

MINUTES
City Council Parks, Trails, & Recreation Committee
Special Meeting

Tuesday, September 25, 2018, 3:30 PM
Administrative Conference Room at City Hall

Members Present: Gary Daniel, Chair, Council Member
Maureen Copelof, Vice-Chair, Council Member
Jim Fatland, City Manager
Daniel Cobb, Planning Director
Keenan Smith, Citizen Member
Gregory Copeland, At-Large Member
Jared Mull, County Representative, Ex Officio
Jimmy Harris, Mayor, Ex Officio

Absent: David Lutz, Public Works Director
Colin Izzard, Citizen Member
Cody Owen, Citizen Member

Staff Present: Tom Whitlock, Deputy Finance Director
Denise Hodsdon, Executive Assistant

Guests: Jacob and Geraldine Dinkins, Tannery Skate Park Task Force Members
Torry Nergart, Conserving Carolina
Matt Fusco, Fusco Land Planning & Design
Emma Zanetti and Leah Webb, Citizens

Media: None

A. Welcome & Call to Order

Committee Chairman Gary Daniel welcomed all in attendance and called the meeting to order at 3:30 PM.

B. Certification of Quorum

Quorum was certified by Executive Assistant Denise Hodsdon.

C. Approval of Agenda

Motion by Mr. Copeland, seconded by Mr. Fatland to approve the agenda as presented.
Motion carried unanimously.

D. Approval of Minutes from September 12, 2018 Special Meeting

Motion by Ms. Copelof, seconded by Mr. Copeland to approve the minutes of the September 12, 2018 special meeting as presented. Motion carried unanimously.

E. Skate Park Update

Mr. Fatland reiterated that the proposed skate park is part of the Master Plan that had been approved by the Committee and the City Council prior to the City's application for the PARTF grant last year. At the June meeting of the Parks, Trails and Recreation Committee, members of the Tannery Skate Park Task Force presented a proposed plan for the skate park which included two ramps. One ramp was proposed to be 4 to 6 feet high and the other was proposed to be 13 feet high. The total cost for the project is \$95,000, which includes \$35,000 of in-kind contributions of labor and equipment and the balance would come from donations. At that meeting the Committee voted to authorize fundraising to build the skate park at Tannery Park. However there were some concerns that there was not enough information about the design and location.

Mr. Cobb introduced Task Force members Jacob Dinkins and Geraldine Dinkins who are here today to provide more detailed information on the design and layout for the project and to answer any questions regarding construction and operation.

Geraldine Dinkins reported that to date, the group has raised over \$50,500 toward their \$60,000 goal and they are confident that they will have all the donations raised by mid-October.

Jacob Dinkins reported that they have begun doing some work on clearing the site and have determined that they will need to make some adjustments. The original ramp size was a concern raised by members of this Committee and the Task Force received feedback from the local skate community that if the ramp was a little bit smaller, more people would be able to ride the ramp. He presented a scale model of the proposed new design, which is basically the same footprint as the original plan, but the ramps have been pushed together. The smallest section is 3 feet high and the largest section is now 7 feet high, which provides the opportunity to go from beginner to intermediate level.

Mr. Dinkins noted that another concern raised by this Committee was requirements for maintaining the facility. He explained that the ramp will be constructed from pressure treated plywood with a finish layer of skatelite, which does not decay in the weather and has a life expectancy of 10 to 15 years. The structure underneath will be constructed of pressure treated lumber and will not be exposed to the elements so it will last 15 to 20 years. They don't anticipate the need for daily maintenance for the ramp and they will leave equipment there for the skaters to clean the ramp of sticks and leaves before they use it.

Mr. Dinkins said the Task Force has worked with Chief Harris and Sheriff Mahoney regarding safety at the facility. There will be a 10-foot path that goes all the way around the park which will be wide enough for a patrol car to make a lap around the ramps. There will be low-mounted lighting to light up the ground area around the ramps, but the ramps will not be illuminated at night. Chief Harris recommended that they talk with Comporium to potentially make the site a Wi-Fi hotspot to allow for a live-feed camera. Mr. Dinkins said Comporium was very receptive and wants to do that for the City.

Mr. Dinkins noted that there are some wetlands that they will need to work around which will require moving the ramp further away from the road. They would like to keep the park as natural as possible and don't expect to have any major landscaping. Landscape Architect Matt Fusco explained that once there is a commitment to move forward with the site plan, he will work with the Task Force and City to fine tune that concept to take it to the construction phase. Mr. Cobb noted that when the City acquired the property back in 2014 for the PARTF request, there was a commitment to have public access within five years from the acquisition date, which means by February of 2019. We are still working on securing a Brownfield Agreement with the State in order to complete the trail on the site, but there is a high degree of confidence that there is no contamination in the skate park area. By getting the skate park on the ground and open to the public, we will meet that access requirement.

Motion by Ms. Copelof, seconded by Mr. Copeland to approve the skate park conceptual plan and send to City Council. The motion carried unanimously.

F. Friends of Brevard Area Trail System – Draft Resolution & Liability Waiver

Mr. Cobb explained that he and Torry Nergart of Conserving Carolina have been discussing the concept of a volunteer group to help build and maintain the City's trail system. Mr. Nergart presented a plan to create a Friends of Brevard Area Trails Systems, a citizen's volunteer group to assist with maintenance, operation, stewardship and construction of additional trails within the Brevard area. He noted that the group would help keep the greenway clean and in good working order, and trail construction and maintenance on Bracken Mountain would be an immediate need that this volunteer group could fill.

Mr. Nergart explained that the proposal is that Conserving Carolina would host this as a program of its organization, in partnership with the City of Brevard and supplemental to the Public Works Department maintaining the trail system, which would allow the City to tap into an existing pool of volunteers who would be managed under Conserving Carolina's volunteer guidelines, waiver, and conflict of interest policy. He presented a draft resolution granting approval to operate on City property to conduct these activities.

During discussion Committee members supported the proposal and Mr. Fatland noted that this program would help meet the goal to complete the trail system within three years. Mr. Smith moved and Ms. Copelof seconded to send the Friends of Brevard Area Trail System proposal, including the draft resolution and liability waiver to City Council for final approval. The motion carried unanimously.

G. Horse Cove Connector – Bracken Mountain

Mr. Cobb explained that this trail connects and greatly reduces the distance you have to travel to get from Bracken to the campground or out to Pisgah Forest. Mr. Smith feels that this would be a great addition to our trail network and it would further connect Bracken to the forest.

Mr. Daniel explained that the Transylvania County Tourism Development Authority has committed to funding two-thirds of this project and the City is being asked to provide the remaining one-third, which is estimated to be \$12,000. He said this is something we planned to do originally and we need to take advantage of the funds from the TCTDA. However, he pointed out that this committee has a small budget so before committing money, he would like to know a little bit more about the partnership with the TCTDA and who is actually building the trail. Mr. Nergart said Conserving Carolina is ready to assist on that project and they have a lot of members and informal volunteers that are eager to work in the western region. Following discussion, it was the consensus of committee members to have staff get more information and bring it back to the committee

Public Comment:

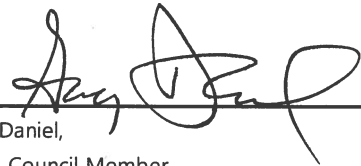
Leah Webb commented that she and her family frequent the bike path every day and the stretch that runs along 280 is extremely dangerous. She said she was almost hit twice on that section and they stopped using it for a while. Now that her son attends Kindergarten at Pisgah Forest Elementary, they have begun using it again. She said they have taken all the necessary safety precautions including flashing lights, bike flags and brightly colored clothing, so people should be able to see them, but they don't. She said travelling north is more dangerous because the cars coming north aren't paying attention to you and cars coming out of the businesses look left for oncoming traffic, but they don't look right to see if there is anybody on the bike path. She said there are so many businesses and so many cars moving in different directions that something needs to be done, such as some signage and/or flashing lights. Mr. Daniel noted that this is not the first time the issue of crosswalks and safety has been brought up and he asked that this be put on the agenda for the next meeting.

H. Adjourn

There being no further business, Mr. Fatland moved, and Mr. Copeland seconded to adjourn the meeting at 4:38 pm. Motion carried unanimously.

Next Meeting

The next regularly scheduled City Council Parks, Trails, and Recreation Committee meeting will be on Wednesday, October 17, 2018 at 3:30 PM.

X 

Gary Daniel,
Chair, Council Member

Minutes Approved: November 14, 2018

X 

Denise Hodsdon
Executive Assistant



Friends of Brevard Area Trails System

Purpose: To promote inclusive use of greenways, trails, and blueways by all visitors and all residents alike, to create opportunities for public health and well-being, to promote the trails system as a place for enjoyment, exercise, transportation, wellness, community, and Peace by:

Stewarding the existing pedestrian greenway through the foundation of an Adopt a Greenway group, to have civic engagement in but not limited to: litter cleanup, brush removal, native plants installation and maintenance, wayside exhibits, and special events.

Advocating for the expansion of the greenway system to form an eventual loop around the City of Brevard and its extraterritorial jurisdiction, creating neighborhood connections to access the greenway, and promoting connectivity to the regional network of pedestrian trails in the greater Transylvania County area and beyond.

Promoting greenway expansion to City and County Parks, in particular to French Broad River Access Parks, cooperating with the Upper French Broad River Stewards on the promotion of River Access Parks and blueways in Transylvania County.

Pursuing funding sources from local, state, regional and national grant programs for the purpose of satisfying the group's mission.

Maintaining the existing trail system in the Bracken Mountain Preserve utilizing skilled volunteers from all trail user groups, advocating for and building new trails within the Preserve, promoting use of the Bracken Mountain Preserve as a destination with nearby access to Brevard businesses and City/County resources.

Supporting economic development by demonstrating the high quality of life standards that greenways, blueways and trails create; cooperating with existing economic development campaigns.

Structure: The Friends group shall be a program of Conserving Carolina, in partnership with the City of Brevard and Transylvania County, and uniting other community groups at the intersection of trails advocacy.

Conserving Carolina staff will facilitate the organization of volunteers for the purpose of establishing a leadership working group, designating committees, and amassing a volunteer work force to conduct the mission of the group.

Volunteers will be managed under Conserving Carolina's volunteer guidelines, waiver, and conflict of interest policy.

Conserving Carolina staff and its volunteers will solicit funding from grant sources and private donors; with that funding to be managed by Conserving Carolina, with direct and indirect administrative funding to go to Conserving Carolina.

Consensus decision making will be between the Friends group, Conserving Carolina (Executive Director and Board of Directors), and City and County Government. The Friends group will report activities and updates to the City of Brevard Parks, Recreation, Trails and Bicycle Friendly Community Committee and to the Transylvania County Parks and Recreation Commission.

Shovel-ready Projects:

Construct the Ridge Trail in the Bracken Mountain Preserve. This trail is outlined on the Preserve's Master Plan and has received approval from the conservation easement grantor, the North Carolina Clean Water Management Trust Fund.

Design, Construct a trail on Conserving Carolina land called Elk Lodge Mountain. The purpose of this trail is to provide for walking meditation, fitness, and quietude.

Tabling during busy times at the greenway trailheads to recruit volunteers.

Attend meetings of the City of Brevard Parks and Recreation Committee and the Transylvania County Parks and Recreation Committee for information and advocacy.

Conduct litter removal and non-native plant removal along the greenway as it passes through Tannery Park. Fabricate benches for installation along the greenway in Tannery Park. Coordinate with the Mary C. Jenkins Community Center, Rise and Shine, the Boys and Girls Club, Rosenwald Alumni, and other Rosenwald-based civic groups to conduct Tannery Park improvements.

Create tactical urbanist projects to promote crosswalks and public art.

A Resolution

For the establishment of a civic volunteer group to support the Brevard Area Trails System

Whereas, the City of Brevard and the County of Transylvania have created a widely used pedestrian greenway and trails system, with plans to grow said trails system; with the intention of raising the quality of life of all residents and visitors;

Whereas, Conserving Carolina has been a trusted community partner in Transylvania county for over 20 years, participating in community conservation to include the promotion of trails, outdoor activity, and wellness for all people;

Whereas, this City of Brevard Committee on Parks, Recreation, Trails and Bicycle Friendly Committee has reviewed a proposal (attached in meeting minutes) by Conserving Carolina, finding that proposal to be satisfactory,

Therefore be it resolved that Conserving Carolina may operate on City parks property to: promote inclusive use of greenways, trails, and blueways by all visitors and all residents alike, to create opportunities for public health and well-being, to promote the trails system as a place for enjoyment, exercise, transportation, wellness, community, and Peace.

RESOLUTION ACTION RECORD

RESOLUTION TYPE: _____ No. _____

PERTAINING TO: _____

DULY ADOPTED AT THE MEETING OF THE CITY OF BREVARD PARKS,
RECREATION, TRAILS, AND BICYCLE FRIENDLY COMMUNITY COMMITTEE HELD:

MOTION BY: _____ SECONDED: _____

RECORD OF VOTE: Approved _____ Denied _____

SIGNATURE OF CHAIR _____

SIGNATURE OF VICE CHAIR _____



Waiver and Release of Liability by Volunteer

Read Carefully Before Signing

I, the Volunteer, have volunteered to assist Conserving Carolina (CC), a nonprofit corporation. I have volunteered my time and services because of my support for CC and my desire to participate actively in the furtherance of its work. I understand that my activities as a volunteer entail a risk of physical injury or death and that I may be exposed to hazards including, by way of illustration but not limitation: exposure to extreme or inclement weather; passage on or through bodies of water; unmarked and unprotected topographic hazards such as cliffs, ravines, caves, or falling rocks; exposure to poisonous insects, reptiles, or plants, exposure to fire (including fires intentionally set for biological management); vehicular travel over both improved and primitive roads; use of tools and equipment; lifting heavy objects such as rocks or logs; and hazards associated with strenuous manual labor. I further understand that accidents or injuries may occur in locations or under circumstances where medical attention is not readily available. I voluntarily, knowingly and expressly assume all risks associated with such hazards, as well as all other risks associated with or arising from my volunteer activities. I understand that my volunteer service will primarily occur at this location:

_____ (location) but may occur at other locations. I understand that my volunteer service may involve use of these tools: _____ (tools). I understand that the primary purpose of the volunteer service is to _____ (purpose), which will involve volunteers, including myself, undertaking these and other tasks _____ (tasks). I understand that my volunteer service may involve use of these and other chemicals: _____ (chemicals). I agree to note in writing on this form if I am unable or unwilling to use a certain tool(s) or chemical(s), or to undertake certain task(s). By using any tool or chemical, I represent that I am competent to do so and understand all of the risks associated with such use. If I do not make any notes on this form regarding the foregoing, I am consenting to the risks associated with the foregoing location, and all of the foregoing tools, activities, and chemicals.

I do not expect to receive, nor will I receive, any compensation for any services I perform this date for CC or for the Landowner. If I furnish goods to CC or the Landowner, I do not expect replacement or reimbursement of these goods without the prior agreement of CC or the Landowner, respectively, and I acknowledge that any supplies, tools, or other goods I supply today are provided at no charge, and I will be solely responsible for the any loss or damage to the foregoing.

Because the assertion of claims for personal injury occurring during my volunteer service against CC, or against _____ (who) the landowner of the site where my volunteer work will take place (herein "Landowner"), would be antithetical to my support of CC and its goals and would reduce the ability of CC to accomplish its charitable purpose, I grant this waiver, release and indemnification agreement.

I agree to abide by all rules and regulations of the project leader(s) of CC named here, _____ (leaders) regarding safety and use of all equipment. I understand that no drugs or alcoholic beverages of any type are allowed on the work site and that I will be asked to leave if I am suspected to be under the influence of drugs and alcohol. By my signature below, I warrant and represent that I am not under the influence of alcohol or any legal or illegal drug.

By my signature below I certify that I am over 18 years of age.

On behalf of myself, my estate and the personal representative thereof, my heirs and assigns, I hereby forever waive any right I have at law or in equity to recover any costs, claims, losses, liabilities, or other damages arising from or in any way related to, my service as a volunteer.

On behalf of myself, my estate and the personal representative thereof, my heirs and assigns, I hereby forever release CC, a nonprofit organization, its officers, directors, employees, and agents, and also the Landowner, from any and all costs, claims, losses, liabilities, and damages arising from or in any way related to, my

service as a volunteer. I intend this release to be effective, regardless of whether the claim of liability is asserted in negligence, strict liability in tort, or other theory of recovery. For myself, my estate and the personal representative thereof, my heirs and assigns, I covenant and agree to make no claim, nor to institute any suit, action, or proceeding against CC, its officers, directors, employees, and agents, or against the Landowner, relating to any accident, incident, or occurrence arising out of or in connection with my volunteer activities. If either CC or Landowner is ever required by a court to pay damages resulting from personal injury sustained by me, or property damage directly or indirectly caused by me, during the period of my volunteer service, including, but not limited to, travel to and from the place of the volunteer service, then I, my personal representative, my heirs and assigns shall indemnify and reimburse CC and/or the Landowner for these payments, as well as reasonable attorneys' fees and other expenses incurred by CC or the Landowner in defending such claims.

I also grant to CC, the right to take photographs of me and my children who are younger than 18 years of age in connection with the above-identified event. I authorize CC, its assigns and transferees to copyright, use and publish the same in print and/or electronically. I agree that CC may use such photographs of me and/or my minor children with or without my(our) name(s) and for any lawful purpose, including for example such purposes as publicity, illustration, advertising, content that appears in publicly available sites on the Internet, and display in publicly distributed media and public places.

IN WITNESS WHEREOF, I have executed this release.

[illegible]