

Paige Dowling

From: Paige Dowling
Sent: Wednesday, September 11, 2019 12:38 PM
To: Aaron Littlefield
Subject: RE: Helpful Resources for Voluntary Annexation

Hi Mr. Littlefield,
Thank you for the information and suggestions.

Towns cannot negotiate terms of annexation. The tax rate charged to each resident must be equal. A town board or town staff cannot negotiate to charge one parcel a higher tax rate than other residents. Fees must also be equal.

Towns are required to provide the same level of services to each resident. The terms of potential trash pickup cannot be considered as part of an annexation request.

Records for utilities references utilities tax paid by the State that is based on the number of customers in a jurisdiction. The cost we estimated included the amount of time needed to update our records with utility companies and the Office of State Budget & Management to update the number of residents and households.

Have a good day.

Thank you,
Paige R. Dowling
Town Manager
Town of Sylva
83 Allen Street
Sylva, NC 28779
(828) 586-2719

From: Aaron Littlefield <aaronlittlefield@gmail.com>
Sent: Tuesday, September 10, 2019 3:50 PM
To: Paige Dowling <townmanager@townofsylva.org>; Amanda Murajda <townclerk@townofsylva.org>
Cc: Lynda Sossamon <mayor@townofsylva.org>; Mary Gelbaugh <mgelbaugh@townofsylva.org>; Barbara Hamilton <bhamilton@townofsylva.org>; hensfern@gmail.com; Greg McPherson <gmcpherson@townofsylva.org>; David Nestler <dnestler@townofsylva.org>; eric@sylvalawyers.com
Subject: Helpful Resources for Voluntary Annexation

I am sending excerpts from the Mechanics of Annexation Document supplied by the NC League of Municipalities. I send the document in full on July 19th to facilitate an easy guide, and went so far as to cite which pages the pertinent information could be found.

I never received a reply to that email, but did finally receive an email on July 31 indicating that things were moving along.

Should the town vote yes, the following are the statutory requirements:

1) Alert the Board of Elections. To save the cost of 3 stamps and envelopes, and being only three voters in the household, this would be the 'free option'.

- (1) Board of Elections. A map showing the boundaries of newly annexed areas must be delivered to the county or municipal board of elections that conducts the elections for the municipality. The board of elections then must "activate" for municipal elections each voter eligible to vote in the municipality who is registered to vote in the county, to the extent that residence addresses shown on the county registration certificates can be identified as within the limits of the newly annexed area. Each voter whose registration is activated must be notified by mail. The costs of the map and the activation must be paid by the municipality.

In lieu of the above procedure, the county board of elections may use one of the following methods of activation as provided in G.S. 163-288.2:

- (A) The county board of elections prepares a list of those registered voters residing in the newly annexed territory. The board must publish and post notice of the list's availability, then make it available for public inspection for a two-week period ending sixteen (16) days (excluding Saturdays and Sundays) before the day of the election. During this period, any qualified voter who resides in the annexed area may have his or her name added to the list.
- (B) The board conducts a special registration of eligible persons desiring to vote in the newly annexed territory. The board must publish and post notice of the special registration, and the registration books must be open each day (except Sundays) during a two-week period ending sixteen (16) days (excluding Saturdays and Sundays) before the election.

- 2) The Register of Deeds will need to be updated with a map (I am willing to pay for the cost of the map printing)

Register of Deeds. A map of the annexed territory and a certified copy of the annexation ordinance must be recorded in the office of the register of deeds in the county or counties in which the annexed territory lies.

- 3) The NC Sec. of State will need a copy of the map within 30 days. I am willing to pay for the cost of the map printing and postage. The map can be sent here:

Office of the Secretary of State
Land Records Management
P.O. Box 29622
Raleigh, N.C. 27626
(919) 807-2207

- 4) The Town office would need to have a new map made. Again, I will pay for the cost of printing.

- 5) The State Budget Office would require a report about any annexations that became effective during the year, but they do not need a map of the annexation or a copy of the ordinance. Given that Sylva already must make this report each year between censuses, this should not be an issue.

The address is below:

The required information should be submitted on a form provided by the Office of State Budget and Management. Forms are usually mailed to each municipality in late June, with a July deadline for submission. It is important to make the submission in a timely manner so that the most current information is available to the state in making its population estimates for purposes of revenue distribution. Information that is submitted late may be rejected and the municipality will have to wait until the following year to be credited with any additional population. It is not necessary to submit a map or a copy of the annexation ordinance. Contact information:

Office of State Budget and Management
20320 Mail Service Center
Raleigh, NC 27699-0320
(919) 807-4700

NOTE ON UTILITIES: In previous years, notices to certain utilities would be required. This has long since been repealed, and has not been necessary for over half a decade now. If it were, you could find the contact information below for Duke Energy:

Notice to Certain Utilities
G.S. 105-116 and -187.44

[Please note that effective July 1, 2014, the state franchise taxes referenced below will be eliminated and notification to utilities will no longer be needed.]

State law provides for municipalities to receive a share of the state utility franchise tax levied on electric power companies, based on the taxable gross receipts from service within the city limits. Similarly, a portion of the proceeds of the state piped natural gas excise tax, based on the amount of tax attributable to piped natural gas delivered to or received in the city. For this reason it is important to notify the companies providing electricity and natural gas services when an area has been added to the city limits. The municipality should provide the utility with a boundary description, map and/or property address listing sufficient to allow the utility to determine which portions of the annexed territory are included in its service area.

Notifications to Duke Energy may be sent as follows:

Duke Energy DT02V
9700 David Taylor Drive
Charlotte, NC 28262
By email: taxteam@duke-energy.com

Taxes legally would not be due until September of 2020, however, I am more than willing and prepared to pay the full value of my property taxes in accordance with G.S. 160A-58.10 in-full, up front. It is my understanding that this would amount to roughly \$680 for the time until September 1, 2020, and then about \$750 thereafter. I could have this sum deposited by the end of the month.

Regarding trash service, it has come to my attention that the economics of sending public works employees on a special trip, 52 weeks a year could make annexation seem economically unfeasible. It is in the public interest to discuss all alternatives which satisfy the statutory requirements of an annexation to extend substantially similar services and balance such decisions against the interest of the financial cost associated with said annexation.

If the town has found that the recurring cost of annexation exceeds the projected annual revenue for the town, I propose several alternatives, each of which merits discussion, and would make for acceptable alternatives:

A) I, the property owner, would pay any difference left between what the town is cost each year versus what revenue would be;

B) If the town finds that a revenue neutral arrangement would not be advantageous, defining a dollar amount by which the voluntary party could give to make the offer acceptable to the Town;

C) The Property Owner could accept 75% trash service, electing to skip every fourth week, thus reducing the cost of trash service 25%.

D) The Property Owner could accept a tax credit in-lieu of service. If the town finds that trash service is cost prohibitive due to infrastructural factors, such as narrow roads, the town could enter into a consensual agreement with the property owner to be refunded the fair market value of trash collection service. For example, a local provider has been quoted at servicing residences in the area for \$50 monthly for twice-a-week pickup. This would amount to \$300 per year for 102 collections.

Comparative to 52 collections under special cost circumstances, this could be substantially cheaper for substantially higher levels of service than what the town currently offers.

Ultimately, we, the property owners, are not petitioning the Town for the purposes of solely having organized trash removal. We are going through this process so that we are able to petition the officials for grievances, and to take part in the elections for the office located less than 1600 yards to the West of our property. If the dollar amount at the bottom line is the issue, then let us be transparent and discuss it.

The right to vote in the town that has communicated an intent to extend their ETJ on multiple occasions to my street and property should not prove controversial.

Lets work out the details so that we can come to a compromise. Please let me know if any of options A-D are acceptable. Feel respond as a whole or separately, so as to not run afoul of Public Meeting laws.

Thank you again for your time and attention to this matter.

God Bless,

Aaron Littlefield

I have CCd the Mayor, the Council Members, and the Town Lawyer so as to insure that my email is received. It was almost two weeks before I heard back when I emailed in July, so I am uncertain if it is going to your inbox or getting caught in a spam folder.

Paige Dowling

From: Paige Dowling
Sent: Tuesday, September 10, 2019 8:57 PM
To: Barbara Hamilton; David Nestler; Eric Ridenour; Greg McPherson; Harold Hensley; Mary Gelbaugh
Cc: Amanda Murajda; Jake Scott; Lynn Bryant; Paige Dowling
Subject: FW: Helpful Resources for Voluntary Annexation
Attachments: Mechanics of Annexation updated August 2012.pdf

Board,

I plan on responding to Mr. Littlefield tomorrow to explain that towns cannot negotiate terms of annexation. The tax rate charged to each resident must be equal. A town board or town staff cannot negotiate to charge one parcel a higher tax rate than other residents. The fact that Mr. Littlefield is offering to pay more in taxes (or an additional sum) to try to justify his request has multiple flaws. Towns are required to provide the same level of services to each resident. The terms of potential trash pickup cannot be considered as part of his annexation request.

His note on utilities is irrelevant to the cost of utilities referenced on the previous spreadsheet. The spreadsheet references a utilities tax paid by the State that is based on the number of customers in a jurisdiction. The cost we estimated included the amount of time needed to update our records with utility companies and the Office of State Budget & Management to update the number of residents and households.

Town staff members have fully considered and calculated each point and the associated costs raised by Mr. Littlefield in this email. This request doesn't consider the precedent this would set for similar requests. This request for one parcel does not justify the costs associated with it.

Please feel free to contact me if you have any questions or would like to discuss this further.

Thank you,
Paige

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Town Manager
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83 Allen Street
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Paige Dowling

From: Paige Dowling
Sent: Wednesday, September 11, 2019 9:29 AM
To: Barbara Hamilton; David Nestler; Eric Ridenour; Greg McPherson; Harold Hensley; Lynda Sossamon; Mary Gelbaugh
Cc: Lynn Bryant; Amanda Murajda; Jake Scott; Chris Hatton; Rick Bryson; Paige Dowling
Subject: Manager's Report for Thursday, September 12, 2019 - Thank you!
Attachments: 2019-09-12 Agenda_Proposed.pdf; 2019-09-12_ORDINANCE EXTENDING SATELLITE ANNEXATION-5 HILLTOP DR_draft.doc; Voluntary Annexation Cost.xlsx

Importance: High

Agenda Items:

- Petition for Annexation Request on 5 Hilltop Drive, Sylva: The public hearing and vote on Aaron Littlefield's request to be annexed into city limits is Thursday night. This request is for a satellite annexation to make parcel 7641-68-1650 part of Sylva's corporate limits. The Board will hold a public hearing on the request and then vote whether or not to approve the request to make the parcel part of Sylva's city limits. The draft ordinance is attached but was not part of the agenda packet. I have attached an updated cost estimate for adding the parcel to Sylva's city limits. You will see that the projected tax payments do not justify the costs of the annexation and that the projected payments will not even justify the costs of annual garbage collection. Approving this request does not make sense financially.

Mr. Littlefield's request seems simple, but this is very complicated and cumbersome for one parcel. Approving this petition to annex the property would be shortsighted. This request doesn't consider everything that would need to be updated like the zoning map, tax records/city code, Powell Bill map, and the boundary and annexation survey with the census. The cost and time to update all of this for one parcel is not economical. This is why the request is so unusual. It would make sense for an entire street, neighborhood, or community. If the Town annexed this parcel, we couldn't charge taxes until the 2020 bills based on the timing of the request that we received and the tax laws. The precedent this would set brings up many other "what if" scenarios that we need to think about. Ultimately, this request for annexation should be denied. The cost of the services the Town would have to provide will outweigh his annual taxes. The work involved is very costly for one parcel. The Board has denied annexations in the past when the property taxes did not justify the cost of the services, which is the case here.

Please read the email I sent last night explaining that towns cannot negotiate the terms of an annexation.

- Parking Lot owned by First Baptist Church: First Baptist Church owns the parking lot next to Humanite that Suntrust Bank used to rent. The church is planning to close the lot to the public and has offered to lease the parking lot to the Town for \$450 per month (\$5,400 annually). We have not budgeted for this expense this fiscal year. I believe this price is high for the number of parking spaces. FBC said the lot has 19 marked parking spaces. The monthly cost per space would be \$23.68. The Town is renting the Cogdill parking lot for \$550 per month. The Cogdill lot has 41 parking spaces so we are paying \$13.41 per space per month. Using the same formula, FBC's lot should be \$255 per month (\$3,060 annually). I told Marion Jones that we would discuss First Baptist's offer Thursday night. Please think about whether you would like to rent this parking lot, and if so, what price you are comfortable with and where the money would come from. The Board does not have to rent this parking lot, but if you all want to, I think we need to make a counteroffer.
- R-5600 Project Update (Brian Burch): Brian Burch, NCDOT Division 14 Engineer, is going to update the Board to try to alleviate some of the pressure the Board is facing on the NC 107 project. My understanding is that Brian is planning to explain how the project is moving forward. He will explain how projects and designs are selected and emphasize that the Sylva Town Board does not approve the NCDOT engineers' designs. Due to NCDOT's financial constraints, engineering on projects not yet under construction has been temporarily paused statewide until NCDOT's minimum cash balance stabilizes. The division has submitted paperwork requesting to continue

work on R-5600 so that right-of-way acquisition can still begin in Dec./Jan. If the request isn't approved, it could be several months before engineering on the 65-75% plans continue.

Other Items:

- TWSA is holding a going away reception for Dan Harbaugh Tuesday, September 17th at 5:00 p.m. at TWSA. You are all invited to attend.
- Thursday, September 19th from 2:00 p.m. – 4:00 p.m. Sylva First United Methodist Church is holding a drop-in tea to welcome Pastor Mary Brown and introduce her to the community. You've all received an invitation in your mailboxes at Town Hall. Please let me know whether or not you are able to attend, and I will rsvp for you. Mary was very involved in the community in Andrews and hopes to be involved in Sylva too.
- Nantahala Brewing started working on their crosswalk yesterday. The handicap accessible curb ramps will be installed today. NCDOT will paint the crosswalk lines after the curbs are completed.
- The Southwestern Commission hired a consultant to develop a housing study for each county in our COG. This [link](#) has the Jackson County study at the bottom of the page if you want to download it.
- Congratulations to Lynda for the excellent cover story in Southern City this month! You all have a copy of the magazine in your mailboxes. The photos of Sylva are great too!

Please feel free to call me if you have any questions. I'll see you all tomorrow at 5:30 p.m.

Sincerely,
Paige

Paige R. Dowling
Town Manager
Town of Sylva
83 Allen Street
Sylva, NC 28779
(828) 586-2719

Petition for Voluntary Annexation

Activity	Cost	Justification
Update boundary survey with Census	\$ 48.86	2hrs.:1 change, 1 hr. updated boundary
Update Powell Bill Map	\$ 425.77	\$400 engineer cost, 1 hr. rate Public Works
Zoning Map Update	\$ 70.00	1 hr. ZA, \$40 map printing (\$10 per map)
Register of Deeds- file ordinance, update map	\$ 150.00	0.5 hr attny, 1 hr. TC, registration cost
City Limits Map - update with Board of Elections	\$ 19.53	0.5 hr. TM
Secretary of State - update map & ordinance	\$ 24.43	1 hr. TC, find contact & explanation
County Tax Admin. - update records, city code, tax scroll, online system	\$ 24.43	1 hr. TC, tax, GIS
Utility Companies - update maps with Duke Energy, Morris, Frontier, PSNC	\$ 74.63	2 hr. Town Clerk, 1 hr. Public works, find correct contact, update paperwork
Planning & Code Enforcement - update maps, boundaries, apply zoning district	\$ 160.50	2 hr. ZA, 1 TM, 1 TC, 4 maps (\$10 each), website, update office files \$3
Emergency Mgmt. - update dispatch , CAD system, Police Pak, in-car updates	\$ 108.62	0.5 hr. TM, 2 hr. Police Chief, 1 hr. Lt. Detective, coordinate with County Emergency Management
Police Dept. - update zone map	\$ 31.21	1 hr. Lt., \$10 map printing
<i>*Garbage Collection - Mileage (special pick up since PW wouldn't drive the large garbage truck there due to fuel cost)</i>	\$ 90.48	58 cents per mile, 3 miles roundtrip, 52 weeks
<i>*Garbage Collection - Manpower</i>	\$ 655.59	0.25 hr. for 2 PW employees, 52 weeks
Time spent as of 9/10/19	\$ 440.87	18hrs. Town Clerk
Time spent as of 9/10/19	\$ 234.42	6 hrs. Town Manager
Time spent as of 8/20/19	\$ 50.00	Attorney bill 7/11/2019
Total Estimated Cost	\$ 2,609.34	
*Total Recurring Costs	\$ 746.07	
Projected Annual Tax Revenue	\$ 736.00	

Paige Dowling

From: Amanda Murajda
Sent: Tuesday, September 10, 2019 11:16 AM
To: Paige Dowling
Subject: Ordinance for Annexation approval
Attachments: 2019-09-12_ORDINANCE EXTENDING SATELLITE ANNEXATION-5 HILLTOP DR.doc

Hi Paige,

Will you please include the attached ordinance in your manager's report? It is for the annexation petition, if approved. Thanks!

Amanda W. Murajda

Town of Sylva

83 Allen Street

Sylva, NC 28779

(828) 586-2719 (p)

(828) 586-8134 (f)

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
TOWN OF SYLVA, NORTH CAROLINA**

WHEREAS, the Town of Sylva has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Town of Sylva has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall, 83 Allen Street, Sylva, North Carolina at 5:30 p.m. on September 12, 2019, after due notice by the Sylva Herald on August 29, 2019 and September 5, 2019; and

WHEREAS, the Town of Sylva Board of Commissioners finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town of Sylva.
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town of Sylva.
- c. The area described is so situated that the Town of Sylva will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Sylva; and

WHEREAS, the Town of Sylva Board of Commissioners further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Town of Sylva Board of Commissioners further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town of Sylva and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF SYLVA BOARD OF COMMISSIONERS, SYLVA NORTH CAROLINA, THAT:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Sylva as of September 12, 2019.

BEGINNING at a new iron pipe (NIP), end of a corrugated metal pipe (CMP) at Western edge of Dillard Town Road (SR 1438) and in centerline of a branch and running with centerline of branch, the following 3 courses and distances: South 70-42-14 West 42.32 feet to a point, South 89-04-17 West 28.90 feet to a point and South 74-52-37 West 22.00 feet to a point, corner of Loy Deitz, now or formerly (Book 769 at Page 680 and Book 270 at Page 145); thence with the line of Deitz, North 13 West 121.46 feet (passing a NIP at 111.46 feet) to a NIP; thence South 71-30 West 40.66 feet to an existing iron rod (EIR), corner of Louise Campbell, now or formerly (Book 242 at Page 31); thence with the line of Campbell, North 19-27-21 West 34.95 feet to an EIR, corner of Curtis Allison, now or formerly (Book 664 at Page 646); thence with the line of Allison, North 74-35-18 East 110.42 feet to an EIR, corner of Philip Dillard, now or formerly (Book 714 at Page 126); thence with the line of Dillard, South 18-47-54 East 28.94 feet to an existing iron pipe (EIP); thence continuing with the line of Dillard, North 71-30 East 56.03 feet to a NIP; thence running parallel with Hill Top Road, South 13-44-20 East 73.85 feet to a NIP; thence running parallel with Dillard Town Road, South 15-45-40 West 68.72 feet to the point of beginning, containing 0.429 acre, more or less, as shown on plat entitled "Davis Lee Stephens and wife, Bobbie Nell Stephens", dated April 8, 1997, as surveyed by Kevin D. Goldsmith, RLS, Job # 97-351 and recorded in Plat Cabinet 8 at Slide 663 of the Jackson County Public Registry.

The above metes and measures being a historical description assigned to the total tract containing 0.429 acre, more or less being described by the deeds recorded in Book 250 at page 10 and Book 656 at page 494, both tracts being depicted in that certain survey for Davis Lee Stephens and Bobbie Nell Stephens by Kevin D. Goldsmith dated April 8, 1997 and recorded in Plat Cabinet 8, Slide 663, all of the Jackson County Public Registry, specific reference to which is herein made and title currently being possessed by Aaron Lee Littlefield and Elizabeth Keller Littlefield.

Section 2. Upon and after September 12, 2019, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Sylva and shall be entitled to the same privileges and benefits as other parts of the Town of Sylva. Said territory shall be subject to municipal taxes according to G.S. 160A-58-10.

Section 3. The Mayor of the town of Sylva shall cause to be recorded in the office of the Register of Deeds of Jackson County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Jackson County Board of Elections, as required by G.S. 163-288.1.

READ, APPROVED AND ADOPTED THIS 12TH DAY OF SEPTEMBER, 2019.

Mayor Lynda Sossamon

ATTEST:

APPROVED AS TO FORM:

Amanda Murajda, Town Clerk

Eric Ridenour, Town Attorney

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

REGULAR BOARD MEETING OF THURSDAY, SEPTEMBER 12, 2019

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. Petition for Annexation—5 Hilltop Drive, Sylva, NC

NEW BUSINESS

1. Petition for Annexation—5 Hilltop Drive, Sylva, NC
2. First Baptist Church Parking Lot

INFORMATIONAL PRESENTATIONS

1. R5600 Project Update—Brian Burch, NCDOT

ADJOURNMENT

Town of Sylva
CONSENT AGENDA
September 12, 2019

1- APPROVE MINUTES: August 8, 2019, **Regular Board Meeting**; August 22, 2019 **Regular Board Meeting**

2- BUDGET AMENDMENTS:

#7 10-510-0200 PD Wages and Salary	\$ 7,500 C
10-510-0000 Comp/Vacation Payout	7,500 D

REF: To transfer from salary and wages to cover vacation payout due to retirement/termination.

#8 10-335-0000 Miscellaneous	\$ 500 C
10-510-3700 PD Community Policing	500 D

REF: To appropriate a donation received from the Masonic Lodge into community policing.

#9 10-660-0600 Contingency	\$ 700 C
10-590-0600 FM 401K	250 D
10-590-0700 FM Retirement	450 D

REF: To appropriate 401K and retirement into the facility maintenance to cover the police cleaning contract.

3- REPORTS:

- 1- Business Registration Permits as of **August 31, 2019**
- 2- Vehicle Tax Report as of **July 31, 2019**
- 3- Ad Valorem Tax Report as of **July 31, 2019**
- 4- Statement of Revenues, Expenditures, Changes in Fund Balance as of **July 31, 2019**

Business Registration Permit Application

August 2019

<u>Date Submitted</u>	<u>Business Name</u>	<u>Business Location</u>	<u>Owner</u>
8/23/2019	Tiny Toes Learning Center	60 W. Sylva Shopping Center	Christy Frady
8/26/2019	Fine Things	259 W. Main St.	Rex Price
8/14/2019	Jack the Dipper (change of ownership)	170 E. Sylva Shopping Center	DML Two Enterprises
8/26/2019	Before Salon	68 Asheville Highway	Mandy Burgis
8/29/2019	Curent Medical Services (change location)	513 Mill Street	Kelly Custer



SYLVA COLLECTIONS

JULY 2018

YEAR	TAX	INTEREST	TOTAL
2013	5.10	2.78	7.88
RENTAL VEHICLE TAX	2,357.42	-	2,357.42
TOTAL	2,362.52	2.78	2,365.30

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

(10-301-XX)	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	Total	Current Year	TOTALS
Starting Balances	41,579.98	178,121.17	8365.05	4275.63	2594.86	4,259.57	1,700.96	2,442.53	4,435.93	3,027.98	838.52	90,941.18		10,281,000.00
July	-1,459.10	-74.61	-131.66	-68.40	-68.40	-68.40	-68.40		-68.40	-119.83	-68.40	-2,195.60		-2,195.60
August												0.00		0.00
September												0.00		0.00
October												0.00		0.00
November												0.00		0.00
December												0.00		0.00
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	-1,459.10	-74.61	-131.66	-68.40	-68.40	-68.40	-68.40	0.00	-68.40	-119.83	-68.40	-2,195.60	0.00	-2,195.60
Releases												0.00		0.00
Add to Original Levy												0.00		0.00
Under Appeal	-2,342.26	-2,673.45										-5,015.71		-5,015.71
Bankruptcy												0.00		0.00
Refund/Adj												0.00		0.00
Subtotals	-3,801.36	-2,748.06	-131.66	-68.40	-68.40	-68.40	-68.40	0.00	-68.40	-119.83	-68.40	-7,211.31	0.00	-7,211.31
EOY Adjustment														
(10-110-XX) Balance	\$37,356.62	\$15,064.11	\$8,233.39	\$4,207.23	\$2,526.46	\$4,191.17	\$1,632.56	\$2,442.53	\$4,367.53	\$2,908.15	\$770.12	\$83,699.87	\$0.00	\$83,699.87
Interest	2018	2017	2016	2015	2014	2013	2012	2011	2010	2009	2008	Total		
July	87.87	11.49	35.97	22.79	28.91	35.03	41.16		53.40	61.09	65.64	443.35		443.35
August												-		-
September												-		-
October												-		-
November												-		-
December												-		-
January												-		-
February												-		-
March												-		-
April												-		-
May												-		-
June												-		-
Interest Collected	\$87.87	\$11.49	\$35.97	\$22.79	\$28.91	\$35.03	\$41.16	\$0.00	\$53.40	\$61.09	\$65.64	\$443.35	\$0.00	\$443.35
Submitted by: Amanda Mirajda, Tax Collector												Collection Rate	#DIV/0!	

Top 10 Delinquent Accounts (2018 & prior)	
Name	Balance 7/31/2019
Dewayne Ward	\$ 6,517.77
Aaron Rents Inc	\$ 5,619.97 Under Appeal
Smoky Mtn Restaurants LLC	\$ 4,090.14
Melton Riddle Funeral Home	\$ 3,189.10 Out of business
Robert Shephard	\$ 2,837.75
Michelle D. Franklin	\$ 2,371.54
Joe Wilson	\$ 2,647.76
Modoz LLC	\$ 2,585.70 Out of business
Reginald B Holland	\$ 2,433.91
Martin Andrew Galik	\$ 2,060.47

General Fund
Statement of Revenues, Expenditures, and Changes in Fund Balances
7/31/2019

	General Fund					Actual to		
	2019-2020	Previously	2018-2019	Current	2019-2020	Budget	Statement	Variance
	Budgeted	Reported	YTD Actual	Month	Budget Balance	Percent	Period	
Revenues:								
Ad valorem taxes	\$ 1,819,056.00	\$ -	\$ 11,658.08	\$ 11,658.08	\$ 1,807,397.92	0.64%	8.33%	-7.69% *
Other taxes and licenses	6,500.00	-	2,820.00	2,820.00	3,680.00	43.38%	8.33%	35.05%
Unrestricted intergovernmental	1,609,472.00	-	69,163.72	69,163.72	1,540,308.28	4.30%	8.33%	-4.04% *
Permits and Fees	18,000.00	-	1,518.70	1,518.70	16,481.30	8.44%	8.33%	0.10%
Restricted intergovernmental	130,130.00	-	544.25	544.25	129,585.75	0.42%	8.33%	-7.92% *
Investment earnings	59,400.00	-	6,953.09	6,953.09	52,446.91	11.71%	8.33%	3.37%
Other revenues	23,300.00	-	10,583.69	10,583.69	12,716.31	45.42%	8.33%	37.09%
Total revenues	3,665,858.00	-	103,241.53	103,241.53	3,562,616.47	2.82%	8.33%	-5.52%
Expenditures:								
General Government	665,121.00	-	61,948.55	61,948.55	603,172.45	9.31%	8.33%	-0.98%
Salaries & Benefits	263,300.00	-	19,772.96	19,772.96				
Capital outlay	-	-	-	3,416.01				
All other expenditures	401,821.00	-	42,175.59	42,212.69				
Public Safety	1,929,634.00	-	202,872.23	202,872.23	1,726,761.77	10.51%	8.33%	-2.18%
Salaries & Benefits	761,050.00	-	62,265.26	62,265.26				
Capital outlay	149,551.00	-	-	-				
All other expenditures	1,019,033.00	-	140,606.97	140,606.97				
Culture and Recreation	102,283.00	-	7,213.12	7,213.12	95,069.88	7.05%	8.33%	1.28%
Salaries & Benefits	23,875.00	-	1,971.82	1,971.82				
Capital outlay	23,250.00	-	-	-				
All other expenditures	55,158.00	-	5,241.30	5,241.30				
Transportation	630,335.00	-	55,408.69	55,408.69	574,926.31	8.79%	8.33%	-0.46%
Salaries & Benefits	283,500.00	-	19,438.87	19,438.87				
Capital outlay	53,400.00	-	-	-				
All other expenditures	293,435.00	-	35,969.82	35,969.82				
Economic and Physical Development	14,275.00	-	500.00	500.00	13,775.00	3.50%	8.33%	4.83%
Salaries & Benefits	-	-	-	-				
Capital outlay	-	-	-	-				
All other expenditures	14,275.00	-	500.00	500.00				
Environmental Protection	174,210.00	-	18,762.25	18,762.25	155,447.75	10.77%	8.33%	-2.44%
Salaries & Benefits	63,875.00	-	4,778.71	4,778.71				
Capital outlay	-	-	-	-				
All other expenditures	110,335.00	-	13,983.54	13,983.54				
Total expenditures	3,515,858.00	-	346,704.84	346,704.84	3,169,153.16	9.86%	8.33%	-1.53%
Revenues over expenditures	150,000.00	-	(243,463.31)	(243,463.31)	393,463.31	11.19%		
Other financing sources (uses):								
Transfers in	343,985.00	-	100,000.00	100,000.00	243,985.00			
Appropriated fund balance	50,000.00	-	-	-	-			
Contributed Capital	-	-	-	-	-			
Sale of Assets	-	-	-	-	-			
Loan Proceeds	-	-	-	-	-			
	393,985.00	-	100,000.00	100,000.00	243,985.00			
Transfers to other funds:								
Transfers out	543,985.00	-	100,000.00	100,000.00	453,985.00			
Transfer to Capital Reserve	-	-	-	-	-			
	543,985.00	-	100,000.00	100,000.00	453,985.00			
Total other financing sources (uses)	(150,000.00)	-	-	-	(210,000.00)			
Revenues and other sources over expenditures and other uses	-	-	(243,463.31)	(243,463.31)	183,463.31			

Analysis:
Timing on Tax and State Revenues

REGULAR BOARD MEETING
Town of Sylva Board of Commissioners
August 8, 2019

The Town of Sylva Board of Commissioners held a regular meeting on August 8, 2019 at 5:30 p.m. in the Board Room of Municipal Hall, 83 Allen Street, Sylva, N.C.

PRESENT: Lynda Sossamon, Mayor
Barbara Hamilton, Vice-Mayor
Harold Hensley, Commissioner
Mary Gelbaugh, Commissioner
Greg McPherson Commissioner
David Nestler, Commissioner

Amanda Murajda, Town Clerk
Eric Ridenour, Town Attorney

ABSENT: Paige Dowling, Town Manager

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

STAFF PRESENT: Lynn Bryant (Finance Officer), Jake Scott (Public Works Director) and the Sylva Police Department.

VISITORS: Pat Purdy, Dave Russell, Jeannie Kelley, Bob Kelley, Julie Bartell, Deloris Estes, Jerri Stafford, Megan Hall, Doug Farmer, Gina Farmer, Jessica Dills, Teresa Cabe, Luther Jones, Steven Rice, David Schulman, Joann Luker, RA Luker, Jason Kimenker, Alinea Kimenker, Lloyd Lyons IV, Lloyd Lyons II, Jenny Hooper, Jessica Buchanan, Rick Bryson, Zac Newland, April Newland, Kelly Robinson, Joshua Marks, Melissa Dingman, Sara Dingman, Suzanne Saucier, Tom Jones, Cathy Gibson, Deborah Freels, Matt Williams, Vicky Polson, Betty Dishman, Rose Bauguess, Jean Ensley, Connie Sutton, Andrea Ford, Savannah Vining, Ben Collette, Gayle Woody, Amy Willis, Bill Thompson, Jeanette White, Douglas McDonald, Libby Hall, Glenda Gainor, Stacy Munn, Sara Riofrio, Cory Coleman, Boyd Sossamon, Mercedes Pittman, Patrick Dowling, JK Coward, Pam Krauss, Eric Myers, Bill Thompson, Caleb Kelly, Tony Cabe, Charley Woodring, Aaron Littlefield, Autumn Batterson, Boyce Deitz and Holly Kays.

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

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

PUBLIC COMMENTS:

- (a) Julie Bartell, Greens Creek area, stated she was new to the county and had yet to see positive remarks about the project. She thinks that something needs to be done and it should not include a round-a-bout. She inquired if anyone could explain the benefits.
- (b) Luther Jones, 79 Citrus Drive, stated that according to the Sylva Herald there is on average one accident on Highway 107 each week. He doesn't know if bike lanes are needed on the road. He also noted that there were no audible signs in city limits, therefore making it difficult for those who cannot see to cross traffic.
- (c) David Schulman, property owner in city limits, would like to know what the benefits of the road are, questions if there is a reason for a 17-foot median, and noted that bike lanes are not needed.
- (d) Jason Kimenker, Jackson County resident, thanked the board for allowing public comment. He noted that citizens at the meeting are saying they do not want the road and asked the board to listen to the community.
- (e) Jessica Buchanan, business owner on Hensley Circle, stated that she believed the plan would destroy the Town and only create a path to WCU. She asked the board to help find a different plan.
- (f) Kelly Robinson, Hensley Circle, stated that he can see traffic from his property. He believes it is not the volume of the traffic but rather the speed limit on the road. He would like the 35 MPH zone extended out to Evans Road.
- (g) Sara Dingman, Nutmeg Lane, stated that she and her friends agree the road is not a good idea. She believes that bike lanes are not necessary, and jobs will be lost.
- (h) Josh Marks stated he is upset with the project.
- (i) Cathy Gibson, Jackson County resident, stated that the information she had read about the project was alarming. She expressed her opinion about electing board members who would help.
- (j) Deborah Freels, employee in Jackson County, does not want to see the road project. She believes the money could be used for drug and rehabilitation centers.

- (k) Matt Williams, employee at Speedy's Pizza, noted that the Sylva Herald had incorrectly stated the number of employees who would lose jobs for many businesses along the Highway 107 project area. He also stated that round-a-bouts were not needed.
- (l) Betty Dishman, Edgewood Drive, would like the road to be improved but not at such a drastic measure.
- (m) Douglas McDonald, business owner, stated he was totally against the project. He added that gas stations would be gone and replacing them would be difficult.
- (n) JK Coward, business owner, stated that the comments already mentioned were good and that communication with NCDOT could change the project. He also discussed Pinnacle Park and noted that the Department of Corrections and Forrest Service would be working to clear trails.
- (o) Bill Thompson, Greens Creek, spoke against the road. He stated it would not solve traffic problems as proposed. He added that a west exit off of Asheville Highway is needed.
- (p) Charlie Woodring, Jackson County resident, stated that there would be issues with school bus traffic and crosswalk traffic.
- (q) Autumn Batterson, Jackson County resident, stated that she believed the project was a waste of money.
- (r) Savannah Vining, Falls Circle, addressed the board about her ongoing complaints with neighbors who she believes do not keep their property clean.
- (s) Cory Colman, business and property owner in city limits, addressed the board and stated that there had not been a lot of information presented at meeting for the public to see. He would like more input from the board and does not think bike lanes are needed.

At the end of the public comment period, Mayor Sossamon thanked everyone for attending and sharing their comments.

MAYOR'S REPORT: None.

COMMISSIONER'S REPORT: Commissioner Gelbaugh reiterated to the attendees that the Highway 107 65% plans do not include utilities. She encouraged everyone to read about Duke Energy's underground options. Gelbaugh stated she did not support the road the way it was currently designed. Commissioner Nestler stated that TWSA would be having a policy meeting on August 27, 2019 at 5:30 p.m. to discuss relocation policies. Nestler also noted that the absence of the Manager is evidence that a Main Street Director is needed because she was having to attend a required meeting. Commissioner Hamilton stated that she had listened to all speakers tonight. She agreed with Gelbaugh about underground utilities to retain businesses.

MANAGERS REPORT: Manager Dowling was absent for the meeting while attending the NC Main Street Managers Conference and left the following report:

- Chris Hatton's first day as Chief of Police will be Monday, August 12, 2019.
- The code assessment and land use character map are still in progress.
- A final report from the Asheville Design Center has not been received.
- Manager Dowling and Jake Scott met with NCDOT, Nantahala Brewing, John Jeleniewski and Dan Harbaugh about the crosswalk at Nantahala Brewing. The crosswalk location has been marked on the pavement and it should be painted in the next couple of weeks. Nantahala is having the sidewalk extended to install an ADA handicap accessible curb cut on both sides of Grindstaff Cove Road. NCDOT is going to restripe the bridge and install a sign before the bridge entrance not allowing parking.

MAIN STREET REPORT: The MSSA held their annual retreat on Monday, August 5, 2019 and established the work plan for the upcoming year.

FIRE DEPARTMENT REPORT: None.

NEW BUSINESS

RESOLUTION TO INVESTIGATE PETITION FOR ANNEXATION: Mayor Sossamon presented to the board a resolution for investigating a petition for annexation. Amanda Murajda explained to the board that the resolution was to instruct the clerk to investigate the sufficiency of the petition and report back to the board. *Commissioner Nestler made a motion to approve the resolution. The motion carries with a unanimous vote.*

RESOLUTION OF APPRECIATION: Mayor Sossamon presented the resolution of appreciation to the board. *Commissioner Gelbaugh made a motion to approve the resolution of appreciation for Douglas Farmer in regards to his retirement. The motion carries with a unanimous vote.*

ADJOURNMENT: *Commissioner Hensley made a motion to adjourn the meeting at 7:00 p.m. The motion carries with a unanimous vote. A reception honoring Douglas Farmer's retirement followed the meeting.*

Lynda Sossamon
Mayor

Amanda W. Murajda
Town Clerk

REGULAR BOARD MEETING
Town of Sylva Board of Commissioners
August 22, 2019

The Town of Sylva Board of Commissioners held a regular meeting on August 22, 2019 at 5:30 p.m. in the Board Room of Municipal Hall, 83 Allen Street, Sylva, N.C.

PRESENT: Lynda Sossamon, Mayor
Barbara Hamilton, Vice-Mayor
Harold Hensley, Commissioner
Mary Gelbaugh, 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: Chris Hatton (Police Chief) and Jake Scott (Public Works Director).

VISITORS: Becky Harwood, Ed Harwood, Janice Short, Ron Short, Luther Jones, Kenneth Nicholson, Savannah Vining, Linda Nee and Dave Russell.

AGENDA: *Commissioner Nestler made a motion to add the Genealogy Society Fundraiser to the agenda. The motion carries with a unanimous vote. Commissioner Gelbaugh made a motion to approve the amended agenda. The motion carries with a unanimous vote.*

PUBLIC COMMENTS: None.

MAYOR'S REPORT: Mayor Sossamon reminded everyone about House Bill 431, also known as the Fiber NC Act. It has made it to the finance committee for approval.

COMMISSIONER'S REPORT: Commissioner Gelbaugh requested that Jake Scott look at the red lights at the intersection of Jackson and Spring Streets. They are not working properly. Commissioner Nestler requested that the food truck ordinance be reviewed on a future agenda. Commissioner McPherson announced that a parking lot on Main Street may be available for lease or purchase. Commissioner Hamilton noted that she was concerned with speeding. She stated that there is always someone driving at excessive speeds.

MANAGERS REPORT: Manager Dowling reported the following:

- The Town is still waiting on the final report from the Asheville Design Center on the Highway 107 project.
- Kristy Carter is still working on the code assessment and future land use/character area map.
- Auditors will be completing field work August 28-30th.
- The Town is sponsoring the Concert on the Creek the next two Fridays. The band August 23rd is Troy Underwood. The band August 30th is The Maggie Valley Band.

PUBLIC WORKS DEPARTMENT: Jake Scott reported that the department has been working on improving handicap access at several locations in town. They are also working on cleaning up invasive species plants, repairing sink holes, and repainting lines on some streets. The department will begin working on trail clearing at Pinnacle Park.

POLICE DEPARTMENT: Chris Hatton thanked the town staff and police department for a warm welcome to Sylva. He added that the part-time clerk position had been filled and they are working to fill the other two patrol officer and one detective positions. He also noted that service calls for the month of July were higher than June at a total of 819.

PLANNING BOARD REPORT: Manager Dowling reported that the Planning Board did not meet in August.

TWSA BOARD REPORT: Commissioner Nestler reminded everyone of the TWSA policy meeting on August 27, 2019 at 5:30 p.m.

NEW BUSINESS

EXPRESSION OF APPRECIATION: Ed Harwood of the American Legion presented the Town with a plaque of appreciation for their support of the Legion and their new building.

RESOLUTIONS FOR EVENT STREET CLOSURES

- (A) **EVENT RESOLUTION—WALK FOR HOPE:** A request has been made by the Sylva Police Department to close Main Street for the purpose of having a Walk for Hope celebration for breast cancer awareness on October 5, 2019. *Commissioner Gelbaugh made a motion to approve the temporary street closure. The motion carries with a unanimous vote.*
- (B) **PARADE RESOLUTION—FIRE PREVENTION:** A request has been made by the Jackson County Fire Marshall to close Main Street for the purpose of having a fire prevention parade on October 5, 2019. *Commissioner Nestler made a motion to approve the temporary street closure. The motion carries with a unanimous vote.*
- (C) **PARADE RESOLUTION—WCU HOMECOMING PARADE:** A request has been made by WCU to close Main Street for the purpose of having a homecoming parade on October 25, 2019. *Commissioner McPherson made a motion to approve the temporary street closure. The motion carries with a unanimous vote.*
- (D) **PARADE RESOLUTION—VETERAN' DAY PARADE:** A request has been made by the local Veterans chapter to close Main Street for the purpose of having a parade on November 10, 2019. *Commissioner Nestler made a motion to approve the temporary street closure. The motion carries with a unanimous vote.*
- (E) **EVENT RESOLUTION—TREAT STREET:** A request has been made by the Main Street Sylva Association to close Main Street for the purpose of having a "Treat Street" festival for Halloween on October 31, 2019. *Commissioner McPherson made a motion to approve the temporary street closure. The motion carries with a unanimous vote.*
- (F) **PARADE RESOLUTION—CHRISTMAS PARADE:** A request has been made by the Main Street Sylva Association to close Main Street for the purpose of having a Christmas parade on December 1, 2019. *Commissioner Hamilton made a motion to approve the temporary street closure. The motion carries with a unanimous vote.*
- (G) **EVENT RESOLUTION—GREENING UP THE MOUNTAINS:** A request has been made by the Main Street Sylva Association to close Main Street for the purpose of having the Greening Up the Mountains festival on April 25, 2020. *Commissioner Nestler made a motion to approve the temporary street closure. The motion carries with a unanimous vote.*

PETITION FOR ANNEXATION—CERTIFICATE OF SUFFICIENCY: Manager Dowling explained that the research had been completed to certify that the petition for annexation meets requirements to be considered sufficient. *Commissioner Nestler made a motion to approve the certificate of sufficiency. The motion carries with a 4-1 vote. Voting in the affirmative were Commissioners Gelbaugh, Nestler, McPherson, and Hamilton. Voting against the certificate was Commissioner Hensley.*

RESOLUTION FIXING THE DATE OF PUBLIC HEARING FOR SATELLITE ANNEXATION: Upon approval of the certificate of sufficiency, a resolution fixing the date of the public hearing for the potential satellite annexation must be approved. *Commissioner McPherson made a motion to approve a resolution scheduling the public hearing for September 12, 2019 at 5:30 p.m. The motion carries with a unanimous vote.*

JACKSON COUNTY GENEALOGY SOCIETY FUNDRAISER: Ken Nicholson from the Jackson County Genealogy Society addressed the board and asked for a donation from the board for their annual Rebel Cruise-In. He added that the event is the only fundraiser the society does on an annual basis. *Commissioner Hamilton made a motion to donate \$100 to the Genealogy Society for their fundraiser. The motion carries with a unanimous vote*

ADJOURNMENT: *Commissioner Hensley made a motion to adjourn the meeting at 9:28 a.m. The motion carries with a unanimous vote.*

Lynda Sosamon
Mayor

Amanda W. Murajda
Town Clerk