58	-433.66	-114.1	-68.4	-68.4	0	-68.4	-182.65	-10,974.53	-1,484,383.91	-1,495,358.44	
Releases											0.00	-625.56	-625.56	
Add to Original Levy														
Under Appeal	-2342.26	-2673.45									-5,015.71		-5,015.71	
Bankruptcy														
Refund/Adj														
Subtotals	-9,820.79	-3,984.26	-1,249.58	-433.66	-114.10	-68.40	-68.40	0.00	-68.40	-182.65	-15,990.24	-1,401,020.72	-1,417,010.96	
EOY Adjustment														
(10-110-XX) Balance	\$31,337.19	\$13,827.91	\$7,115.47	\$3,841.97	\$2,480.76	\$4,191.17	\$1,632.56	\$2,442.53	\$4,367.53	\$2,845.33	\$74,082.42	\$342,802.64	\$416,885.06	
Interest														
July	87.87	11.49	35.97	22.79	28.91	35.03	41.16		53.40	126.73	443.35		443.35	
August	41.63									0.47	42.10		42.10	
September	78.46	84.52	0.88							0.25	164.11		164.11	
October	93.79	87.34	129.62	141.18	51.30					11.83	515.06		515.06	
November	19.18	21.54	0.14	35.00							75.86		75.86	
December	85.64	105.58	156.94	31.41							379.57		379.57	
January														
February														
March														
April														
May														
June														
Interest Collected	\$406.57	\$310.47	\$323.55	\$230.38	\$80.21	\$35.03	\$41.16	\$0.00	\$53.40	\$139.28	\$1,620.05	\$0.00	\$1,620.05	
Submitted by: Amanda Murajida, Tax Collector													Collection Rate	81.2452%

**Top 10 Delinquent Accounts (2018 & prior)**

Name	Balance
	12/31/2019
Dewayne Ward	\$ 6,689.88
Aaron Rents Inc	\$ 5,808.07 Under Appeal
WM Capital Partners 59 LLC	\$ 4,067.01
Melton Riddle Funeral Home	\$ 3,243.10 Out of business
Robert Shephard	\$ 2,900.83
Michelle D. Franklin	\$ 2,789.90
Joe Wilson	\$ 2,708.80
Modo Z LLC	\$ 2,627.90 Out of business
DEVOP, Inc.	\$ 2,090.31 Out of business
Dorothy Worley	\$ 1,986.23

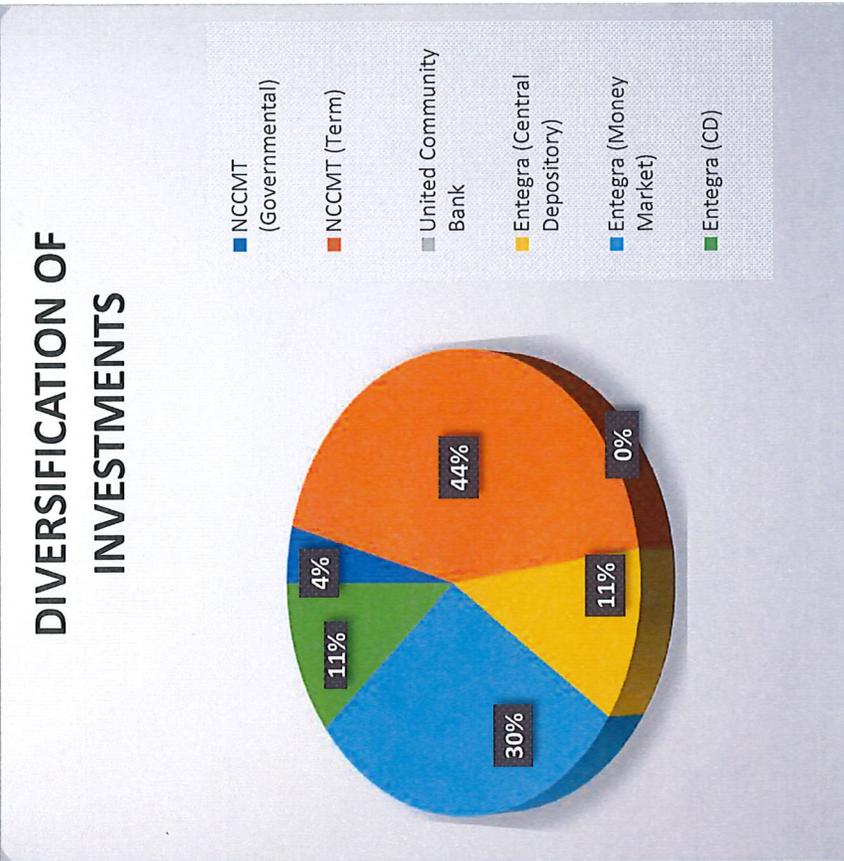
General Fund  
Statement of Revenues, Expenditures, and Changes in Fund Balances  
12/31/2019

		General Fund				Actual to	Statement		
		2019-2020	Previously	2019-2020	Current	2019-2020	Percent	Period	
		Budgeted	Reported	YTD Actual	Month	Budget Balance		6	
								Variance	
<b>Revenues:</b>									
Ad valorem taxes	\$	1,819,056	\$ 613,036.20	\$1,541,364.75	\$ 928,328.55	\$ 277,691.25	84.73%	50.00%	34.73%
Other taxes and licenses	\$	6,500	4,965.00	5,170.00	\$ 205.00	\$ 1,330.00	79.54%	50.00%	29.54%
Unrestricted intergovernmental	\$	1,609,472	512,994.76	676,209.91	\$ 163,215.15	\$ 933,262.09	42.01%	50.00%	-7.99% *
Permits and Fees	\$	18,000	9,842.61	10,885.31	\$ 1,042.70	\$ 7,114.69	60.47%	50.00%	10.47%
Restricted intergovernmental	\$	131,409	44,133.98	80,617.88	\$ 36,483.90	\$ 50,791.12	61.35%	50.00%	11.35%
Investment earnings	\$	59,400	29,443.36	34,729.50	\$ 5,286.14	\$ 24,670.50	58.47%	50.00%	8.47%
Other revenues	\$	23,800	25,786.18	37,283.43	\$ 11,497.25	\$ (13,483.43)	156.65%	50.00%	106.65%
<b>Total revenues</b>	\$	<b>3,667,637</b>	<b>1,240,202.09</b>	<b>2,386,260.78</b>	<b>1,146,058.69</b>	<b>\$ 1,281,376.22</b>	<b>65.06%</b>	<b>50.00%</b>	<b>15.06%</b>
<b>Expenditures:</b>									
General Government	\$	669,046	245,393.45	289,336.49	43,943.04	379,709.51	43.25%	50.00%	6.75%
Salaries & Benefits	\$	263,300	110,335.34	129,650.56		20,215.09			
Capital outlay	\$	-	-	-	-	-			
All other expenditures	\$	405,746	135,058.11	159,685.93	23,727.95				
Public Safety	\$	1,937,385	734,443.33	828,818.25	94,374.92	1,108,566.75	42.78%	50.00%	7.22%
Salaries & Benefits	\$	761,050	255,461.96	356,504.27	54,811.57				
Capital outlay	\$	149,551	-	-	-	-			
All other expenditures	\$	1,026,784	478,981.37	472,313.98	39,563.35				
Culture and Recreation	\$	102,283	24,994.99	27,610.12	2,615.13	74,672.88	26.99%	50.00%	23.01%
Salaries & Benefits	\$	23,875	5,227.89	5,227.89	1,674.17				
Capital outlay	\$	23,250	-	-	-	-			
All other expenditures	\$	55,158	19,767.10	22,382.23	940.96				
Transportation	\$	638,525	219,646.69	264,773.69	45,127.00	373,751.31	41.47%	50.00%	8.53%
Salaries & Benefits	\$	283,500	110,958.91	110,958.91	22,526.83				
Capital outlay	\$	53,400	-	-	-	-			
All other expenditures	\$	301,625	108,687.78	153,814.78	22,600.17				
Economic and Physical Development	\$	14,275	3,425.79	4,425.79	1,000.00	9,849.21	31.00%	50.00%	19.00%
Salaries & Benefits									
Capital outlay									
All other expenditures	\$	14,275	3,425.79	4,425.79	1,000.00				
Environmental Protection	\$	174,260	63,182.27	81,995.49	18,813.22	92,264.51	47.05%	50.00%	2.95%
Salaries & Benefits	\$	63,875	26,675.88	31,501.02	4,825.14				
Capital outlay	\$	-	-	-	-	-			
All other expenditures	\$	110,385	36,506.39	50,494.47	13,988.08				
<b>Total expenditures</b>	\$	<b>3,535,774</b>	<b>1,291,086.52</b>	<b>1,496,959.83</b>	<b>205,873.31</b>	<b>2,038,814.17</b>	<b>42.34%</b>	<b>50.00%</b>	<b>7.66%</b>
Revenues over expenditures	\$	131,863	(50,884.43)	889,300.95	940,185.38	(757,437.95)	-21.42%		
<b>Other financing sources (uses):</b>									
Transfers in	\$	343,985	343,985.00	343,985.00	-	-			
Appropriated fund balance	\$	364,324	364,324.00	364,324.00	-	-			
Contributed Capital	\$	-	-	-	-	-			
Sale of Assets	\$	-	-	-	-	-			
Loan Proceeds	\$	-	-	-	-	-			
	\$	708,309	708,309.00	708,309.00	-	-			
Transfers to other funds:									
Transfers out	\$	840,172	718,672.00	718,672.00	-	-			
Transfer to Capital Reserve	\$	-	121,500.00	121,500.00	-	-			
	\$	840,172	840,172.00	840,172.00	-	-			
<b>Total other financing sources (uses)</b>	\$	<b>(131,863)</b>	<b>(131,863.00)</b>	<b>(131,863.00)</b>	<b>-</b>	<b>-</b>			
Revenues and other sources over expenditures and other uses	\$	-	(182,747.43)	757,437.95	940,185.38	(757,437.95)			

**Analysis:**

\* Timing on State revenues and grants

INVESTMENT PORTFOLIO:		3 Month Avg
BANK	INVESTMENTS	INTEREST
NCCMT (Governmental)	\$378,461	1.60%
NCCMT (Term)	\$3,997,929	1.79%
United Community Bank	\$5,340	0.10%
Entegra (Central Depository)	\$1,031,341	0.50%
Entegra (Money Market)	\$2,708,213	2.02%
Entegra (CD)	\$1,029,243	1.93%
	<b>\$9,150,527</b>	



STATE REVENUE ANALYSIS:	Revenue	% Collected
Telecommunication	\$20,106	52.91%
Natural Gas	\$3,589	71.79%
Video Programming	\$6,752	48.23%
Franchise on Power	\$147,533	52.13%
<b>Total 2nd QTR (Avg should be 50%)</b>	<b>\$177,980</b>	
Article 40	\$58,867	36.11%
Article 42	\$59,636	37.51%
Article 39	\$119,799	40.61%
Hold Harmless	\$53,215	36.20%
<b>Total 4th Month (Avg should be 33.32%)</b>	<b>\$291,517</b>	

FUND BALANCE ANALYSIS:	Amount	Goal
Unassigned - 6/30/19 *	\$3,647,208	
Subsequent Year Appropriation	-\$50,000	
Appropriated after 7/1/19	-\$192,824	
FB Appropriation to CRF	-\$121,500	
Available Fund Balance	<b>\$3,282,884</b>	<b>81.40%</b>
		<b>81.60%</b>

\* Note - Includes Subsequent Year

What does 1 cent =	\$42,000
# GF Approp. after 7/1	5
# Contingency Approp.	4
Balance	\$314,324
	\$14,987

Note: Board policy states that Fund Balance will not drop below 40%. The goal is to have the average balance of other municipalities Sylva's size.

CAPITAL RESERVE FUNDS:	
General Fund	Fire Department
GF Res. 6/30/2019	FD Res. 6/30/19
Approp. to CRF	Appropriations
Interest	DOI Earmarked
Other	Interest
	Other
GF Available Funds	FD Available Funds

REVOLVING LOAN FUND:	
RLF Balance 6/30/19	
Interest	
Investment in Real Estate	
Subsequent Year Approp.	
Balsam West Credit	
RLF Available Funds	

FISHER CREEK ANALYSIS:			
Bank Investments	Current Invested	FY Interest as of 12/31/2019	Rate
NCCMT (Term/Gov)	\$1,097,373	\$11,003	1.49%-1.72%
Entegra	\$1,707,299	\$20,523	1.93%-2.00%
UICB	\$0		
HomeTrust	\$0		
Wachovia	\$0		
1st Citizen	\$0		
	\$2,804,673	\$31,526	

Fisher Creek Funds Available	
Fund Balance	3,276,353
Expense	-252,692
Revenue	32,165
Approp *	-255,000
	\$2,800,826
	* Black Rock Expansion

Total Interest as of 10/2007	
	\$111,546
	\$73,015
	\$71,236
	\$55,723
	\$66,937
	\$13,844
	\$392,301

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 \$151,547 has been expended towards this purpose leaving \$1,248,453 remaining.

PROPERTY TAX ANALYSIS	
Budgeted	\$1,697,956
Billed	\$1,827,812
Est. 98.15% Collection	\$1,789,245
Collection/Releases	\$1,485,009
Discovery/Penalties	\$28,935
Appeals	\$5,016
	81.25%
	81.74%

OUTSTANDING LOANS		
Loan	P/I	Loan Payoff Year
Pumper Truck - FD	\$127,796	23-24
Ladder Truck - FD	\$94,960	21-22
Building Renovations - FD*	\$597,713	23-24
Garbage Truck/Backhoe - SD	\$56,554	20-21
	\$877,023	
* Paid by Jackson County		

Annual Debt	
	\$30,084
	\$40,355
	\$157,842
	\$38,406
	\$266,687

Submitted by: Lynn Bryant, Finance Officer

**Town of Sylva**  
**Special Revenue Funds Quarterly Report**  
**December 31, 2019**

**Public Art Fund (Fund 23):**

Original Ordinance (2017-01)	0
Fund Balance (6/30/2019)	506
Revenue - Donations/ Interest	2,025
Expenditures	-1,070
<b>Balance to Date</b>	<b>\$1,461</b>

**Sidewalk SRF (Fund 27):**

Original Ordinance (2017-02)      Note: Amended from RLF	103,713
Budget Amendment #1 (Skyland Drive 7/11/19)	174,687
GF Transfer In from GF (Hwy 107)	150,000
Revenue/Interest	2,234
Expenditures (Skyland Drive)	-17,200
<b>Balance to Date</b>	<b>\$413,434</b>

**SWIMMING POOL REPORT**  
**2019 Season**

**REVENUES**

	<u>Account</u>	<u>Total Season</u>
Admissions	11-3612-410-01	37,057.80
Swim Lessons	11-3612-410-02	2,255.00
Concessions	11-3612-480-01	9,509.70
Town of Sylva - ABC Revenue	11-3612-330-00	-
<b>TOTAL REVENUE</b>		<b><u>\$ 48,822.50</u></b>

**EXPENSES**

SALARIES & WAGES	11-6121-121-00	33,392.00
SOCIAL SECURITY	11-6121-181-00	2,140.38
UNEMPLOYMENT COMPENSATION	11-6121-185-00	241.48
WORKMAN'S COMPENSATION	11-6121-186-00	725.00
MEDICARE TAX	11-6121-187-00	500.60
SUPPLIES & MATERIALS	11-6121-260-00	7,668.87
CONCESSION SUPPLIES	11-6121-270-00	9,074.17
TELEPHONE	11-6121-321-00	2,402.97
WATER & UTILITIES	11-6121-331-00	7,032.80
CONTRACTED SERVICES	11-6121-393-00	8,220.75
TOWN OF SYLVA/INSURANCE	PD. BY TOWN	-
CAPITAL OUTLAY-EQUIPMENT	11-6121-550-00	13,799.94
CAPITAL OUTLAY-IMPROVEMENT	11-6121-550-01	-
<b>TOTAL EXPENSE</b>		<b><u>\$ 85,198.96</u></b>

TOTAL REVENUE	\$ 48,822.50
TOTAL EXPENSES	<u>\$ 85,198.96</u>
<b>NET PROFIT/LOSS</b>	<b><u>\$ (36,376.46)</u></b>

1/2 of Net Profit/Loss	\$ (18,188.23)
1/2 of \$1,222 Insurance Paid by Town of Sylva	\$ 611.00
<b>Amount Due From Town of Sylva:</b>	<b>\$ (17,577.23)</b>

*INCLUDED ABOVE*

Michael Hopkin.	10%
WAGES	6,477.01
FICA	401.57
MEDICARE	93.92
Joseph Lyon	7%
WAGES	2,339.26
FICA	145.03
MEDICARE	33.92

**REGULAR BOARD MEETING**  
Town of Sylva Board of Commissioners  
January 9, 2020

The Town of Sylva Board of Commissioners held a regular meeting on January 9, 2020 at 5:30 p.m. in the Board Room of Municipal Hall, 83 Allen Street, Sylva, N.C.

<b>PRESENT:</b>	Lynda Sossamon, Mayor	Amanda Murajda, Town Clerk
	Barbara Hamilton, Vice-Mayor	Paige Dowling, Town Manager
	Mary Gelbaugh, Commissioner	Eric Ridenour, Town Attorney
	Ben Guiney, Commissioner	
	Greg McPherson Commissioner	
	David Nestler, Commissioner	

**ABSENT:**

Mayor Sossamon called the meeting to order at 5:30 p.m.

**STAFF PRESENT:** Rick Bryson (Asst. Police Chief), Chris Hatton (Police Chief) and Jake Scott (Public Works Director).

**VISITORS:** Erin McCully, Luther Jones, Jeanne McGuire, Mary Ann Lochner, Robert Cochran, Holly Kays, Dave Russell and Robert Franz.

**AGENDA:** *Commissioner Gelbaugh made a motion to approve the agenda. The motion carries with a unanimous vote.*

**CONSENT AGENDA:** *Commissioner Hamilton made a motion to approve the consent agenda. The motion carries with a unanimous vote.*

**PUBLIC COMMENTS:** Erin McCully addressed the board about support for a resolution on energy innovation and the carbon dividend act. The resolution addresses climate change. It will be placed on a future agenda for discussion. Luther Jones addressed the board about political funding from a group called NC Down Home. He urged the board to pass a resolution condemning the use of political action groups.

**MAYOR'S REPORT:** Mayor Sossamon inquired if the board was interested in having a retreat on a future date. Several commissioners responded voicing interest.

**COMMISSIONER'S REPORT:** Commissioner Gelbaugh reminded the board that Harold Hensley's seat on the Neighbors in Need board would need to be replaced and asked if Barbara Hamilton could serve as the Town appointment instead of the County because she is a Town Commissioner. Manager Dowling will ask if this is possible. Commissioner Nestler requested that the board review the recycling ordinance and possibly add a requirement for landlords to supply recycling bins to tenants. Commissioner McPherson commented that vehicles were using loading zones for longer than the allowed 15-minute time and asked the police department to watch those more closely. Commissioner Hamilton reminded everyone of the Superbowl ad that includes the Town of Sylva and encouraged everyone to watch it.

**MANAGERS REPORT:**

- Employment Update: Tim Dillard is retiring as a mechanic in Public Works at the end of January.
- Greening Up the Mountains: The first planning meeting is January 14<sup>th</sup> at 2:00 p.m. Since the festival has filled up the last couple of years, Kendra Hamm is revising the policies to include a new vendor selection process.

**MAIN STREET REPORT:** The annual Main Street Program Assessment report has been complete and submitted to the NC Commerce Department. This report determines the Main Street Sylva Association's program accreditation. The NC Main Street program requires this as part of the national Main Street program.

**FIRE DEPARTMENT REPORT:** Mike Bryson has retired from the county as Sylva's Fire Services Coordinator. The county employs the fire services coordinator, but the fire chief and town fill the vacancy. Mallory Caraway was hired to fill the vacancy.

- Updated Fire Department officers: Keith Buchanan (Asst. Chief), Brandon Sutton (Asst. Chief), Sam Shuler (Captain), Jesse Turner (Lieutenant). Chris Green has resigned as an officer but is staying on the fire department.

**NEW BUSINESS**

**CENTER FOR DOMESTIC PEACH AND REACH SERVICES UPDATE:** Bob Cochran and Mary Ann Locknear from the Center for Domestic Peace addressed the board and requested a resolution of support for the center. They will be separating from Macon County Reach Services and establishing their own program. The resolution will be forwarded to the Town for a future agenda.

**2019-2020 FEE SCHEDULE AMENDMENT:** Manager Dowling explained the need for replacement lids for recycling bins. There is currently not an option to purchase just a lid or bin outside of the grouped cost. This amendment establishes fees for individual lids and bins for replacement purposes only. *Commissioner Nestler made a motion to approve the amendment. The motion carries with a unanimous vote.*

**2020-2021 BUDGET CALENDAR:** *Commissioner Guiney made a motion to approve the 2020-2021 Budget Calendar. The motion carries with a unanimous vote.*

**PLANNING BOARD APPOINTMENT:** Mayor Sossamon thanked the applicants for the vacancies. Manager Dowling explained that Ben Guiney's seat was vacant due to his recent election to the Town Board. It will end February 28, 2022. *Commissioner McPherson made a motion to appoint Melissa Madrona to fill the vacancy of Guiney. Commissioner Guiney requested to be excused from voting because Madrona is his wife. The request carries with a unanimous vote. The motion by Commissioner McPherson to appoint Madrona carries with a unanimous vote.*

Manager Dowling explained that Joe Bill Mathews' seat had expired and he did not wish to be reappointed. This vacancy will be for a three-year term. *Commissioner Nestler made a motion to appoint Alan Brown to fill the vacancy. The motion carries with a unanimous vote.*

**ADJOURNMENT:** *Commissioner Guiney made a motion to adjourn the meeting at 6:20 p.m. The motion carries with a unanimous vote.*

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Lynda Sossamon  
Mayor

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Amanda W. Murajda  
Town Clerk

**REGULAR BOARD MEETING**  
Town of Sylva Board of Commissioners  
January 23, 2020

The Town of Sylva Board of Commissioners held a regular meeting on January 23, 2020 at 9:00 a.m. in the Board Room of Municipal Hall, 83 Allen Street, Sylva, N.C.

**PRESENT:** Lynda Sossamon, Mayor  
Barbara Hamilton, Vice-Mayor  
Mary Gelbaugh, Commissioner  
Ben Guiney, Commissioner  
Greg McPherson, Commissioner  
David Nestler, Commissioner

Paige Dowling, Town Manager  
Amanda Murajda, Town Clerk  
Eric Ridenour, Town Attorney

**ABSENT:**

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

**STAFF PRESENT:** Rick Bryson (Asst. Police Chief), Chris Hatton (Police Chief) and Jake Scott (Public Works Director).

**VISITORS:** Marie Leatherwood, Erin McCully, Gene Tunnell, Peter Tay, Mary Brown, Holly Kays, Dave Russell, Melissa Madrona, Donna Dillard, Jason Dillard, Dakota Dillard, Holly Dillard, Luke Hopkins and David Monteith.

**AGENDA:** *Commissioner Gelbaugh made a motion to approve the agenda. The motion carries with a unanimous vote.*

**CONSENT AGENDA:** *Commissioner Hamilton made a motion to approve the consent agenda. The motion carries with a unanimous vote.*

**PUBLIC COMMENTS:** Marie Leatherwood expressed her concerns about the Highway 107 (R5600) construction project and the effects on the community. Peter Tay addressed the board about advocating for bike trails at Pinnacle Park and Black Rock Creek.

**MAYOR'S REPORT:** None.

**COMMISSIONER'S REPORT:** Commissioner Nestler advised the board that he was scheduling lunch meetings with Nantahala Health Foundation and Dogwood Health Trust to discuss grant funding. Commissioner Guiney requested would like to have future discussions about multi-use trails at Pinnacle Park and Black Rock Creek. Commissioner Hamilton expressed her concerns about traffic speeding in Town.

**MANAGERS REPORT:** Manager Dowling reported the following:

- Employment Updates:
  - Mallory Caraway began her employment as the fire coordinator January 21, 2020.
  - Jacob Waldroup has been hired as a police officer. He is from Andrews and has just completed BLET. He will begin January 27, 2020.
- Manager Dowling will be attending the NC City & County Manager's winter seminar in Winston-Salem February 4-7, 2020.

**PUBLIC WORKS DEPARTMENT:** Jake Scott reported the following:

- The 2020 Community Waste & Reduction grant has been submitted.
- The 2020 Dogwood Trust grant has been submitted for equipment for trails.
- A new storm drain has been installed on Wilkes Crescent.
- The department has painted the Police Department.
- There will be a Scotts Creek clean-up day on January 25, 2020 with Trout Unlimited

**POLICE DEPARTMENT:** Chris Hatton reviewed the department’s annual statistics report and discussed the department’s plan for traffic control on Main and Mill Streets.

**PLANNING BOARD REPORT:** The Planning Board met on January 16, 2020 and reviewed the current Food Truck ordinance. The board will present proposed changes at the February 13, 2020 meeting.

**TWSA BOARD REPORT:** Commissioner Nestler reported that TWSA is still searching for a new director.

**NEW BUSINESS**

**RESOLUTION OF SUPPORT—CENTER FOR DOMESTIC PEACE AND REACH SERVICES:**

*Commissioner Nestler made a motion to approve the resolution of support for the Center for Domestic Peace. The motion carries with a unanimous vote.*

**RESOLUTION OF SUPPORT—ENERGY INNOVATION AND CARDON DIVIDEND ACT:** Commissioner Guiney expressed his concerns about the resolution. Erin McCully and Gene Tunnell spoke on behalf of the group requesting support. Commissioner McPherson stated that working toward a green environment had been a focus of his. Commissioner Hamilton sated that being proactive was a step in the right direction. *Commissioner Nestler made a motion to approve the resolution. The motion carries with a 4-1 vote. Voting in the affirmative was Commissioners Gelbaugh, Nestler, McPherson and Hamilton. Voting against the resolution was Commissioner Guiney.*

**RETIREMENT RECOGNITION:** Manager Dowling presented Tim Dillard with a plaque of appreciation for his nearly 15 years with the Town of Sylva. Dillard retires from the Town February 1, 2020.

**ADJOURNMENT:** *Commissioner Guiney made a motion to adjourn the meeting at 9:45 a.m. The motion carries with a unanimous vote. A reception honoring the retirement of Tim Dillard was held following the meeting.*

\_\_\_\_\_  
Lynda Sossamon  
Mayor

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

**BUDGET WORK SESSION**  
Town of Sylva Board of Commissioners  
January 23, 2020

The Town of Sylva Board of Commissioners held a budget work session on January 23, 2020 at 10:10 a.m. in the Board Room of Municipal Hall, 83 Allen Street, Sylva, N.C.

**PRESENT:** Lynda Sossamon, Mayor  
Barbara Hamilton, Vice-Mayor  
Mary Gelbaugh, Commissioner  
Ben Guiney, Commissioner  
Greg McPherson, Commissioner  
David Nestler, Commissioner

Paige Dowling, Town Manager  
Amanda Murajda, Town Clerk

**ABSENT:**

Mayor Sossamon called the budget work session to order at 10:10 a.m.

**STAFF PRESENT:** Lynn Bryant (Finance Officer), Jake Scott (Public Works Director), Chris Hatton (Police Chief), and Rick Bryson (Asst. Police Chief).

**VISITORS:** Holly Kays and Dave Russell

Manager Dowling reviewed the budget schedule and agenda.

**DISCUSSION:** The Board reviewed the Town of Sylva Assets as a Place:

- Parks (Bridge, Poteet, and Bryson)
- Scotts Creek
- Expansion of Pinnacle Park
- Purchase of Black Rock Creek
- Geographic location
- Historic designation
- Local schools (county, colleges)
- Hospital
- Safety
- Thoughtful and engaged community
- Great Smoky Mountain National Park
- Recreational opportunities

The Board reviewed the Town of Sylva Assets as an Organization:

- Staff
- Capital
- Equipment
- Facilities

The Board reviewed the Town's Vision and Mission Statements.

Manager Dowling reviewed the Town of Sylva organizational chart. She also gave an overview of the services provided to residents from the administration, public works, police and fire departments.

Lynn Bryant, Finance Officer, reviewed the Town's Financial Report as of 12/31/19. 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. She advised the board that Entegra Bank had been sold to another bank and as a result the Sylva branch would become Select Bank & Trust.

Amanda Murajda, Tax Collector, reported that the 2018-2019 tax collection rate was 97.78%. She also explained that as of December 31, 2019 the Town's collection percentage was at 81.25%, a slight decrease of .50% from the same period last year. As of January 24, 2019, the collection rate was 91.59%, an increase over the previous January. She advised the Board that garnishments had been sent out for delinquent taxes and that attorney letters would be forthcoming for property owners who failed to communicate with the Town. This letter explains that the Town will take the means necessary, as allowed by law, to collect on delinquent accounts. She reminded the board that the monthly tax summary report they receive now contains the top 10 delinquent accounts as of that month.

The Board reviewed the list of priorities from 2018-2019:

- Maintaining the current level of services
- Imperative equipment replacement
- Succession planning & competitive compensation
- Maintained the current tax rate
- Sidewalk planning for NC 107 project
- Fisher Creek Expansion

Manager Dowling reviewed the revenue sources and the tax revaluation schedule.

OPEB Concerns—Items reviewed by the manager:

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

Manager Dowling asked for department needs from each department head for the 2020-2021 budget:

Public Works:

- Updated Powell Bill map-\$2,000
- Cameras at public works facilities and buildings

Police

- 2 patrol vehicles-normal replacement schedule-Durango @ \$45,502 each
- 2 Police patrol officers-\$51,482 each

Board

- Sidewalk contribution for Highway 107
- Comprehensive land-use plan-\$30,000
- Part-time Main Street Director-\$25,000

2020-2021 Wish List:

Police:

- 2 patrol officers
- Winter coats for entire department-\$3,000
- Razor utility vehicle-\$13,500

Public Works:

- Work-order software-\$3,500 annually
- Green infrastructure at Bridge Park-\$13,000 (from Equinox plan)

Board:

- Public restroom downtown
- Signage for public restrooms

- Crosswalk improvements
- More street lights on Mill Street
- Multi-use trails at Blackrock Creek
- Betterment fund-R5600 (poles, crossings, ADA)
- Plants in bump outs-\$1,500
- Pump track
- Improvements to Bryson Park (fence and equipment)
- Sidewalk repairs
- Sidewalk in front of Nantahala Brewing & Blue Ridge Inn

The Board marked their top budget needs. The results will be given at the next work session.

The Board would like to have a Board Work Session added to the March 26<sup>th</sup> budget meeting. That meeting will be added to the next agenda for approval.

**ADJOURNMENT:** *Commissioner Guiney made a motion to adjourn the meeting at 1:10 p m. The motion carries with a unanimous vote.*

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Lynda Sossamon  
Mayor

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Amanda Murajda  
Town Clerk

## Section 38-50 of the Town Code entitled: Food Trucks

BE IT ORDAINED BY the Board of Commissioners of the Town of Sylva that after discussion and affirmative vote Section 38-50 is written as follows:

### Sec. 38-50. Food Trucks.

(1) Definitions.

*Mobile Food Vendor, Food Truck:* a readily movable trailer or motorized wheeled vehicle, currently registered with the N.C. Division of Motor Vehicles, designed and equipped to serve and sell food and beverages to the general public on a recurring basis.

*Mobile Food Vendor, Pushcart:* A mobile piece of equipment used by a person that prepares or serves proportioned food for sale to the general public on a recurring basis. The food has been prepared at a restaurant or commissary or on site.

*Mobile Vending:* The act of selling food and/or non-alcoholic beverages from a mobile food and beverage vending unit.

(2) Period of License – The mobile food vending license shall be valid for six months from the date of issuance.

(3) Requirements.

- a. Permit. A permit is required from the Town of Sylva for all mobile food units operating within city limits. A permit is required for trucks and carts regardless of whether the food is prepared on site or not. The permit will be issued by the Town.
  1. A mobile food vending permit shall be valid for six months from the date of issuance.
  2. An approved zoning permit from the zoning administrator is required prior to food vending activities in appropriate commercial districts only. A zoning permit will not be issued for food vending in any Town district where commercial activity is not permissible.
  3. The Jackson County Health Department approval is required for all food vending units prior to Town approval.
  4. The permit and health inspection rating must be visibly displayed.
  5. A separate permit is required for special events held by the Town.
  6. Fees are set in the Town of Sylva's Schedule of Fees.
  7. When submitting a food truck application, the mobile vendor must submit a picture of the mobile unit and sign to be used showing the name of the unit.
- b. The vending unit operator shall comply with all federal, state and local laws when operating the unit.
- c. All vendors shall be required to maintain active liability insurance. Proof of insurance must be provided to the Town prior to issuance of the initial permit or any renewal.
- d. Location
  1. Written consent must be given from the property owner in order for the use to take place.
  2. Mobile food vending units and business operations may not obstruct sidewalks, ingress or egress to the property or building entrance.
  3. Mobile food vendors shall not be parked or set up closer than 15 feet from any fire hydrant.
  4. No mobile food vendors will be allowed to vend in the public street.
  5. No mobile food vendors will be allowed to vend in any public parking space **except for those designated by the Town of Sylva as available spaces.**

6. Mobile food vending units shall be setback 10 feet from the road edge in the Business-2 and Business-3 districts. Carts may not obstruct access.
  7. Mobile food vending units shall not obstruct access to public infrastructure, including but not limited to manholes, valve boxes, meter boxes, underground vaults and other water and sewer system appurtenances.
  8. Parking. In Business Districts with parking requirements, the primary site user must be able to maintain compliance with minimum parking standards for the zoning district.
  9. Owner Parking. Owners and employees of mobile food vending units, in the Business-1 District, must adhere to the parking requirements of Sec. 36-104. Owners and employees of mobile food vending units in other Business Districts shall not take up more than one (1) designated parking space or one ten-foot by ten-foot area in addition to the mobile unit if they are not connected.
  10. The Town Board of Commissioners **or designee** must give permission to locate in any public space within city limits.
  11. If the owner of a mobile food business has more than one vending unit, a separate permit is required for each location.
- e. Cleanliness of Area. Area must be kept neat and clean. Grease spills must be cleaned up the same day. Retaining permit depends on cleanliness of site.
  - f. **Food truck vendors are responsible for removal of their own garbage and recycling. Vendors shall not place their trash in the town's public trash receptacles. Garbage shall be removed off-site and taken to a sanitary facility.**
  - g. The food vendors are responsible for providing receptacles for their patrons' trash and recyclable materials.
  - h. Mobile food vendors are encouraged to use recyclable and/or compostable containers, cups and utensils.
  - i. All vendor equipment and merchandise located on public property shall be removed from the premises and stored away from public view during non-operating hours.
  - j. All vendor equipment and merchandise for mobile pushcarts shall be removed from the premises and stored away from public view during non-operating hours.
  - k. Shade. Shade is permissible. Awnings, umbrellas, or tents should not obstruct or cause a safety hazard.
  - l. Signage.
    1. Signage outside is allowed up to 45 square feet.
    2. One A-frame sign for specials is allowed. The A-frame sign is subject to the requirements and fees set forth in the temporary sign ordinance.
    3. Protrusions to increase signage are not allowed.
  - m. A violation of this section or any other applicable Town Ordinance shall be cause for immediate revocation of any permit issued pursuant to this section.

**This ordinance shall be in full force and effect upon its adoption on February 13, 2020**

\_\_\_\_\_  
Mayor Sossamon

Approved as to form:

ATTEST:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Attorney

**An Ordinance to Amend Section 22-15 of the Town Code entitled:  
Licenses and Business Regulations**

BE IT ORDAINED BY the Board of Commissioners of the Town of Sylva that

**Section 22-15 Schedule A is written as follows:**

SCHEDULE A: PRIVILEGE TAX STATUTORY CATEGORIES (G.S. 160A-211)

Privilege license taxes limited under state law. Listed below are classifications of business activities governed within the state revenue laws, pursuant to G.S. 160A-211. Businesses conducting these activities are taxed under this schedule in addition to Article 1 above.

- a. Alcohol licenses, from May 1 to April 30, not prorated.
  - 1. On-premise beer.....\$ 15.00
  - 2. Off-premise beer.....\$ 5.00
  - 3. Wholesale beer.....\$ 37.50
  - 4. On-premise wine.....\$ 15.00
  - 5. Off-premise wine.....\$ 10.00
  - 6. Wholesale wine.....\$ 37.50
  
- b. Itinerant merchant (payable only by cash or money order) .....\$100.00  
 An individual, other than an established retail merchant in county, who transports goods to a building, vacant lot, alley or other location and offers the goods for sale at retail, for less than six consecutive months.
  
- c. Peddlers .....\$25.00
  - 1. Person who travels from place to place with inventory and offers for sale at retail the actual inventory, occupying no space for more than 30 minutes during any 24-hour period. Each peddler must comply with any restrictions of the town and state regulations.
  - 2. Farmers selling their own produce.....Exempt  
 Must apply for grower’s certification.
  
- d. Taxicabs.....\$ 15.00  
 Must comply with any restrictions of the town and state regulations.

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

**Section 22-15 Schedule A is written as follow:**

SCHEDULE A: PRIVILEGE TAX STATUTORY CATEGORIES (G.S. 160A-211)

Privilege license taxes limited under state law. Listed below are classifications of business activities governed within the state revenue laws, pursuant to G.S. 160A-211. Businesses conducting these activities are taxed under this schedule in addition to Article 1 above.

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  - 1. On-premise beer.....\$ 15.00
  - 2. Off-premise beer.....\$ 5.00
  - 3. Wholesale beer.....\$ 37.50
  - 4. On-premise wine.....\$ 15.00
  - 5. Off-premise wine.....\$ 10.00
  - 6. Wholesale wine.....\$ 37.50
  
- b. Itinerant merchant (payable only by cash or money order) .....\$100.00  
 An individual, other than an established retail merchant in county, who transports goods to a building, vacant lot, alley or other location and offers the goods for sale at retail, for less than six consecutive months.
  - 1. Food Trucks (General). See Section 38-50.
  - 2. Food Trucks (Daily Fee Using Town Owned Parking). .....\$25.00
- c. Peddlers .....\$25.00
  - 1. Person who travels from place to place with inventory and offers for sale at retail the actual inventory, occupying no space for more than 30 minutes during any 24-hour period. Each peddler must comply with any restrictions of the town and state regulations.
  - 2. Farmers selling their own produce.....Exempt  
Must apply for grower’s certification.
  - 3. Taxicabs.....\$ 15.00  
Must comply with any restrictions of the town and state regulations.

**This ordinance shall be in full force and effect upon its adoption on February 13, 2020.**

\_\_\_\_\_  
Mayor Sossamon

ATTEST:

Approved as to form:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Attorney