



AGENDA
BREVARD CITY COUNCIL - REGULAR MEETING
Tuesday, September 3, 2024 - 5:30 PM
City Council Chambers

A. Welcome and Call to Order

B. Invocation

Pastor Brad Snipes, Cove Church

C. Pledge of Allegiance

D. Certification of Quorum

E. Approval of Agenda

F. Approval of Minutes

1. August 19, 2024 Regular Meeting

G. Public Comments

H. Certificates / Awards / Recognition

1. Introduction and Oath of Office - David Todd, Assistant City Manager for Infrastructure, Utilities and Public Works
2. Proclamation No. 2024-17 Childhood Cancer Awareness Month

I. Special Presentation(s)

1. Results of Geotechnical Report of Brevard Davidson River Presbyterian Church Property

J. Public Hearing(s)

K. Consent and Information

1. ARPA Required Administrative Policies
2. Ordinance Declaring Road Closure for Special Event - Heart of Brevard Plein Air Festival and Halloweenfest

3. Resolution Fixing a New Date of Public Hearing for Annexation - Jason Shepherd, 34 Verdery Avenue
4. Council Rosenwald Community Advisory Board Minutes - May 16, 2024
5. Council Parks, Trails & Recreation Committee Minutes - July 31, 2023
6. Council Finance, Human Resources & Citizen Appointment Committee Minutes - June 3, 2024
7. Correspondence (*No Action. Offered as information only.*)
 - a. ABC Board Minutes - June 27, 2024
 - b. ABC Board Minutes - July 25, 2024

L. Unfinished Business

1. Proposed Amendments to City of Brevard Code of Ordinances Chapter 14 - Dangerous Dogs

M. New Business

1. Board and Committee Appointments
 - a. ABC Board
 - b. Brevard Planning Board
 - c. Board of Adjustment
 - d. Dangerous Dog Appellate Board
2. Appointment of City Representative to Transylvania County Transportation Advisory Committee
3. Amend Council Meeting Calendar to add Ecusta Trail Strategic Planning Workshop

N. Remarks / Future Agenda Considerations

O. Closed Session(s)

1. Property Acquisition: GS 143-318.11 (a)(3)(5)

P. Adjourn

Agenda Posted, Website, Sunshine List (August 29, 2024)
D. Hodsdon, City Clerk

To review Agenda materials, go to the City's website www.cityofbrevard.com. Select "Your Government" tab followed by "Agenda Packets" tab. Agenda packet materials are posted on Thursday afternoon prior to Council's Monday meeting.

MINUTES
BREVARD CITY COUNCIL
Regular Meeting
August 19, 2024 – 5:30 PM

The Brevard City Council met in regular session on Monday, August 19, 2024, at 5:30 p.m. at the Mary C. Jenkins Community & Cultural Center with Mayor Copelof presiding.

Present – Mayor Maureen Copelof, Mayor Pro Tem Gary Daniel, and Council Members Mac Morrow, Aaron Baker, Pamela Holder, and Lauren Wise

Staff Present – City Attorney Mack McKeller, City Manager Wilson Hooper, City Clerk Denise Hodsdon, Assistant City Manager/Finance Director Dean Luebbe, Planning Director Paul Ray, Assistant Planning Director Aaron Bland, Senior Planner Emily Brewer, Human Resources Director Kelley Craig, Communications Coordinator Becky McCann, Police Chief Tom Jordan, Public Works Director Wesley Shook, Water Treatment Plant ORC Dennis Richardson, Community Center Director Tyree Griffin, Police Sergeant Alyssa Coburn, and members of Brevard Police Department

Press – Jon Rich, Transylvania Times and Dan DeWitt, Brevard NewsBeat

A. Welcome and Call to Order – Mayor Copelof called the meeting to order and welcomed those present to Council’s first meeting at the Mary C. Jenkins Community & Cultural Center.

B. Invocation – Council Member Rev. Dr. Pamela Holder of Bethel “A” Baptist Church offered an invocation.

C. Pledge of Allegiance – Mayor Copelof led the pledge of allegiance.

D. Certification of Quorum – City Clerk Denise Hodsdon certified that a quorum was present.

E. Approval of Agenda – Mr. Morrow requested to add an item under New Business as Item M-1 to consider and discuss public hearing item J-1 Traffic Schedule Amendments-No Parking Areas and Three-Way Stops. Mr. Baker moved, seconded by Mr. Daniel to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes

F-1. June 26, 2024 Joint Trail Workshop – Ms. Holder moved, seconded by Mr. Morrow to approve the minutes of the June 26, 2024 Joint Trail Workshop as presented. The motion carried unanimously.

F-2. August 5, 2024 Regular Meeting – Mr. Wise moved, seconded by Mr. Baker to approve the minutes of the August 5, 2024 Regular Meeting as presented. The motion carried unanimously.

G. Public Comments

David English of 37 Grove Circle said I received my city tax bill last week and there was an unexplained stormwater fee on it. I went to City Hall and found out through the Tax Office that that stormwater fee is for stormwater maintenance in the city, which I understand and see the need for it. Where I live is an older neighborhood where the pipework is over 70 years old. I live on a hill, so I have a fee for something I don’t actually get the service for. My water runs down 275 feet to a branch which I think is part of the stormwater service. My question is did you also consider things like people who have green roofs, permeable sidewalks or permeable driveways. I read that

it is based off impermeable surfaces, which was based off of the square footage of your house and your roof. I know that Brevard needs that; I have seen a lot of areas where there is a big need for stormwater maintenance and improvement. I am not trying to debate the fee; I am just wondering if there is any...for example I have a pipe that runs underneath the street and dumps all that water downhill on the back of my property for around 200 feet. It doesn't actually get to the creek because there's a swale and a berm so if it gets there it gets there through groundwater. Two summers ago, I went to Public Works and asked if I could do a joint project to get the piping all the way down to the creek and I left there under the impression that that was all on me, that there was not any kind of city responsibility or city projects that could be jointly done.

Doug Harris of 153 Franklin Street said I have spoken to several of you one-on-one regarding this issue and I want to make a formal request before the whole body to have something added to the UDO. I would like to see a requirement added that if a project stalls, as we've had several construction projects stall, for a certain amount of time, that the applicant be required to clean up the site, regrade it and seed it. If you think about the City Camper site, and there is another multi-family residential site out on Old Hendersonville Hwy. that has been sitting somewhat under construction, but most of the site has not been worked on in quite a while. Those sites are gravel, they are mud for the neighbors, and they are very unsightly for people coming into town by way of those roads. I live on Franklin Street and my entire back property line is adjacent to the Presbyterian Church property where there has been lots of conversation about a housing project and while I support that project and look forward to there being housing there, I do not look forward to the possibility that they would clear that lot and then something happens to the viability of that project, and there be perhaps years of mud and dirt construction material. It is a simple thing to require the applicant to clear their site and I don't think that is onerous to the applicant, so I would suggest that you work with staff and add that to the ordinance.

Scott Barnett of 123 Gillespie Circle said I am here to ask you to consider a sign ordinance for political signs along the lines of the one that applies to elections. I think it is 30 days before and they have to be taken down 10 days after. Lately there has been a proliferation, and I think they are an eyesore. There are a lot of them; some of them went up in June, so we will have been looking at them for 3, 4 or 5 months by the time of the election. To me 30 days prior to the election seems like a perfectly reasonable amount of time for a political sign to be posted.

Jay Farrell of 309 W. Probart St. said I want to thank the Mayor, the Council, the Manager and Police Chief for taking great interest in the traffic problems on Probart Street and doing due diligence and haste to get the job done. For the sake of safety I urge everyone to take action on traffic calming and the 3-way stop as soon as possible

Morris Jenkins of 148 W. Probart St. said thank you for all your work. Two years ago several of us went to Wilson and started working on Probart Street traffic calming. We had a public meeting here at Mary C. Jenkins several months ago and I appreciate all your work on this. I would just encourage you to go ahead and approve the stop signs and the plan for the street cushions without having to have further public appearance. On a different note, thank you to whoever put the grip strips on the bridges at Bracken.

Linda Gallo of 671 Probart St. said I want to thank you for considering and passing and funding the speed cushions and stop signs on Probart. I agree with my neighbors; we would like to see that happen as quickly as possible and we appreciate that you have had that concern for our street and taken care of that.

Jimmy Veal of 187 Pinnacle Road said I want to thank those of you that managed to squeeze a little time in your schedule for me to sit down and slide some pieces of paper across the table to you. I want to reiterate that I'm here to try to rectify the situation with respect to the bottom 200 feet of the Bracken Trail blocking access to 5 or 6 parcels of land up there. If anybody doesn't believe that the trail blocks access, please call me and we can walk up there. I believe that is a factual statement. We have been through a number of responses of why it is like it is or maybe why you all don't

need to do anything about it and I just want to make sure that I am on record disagreeing with any of you that think you don't need to do something about it. Sometimes people bring up the legal argument. I am having flashbacks to the Golden Rule in kindergarten and no matter what, this is wrong. Blocking access to peoples' property steals the value of it. In this particular situation it makes it disappear and you can't pretend that it's not there because everybody's been paying taxes on it since taxes started. The value is based on being able to get access to it. I brought up in conversations with a couple of you that in 2005 there was a steering committee established that set up the future of Bracken. A short year later there was a resolution passed that said that the purpose of the right-of-way was to construct and improve a road. No one told anybody that you were going to build a bike trail that obliterated the function of the road that had been there for a hundred years. So, the amount of money that you gave those people was pennies on the dollar if you factor in the fact that you have blocked access to their property. Let's try to still work together and come up with a solution because when the lawyers get involved, it gets really murky and expensive.

H. Certificates/Awards/Recognition

H-1. Badge Pinning Ceremony – Alyssa Coburn Promotion to Sergeant – Chief Tom Jordan recognized Police Officer Alyssa Coburn who has been promoted to Sergeant. Chief Jordan presented St. Coburn with her Sergeant's badge, and retired Police Lt. Rick Harbin pinned the badge on her uniform.

I. Special Presentations

I-1. Housing Presentation – Mr. Hooper reported that the public engagement sessions regarding the Presbyterian Church property have been postponed pending further study. He informed Council that he has signed the contract amendment and we should have that information in the next couple weeks and we can discuss our next steps at that time. He introduced Senior Planner Emily Brewer who gave a PowerPoint presentation that included an overview of the City's housing initiatives over the past two years and next steps for the next fiscal year. A copy of Ms. Brewer's presentation is attached.

J. Public Hearing(s)

J-1. Traffic Schedule Amendments – No Parking Zones and Three-Way Stops – Mr. Hooper explained that the proposed amendment includes two changes to the Traffic Schedule: 1) a 3-way stop at the intersection of Railroad Avenue and Probart Street; and 2) to make the west side of Railroad Avenue, along the trail from Probart Street to where the trail crosses just past Whitmire Street, a no parking zone to prevent cars from parking next to the trail. The Public Safety Committee has discussed the amendment and has recommended approval. Mr. Hooper added that a third element of traffic improvements, which does not require an amendment to the Traffic Schedule, is the plan to convert the right turn lane on the east side of Railroad Avenue between French Broad Street and Whitmire Street to an on-street parking area, which should accommodate 5 or 6 spaces.

At 6:36 p.m. Mayor Copelof asked for a motion to open the public hearing. Mr. Daniel so moved, seconded by Ms. Holder; the motion carried unanimously.

Public Hearing Public Participation – Morris Davis of 363 Probart Street said I have lived on Probart Street for 43 years on the corner of Galloway and Probart. I speak tonight to the urgency of this happening at the corner of Probart and Railroad Avenue. The traffic is like that Christmas song "gee the traffic is terrific" and on that corner where I live Galloway comes in straight and 25 feet later there is White Oak Lane that goes at an angle. That is one block from the three-way stop that is needed so badly. My speaking this evening is because of the urgency of it. The traffic is horrible; people say they don't speed, but they do. The traffic increased horribly in the last 43 years that I have lived there and I believe that what is proposed for the three stop signs at Railroad and Probart is going to be a great answer to the problem. Across the street

from me there have been four houses built since January. They are building two more on White Oak right now. Each time they come into work in the morning there are about 16 pickup trucks and all that traffic, combined with all the cement trucks and trucks from Lowe's and other places, and school traffic, it can be horrible, and I believe that what you have proposed is going to be wonderful. But hurry; it's urgent and lives are at stake. We have lots of children and lots of elderly people and they need to be safe.

Public Hearing Closed – At 6:39 p.m. Mr. Wise moved, seconded by Mr. Daniel to close the public hearing. The motion carried unanimously.

J-2. Proposed Amendments to City of Brevard Code of Ordinances Chapter 14 – Dangerous Dogs – Chief Jordan explained that this proposed amendment expands the options available to the City when we encounter a dog that could be deemed dangerous or potentially dangerous. It expands the definition of dangerous dog and allows for an expanded due process for those owners of dogs declared as dangerous, with the goal to create a safer environment for everyone with their pets. The draft amendment was approved by the Public Safety Committee at its July 22nd meeting and referred to Council with a recommendation to approve.

At 6:41 p.m. Mr. Morrow moved, seconded by Ms. Holder to open the public hearing. The motion carried unanimously.

Public Hearing Public Participation – Susan Azar of 12 Hilt Street Extension said I encourage you to support the proposed dangerous dog language. I represent over 20 neighbors, and we have worked closely with the Public Safety Committee and the Chief of Police on this issue. Unfortunately, we have personal experience with a dangerous dog, which is what started the whole discussion. The language that is being proposed would give the police more tools and more flexibility. The current law is actually in the North Carolina statute and in our research we found three other jurisdictions that modified the law because of similar situations and concerns. Brevard would be the fourth in the state and the second city in the state to modify the language. I think there is a need and unfortunately we found out the reason for the need as the other jurisdictions did as well. I encourage your support for the modifications to the language and I think it is important that it gives them the ability and it keeps us all safe.

Public Hearing Closed – At 6:43 p.m. Ms. Holder moved, seconded by Mr. Morrow to close the public hearing. The motion carried unanimously.

K. Consent and Information - Consent Agenda items are considered routine and are enacted by one motion. Mayor Copelof read aloud the items listed and asked for a motion to approve the consent agenda. Mr. Wise moved, seconded by Mr. Baker to approve the consent agenda. The motion carried unanimously.

K-1. Tax Settlement Report – July, 2024

K-2. Project Ordinance – WWTP Upgrade or Replacement Project

ORDINANCE NO. 2024-30

CAPITAL PROJECT ORDINANCE TO ESTABLISH WASTEWATER TREATMENT PLANT UPGRADE OR REPLACEMENT PROJECT

BE IT ORDAINED by the City Council of the City of Brevard, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The Wastewater Treatment Plant is approaching 80% capacity which signals the City to begin exploring ways to increase capacity. A new Wastewater Treatment Plant would likely exceed \$50,000,000 in cost, but the City is also exploring whether an upgrade to the current Plant would better serve the future needs of the community. This will almost certainly be the first of many project amendments associated with this important project.

Section 2: The City has contracted with KCI Associates of North Carolina, P.A. in the amount of \$352,000 to perform preliminary engineering as highlighted in Section 5. (Statement of Work), of the agreement. Funding will be provided from a transfer from the Water and Sewer Fund of \$357,800, which City Council approved as a component of the FY24-25 budget on June 3, 2024.

Section 3: The following amounts are appropriated for the project:

Account Number	Account Name	Budget Amount
31-8220-0925	Professional Services	\$357,800
TOTAL PROJECT APPROPRIATION		\$357,800

Section 4: The following revenues are anticipated to be available for project expenses:

Account Number	Account Name	Budget Amount
32-3760-1908	Trans from Gen Fund - WWTP	\$357,800
TOTAL PROJECT REVENUE		\$357,800

Section 5: The Finance Director is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 6: Funds may be advanced from the General Fund or from any Enterprise Fund as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

Section 7: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

Section 8: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

Section 9: Copies of this capital project shall be furnished to the City Clerk, Finance Director and City Manager for direction in carrying out this project.

ADOPTED by the City Council of the City of Brevard, North Carolina, on this 19th day of August, 2024.

Attest: Denise Hodsdon, City Clerk

s/ Maureen Copelof, Mayor

Approved as to Form: Mack McKeller, City Attorney

K-3. Resolution Fixing a Date of Public Hearing for Annexation – Jason Shepherd, 35 Verdery Avenue

RESOLUTION NO. 2024-33
A RESOLUTION FIXING A DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION PURSUANT TO NCGS 160A-31, AS AMENDED

WHEREAS, a petition was received on July 1, 2024, requesting the annexation of a contiguous area described in said Petition as a portion of the Jason Shepherd property at 35 Verdery Avenue, Brevard, NC 28712, consisting of 0.101 acres, more or less, be annexed into the City of Brevard. (Tax Property Identification Number: a portion of 8585-28-6101-000).; and

WHEREAS, the Brevard City Council has by Resolution No. 2024-30 directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

Section 1. That a public hearing on the question of annexation of the contiguous area described below as requested by Jason Shepherd, will be held at Brevard City Hall at 5:30 P.M. on the 16th day of September, 2024.

Section 2. The area proposed for annexation is described as follows:

That certain piece of land being located in the state of North Carolina, county of Transylvania, township of Brevard. Beginning at an unmarked point on the existing line of the City of Brevard Limits and on the northern right of way line of Verdery Ave., also being located on the southern line of that property of Jason M. Shepherd described in Deed Book 765 Page 452, said property being that 0.34 Acre tract shown on Plat File 16 Slide 749. Thence running with the existing City of Brevard Limits, a curve with an arc length of 113.84', with a radius of 983.05', with a chord bearing of N 42°18'23" W, with a chord length of 113.78', to an unmarked point in the northern line of the before mentioned tract, said point being on the existing line of City of Brevard Limits. Thence leaving the existing City of Brevard limits and running with the Earnest Duncan line a course S 76°10'43" W a distance of 18.15' to a 1/2" Rebar found, the southwest corner of the Earnest Duncan property described in Deed Book 320 Page 140. Thence with the Bobby Tucker line a course S 14°14'36" E a distance of 20.01' to a 1/2" Rebar found at a 3" spindle guard stake, the southeast corner of the Bobby Tucker Tract described in Deed Book 332 Page 469. Thence with the line of the other property owned by Jason M. Shepherd, described in Deed Book 765 Page 436, for two calls, S 13°27'48" E a distance of 4.95' to a 5/8" Rebar and Cap set, thence S 13°37'43" E a distance of 75.06' to a 5/8" Rebar and Cap set. Thence leaving the Shepherd tract described in Deed Book 765 Page 436 and traveling along the northern right of way line of Verdery Ave. N 76°09'56" E a distance of 72.55' to an unmarked point on the existing line of the City of Brevard Limits, which is the point of beginning. Containing 0.101 acres, more or less. Being a portion of the property conveyed to Jason M. Shepherd in Deed Book 765 Page 452.

Also shown as "This Portion of Property to be Annexed +/- 0.101 acres" on a plat prepared by David L. Burrell titled "Plat of a Boundary/Annexation Survey for Jason M. Shepherd" being drawing number 24-27-REVISED and dated June 20, 2024-Revised July 23, 2024. Reference is hereby made to said plat for a more complete and accurate description. The intent of the landowner, Jason M. Shepherd, is to annex any portion of the property described in Deed Book 765 Page 452 that is not in the existing City of Brevard Limits, into the City of Brevard limits.

Section 3. Notice of said public hearing shall be published in the Transylvania Times, a newspaper having general circulation in the City of Brevard, at least ten (10) days prior to the date of said public hearing.

Section 4. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 19th day of August, 2024.

Attest: Denise Hodsdon, City Clerk s/ Maureen Copelof, Mayor

K-4. Estatoe Trail 30% Design Contract

**RESOLUTION NO. 2024-34
AUTHORIZING CITY MANAGER TO EXECUTE AGREEMENT WITH SUMMIT ENGINEERING FOR 30%
DESIGN OF THE ESTATOE TRAIL**

WHEREAS, on August 19, 2024 the Brevard City Council was presented with information, summarized in the affixed staff report, on the terms of a proposed agreement between City of Brevard and Summit Engineering for the professional services related to 30% design of the Estatoe Trail between Main St. and Brevard High School;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BREVARD, NORTH CAROLINA THAT:

The City Manager (or his designee) is hereby authorized to negotiate and execute necessary agreements with Summit Engineering for the purposes described in the above referenced staff report.

Approved and adopted this 19th day of August, 2024.

Attest: Denise Hodsdon, City Clerk s/ Maureen Copelof, Mayor

K-5. Joint Agreement for Reciprocal Access Easements by and between the City of Brevard and Monte Vista, Inc.

**RESOLUTION NO. 2024-35
AUTHORIZING CITY MANAGER TO EXECUTE AGREEMENT WITH MONTE VISTA INC. FOR
RECIPROCAL ACCESS EASEMENTS**

WHEREAS, on August 19, 2024 the Brevard City Council was presented with information, summarized in the affixed staff report, on the terms of a proposed agreement between City of Brevard and Monte Vista Inc. for reciprocal access agreements to private Laurel Falls Rd. and Bracken Preserve, respectively;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BREVARD, NORTH CAROLINA THAT:

The City Manager (or his designee) is hereby authorized to negotiate and execute necessary agreements with Monte Vista Inc. for the purposes described in the above referenced staff report.

Approved and adopted this 19th day of August, 2024.

Attest: Denise Hodsdon, City Clerk s/ Maureen Copelof, Mayor

K-6. Council Housing Committee Minutes – June 11, 2024

K-7. Council Public Works & Utilities Committee Minutes – July 1, 2024

K-8. Correspondence *(No Action. Offered as information only.)*

- a. Land of Sky RPO Technical Advisory Committee Minutes – June 20, 2024

L. Unfinished Business

L-1. Proposed Amendments to City of Brevard Unified Development Ordinance Chapters 5 and 13 – Requirements for Underground Wiring – Aaron Bland recalled that Council held a public hearing on this amendment at its meeting on August 5, 2024. This is a staff-initiated text amendment to clarify the intent and specific requirements regarding underground wiring for new developments. The Planning Board recommended approval of the amendments. Mr. Morrow moved, seconded by Mr. Wise to approve the proposed amendment. The motion carried unanimously.

**ORDINANCE NO. 2024-31
AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE:
CHAPTER 5 – BUILDING TYPES AND ARCHITECTURAL STANDARDS AND
CHAPTER 13 – INFRASTRUCTURE IMPROVEMENTS TO CLARIFY
DEVELOPMENT REQUIREMENTS FOR UNDERGROUND WIRING**

WHEREAS, the City of Brevard Planning Board has recommended that the Brevard City Code, Unified Development Ordinance be amended; and,

WHEREAS, the City Council of the City of Brevard finds that the proposed amendment is consistent with the following adopted plans and policies of the City of Brevard:

Building Brevard Comprehensive Land Use Plan:
Goal 8: “Plan for efficient, equitable, and resilient infrastructure and services that maintain and improve quality of life throughout the city.” and,

WHEREAS, a public hearing was conducted on Monday, August 5, 2024, by the Brevard City Council, and, after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard Unified Development Ordinance be amended as outlined below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 01. Brevard City Code, Unified Development Ordinance is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. As to any conflict between this Ordinance and any parts of existing ordinances, the provisions of this Ordinance shall control.

SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved this the 19th day of August 2024.

Attest: Denise Hodsdon, City Clerk
Approved as to Form: Mack McKeller, City Attorney

s/ Maureen Copelof, Mayor

M. New Business

M-1. Traffic Schedule Amendments – No Parking Zones and Three-Way Stops – Mr. Morrow moved, seconded by Mr. Baker to approve the amendments as presented. The motion carried unanimously.

ORDINANCE NO. 2024-32 AN ORDINANCE AMENDING THE CITY OF BREVARD TRAFFIC SCHEDULE

WHEREAS, a public meeting was conducted on Monday, August 19, 2024, by Brevard City Council, and after review and consideration of the proposed amendments, it is the desire of the City Council of the City of Brevard that Section 66-5 of the Brevard City Code of Ordinances be amended as outlined below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

Section 1. The City of Brevard Traffic and Code of Ordinances is hereby amended as described below:

Section 2. Add West side of Railroad Avenue from West Probart Street to a point approximately 300 feet northeast of intersection with Whitmire Street to City of Brevard Traffic Schedule I, Section 66-122 No Parking Areas.

Section 3. Remove West Probart Street from Railroad Avenue from City of Brevard Traffic Schedule XI-A, Section 66-72 Stop Before Entering Certain Intersections.

Section 4. Add West Probart Street and Railroad Avenue to City of Brevard Traffic Schedule XI-C, Section 66-72 Three-Way Stop Intersections

Section 5. The City Clerk of the City of Brevard is hereby authorized and directed to revise and amend the official records and the Brevard Traffic Schedule to reflect the change as set forth herein.

Section 6. The City Manager of the City of Brevard is hereby authorized and directed to cause the appropriate signs to be installed and enforcement of the foregoing provisions to be implemented.

Section 7. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved on the 19th day of August, 2024.

Attest: Denise Hodsdon, City Clerk
Approved as to Form: Mack McKeller, City Attorney

s/ Maureen Copelof, Mayor

N. Remarks/Future Agenda Considerations.

Ms. Holder commented that when we look at traffic planning we may want to consider looking at the intersection of Oakdale and W. Main Street. She said traffic turning onto Main St. from Oakdale can't see cars coming because of cars parked on Main St. and you have to get out into the intersection before you can see traffic coming. She suggested perhaps some sort of warning light could be installed to alert turning traffic that a vehicle is approaching.

Mr. Wise offered congratulations to Sgt. Coburn for her promotion. He also offered congratulations to David Todd, our new Assistant City Manager and to Wesley Shook for being named permanent Public Works Director. He reemphasized the importance of housing and reminded everyone that we have a partner in this in our county and county commissioners. He said I would encourage all of us to continue to reach out them to see what we can do in partnership with them.

Mr. Morrow said when I found out last week that our Mayor was chosen to speak at the North Carolina Trails Conference...doesn't Brevard have on heck of a story to talk about trails? He mentioned an article in today's newspaper regarding Brevard being

recognized as one of fifteen communities in the official North Carolina Trail Town Guide. It is a real plug to recognize the achievements the City has made.

Mr. Daniel said to somewhat echo what Mr. Morrow said, I am often sitting at these meetings thinking what a great staff we have that is making all these things happen. I appreciate it and thank you to all of you.

Mr. Baker said I am proud to be in this space at MCJCCC. So much of the work that went into creating this space and reopening this center happened in the decade before I was on Council and a lot of people on this stage contributed to it and there are a lot of people who aren't here who contributed to it as well. It is a great representation of the City of Brevard, but it is also a very symbolic building, and I think it is symbolic for us to be here and celebrate the importance of the history of Rosenwald and Black citizens in Brevard, but also of our future as a city as one collection of communities. I am really proud that we were able to make this happen. He expressed thanks to staff for their efforts in making tonight's meeting happen here. He said the other thing I am proud about is working toward 30% design plans on the remaining sections of the Estatoe Trail. We completed a section in Tannery last year and the other section in Tannery North will be completed early next year, but we still have a couple sections to get us all the way from Main Street to the High School. Hopefully that will lead to grant money and other progress that will help us make that dream a reality. Finally, I am proud of our work on housing.

Ms. Hodsdon thanked Tyree Griffin, Becky McCann and Katherine for all their help with setup for tonight's meeting and livestreaming.

Mr. Hooper announced that David Todd has been named our next Assistant City Manager for infrastructure, utilities and public works. He is known in this community already having worked at Ecusta Mill earlier in his career. Most recently he was the Associate Vice Chancellor of Campus Operations for UNC Asheville for the last 20 years where he has overseen capital projects similar to the capital projects we are expecting to undertake here in the years to come. He brings a strong skillset and familiarity with North Carolina construction laws, bidding laws and all those things we have to navigate around for big capital projects. He starts work on August 29th and we are happy to have him join our team.

Mayor Copelof said again tonight you can see how much we have going on in Brevard and that is a tribute to the quality of our staff. She offered congratulations to Wesley Shook and noted it is amazing the amount of work that Public Works does. Let's keep in mind that all the little things that we want to see happen in this city, it takes somebody to make them happen and our staff does an incredible job. She said there is nothing more joyful than watching our employees succeed and progress and offered congratulations to Sgt. Coburn. She added that she attended the Western North Carolina Affordable Housing Conference last week and there were representatives from over 20 counties and cities. That tells you the extent of this immense problem; we are not alone in this problem, but we are leading the way in a lot of different initiatives, and we are building collaborations and partnerships because no one can do this alone. She mentioned that she had the honor of representing the city in welcoming incoming Brevard College students and at the Schenck Job Corps. Career Day. She said we were honored to be one of the communities chosen to present at the statewide trails conference. We will have an Ecusta Trail public input session on September 10th from 5-7pm in the Rogow Room. Other upcoming events include the first event of America's 250th Celebration this Sunday at Silvermont at 2:00 pm to celebrate the anniversary of North Carolina's 1st Provincial Congress. We are partnering with Blue Ridge Community College for the next Age Exchange Program event on August 26th at 9:00 am at MCJCCC regarding building your personal wellness plan. The next Meet the Mayor will be on August 22nd at 11:30 at MCJCCC.

O. Closed Session – None.

P. Adjourn – There being no further business, at 7:10 p.m. Ms. Holder moved, seconded by Mr. Morrow, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof
Mayor

Denise Hodsdon, CMC
City Clerk

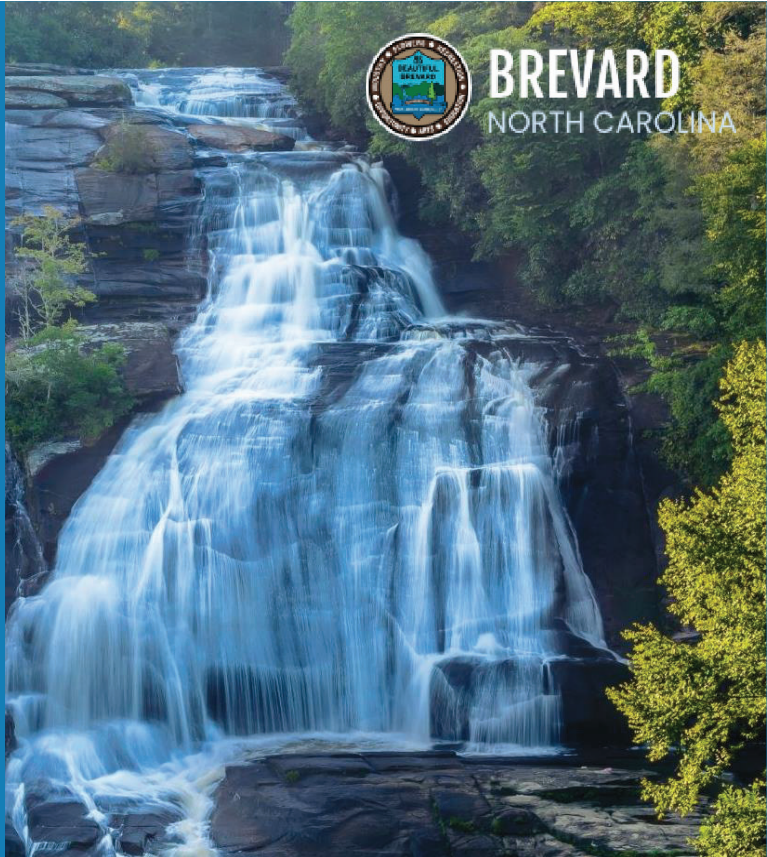
Minutes Approved: September 3, 2024

Affordable Housing Initiatives Update

City Council | August 19, 2024



BREVARD
NORTH CAROLINA



What is affordable housing?

Housing is considered “affordable” if a family is paying less than **30%** of their annual income on **housing-related expenses**.

Families living in affordable housing have more income than cost burdened households to cover other expenses like childcare, health care, transportation, or food.



Housing expenses include rent plus utilities or mortgage, insurance, and property taxes plus utilities.

Income Limits in Transylvania County

AMI	1-person	2-person	3-person	4-person
30% Extremely Low Income	\$16,170	\$18,480	\$20,790	\$23,100
50% Very Low Income	\$26,950	\$30,800	\$34,650	\$38,500
60% Low Income	\$32,340	\$36,960	\$41,580	\$46,200
80% Low-to-Moderate Income	\$43,120	\$49,280	\$55,440	\$61,600

Who is Brevard's workforce?

Median Annual Wages



Source: US Bureau of Labor Statistics, Occupational Employment and Wage Estimates, Mountain North Carolina nonmetropolitan area, May 2022.
*Confirmed starting salaries with the City of Brevard or Transylvania County Schools

Who is Brevard's workforce?

Transylvania County Area Median Incomes (AMI) – One Person Household*

	30%	50%	60%	80%
Income (annual)	\$16,170	\$27,000	\$32,340	\$43,120
1-BR Affordable Rent (per month)	\$430	\$670	\$860	\$1,080

Average rental rate for a 1-BR unit is \$1,960/month. (as of April)



Senior Resident (Social Security Income)



Restaurant Server



Firefighter



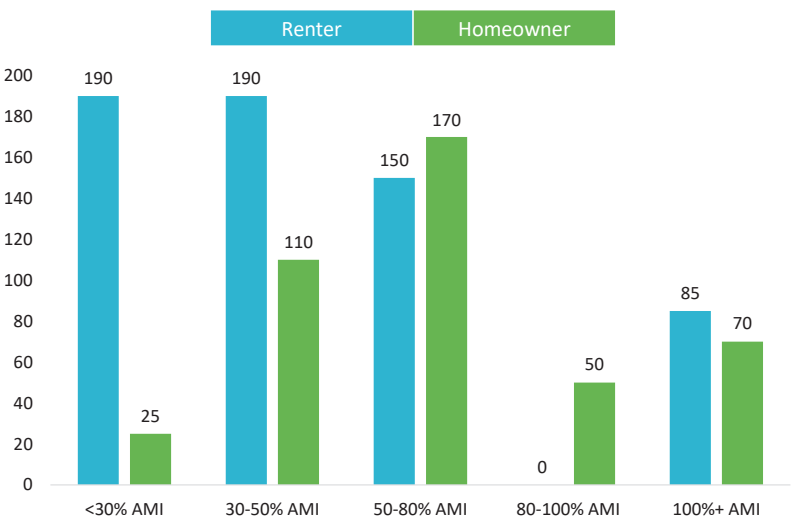
Elementary School Teacher

Source: DFI Analysis of HUD 2024 data.

The Need

- At least **530 LMI renters** and **305 LMI homeowners** have housing needs in Brevard.
- Of these households, approximately 50% are severely housing cost-burdened.
- The number of households with housing needs has likely grown post-pandemic.

Number of Households with Housing Needs by Income Level



Housing Need: households with housing need (1) spend at least 30% of their annual income on housing-related costs, (2) live in units without plumbing or kitchen facilities, or (3) live in units with more than 1 person per room.

Source: DFI Analysis of HUD CHAS (2020)

The Need

- The rise in housing costs over the last three years has likely increased the number of cost-burdened households.
- Post-pandemic there are continued pressures on limited housing stock.
 - Increasingly competitive market with vacancy rates below 2%
 - Population growth, 50% increase in home sales, and a tripling of seasonal-use properties has reduced rental availability.
- Land and construction costs are pushing up prices for both homeowners and renters.
- The highest price rental units (over \$1,000/month) have more than doubled.
- The average home sale price increased nearly 30%, and price of new homes has more than doubled.

Source: DFI Analysis

Housing Identified as Top Priority

- **Building Brevard 2030 Comprehensive Land Use Plan**
 - All long-range planning efforts in the past 20 years have highlighted housing as a critical effort
 - Ranked as the most important goal: *“Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods.”*
- **City Council’s Response**
 - City Council elevated the Housing Committee to a Policy Committee and expanded it’s scope to beyond the Housing Trust Fund
 - Housing Policy Action / Funding categorized as “Category 1: Essential” in City Council’s FY23-24 and FY 24-25 Strategic Planning Retreats
 - Legislative agenda setting and advocacy

Housing Goals & Local Government Solutions



Creating New Affordable Units

The City can use the policies, programs, and tools at its disposal to allow for the creation of more affordable housing.

Preserving Existing Affordable Housing

The City can implement policies and programs to protect the affordable/ workforce housing created by the market.

Supporting Affordable Housing Programs

The City can engage with others to invest in and support affordable/workforce housing programs and projects.

Reviewing Regulatory Environment

The City can review the provisions of its UDO to ensure the regulatory environment can accommodate housing development at all price ranges.

Regulatory Changes



BREVARD
NORTH CAROLINA

- **Missing Middle Housing Allowed By-Right**
 - Triplexes and Quadraplexes (June 2022)
 - Accessory Dwelling Units Increased Size (December 2022)
 - Cluster Home Development (May 2024)
- **Infill Development Allowances**
 - Irregular Lots and Road Frontage Requirements (September 2022)
 - Subdivision off Private Roads in ETJ (June 2024)
 - Group Developments and Interior Lots (June 2024)
- **Short-Term Rental Regulations (August 2023)**
 - Only permitted in some zoning districts
 - Permanent Resident Exemption
- **Architectural Standards (Anticipated Fall 2024)**
 - Ensuring larger developments align with the character of Brevard
 - Addressing concerns voiced by neighboring residents

Partnership and Regional Participation



BREVARD
NORTH CAROLINA

- **Collaboration with Non-Profits and Local Advocates (Ongoing)**
 - Brevard-Davidson River Presbyterian Church
 - Habitat for Humanity
 - Brevard-Transylvania Housing Coalition
- **Better Alignment with County Housing Efforts (Ongoing)**
 - Participation in Transylvania County Housing Study
 - County Support for PRO Housing Application / Azalea Neighborhood Sewer Extension
- **Regional Participation (Ongoing)**
 - Asheville Regional Housing Consortium (distributing HOME Funding – Fairhaven Meadows)
 - Land of Sky Regional Housing Alliance (coordinating efforts region-wide)
 - Legislative agenda setting and advocacy

Funding and Subsidy



BREVARD
NORTH CAROLINA

- **Housing Trust Fund Improvements (March 2023)**
 - Alignment with City's priorities and statutory authority
- **Housing Trust Fund Contribution (Ongoing)**
 - FY 2023 - equal to 2 cents of property tax
 - FY 2024 - equal to 1.5 cents of property tax
 - Identifying City-owned sites for disposition (new!)
- **Development Finance Initiative Contract (Ongoing)**
 - Conducted Housing Needs Assessment
 - Identified opportunity sites for potential city-supported project
 - Facilitated Lease Agreement with Brevard-Davidson River Presbyterian Church
 - Identifying community priorities, assessing financial feasibility, and soliciting developer partner
- **Pursuing State, Federal and Private Grants (Ongoing)**
 - Azalea / Rhododendron Neighborhood Sewer Extension
 - Preservation Program Funding
 - Habitat for Humanity Woodland Terrace Sewer Extension

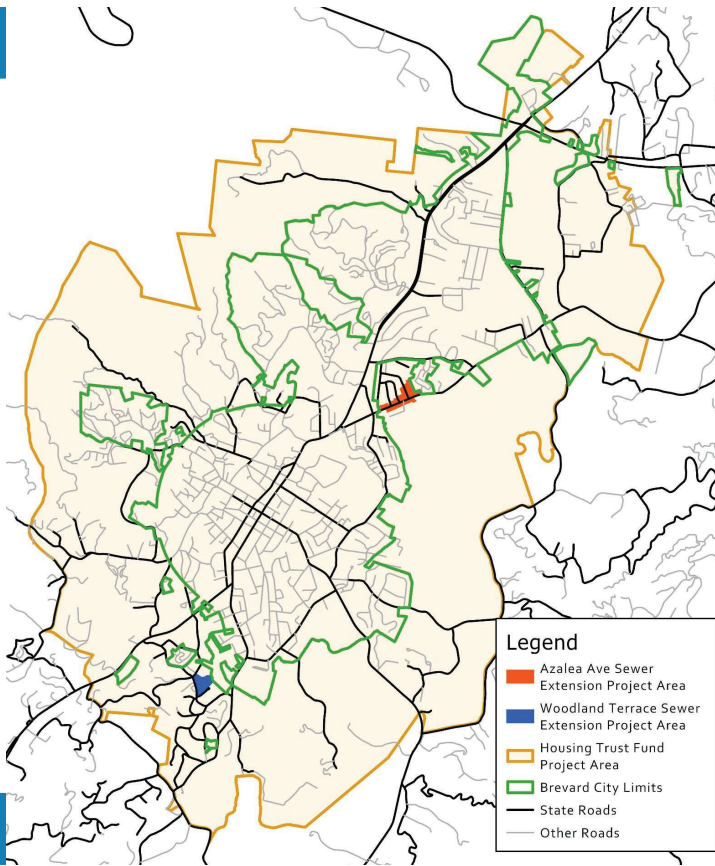
PRO Housing Round 2

- **Project Proposal**

- Extending sewer to Azalea / Rhododendron neighborhood along Old Hendersonville Highway → ~ **\$2 Million**
- Extending sewer to Habitat for Humanity’s Property on Woodland Terrace → ~ **\$800,000**
- Endowing the Housing Trust Fund for preservation programs → ~ **\$1 Million**

- **Timeline**

- Funding Announced → August 13th
- Public Hearing → September 16th
- Application Due → October 15th



Summary & Key Takeaways

- Affordable housing has been identified as **a top priority** for the City time and time again.
- There is **no one-size-fits-all solution** in solving the affordable housing crisis in and around Brevard. An assortment of solutions are required to reach **different income levels** and provide **different residential product types**.
- For a local government with limited resources, **collaboration, creativity, and persistence** in addressing the housing crisis are of the utmost importance.
- The work undertaken to date has **set the stage** for new housing to be created.
- The City continues to address **regulatory barriers**, apply for new **funding opportunities**, and pursue a **city-supported affordable housing project**.





City of Brevard, North Carolina *Oath of Office*

State of North Carolina
County of Transylvania
City of Brevard

I, David Todd, do solemnly and sincerely swear that I will support the Constitution and laws of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and that I will faithfully discharge the duties of my office as Assistant City Manager for Infrastructure, Utilities and Public Works, so help me God.

David Todd

Oath Administered by:

Denise Hodsdon, CMC
City Clerk

September 3, 2024
Date



PROCLAMATION NO. 2024-17

CHILDHOOD CANCER AWARENESS MONTH

WHEREAS, the month of September is designated as National Childhood Cancer Awareness Month and serves as an outlet to honor the young lives taken too soon, and as a means to increase public awareness of this disease affecting children across the United States; and

WHEREAS, childhood cancer is the leading cause of death by disease in children with 1 in 285 children in the United States being diagnosed by their 20th birthday; and

WHEREAS, the average age of diagnosis is 6 years old, compared to 66 years for adults' cancer, and 80% of childhood cancer patients are diagnosed late and with metastatic disease; and

WHEREAS, 46 children per day or 16,790 children (age 0- 19) per year are diagnosed with cancer in the U.S. More than two-thirds of childhood cancer patients will have chronic health conditions as a result of their treatment toxicity, with one quarter being classified as severe to life-threatening; and

WHEREAS, approximately one half of childhood cancer families rate the associated financial toxicity due to out-of-pocket expenses as considerable to severe; and

WHEREAS, in the last 30 years only six (6) new drugs have been approved by the FDA to specifically treat childhood cancer; and

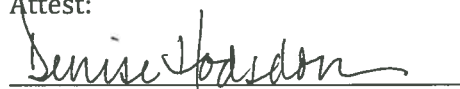
WHEREAS, recognizing the unique research needs of childhood cancer and the associated need for increased funding is critical to allow healthcare professionals to work diligently dedicating their expertise to treat and cure children with cancer; and

WHEREAS, many parents and family members feel terrified and are overwhelmed following a child's cancer diagnosis, therefore it is important to encourage additional non-profit organizations at the local and national level to assist children with cancer and their families in coping through educational, emotional and financial support.

NOW, THEREFORE, I, Maureen Copelof, Mayor of the City of Brevard hereby proclaim the month of September 2024 as "**Childhood Cancer Awareness Month**" in the City of Brevard and I encourage citizens, government agencies, private businesses, nonprofit organizations, the media, and other interested groups to increase awareness of what citizens can do to support the fight against childhood cancer.

Proclaimed this the 3rd day of September, 2023.

Attest:


Denise Hodsdon, CMC
City Clerk




Maureen Copelof, Mayor

STAFF REPORT

City Council, Tuesday, September 3, 2024

Title: Results of Geotechnical Report of Brevard Davidson River Presbyterian Church Property

Speaker: Wilson Hooper, City Manager
Emily Brewer, Sr. Planner
Sarah Odio, UNC SOG Development Finance Initiative

Prepared by: Emily Brewer, Senior Planner, Wilson Hooper, City Manager

Approved by: Wilson Hooper, City Manager

Background

In spring 2024 the City Council authorized the City Manager to enter into agreements with various technical specialists to evaluate the developability of the wooded Brevard Davidson River Presbyterian Church property. The church and the city signed a lease document in summer 2024, officially giving the city control over the property for the purposes of developing low-to-moderate income housing on the site. The city's preselected geotechnical firm -Solid Ground Engineering NC PLLC- began its analysis soon thereafter.

Discussion

The geotechnical analysis was performed using standard methods. The analysis considered the full site's conditions and geology, and subsurface conditions at eight boring locations. (The eight borings were taken from different locations across the site in order to have a representative sample of the sites >4 acres) The report shares the contents of the eight subsurface borings and what those mean for the stability and developability of the site.

The analysis has concluded that the site is covered with a layer of silty organic topsoil, and the underlying soil is a mix of unconsolidated (soft) soil consisting of sandy clay, sandy silt, and silty sand approximately 15 to 18 feet deep. To develop the site, unconsolidated (soft) soil would need to be undercut and regraded with structural fill to stabilize each building area. Alternatively, ground improvement with aggregated piers could be used to stabilize future building areas and a retaining wall.

Due to the depth of soft soil at the site, the site work methods described above are higher cost than those of an average site in western North Carolina. After the initial report was concluded, the city asked Solid Ground Engineering to further analyze the data and identify more precisely what the cost of stabilizing the site would be. The results of that analysis and a preliminary analysis of what this means for the financial feasibility of the project will be presented at this Council meeting.

Action

No action required; for information and discussion only.

Attachments:

STAFF REPORT

City Council, Tuesday, September 3, 2024

Title: ARPA Required Administrative Policies

Speaker: Dean Luebbe

Prepared by:

Approved by: Wilson Hooper, City Manager

Background

In December of 2021, the City was awarded \$700,000 of federal ARPA funds, earmarked for stormwater related improvements, to be administrated through the State of North Carolina Department of Environmental Quality. The City has budgeted these funds in the recently completed Times Arcade Alley Capital Project. Federal guidelines require the City to approve specific Finance policies to be eligible for reimbursement. The Finance and Human Resources, and Appointment Committee has recommended these policies for approval.

Action

Staff requests Council adopt the HRF recommendation and approve the attached ARPA policies.

Attachments:

1. Conflict-of-Interest-Policy_Brevard
2. CostPrinciplesPolicy_Brevard
3. Eligible-Use-Policy_Brevard
4. Nondiscrimination-Policy_Brevard
5. Record-Retention-Policy_Brevard

CONFLICT OF INTEREST POLICY

APPLICABLE TO CONTRACTS AND SUBAWARDS OF CITY OF BREVARD SUPPORTED BY FEDERAL FINANCIAL ASSISTANCE

* * * * *

I. Scope of Policy

- a. Purpose of Policy. This Conflict of Interest Policy (“*Policy*”) establishes conflict of interest standards that (1) apply when City of Brevard (“*Unit*”) enters into a Contract (as defined in Section II hereof) or makes a Subaward (as defined in Section II hereof), and (2) meet or exceed the requirements of North Carolina law and 2 C.F.R. § 200.318(c).
- b. Application of Policy. This Policy shall apply when the City of Brevard enters into a Contract to be funded, in part or in whole, by Federal Financial Assistance to which 2 C.F.R. § 200.318(c) applies, or (2) makes any Subaward to be funded by Federal Financial Assistance to which 2 C.F.R. § 200.318(c) applies. If a federal statute, regulation, or the terms of a financial assistance agreement applicable to a particular form of Federal Financial Assistance conflicts with any provision of this Policy, such federal statute, regulation, or terms of the financial assistance agreement shall govern.

II. Definitions

Capitalized terms used in this Policy shall have the meanings ascribed thereto in this Section II: Any capitalized term used in this Policy but not defined in this Section II shall have the meaning set forth in 2 C.F.R. § 200.1.

- a. “*COI Point of Contact*” means the individual identified in Section III(a) of this Policy.
- b. “*Contract*” means, for the purpose of Federal Financial Assistance, a legal instrument by which the Unit purchases property or services needed to carry out a program or project under a Federal award.
- c. “*Contractor*” means an entity or individual that receives a Contract.
- d. “*Covered Individual*” means a Public Officer, employee, or agent of the Unit.
- e. “*Covered Nonprofit Organization*” means a nonprofit corporation, organization, or association, incorporated or otherwise, that is organized or operating in the State of North Carolina primarily for religious, charitable, scientific, literary, public health and safety, or educational purposes, excluding any board, entity, or other organization created by the State of North Carolina or any political subdivision of the State (including the Unit).
- f. “*Direct Benefit*” means, with respect to a Public Officer or employee of the Unit, or the spouse of any such Public Officer or employee, (i) having a ten percent (10%) ownership interest or other interest in a Contract or Subaward; (ii) deriving any income or commission directly from a Contract or Subaward; or (iii) acquiring property under a Contract or Subaward.

- g. “*Federal Financial Assistance*” means Federal financial assistance that the Unit receives or administers in the form of grants, cooperative agreements, non-cash contributions or donations of property (including donated surplus property), direct appropriations, food commodities, and other Federal financial assistance (except that the term does not include loans, loan guarantees, interest subsidies, or insurance).
- h. “*Governing Board*” means the City Council of the Unit.
- i. “*Immediate Family Member*” means, with respect to any Covered Individual, (i) a spouse, and parents thereof, (ii) a child, and parent thereof, (iii) a parent, and spouse thereof, (iv) a sibling, and spouse thereof, (v) a grandparent and grandchild, and spouses thereof, (vi) domestic partners and parents thereof, including domestic partners of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with the Covered Individual is the equivalent of a family relationship.
- j. “*Involved in Making or Administering*” means (i) with respect to a Public Official or employee, (a) overseeing the performance of a Contract or Subaward or having authority to make decisions regarding a Contract or Subaward or to interpret a Contract or Subaward, or (b) participating in the development of specifications or terms or in the preparation or award of a Contract or Subaward, (ii) only with respect to a Public Official, being a member of a board, commission, or other body of which the Public Official is a member, taking action on the Contract or Subaward, whether or not the Public Official actually participates in that action.
- k. “*Pass-Through Entity*” means a non-Federal entity that provides a Subaward to a Subrecipient to carry out part of a Federal program.
- l. “*Public Officer*” means an individual who is elected or appointed to serve or represent the Unit (including, without limitation, any member of the Governing Board), other than an employee or independent contractor of the Unit.
- m. “*Recipient*” means an entity, usually but not limited to a non-Federal entity, that receives a Federal award directly from a Federal awarding agency. The term does not include Subrecipients or individuals that are beneficiaries of the award.
- n. “*Related Party*” means (i) an Immediate Family Member of a Covered Individual, (ii) a partner of a Covered Individual, or (iii) a current or potential employer (other than the Unit) of a Covered Individual, of a partner of a Covered Individual, or of an Immediate Family Member of a Covered Individual.
- o. “*Subaward*” means an award provided by a Pass-Through Entity to carry out part of a Federal award received by the Pass-Through Entity. It does not include payments to a contractor or payments to a contractor or payments to an individual that is a beneficiary of a Federal program.

- p. “*Subcontract*” means mean any agreement entered into by a Subcontractor to furnish supplies or services for the performance of a Contract or a Subcontract. It includes, but is not limited to, purchase orders, and changes and modifications to purchase orders.
- q. “*Subcontractor*” means an entity that receives a Subcontract.
- r. “*Subrecipient*” means an entity, usually but not limited to a non-Federal entity, that receives a subaward from a Pass-Through Entity to carry out part of a Federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.
- s. “*Unit*” has the meaning specified in Section I hereof.

III. COI Point of Contact.

- a. Appointment of COI Point of Contact. The city manager, an employee of the Unit, shall have primary responsibility for managing the disclosure and resolution of potential or actual conflicts of interest arising under this Policy. In the event that the city manager is unable to serve in such capacity, the mayor shall assume responsibility for managing the disclosure and resolution of conflicts of interest arising under this Policy. The individual with responsibility for managing the disclosure and resolution of potential or actual conflicts of interest under this Section III(a) shall be known as the “*COI Point of Contact*”.
- b. Distribution of Policy. The COI Point of Contact shall ensure that each Covered Individual receives a copy of this Policy.

IV. Conflict of Interest Standards in Contracts and Subawards

- a. North Carolina Law. North Carolina law restricts the behavior of Public Officials and employees of the Unit involved in contracting on behalf of the Unit. The Unit shall conduct the selection, award, and administration of Contracts and Subawards in accordance with the prohibitions imposed by the North Carolina General Statutes and restated in this Section III.
 - i. G.S. § 14-234(a)(1). A Public Officer or employee of the Unit Involved in Making or Administering a Contract or Subaward on behalf of the Unit shall not derive a Direct Benefit from such a Contract or Subaward.
 - ii. G.S. § 14-234(a)(3). No Public Officer or employee of the Unit may solicit or receive any gift, favor, reward, service, or promise of reward, including but not limited to a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a Contract or Subaward by the Unit.
 - iii. G.S. § 14-234.3. If a member of the Governing Board of the Unit serves as a director, officer, or governing board member of a Covered Nonprofit Organization, such member shall not (1) deliberate or vote on a Contract or Subaward between

the Unit and the Covered Nonprofit Corporation, (2) attempt to influence any other person who deliberates or votes on a Contract or Subaward between the Unit and the Covered Nonprofit Corporation, or (3) solicit or receive any gift, favor, reward, service, or promise of future employment, in exchange for recommending or attempting to influence the award of a Contract or Subaward to the Covered Nonprofit Organization.

- iv. G.S. § 14-234.1. A Public Officer or employee of the Unit shall not, in contemplation of official action by the Public Officer or employee, or in reliance on information which was made known to the public official or employee and which has not been made public, (1) acquire a pecuniary interest in any property, transaction, or enterprise or gain any pecuniary benefit which may be affected by such information or other information, or (2) intentionally aid another in violating the provisions of this section.

b. Federal Standards.

- i. Prohibited Conflicts of Interest in Contracting. Without limiting any specific prohibition set forth in Section IV(a), a Covered Individual may not participate in the selection, award, or administration of a Contract or Subaward if such Covered Individual has a real or apparent conflict of interest.

- 1. Real Conflict of Interest. A real conflict of interest shall exist when the Covered Individual or any Related Party has a financial or other interest in or a tangible personal benefit from a firm considered for a Contract or Subaward. Exhibit A attached hereto provides a non-exhaustive list of examples of (i) financial or other interests in a firm considered for a Contract or Subaward, and (ii) tangible personal benefits from a firm considered for a Contract or Subaward.
- 2. Apparent Conflict of Interest. An apparent conflict of interest shall exist where a real conflict of interest may not exist under Section IV(b)(i)(1), but where a reasonable person with knowledge of the relevant facts would find that an existing situation or relationship creates the appearance that a Covered Individual or any Related Party has a financial or other interest in or a tangible personal benefit from a firm considered for a Contract or Subaward.

- ii. Identification and Management of Conflicts of Interest.

- 1. Duty to Disclose and Disclosure Forms

- a. Each Covered Individual expected to be or actually involved in the selection, award, or administration of a Contract or Subaward has an ongoing duty to disclose to the COI Point of Contact potential real or apparent conflicts of interest arising under this Policy.

- b. Prior to the Unit's award of a Contract or Subaward, the COI Point of Contact shall advise Covered Individuals expected to be involved in the selection, award, or administration of the Contract or Subaward of such duty.
- c. If the value of a proposed Contract or Subaward exceeds \$250,000, the COI Point of Contact shall collect a Conflict of Interest Disclosure Form contained in Exhibit C (for Contracts) and Exhibit E (for Subawards) from each Covered Individual and file such Conflict of Interest Disclosure Form in records of the Unit.

2. Identification Prior to Award of Contract or Subaward.

- a. Prior to the Unit's award of a Contract or Subaward, the COI Point of Contact shall complete the appropriate Compliance Checklist contained in Exhibit B (for Contracts) and Exhibit D (for Subawards) attached hereto and file such Compliance Checklist in the records of the Unit.

3. Management Prior to Award of Contract or Subaward

- a. If, after completing the Compliance Checklist, the COI Point of Contact identifies a potential real or apparent conflict of interest relating to a proposed Contract or Subaward, the COI Point of Contact shall disclose such finding in writing to the mayor and to each member of the Governing Board. If the Governing Board desires to enter into the proposed Contract or Subaward despite the identification by the COI Point of Contact of a potential real or apparent conflict of interest, it may either:
 - i. accept the finding of the COI Point of Contact and direct the COI Point of Contact to obtain authorization to enter into the Contract or Subaward from (a) if Unit is a Recipient of Federal Financial Assistance, the Federal awarding agency with appropriate mitigation measures, or (b) if Unit is a Subrecipient of Federal Financial Assistance, from the Pass-Through Entity that provided a Subaward to Unit; or
 - ii. reject the finding of the COI Point of Contact and enter into the Contract or Subaward. In rejecting any finding of the COI Point of Contact, the Governing Board shall in writing document a justification supporting such rejection.

- b. If the COI Point of Contact does not identify a potential real or apparent conflict of interest relating to a proposed Contract or Subaward, the Unit may enter into the Contract or Subaward in accordance with the Unit's purchasing or subaward policy.

4. Identification After Award of Contract or Subaward.

- a. If the COI Point of Contact discovers that a real or apparent conflict of interest has arisen after the Unit has entered into a Contract or Subaward, the COI Point of Contact shall, as soon as possible, disclose such finding to the mayor and to each member of the Governing Board. Upon discovery of such a real or apparent conflict of interest, the Unit shall cease all payments under the relevant Contract or Subaward until the conflict of interest has been resolved.

5. Management After Award of Contract or Subaward.

- a. Following the receipt of such disclosure of a potential real or apparent conflict of interest pursuant to Section IV(b)(ii)(4), the Governing Board may reject the finding of the COI Point of Contact by documenting in writing a justification supporting such rejection. If the Governing Board fails to reject the finding of the COI Point of Contact within 15 days of receipt, the COI Point of Contact shall:
 - i. if Unit is a Recipient of Federal Financial Assistance funding the Contract or Subaward, disclose the conflict to the Federal awarding agency providing such Federal Financial Assistance in accordance with 2 C.F.R. § 200.112 and/or applicable regulations of the agency, or
 - ii. if Unit is a Subrecipient of Federal Financial Assistance, disclose the conflict to the Pass-Through Entity providing a Subaward to Unit in accordance with 2 C.F.R. § 200.112 and applicable regulations of the Federal awarding agency and the Pass-Through Entity.

V. **Oversight of Subrecipient's Conflict of Interest Standards**

- a. Subrecipients of Unit Must Adopt Conflict of Interest Policy. Prior to the Unit's execution of any Subaward for which the Unit serves as a Pass-Through Entity, the COI Point of Contact shall ensure that the proposed Subrecipient of Federal Financial Assistance has adopted a conflict of interest policy that satisfies the requirements of 2 C.F.R. § 200.318(c)(1), 2 C.F.R. § 200.318(c)(2), and all other applicable federal regulations.

- b. Obligation to Disclose Subrecipient Conflicts of Interest. The COI Point of Contact shall ensure that the legal agreement under which the Unit makes a Subaward to a Subrecipient shall require such Subrecipient to disclose to the COI Point of Contact any potential real or apparent conflicts of interest that the Subrecipient identifies. Upon receipt of such disclosure, the COI Point of Contact shall disclose such information to the Federal awarding agency that funded the Subaward in accordance with that agency's disclosure policy.

VI. Gift Standards

- a. Federal Standard. Subject to the exceptions set forth in Section VI(b), a Covered Individual may not solicit or accept gratuities, favors, or anything of monetary value from a Contractor or a Subcontractor.
- b. Exception. Notwithstanding Section VI(a), a Covered Individual may accept an unsolicited gift from a Contractor or Subcontractor of one or more types specified below if the gift has an aggregate market value of \$20 or less per source per occasion, provided that the aggregate market value of all gifts received by the Covered Individual pursuant to this Section VI(b) does not exceed \$50 in a calendar year:
 - i. honorariums for participating in meetings;
 - ii. advertising items or souvenirs of nominal value; or
 - iii. meals furnished at banquets.
- c. Internal Reporting. A Covered Individual shall report any gift accepted under Section VI(b) to the COI Point of Contact. If required by regulation of a Federal awarding agency, the COI Point of Contact shall report such gifts to the Federal awarding agency or a Pass-Through Entity for which the Unit is a Subrecipient.

VII. Violations of Policy

- a. Disciplinary Actions for Covered Individuals. Any Covered Individual that fails to disclose a real, apparent, or potential real or apparent conflict of interest arising with respect to the Covered Individual or Related Party may be subject to disciplinary action, including, but not limited to, an employee's termination or suspension of employment with or without pay, the consideration or adoption of a resolution of censure of a Public Official by the Governing Board, or termination of an agent's contract with the Unit.
- b. Disciplinary Actions for Contractors and Subcontractors. The Unit shall terminate any Contract with a Contractor or Subcontractor that violates any provision of this Policy.
- c. Protections for Whistleblowers. In accordance with 41 U.S.C. § 4712, the Unit shall not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a

gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant: (i) a member of Congress or a representative of a committee of Congress; (ii) an Inspector General; (iii) the Government Accountability Office; (iv) a Treasury or other federal agency employee responsible for grant oversight or management; (v) an authorized official of the Department of Justice or other law enforcement agency; (vi) a court or grand jury; of (vii) a management official or other employee of the Unit, a Contractor, or Subcontractor who has the responsibility to investigate, discover, or address misconduct.

* * * * *

BE IT RESOLVED that the governing board of the City of Brevard hereby adopts and enacts this conflict of interest policy that shall apply when the City of Brevard enters into a Contract to be funded, in part or in whole, by Federal Financial Assistance to which 2 C.F .R. § 200.318(c) applies, or (2) makes any Subaward to be funded by Federal Financial Assistance to which 2 C.F.R. § 200.318(c) applies.

Adopted this the ____ day of _____, _____.

Maureen Copelof, Mayor

Attest:

Denise Hodsdon, City Clerk

EXHIBIT A

Examples

<i>Potential Examples of a “Financial or Other Interest” in a Firm or Organization Considered for a Contract or Subaward</i>	<i>Potential Examples of a “Tangible Personal Benefit” From a Firm or Organization Considered for a Contract or Subaward</i>
Direct or indirect equity interest in a firm or organization considered for a Contract or Subaward, which may include: - Stock in a corporation. - Membership interest in a limited liability company. - Partnership interest in a general or limited partnership. - Any right to control the firm or organization’s affairs. For example, a controlling equity interest in an entity that controls or has the right to control a firm considered for a contract. - Option to purchase any equity interest in a firm or organization.	Opportunity to be employed by the firm considered for a contract, an affiliate of that firm, or any other firm with a relationship with the firm considered for a Contract. A position as a director or officer of the firm or organization, even if uncompensated.
Holder of any debt owed by a firm considered for a Contract or Subaward, which may include: - Secured debt (e.g., debt backed by an asset of the firm (like a firm’s building or equipment)) - Unsecured debt (e.g., a promissory note evidencing a promise to repay a loan). - o Holder of a judgment against the firm.	A referral of business from a firm considered for a Contract or Subaward.
Supplier or contractor to a firm or organization considered for a Contract or Subaward.	Political or social influence (e.g., a promise of appointment to an local office or position on a public board or private board).

EXHIBIT B

COMPLIANCE CHECKLIST FOR OVERSIGHT OF CONTRACT CONFLICTS OF INTEREST

The City of Brevard (“*Unit*”) has adopted a Conflict of Interest Policy (“*Policy*”) that governs the Unit’s expenditure of Federal Financial Assistance (as defined in Section II of the Policy). The Policy designates the city manager as the “COI Point of Contact.” The Policy requires the COI Point of Contact to complete this Compliance Checklist to identify potential real or apparent conflicts of interest in connection with proposed Contracts (as defined in Section II) and file the Checklist in the records of the Unit.

Instructions for Completion

1. The COI Point of Contact shall complete Steps 1 through 5 of the Checklist below.
2. If the value of the proposed Contract exceeds \$250,000, the COI Point of Contact shall collect a Conflict of Interest Disclosure Form from each Covered Individual.
3. If the COI Point of Contact identifies a potential real or apparent conflict of interest after completing this Compliance Checklist, the COI Point of Contact shall report such potential conflict of interest to the mayor and to each member of the Governing Board.

Definitions.

1. *Covered Individual.* Each person identified in Section 1 of this Checklist is a “Covered Individual” for purposes of this Compliance Checklist and the Policy.
2. *Immediate Family Member* means, with respect to any Covered Individual, (i) a spouse, and parents thereof, (ii) a child, and parent thereof, (iii) a parent, and spouse thereof, (iv) a sibling, and spouse thereof, (v) a grandparent and grandchild, and spouses thereof, (vi) domestic partners and parents thereof, including domestic partners of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with the Covered Individual is the equivalent of a family relationship.
3. *Related Party* means (i) an Immediate Family Member of a Covered Individual, (ii) a partner of a Covered Individual, or (iii) a current or potential employer (other than the Unit) of a Covered Individual, of a partner of a Covered Individual, or of an Immediate Family Member of a Covered Individual.

Step			
1	Identify the proposed Contract, counterparty, and the subject of the Contract.	<u>Name of Contract:</u> <u>Name of Counterparty</u> <u>Subject of Contract:</u> 	
2	Identify all individuals involved in the selection, award, or administration of the Contract. These individuals are “Covered Individuals”. Ensure that each Covered Individual has been provided with a copy of the Conflict of Interest Policy.		
	<u>Public Officials</u>	<u>Employees</u>	<u>Agents</u>
3	Identify whether any Covered Individual has a (i) financial or other interest in, or (ii) tangible personal benefit from the firm considered for a Contract. [If the estimated Contract amount exceeds \$250,000, ensure that each Covered Individual files a Conflict of Interest Disclosure Form with the COI Point of Contact.]		
Any identified interest in Step 3 is a potential “real” conflict of interest.	<u>Public Officials</u>	<u>Employees</u>	<u>Agents</u>
4	Identify whether any Related Party has a (i) financial or other interest in or (ii) tangible personal benefit from the firm considered from a Contract. If the estimated Contract amount exceeds \$250,000, ensure that each Covered Individual files a Conflict of Interest Disclosure Form with the COI Point of Contact.		
Any identified interest in Step 4 is a potential “real” conflict of interest.	<u>Public Officials – Related Party</u>	<u>Employees – Related Party</u>	<u>Agents – Related Party</u>

5	Identify whether a reasonable person with knowledge of the relevant facts would find that an existing situation or relationship creates the <i>appearance</i> that a Covered Individual or any Related Party has a financial or other interest in or a tangible personal benefit from a firm considered for a Contract? If yes, explain.		
Any identified interest in Step 5 is a potential “apparent” conflict of interest.	<u>Public Officials</u>	<u>Employees</u>	<u>Agents</u>

COI Point of Contact: _____

Signature of COI Point of Contact: _____

Date of Completion: _____

EXHIBIT C

CONTRACT CONFLICT OF INTEREST DISCLOSURE FORM

FOR OFFICIALS, EMPLOYEES, AND AGENTS

The City of Brevard (“Unit”) has adopted a Conflict of Interest Policy (“Policy”) that governs the Unit’s expenditure of Federal Financial Assistance (as defined in Section II of the Policy). The Policy designates the city manager as the “COI Point of Contact.”

The COI Point of Contact has identified you as an official, employee, or agent of the Unit that may be involved in the selection, award, or administration of the following contract: _____ (the “Contract”). To safeguard the Unit’s expenditure of Federal Financial Assistance, the COI Point of Contact has requested that you identify any potential real or apparent conflicts of interest in the Firm considered for the award of a Contract. Using the Exhibit A to the Policy as a guide, please answer the following questions:

1. Do you have a financial or other interest in a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

2. Will you receive any tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

3. For purposes of Question 3(a) and 3(b), your “Immediate Family Members” include: (i) your spouse and their parents, (ii) your child, (iii) your parent and any spouse of your parent, (iv) your sibling and any spouse of your sibling, (v) your grandparents or grandchildren, and the spouses of each, (vi) any domestic partner of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with you is the equivalent of a family relationship.

- a. Do you have an Immediate Family Member with a financial or other interest in a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

- b. Do you have an Immediate Family Member that will receive a tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

4. Do you have any other partner with a financial or other interest in a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

5. Will any other partner of yours receive any tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

6. Does your current or potential employer (other than the Unit) have a financial or other interest in a firm considered for this Contract or will such current or potential employer receive a tangible personal benefit from this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

7. Benefits to Employers

- a. Does a current or potential employer (other than the Unit) of any of your Immediate Family Members have a financial or other interest in a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

- b. Will a current or potential employer (other than the Unit) of any of your Immediate Family Members receive a tangible personal benefit from this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

-
- c. Does a current or potential employer (other than the Unit) of any partner of yours have a financial or other interest in a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

- d. Will a current or potential employer (other than the Unit) of any partner of yours receive a tangible personal benefit from this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

8. Does any existing situation or relationship create the appearance that you have a financial or other interest in a firm considered for this Contract or will receive a tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

9. Does any existing situation or relationship create the appearance that any Immediate Family Member of yours has a financial or other interest in a firm considered for this Contract or will receive a tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

10. Does any existing situation or relationship create the appearance that your current or potential employer (other than the Unit) has a financial or other interest in a firm considered for this Contract or will receive a tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

11. Does any existing situation or relationship create the appearance that any current or potential employer (other than the Unit) of any of your Immediate Family Members has a financial or other

interest in a firm considered for this Contract or will receive a tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

12. Does any existing situation or relationship create the *appearance* that any current or potential employer (other than the Unit) of any other partner has a financial or other interest in a firm considered for this Contract or will receive a tangible personal benefit from a firm considered for this Contract?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

* * * * *

Sign Name: _____

Print Name: _____

Name of Employer _____

Job Title: _____

Date of Completion: _____

* * * * *

EXHIBIT D

COMPLIANCE CHECKLIST FOR SUBAWARD OVERSIGHT

The City or Brevard (“*Unit*”) has adopted a Conflict of Interest Policy (“*Policy*”) that governs the Unit’s expenditure of Federal Financial Assistance (as defined in Section II of the Policy). The Policy designates the city manager as the “COI Point of Contact.” The Policy requires the COI Point of Contact to complete this Compliance Checklist to identify potential real or apparent conflicts of interest in connection with proposed Subawards (as defined in Section II) and file the Checklist in the records of the Unit.

Instructions for Completion

1. The COI Point of Contact shall complete Steps 1 through 5 of the Checklist below.
2. If the value of the proposed Subaward exceeds \$250,000, the COI Point of Contact shall collect a Conflict of Interest Disclosure Form from each Covered Individual.
3. If the COI Point of Contact identifies a potential real or apparent conflict of interest after completing this Compliance Checklist, the COI Point of Contact shall report such potential conflict of interest to mayor and to each member of the Governing Board.

Definitions.

1. *Covered Individual.* Each person identified in Section 1 of this Checklist is a “Covered Individual” for purposes of this Compliance Checklist and the Policy.
2. *Immediate Family Member* means, with respect to any Covered Individual, (i) a spouse, and parents thereof, (ii) a child, and parent thereof, (iii) a parent, and spouse thereof, (iv) a sibling, and spouse thereof, (v) a grandparent and grandchild, and spouses thereof, (vi) domestic partners and parents thereof, including domestic partners of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with the Covered Individual is the equivalent of a family relationship.
3. *Related Party* means (i) an Immediate Family Member of a Covered Individual, (ii) a partner of a Covered Individual, or (iii) a current or potential employer (other than the Unit) of a Covered Individual, of a partner of a Covered Individual, or of an Immediate Family Member of a Covered Individual.

Step			
1	Identify the proposed Subaward, Subrecipient, and the subject of the Subaward.	<u>Name of Contract:</u> <u>Name of Counterparty</u> <u>Subject of Subaward:</u> 	
2	Identify all individuals involved in the selection, award, or administration of the Subaward. These individuals are “Covered Individuals”. Ensure that each Covered Individual has been provided with a copy of the Conflict of Interest Policy.		
	<u>Public Officials</u>	<u>Employees</u>	<u>Agents</u>
3	Identify whether any Covered Individual has a (i) financial or other interest in, or (ii) tangible personal benefit from the firm considered for a Subaward. [If the estimated Subaward amount exceeds \$100,000, ensure that each Covered Individual files a Conflict of Interest Disclosure Form with the COI Point of Contact.]		
Any identified interest in Step 3 is a potential “real” conflict of interest.	<u>Public Officials</u>	<u>Employees</u>	<u>Agents</u>
4	Identify whether any Related Party has a (i) financial or other interest in or (ii) tangible personal benefit from the firm considered from a Subaward. If the estimated Subaward amount exceeds \$100,000, ensure that each Covered Individual files a Conflict of Interest Disclosure Form with the COI Point of Contact.]		
Any identified interest in Step 4 is a potential “real” conflict of interest.	<u>Public Officials – Related Party</u>	<u>Employees – Related Party</u>	<u>Agents – Related Party</u>

5	Identify whether a reasonable person with knowledge of the relevant facts would find that an existing situation or relationship creates the <i>appearance</i> that a Covered Individual or any Related Party has a financial or other interest in or a tangible personal benefit from a firm considered for a Subaward? If yes, explain.		
Any identified interest in Step 5 is a potential “apparent” conflict of interest.	<u>Public Officials</u>	<u>Employees</u>	<u>Agents</u>

COI Point of Contact: _____

Signature of COI Point of Contact: _____

Date of Completion: _____

EXHIBIT E

SUBAWARD CONFLICT OF INTEREST DISCLOSURE FORM

FOR OFFICIALS, EMPLOYEES, AND AGENTS

The City of Brevard (“*Unit*”) has adopted a Conflict of Interest Policy (“*Policy*”) that governs the Unit’s expenditure of Federal Financial Assistance (as defined in Section II of the Policy). The Policy designates the city manager as the COI Point of Contact.

The COI Point of Contact has identified you as an official, employee, or agent of the Unit that may be involved in the selection, award, or administration of the following subaward: _____ (the “*Subaward*”). To safeguard the Unit’s expenditure of Federal Financial Assistance, the COI Point of Contact has requested that you identify any potential real or apparent conflicts of interest in the Firm considered for the award of a Subaward. Using the Exhibit A to the Policy as a guide, please answer the following questions:

1. Do you have a financial or other interest in a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

2. Will you receive any tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

3. For purposes of Question 3(a) and 3(b), your “Immediate Family Members” include: (i) your spouse and their parents, (ii) your child, (iii) your parent and any spouse of your parent, (iv) your sibling and any spouse of your sibling, (v) your grandparents or grandchildren, and the spouses of each, (vi) any domestic partner of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with you is the equivalent of a family relationship.

- a. Do you have an Immediate Family Member with a financial or other interest in a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

- b. Do you have an Immediate Family Member that will receive a tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

4. Do you have any other partner with a financial or other interest in a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

5. Will any other partner of yours receive any tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

6. Does your current or potential employer (other than the Unit) have a financial or other interest in a firm considered for this Subaward or will such current or potential employer receive a tangible personal benefit from this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

7. Benefits to Employers

- a. Does a current or potential employer (other than the Unit) of any of your Immediate Family Members have a financial or other interest in a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

- b. Will a current or potential employer (other than the Unit) of any of your Immediate Family Members receive a tangible personal benefit from this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

-
- c. Does a current or potential employer (other than the Unit) of any partner of yours have a financial or other interest in a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

- d. Will a current or potential employer (other than the Unit) of any partner of yours receive a tangible personal benefit from this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

8. Does any existing situation or relationship create the appearance that you have a financial or other interest in a firm considered for this Subaward or will receive a tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

9. Does any existing situation or relationship create the appearance that any Immediate Family Member of yours has a financial or other interest in a firm considered for this Subaward or will receive a tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

10. Does any existing situation or relationship create the appearance that your current or potential employer (other than the Unit) has a financial or other interest in a firm considered for this Subaward or will receive a tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

11. Does any existing situation or relationship create the appearance that any current or potential employer (other than the Unit) of any of your Immediate Family Members has a financial or other

interest in a firm considered for this Subaward or will receive a tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

12. Does any existing situation or relationship create the *appearance* that any current or potential employer (other than the Unit) of any other partner has a financial or other interest in a firm considered for this Subaward or will receive a tangible personal benefit from a firm considered for this Subaward?

Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

* * * * *

Sign Name: _____

Print Name: _____

Name of Employer _____

Job Title: _____

Date of Completion: _____

* * * * *

POLICY FOR ALLOWABLE COSTS AND COST PRINCIPLES FOR EXPENDITURE OF AMERICAN RESCUE PLAN ACT CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS BY NORTH CAROLINA LOCAL GOVERNMENTS

WHEREAS the City of Brevard, has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

WHEREAS the funds may be used for projects within these categories, to the extent authorized by state law.

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

WHEREAS the ARP/CSLFRF are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Sect. 200 (UG), as provided in the [Assistance Listing](#); and

WHEREAS the [Compliance and Reporting Guidance for the State and Local Fiscal Recovery Funds](#) provides, in relevant part:

Allowable Costs/Cost Principles. As outlined in the Uniform Guidance at 2 CFR Part 200, Subpart E regarding Cost Principles, allowable costs are based on the premise that a recipient is responsible for the effective administration of Federal awards, application of sound management practices, and administration of Federal funds in a manner consistent with the program objectives and terms and conditions of the award. Recipients must implement robust internal controls and effective monitoring to ensure compliance with the Cost Principles, which are important for building trust and accountability.

[ARP/CSLFRF] Funds may be, but are not required to be, used along with other funding sources for a given project. Note that [ARP/CSLFRF] Funds may not be used for a non-Federal cost share or match where prohibited by other Federal programs, e.g., funds may not be used for the State share for Medicaid.

Treasury's Interim Final Rule and guidance and the Uniform Guidance outline the types of costs that are allowable, including certain audit costs. For example, per 2 CFR 200.425, a reasonably proportionate share of the costs of audits required by the Single Audit Act Amendments of 1996 are allowable; however, costs for audits that were not performed in accordance with 2 CFR Part 200, Subpart F are not allowable. Please see 2 CFR Part 200, Subpart E regarding the Cost Principles for more information.

- a. Administrative costs: Recipients may use funds for administering the SLFRF program, including costs of consultants to support effective management and oversight, including consultation for ensuring compliance with legal, regulatory, and other requirements. Further, costs must be reasonable and allocable as outlined in 2 CFR 200.404 and 2 CFR 200.405. Pursuant to the [ARP/CSLFRF] Award Terms and Conditions, recipients are permitted to charge both direct and indirect costs to their SLFRF award as administrative costs. Direct costs are those that are identified specifically as costs of implementing the [ARP/CSLFRF] program objectives, such as contract support, materials, and supplies for a project. Indirect costs are general overhead costs of an organization where a portion of such costs are allocable to the [ARP/CSLFRF] award such as the cost of facilities or administrative functions like a director's office. Each category of cost should be treated consistently in like circumstances as direct or indirect, and recipients may not charge the same administrative costs to both direct and indirect cost categories, or to other programs. If a recipient has a current Negotiated Indirect Costs Rate Agreement (NICRA) established with a Federal cognizant agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals, then the recipient may use its current NICRA. Alternatively, if the recipient does not have a NICRA, the recipient may elect to use the de minimis rate of 10 percent of the modified total direct costs pursuant to 2 CFR 200.414(f).
- b. Salaries and Expenses: In general, certain employees' wages, salaries, and covered benefits are an eligible use of [ARP/CSLFRF] award funds; and

WHEREAS Subpart E of the UG dictates allowable costs and cost principles for expenditure of ARP/CSLFRF funds; and

WHEREAS Subpart E of the UG (specifically, 200.400) states that:

The application of these cost principles is based on the fundamental premises that:

- (a) The non-Federal entity is responsible for the efficient and effective administration of the Federal award through the application of sound management practices.
- (b) The non-Federal entity assumes responsibility for administering Federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the Federal award.

- (c) The non-Federal entity, in recognition of its own unique combination of staff, facilities, and experience, has the primary responsibility for employing whatever form of sound organization and management techniques may be necessary in order to assure proper and efficient administration of the Federal award.
- (d) The application of these cost principles should require no significant changes in the internal accounting policies and practices of the non-Federal entity. However, the accounting practices of the non-Federal entity must be consistent with these cost principles and support the accumulation of costs as required by the principles, and must provide for adequate documentation to support costs charged to the Federal award.
- (e) In reviewing, negotiating and approving cost allocation plans or indirect cost proposals, the cognizant agency for indirect costs should generally assure that the non-Federal entity is applying these cost accounting principles on a consistent basis during their review and negotiation of indirect cost proposals. Where wide variations exist in the treatment of a given cost item by the non-Federal entity, the reasonableness and equity of such treatments should be fully considered.
- (f) For non-Federal entities that educate and engage students in research, the dual role of students as both trainees and employees (including pre- and post-doctoral staff) contributing to the completion of Federal awards for research must be recognized in the application of these principles.
- (g) The non-Federal entity may not earn or keep any profit resulting from Federal financial assistance, unless explicitly authorized by the terms and conditions of the Federal award;

BE IT RESOLVED that the governing board of City of Brevard hereby adopts and enacts the following UG Allowable Costs and Cost Principles Policy for the expenditure of ARP/CSLFRF funds.

Adopted this the ____ day of _____, _____.

Maureen Copelof, Mayor

Attest:

Denise Hodsdon, City Clerk

City of Brevard Allowable Costs and Costs Principles Policy

I. ALLOWABLE COSTS AND COSTS PRINCIPLES POLICY OVERVIEW

Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, commonly called Uniform Guidance (UG), specifically Subpart E, defines those items of cost that are allowable, and which are unallowable. The tests of allowability under these principles are: (a) the costs must be reasonable; (b) they must be allocable to eligible projects under the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); (c) they must be given consistent treatment through application of those generally accepted accounting principles appropriate to the circumstances; and (d) they must conform to any limitations or exclusions set forth in these principles or in the ARP/CSLFRF grant award as to types or amounts of cost items. Unallowable items fall into two categories: expenses which are by their nature unallowable (e.g., alcohol), and unallowable activities (e.g., fund raising).

City of Brevard shall adhere to all applicable cost principles governing the use of federal grants. This policy addresses the proper classification of both direct and indirect charges to ARP/CSLFRF funded projects and enacts procedures to ensure that proposed and actual expenditures are consistent with the ARP/CSLFRF grant award terms and all applicable federal regulations in the UG.

Responsibility for following these guidelines lies with the city manager and finance officer who are charged with the administration and financial oversight of the ARP/CSLFRF. Further, all local government employees and officials who are involved in obligating, administering, expending, or monitoring ARP/CSLFRF grant funded projects should be well versed with the categories of costs that are generally allowable and unallowable. Questions on the allowability of costs should be directed to the city manager. As questions on allowability of certain costs may require interpretation and judgment, local government personnel are encouraged to ask for assistance in making those determinations.

II. GENERAL COST ALLOWABILITY CRITERIA

All costs expended using ARP/CSLFRF funds must meet the following general criteria:

1. **Be necessary and reasonable for the proper and efficient performance and administration of the grant program.**

A cost must be *necessary* to achieve a project object. When determining whether a cost is necessary, consideration may be given to:

- Whether the cost is needed for the proper and efficient performance of the grant project.
- Whether the cost is identified in the approved project budget or application.
- Whether the cost aligns with identified needs based on results and findings from a needs assessment.

- Whether the cost addresses project goals and objectives and is based on program data.

A cost is *reasonable* if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost was made. For example, reasonable means that sound business practices were followed, and purchases were comparable to market prices. When determining reasonableness of a cost, consideration must be given to:

- Whether the cost is a type generally recognized as ordinary and necessary for the operation of the City of Brevard or the proper and efficient performance of the federal award.
- The restraints or requirements imposed by factors, such as: sound business practices; arm's-length bargaining; federal, state, and other laws and regulations; and terms and conditions of the ARP/CSLFRF award.
- Market prices for comparable goods or services for the geographic area.
- Whether individuals concerned acted with prudence in the circumstances considering their responsibilities City of Brevard, its employees, the public at large, and the federal government.
- Whether City of Brevard significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the ARP/CSLFRF award's cost.

- 2. Be allocable to the ARP/CSLFRF federal award.** A cost is allocable to the ARP/CSLFRF award if the goods or services involved are chargeable or assignable to the ARP/CSLFRF award in accordance with the relative benefit received. This means that the ARP/CSLFRF grant program derived a benefit in proportion to the funds charged to the program. *For example, if 50 percent of a local government program officer's salary is paid with grant funds, then the local government must document that the program officer spent at least 50 percent of his/her time on the grant program.*

If a cost benefits two or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit. If a cost benefits two or more projects or activities in proportions that cannot be determined because of the interrelationship of the work involved, then the costs may be allocated or transferred to benefitted projects on any reasonable documented basis. Where the purchase of equipment or other capital asset is specifically authorized by the ARP/CSLFRF, the costs are assignable to the Federal award regardless of the use that may be made of the equipment or other capital asset involved when no longer needed for the purpose for which it was originally required.

- 3. Be authorized and not prohibited under state or local laws or regulations.**

4. **Conform to any limitations or exclusions set forth in the principles, federal laws, ARP/CSLFRF award terms, and other governing regulations as to types or amounts of cost items.**
5. **Be consistent with policies, regulations, and procedures that apply uniformly to both the ARP/CSLFRF federal award and other activities of City of Brevard.**
6. **Be accorded consistent treatment.** A cost MAY NOT be assigned to a federal award as a direct cost and also be charged to a federal award as an indirect cost. And a cost must be treated consistently for both federal award and non-federal award expenditures.
7. **Be determined in accordance with generally accepted accounting principles (GAAP), unless provided otherwise in the UG.**
8. **Be net of all applicable credits.** The term “applicable credits” refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to and received by the local government related to the federal award, they shall be credited to the ARP/CSLFRF award, either as a cost reduction or a cash refund, as appropriate and consistent with the award terms.
9. **Be adequately documented.**

III. SELECTED ITEMS OF COST

The UGG examines the allowability of fifty-five (55) specific cost items (commonly referred to as Selected Items of Cost) at 2 CFR § 200.420-.475.

The city manager is responsible for determining cost allowability and must be familiar with the Selected Items of Cost. The City of Brevard must follow the applicable regulations when charging these specific expenditures to the ARP/CSLFRF grant. The city manager will check costs against the selected items of cost requirements to ensure the cost is allowable and that all process and documentation requirements are followed. In addition, State laws, City of Brevard regulations, and program-specific rules may deem a cost as unallowable, and the city manager must follow those non-federal rules as well.

Exhibit A identifies and summarizes the Selected Items of Cost.

IV. DIRECT AND INDIRECT COSTS

Allowable and allocable costs must be appropriately classified as direct or indirect charges. It is essential that each item of cost be treated consistently in like circumstances either as a direct or an indirect cost.

Direct costs are expenses that are specifically associated with a particular ARP/CSLFRF-eligible project and that can be directly assigned to such activities relatively easily with a high degree of accuracy. Common examples of direct costs include salary and fringe benefits of personnel directly involved in undertaking an eligible project, equipment and supplies for the project,

subcontracted service provider, or other materials consumed or expended in the performance of a grant-eligible project.

Indirect costs are (1) costs incurred for a common or joint purpose benefitting more than one ARP/CSLFRF-eligible project, and (2) not readily assignable to the project specifically benefited, without effort disproportionate to the results achieved. They are expenses that benefit more than one project or even more than one federal grant. Common examples of indirect costs include utilities, local telephone charges, shared office supplies, administrative or secretarial salaries.

For indirect costs, the City of Brevard may charge a 10 percent de minimis rate of modified total direct costs (MTDC). According to UG Section 200.68 MTDC means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance the subawards under the award). MTDC EXCLUDES equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000.

V. SPECIAL PROVISIONS FOR STATE AND LOCAL GOVERNMENTS

There are some special provisions of the UG that apply only to states, local governments, and Indian Tribes.

§ 200.444 General costs of government.

(a) For states, local governments, and Indian Tribes, the general costs of government are unallowable (except as provided in [§ 200.475](#)). Unallowable costs include:

- (1) Salaries and expenses of the Office of the Governor of a [state](#) or the chief executive of a [local government](#) or the chief executive of an [Indian tribe](#);
- (2) Salaries and other expenses of a [state](#) legislature, tribal council, or similar local governmental body, such as a county supervisor, city council, school board, etc., whether incurred for purposes of legislation or executive direction;
- (3) Costs of the judicial branch of a government;
- (4) Costs of prosecutorial activities unless treated as a direct cost to a specific program if authorized by statute or regulation (however, this does not preclude the allowability of other legal activities of the Attorney General as described in [§ 200.435](#)); and
- (5) Costs of other general types of government services normally provided to the general public, such as fire and police, unless provided for as a direct cost under a program statute or regulation.

(b) For [Indian tribes](#) and Councils of Governments (COGs) (see definition for *Local government* in [§ 200.1](#) of this part), up to 50% of salaries and expenses directly attributable to managing and operating [Federal programs](#) by the chief executive and his or her staff can be included in the indirect cost calculation without documentation.

[NOTE THAT EXPENDITURES OF ARP/CSLFRF FUNDS IN THE REVENUE REPLACEMENT CATEGORY ARE EXPLICITLY AUTHORIZED IN THE FINAL RULE TO BE SPENT ON GENERAL GOVERNMENT SERVICES.]

§ 200.416 COST ALLOCATION PLANS AND INDIRECT COST PROPOSALS.

(a) For states, local governments and Indian tribes, certain services, such as motor pools, computer centers, purchasing, accounting, etc., are provided to operating agencies on a centralized basis. Since Federal awards are performed within the individual operating agencies, there needs to be a process whereby these central service costs can be identified and assigned to benefitted activities on a reasonable and consistent basis. The central service cost allocation plan provides that process.

(b) Individual operating agencies (governmental department or agency), normally charge Federal awards for indirect costs through an indirect cost rate. A separate indirect cost rate(s) proposal for each operating agency is usually necessary to claim indirect costs under Federal awards. Indirect costs include:

(1) The indirect costs originating in each department or agency of the governmental unit carrying out Federal awards and

(2) The costs of central governmental services distributed through the central service cost allocation plan and not otherwise treated as direct costs.

(c) The requirements for development and submission of cost allocation plans (for central service costs and public assistance programs) and indirect cost rate proposals are contained in appendices V, VI and VII to this part.

§ 200.417 INTERAGENCY SERVICE.

The cost of services provided by one agency to another within the governmental unit may include allowable direct costs of the service plus a pro-rated share of indirect costs. A standard indirect cost allowance equal to ten percent of the direct salary and wage cost of providing the service (excluding overtime, shift premiums, and fringe benefits) may be used in lieu of determining the actual indirect costs of the service. These services do not include centralized services included in central service cost allocation plans as described in Appendix V to Part 200.

VI. COST ALLOWABILITY REVIEW PROCESS

PREAPPROVAL COST ALLOWABILITY REVIEW

Before an ARP/CSLFRF-funded project is authorized, the city manager must review the proposed cost items within an estimated project budget to determine whether they are allowable and allocable and whether cost items will be charged as direct or indirect expenses. This review

will occur concurrently with the review of project eligibility and *before* obligating or expending any ARP/CSLFRF funds.

- Local government personnel must submit proposed ARP/CSLFRF projects to the city manager for review. In addition to other required information, all proposed project submissions must delineate estimated costs by cost item.
- Along with a general review of project eligibility and conformance with other governing board management directives, including the city's ARP/CSLFRF Eligible Use Policy, the city manager must review estimated costs for specific allowable cost requirements, budget parameters, indirect rates, fringe benefit rates, and those activities/costs that require pre-approval by the US Treasury.
- If a proposed project includes a request for an unallowable cost, city manager will return the proposal to the requesting party for review and, if practicable, resubmission with corrected cost items.
- Once a proposed project budget is pre-approved by the city manager the local government personnel responsible for implementing the project must conform actual obligations and expenditures to the pre-approved project budget.

POST-EXPENDITURE COST ALLOWABILITY REVIEW

Once an expenditure is incurred related to an eligible project, and an invoice or other demand for payment is submitted to the local government, the city manager must perform a second review to ensure that actual expenditures comprise allowable costs.

- All invoices or other demands for payment must include a breakdown by cost item. The cost items should mirror those presented in the proposed budget for the project. If an invoice or other demand for payment does not include a breakdown by cost item, the city manager will return the invoice to the project manager and/or vendor, contractor, or subrecipient for correction.
- The city manager must review the individual cost items listed on the invoice or other demand for payment to determine their allowability and allocability.
- If all cost items are deemed allowable and properly allocable, the city manager must proceed through the local government's normal disbursement process.
- If any cost item is deemed unallowable, the city manager will notify the project management and/or vendor, contractor, or subrecipient that a portion of the invoice or other demand for payment will not be paid with ARP/CSLFRF funds. The city manager may in their discretion, and consistent with this policy, allow an invoice or other demand for payment to be resubmitted with a revised cost allocation. If the local government

remains legally obligated by contract or otherwise to pay the disallowed cost item, it must identify other local government funds to cover the disbursement. City of Brevard's governing board must approve any allocation of other funds for this purpose.

- The city manager must retain appropriate documentation of budgeted cost items per project and actual obligations and expenditures of cost items per project.

VII. COST TRANSFERS

Any costs charged to the ARP/CSLFRF federal award that do not meet the allowable cost criteria must be removed from the award account and charged to an account that does not require adherence to federal UGG or other applicable guidelines.

Failure to adequately follow this policy and related procedures could result in questioned costs, audit findings, potential repayment of disallowed costs and discontinuance of funding.

EXHIBIT A

Selected Items of Cost	Uniform Guidance General Reference	Allowability
Advertising and public relations costs	2 CFR § 200.421	Allowable with restrictions
Advisory councils	2 CFR § 200.422	Allowable with restrictions
Alcoholic beverages	2 CFR § 200.423	Unallowable
Alumni/ae activities	2 CFR § 200.424	Not specifically addressed
Audit services	2 CFR § 200.425	Allowable with restrictions
Bad debts	2 CFR § 200.426	Unallowable
Bonding costs	2 CFR § 200.427	Allowable with restrictions
Collection of improper payments	2 CFR § 200.428	Allowable
Commencement and convocation costs	2 CFR § 200.429	Not specifically addressed

Compensation – personal services	2 CFR § 200.430	Allowable with restrictions; Special conditions apply (e.g., § 200.430(i)(5))
Compensation – fringe benefits	2 CFR § 200.431	Allowable with restrictions
Conferences	2 CFR § 200.432	Allowable with restrictions
Contingency provisions	2 CFR § 200.433	Unallowable with exceptions
Contributions and donations	2 CFR § 200.434	Unallowable (made by non-federal entity); not reimbursable but value may be used as cost sharing or matching (made to non-federal entity)
Defense and prosecution of criminal and civil proceedings, claims, appeals and patent infringements	2 CFR § 200.435	Allowable with restrictions
Depreciation	2 CFR § 200.436	Allowable with qualifications
Employee health and welfare costs	2 CFR § 200.437	Allowable with restrictions
Entertainment costs	2 CFR § 200.438	Unallowable with exceptions
Equipment and other capital expenditures	2 CFR § 200.439	Allowability based on specific requirement
Exchange rates	2 CFR § 200.440	Allowable with restrictions
Fines, penalties, damages and other settlements	2 CFR § 200.441	Unallowable with exceptions
Fund raising and investment management costs	2 CFR § 200.442	Unallowable with exceptions
Gains and losses on disposition of depreciable assets	2 CFR § 200.443	Allowable with restrictions
General costs of government	2 CFR § 200.444	Unallowable with exceptions
Goods and services for personal use	2 CFR § 200.445	Unallowable (goods/services); allowable

		(housing) with restrictions
Idle facilities and idle capacity	2 CFR § 200.446	Idle facilities - unallowable with exceptions; Idle capacity - allowable with restrictions
Insurance and indemnification	2 CFR § 200.447	Allowable with restrictions
Intellectual property	2 CFR § 200.448	Allowable with restrictions
Interest	2 CFR § 200.449	Allowable with restrictions
Lobbying	2 CFR § 200.450	Unallowable
Losses on other awards or contracts	2 CFR § 200.451	Unallowable (however, they are required to be included in the indirect cost rate base for allocation of indirect costs)
Maintenance and repair costs	2 CFR § 200.452	Allowable with restrictions
Materials and supplies costs, including costs of computing devices	2 CFR § 200.453	Allowable with restrictions
Memberships, subscriptions, and professional activity costs	2 CFR § 200.454	Allowable with restrictions; unallowable for lobbying organizations
Organization costs	2 CFR § 200.455	Unallowable except federal prior approval
Participant support costs	2 CFR § 200.456	Allowable with prior approval of the federal awarding agency
Plant and security costs	2 CFR § 200.457	Allowable; capital expenditures are subject to § 200.439
Pre-award costs	2 CFR § 200.458	Allowable if consistent with other allowabilities and with prior approval of the federal awarding agency
Professional services costs	2 CFR § 200.459	Allowable with restrictions
Proposal costs	2 CFR § 200.460	Allowable with restrictions

Publication and printing costs	2 CFR § 200.461	Allowable with restrictions
Rearrangement and reconversion costs	2 CFR § 200.462	Allowable (ordinary and normal)
Recruiting costs	2 CFR § 200.463	Allowable with restrictions
Relocation costs of employees	2 CFR § 200.464	Allowable with restrictions
Rental costs of real property and equipment	2 CFR § 200.465	Allowable with restrictions
Scholarships and student aid costs	2 CFR § 200.466	Not specifically addressed
Selling and marketing costs	2 CFR § 200.467	Unallowable with exceptions
Specialized service facilities	2 CFR § 200.468	Allowable with restrictions
Student activity costs	2 CFR § 200.469	Unallowable unless specifically provided for in the federal award
Taxes (including Value Added Tax)	2 CFR § 200.470	Allowable with restrictions
Termination costs	2 CFR § 200.471	Allowable with restrictions
Training and education costs	2 CFR § 200.472	Allowable for employee development
Transportation costs	2 CFR § 200.473	Allowable with restrictions
Travel costs	2 CFR § 200.474	Allowable with restrictions
Trustees	2 CFR § 200.475	Not specifically addressed

**ELIGIBLE PROJECT POLICY FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT OF 2021
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS BY CITY OF BREVARD**

WHEREAS the City of Brevard, has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF); and

WHEREAS US Treasury is responsible for implementing ARP/CSLFRF and has enacted a Final Rule outlining eligible projects; and

WHEREAS the funds may be used for projects within these categories, to the extent authorized by state law.

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet; and

WHEREAS the ARP/CSLFRF are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Part 200 (UG), as provided in the [Assistance Listing](#); and

WHEREAS US Treasury has issued a [Compliance and Reporting Guidance v.2.1 \(November 15, 2021\)](#) dictating implementation of the ARP/CSLFRF award terms and compliance requirements; and

WHEREAS the Compliance and Reporting Guidance states on page 6 that

Per 2 CFR Part 200.303, your organization must develop and implement effective internal controls to ensure that funding decisions under the SLFRF award constitute eligible uses of funds, and document determinations.

BE IT RESOLVED that the City of Brevard hereby adopts and enacts the following Eligibility Determination Policy for ARP/CSLFRF funds.

Adopted this the ____ day of _____, _____.

Maureen Copelof, Mayor

Attest:

Denise Hodsdon, City Clerk

Eligibility Determination Policy for American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Funds

This policy defines the permissible and prohibited uses of the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF) funds. It also outlines the procedures for determining how City of Brevard will spend its ARP/CSLFRF funds.

I. PERMISSIBLE USES OF ARP/CSLFRF FUNDING

US Treasury issued its [Final Rule](#) regarding use of ARPA funds on January 6, 2022. (The Final Rule is effective as of April 1, 2022. Until that date, a local government may proceed under the regulation promulgated by US Department of the Treasury in its [Interim Final Rule](#) or the Final Rule.) The Final Rule (and the Interim Final Rule) identify permissible uses of ARP/CSLFRF funds and certain limitations and process requirements. Local governments must allocate ARP/CSLFRF funds no later than December 31, 2024 and disburse all funding no later than December 31, 2026. Failure of an entity to expend all funds by December 31, 2026 will result in forfeiture of ARPA funds.

ARP/CSLFRF funds may be used for projects within the following categories of expenditures:

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet; and

II. PROHIBITED USES OF ARPA FUNDING

The ARP/CSLFRF and US Treasury's Final Rule prohibit certain uses of ARP/CSLFRF funds. Specifically, ARP/CSLFRF funds may not be used for projects within the following categories of expenditures:

1. To make a deposit into a pension fund that constitutes an extraordinary payment of an accrued, unfunded liability (Note that routine contributions as part of a payroll obligation for an eligible project are allowed.);
2. To borrow money or make debt service payments;

3. To replenish rainy day funds or fund other financial reserves;
4. To satisfy an obligation arising from a settlement agreement, judgment, consent decree, or judicially confirmed debt restricting in a judicial, administrative, or regulatory proceeding (there is an exception to this prohibition if the settlement or judgment requires the City of Brevard to provide services to respond to the COVID-19 public health emergency or its negative economic impacts or to provide government services, then the costs of those otherwise ARP/CSLFRF-eligible projects are allowed.);
5. For a project that includes a term or condition that undermines efforts to stop the spread of COVID-19 or discourages compliance with recommendations and guidelines in CDC guidance for stopping the spread of COVID-19;
6. In violation of the conflict-of-interest requirements imposed by the award terms and 2 CFR 200.318(c).
7. For any expenditure that would violate other applicable federal, state, and local laws and regulations.

The City of Brevard, and any of its contractors or subrecipients, may not expend any ARP/CSLFRF funds for these purposes.

III. PROCEDURES FOR PROJECT APPROVAL

The following are procedures for ARP/CSLFRF project approvals. All City of Brevard employees and officials must comply with these requirements.

1. Requests for ARP/CSLFRF funding, must be made in writing using the ARPA Project Eligibility Worksheet, which includes all the following:
 - a. Brief description of the project
 - b. Identification of ARP/CSLFRF Expenditure Category (EC) (A list of ECs in in the Appendix to the [US Treasury Compliance and Reporting Guidance](#).)
 - c. Required justifications for applicable projects, according to the requirements in the Final Rule. Employees or any applicant seeking ARPA funding should review the [Final Rule](#) and [Final Rule Overview](#) prior to submitting a proposal.
 - d. Proposed budget, broken down by cost item, in accordance with the City of Brevard's Allowable Cost Policy.
 - e. A project implementation plan and estimated implementation timeline (All ARP/CSLFRF funds must be fully obligated by December 31, 2024, and fully expended by December 31, 2026.)
2. Requests for funding must be submitted to the city manager for approval. All requests will be reviewed by the city manager for ARP/CSLFRF compliance and the finance officer for allowable costs and other financial review.
3. No ARP/CSLFRF may be obligated or expended before final written approval by the city manager. Budget amendments will occur after approval, and also require board approval.
4. If a proposal does not meet the required criteria, it will be returned to the requesting party for revision and resubmittal.

5. Following approval, employees responsible for implementing the project must conform actual obligations and expenditures to the pre-approved project budget. Changes in project budgets must be approved by the city manager and may require a budget amendment before proceeding. Any delay in the projected project completion date shall be communicated to the city manager immediately.
6. The city manager must collect and document required information for each EC, for purposes of completing the required Project and Expenditure reports.
7. The city manager must maintain written project requests and approvals, all supporting documentation, and financial information at least until December 31, 2031.

NON-DISCRIMINATION POLICY FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT OF 2021 CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS BY CITY OF BREVARD

Recitals

WHEREAS, the City of Brevard has received an allocation of funds from the “Coronavirus State Fiscal Recovery Fund” or “Coronavirus Local Fiscal Recovery Fund” (together “CSLFRF funds”), established pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (the “ARP/CSLFRF award”).

WHEREAS, CSLFRF funds are subject to the U.S. Department of Treasury (“Treasury”) regulations, including the Final Rule, the Award Terms and Conditions, and the Title VII implementing regulations at 31 C.F.R. Part 22.

WHEREAS, pursuant to the ARP/CSLFRF Award Terms and Conditions, and as a condition of receiving CSLFRF funds, the City of Brevard agrees to follow all federal statutes and regulations prohibiting discrimination in its administration of CSLFRF under the terms and conditions of the ARP/CSLFRF award, including, without limitation, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury’s implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin within programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving Federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury’s implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

RESOLVED, That the governing board of the City of Brevard hereby adopts and enacts the following nondiscrimination policy, which shall apply to the operations of any program, activity, or facility that is supported in whole, or in part, by expenditures CSLFRF pursuant to the ARP/CSLFRF award.

Adopted this the ____ day of _____, _____.

Maureen Copelof, Mayor

Attest:

Denise Hodsdon, City Clerk

Nondiscrimination Policy Statement

It is the policy of the City of Brevard to ensure that no person shall, on the ground of race, color, national origin (including limited English Proficiency), familial status, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity administered by the City of Brevard, including programs or activities that are funded in whole or part, with Coronavirus State and Local Fiscal Recovery Funds ("CSLFRF"), which the City of Brevard received from the U.S. Department of Treasury ("Treasury") pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (herein the "ARP/CSLFRF award").

I. Governing Statutory & Regulatory Authorities

As required by the CSLFRF [Award Terms and Conditions](#), the City of Brevard shall ensure that each "activity," "facility," or "program"¹ that is funded in whole, or in part, with CSLFRF and administered under the ARP/CSLFRF award, will be facilitated, operated, or conducted in compliance with the following federal statutes and federal regulations prohibiting discrimination. These include, but are not limited to, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age within programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs,

¹ 22 C.F.R. § 22.3 defines "program" and "activity" as all operations of an entity, including local governments, that receive Federal financial assistance, and the departments, agencies, or special purpose districts of the local governments to which Federal financial assistance is distributed. "Federal financial assistance" includes, among other things, grants and loans of federal funds. "Facility" includes all or any part of structures, equipment, or other real or personal property or interests therein, and the provision of facilities includes the construction, expansion, renovation, remodeling, alteration, or acquisition of facilities.

activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

II. Discriminatory Practices Prohibited in the Administration of the ARP/CSLFRF Award

To ensure compliance with Title VII of the Civil Rights Act of 1964, and Title 31 Code of Federal Regulations, Part 22, the Civil Rights Restoration Act of 1987, and other pertinent nondiscrimination authorities, the City of Brevard shall prohibit, at a minimum, the following practices in its administration of CSLFRF pursuant to the ARP/CSLFRF award:

1. Denying to a person any service, financial aid, or other program benefit without good cause;
2. Providing to a person any service, financial aid, or another benefit which is different in quantity or quality, or is provided in a different manner, from that provided to others under the program.
3. Subjecting a person to segregation or separate treatment in any matter related to the receipt of any service, financial aid, or other benefit under the program;
4. Restricting a person in the enjoyment of any advantages, privileges, or other benefits enjoyed by others receiving any service, financial aid, or other benefit under the program;
5. Treating a person differently from others in determining whether that person satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet to be provided any service, financial aid, or other benefit provided under the program;
6. Implementing different standards, criteria, or other requirements for admission, enrollment, or participation in planning, advisory, contractual, or other integral activities to the program;
7. Adopting methods of administration which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination;
8. Selecting a site or location of facilities with the purpose or effect of excluding persons from, denying them the benefits of, subjecting them to discrimination, or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of Title VI or related acts and regulations;
9. Discriminating against any person, either directly or through a contractual agreement, in any employment resulting from the program, a primary objective of which is to provide employment;
10. Committing acts of intimidation or retaliation, including threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because an individual made a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing.

III. Reporting & Enforcement

1. The City of Brevard shall cooperate in any enforcement or compliance review activities by the Department of the Treasury. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The City of Brevard shall comply with information requests, on-site compliance reviews, and reporting requirements.
2. The City of Brevard shall maintain a complaint log and inform the Treasury of any complaints of discrimination on the grounds of race, color, or national origin (including limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, whether pending or completed, including the outcome. The City of Brevard shall inform the Treasury if it has received no complaints under Title VI.
3. Any person who believes they have been aggrieved by a discriminatory practice under Title VI has a right to file a formal complaint with the Treasury. Any such complaint must be in writing and filed with the Treasury's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.
4. Any person who believes that because of that person's race, color, national origin, limited English proficiency, familial status, sex, age, religion, or disability that he/she/they have been discriminated against or unfairly treated by City of Brevard in violation of this policy should contact the following office within 180 days from the date of the alleged discriminatory occurrence:

City Manager
City of Brevard
95 West Main Street
Brevard, NC 28712
828-885-5602

RECORD RETENTION POLICY: DOCUMENTS CREATED OR MAINTAINED PURSUANT TO THE AMERICAN RESCUE PLAN ACT OF 2021 CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY AWARD TO THE CITY OF BREVARD

WHEREAS the ARP/CSLFRF are subject to certain provisions regarding the retention of records as follows:

Retention of Records: The Coronavirus Local Fiscal Recovery Funds (“CSLFRF”) [Award Terms and Conditions](#) and the [Compliance and Reporting Guidance](#) set forth the U.S. Department of Treasury’s (“Treasury”) record retention requirements for the ARP/CSLFRF award.

It is the policy of the City of Brevard to follow Treasury’s record retention requirements as it expends CSLFRF pursuant to the APR/CSLFRF award. Accordingly, the City of Brevard agrees to the following:

- Retain all financial and programmatic records related to the use and expenditure of CSLFRF pursuant to the ARP/CSLFRF award for a period of five (5) years after all CLFRF funds have been expended or returned to Treasury, whichever is later.
- Retain records for real property and equipment acquired with CSLFRF for five years after final disposition.
- Ensure that the financial and programmatic records retained sufficiently evidence compliance with section 603(c) of the Social Security Act “ARPA,” Treasury’s regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
- Allow the Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, the right of right of timely and unrestricted access to any records for the purpose of audits or other investigations.
- If any litigation, claim, or audit is started before the expiration of the 5-year period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved.

Covered Records: For purposes of this policy, records are information, regardless of physical form or characteristics, that are created, received, or retained that evidence City of Brevard’s expenditure of CSLFRF funds on eligible projects, programs, or activities pursuant to the ARP/CSLFRF award.

Records that shall be retained pursuant to this policy include, but are not limited to, the following:

- Financial statements and accounting records evidencing expenditures of CSLFRF for eligible projects, programs, or activities.
- Documentation of rational to support a particular expenditure of CSLFRF (e.g., expenditure constitutes a general government service);
- Documentation of administrative costs charged to the ARP/CSLFRF award;
- Procurement documents evidencing the significant history of a procurement, including, at a minimum, the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for contract cost or price;
- Subaward agreements and documentation of subrecipient monitoring;
- Documentation evidencing compliance with the Uniform Guidance property management standards set forth in 2 C.F.R. §§ 200.310-316 and 200.329;
- Personnel and payroll records for full-time and part-time employees compensated with CSLFRF, including time and effort reports; and
- Indirect cost rate proposals

Storage: City of Brevard's records must be stored in a safe, secure, and accessible manner. Wherever practicable, such records should be collected, transmitted, and stored in open and machine-readable formats.

Departmental Responsibilities: Any department or unit of the City of Brevard, and its employees, who are responsible for creating or maintaining the covered documents in this policy shall comply with the terms of this policy. Failure to do so may subject City of Brevard to civil and/or criminal liability. Any employee who fails to comply with the record retention requirements set forth herein may be subject to disciplinary sanctions, including suspension or termination.

The city manager is responsible for identifying the documents that City of Brevard must or should retain and arrange for the proper storage and retrieval of records. The city manager shall also ensure that all personnel subject to the terms of this policy are aware of the record retention requirements set forth herein.

Reporting Policy Violations: The City of Brevard is committed to enforcing this policy as it applies to all forms of records. Any employee that suspects the terms of this policy have been violated shall report the incident immediately to that employee's supervisor. If an employee is not comfortable bringing the matter up with the supervisor, the employee may bring the matter to the attention of the city mayor, who will take the matter to the full board if it involves the city manager. The City of Brevard prohibits, any form of discipline, reprisal, intimidation, or retaliation for reporting incidents of inappropriate conduct of any kind, pursuing any record destruction claim, or cooperating in related investigations.

Questions About the Policy: Any questions about this policy should be referred to the city manager, who is in charge of administering, enforcing, and updating this policy.

BE IT RESOLVED that the governing board of City of Brevard hereby adopts and enacts this Record Retention Policy for the expenditure of ARP/CSLFRF funds.

Adopted this the ____ day of _____, _____.

Maureen Copelof, Mayor

Attest:

Denise Hodsdon, City Clerk

STAFF REPORT

City Council, Tuesday, September 3, 2024

Title: Ordinance Declaring Road Closure for Special Event - Heart of Brevard Plein Air Festival and Halloweenfest

Speaker: Aaron Bland, Asst Planning Director

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

The North Carolina Department of Transportation (NCDOT) requires local approval for special events that involve the closing or repurposing of state-owned highways and roads.

Discussion

The NCDOT guidelines state the local municipality must pass an ordinance for each street closure of City-sponsored events. The State will neither approve nor deny such requests for closures. They will, however, recommend alternative routes should they have a project scheduled for the same day as a special event.

The attached ordinance is for two Heart of Brevard events: the Plein Air Festival and Halloweenfest.

Policy Analysis

The City has been sponsoring and permitting special events for several years. The passing of an ordinance only applies to City-sponsored special events on state roads. Permits sponsored by individuals or non-profits are permitted differently and do not require an ordinance. Council has passed ordinances for City-sponsored festivals since 2015.

Action

Council's options are to adopt or reject the street closure ordinance.

Attachments:

1. ORD_2024-XX Road Closure Ordinance HOB Events

ORDINANCE NO. 2024-XX

**AN ORDINANCE DECLARING MULTIPLE
ROAD CLOSURES FOR SPECIAL EVENTS**

WHEREAS, Brevard City Council acknowledges a tradition of providing for festivals and special events downtown for the pleasure and enjoyment of citizens and visitors alike; and,

WHEREAS, Brevard City Council acknowledges that festivals and special events provide an opportunity for family-oriented activities that celebrate our small-town charm; and,

WHEREAS, Brevard City Council acknowledges these events require NCDOT system roads to be closed for setup, activities, and cleanup; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 1. Pursuant to authority granted by G.S. 20-169, the City of Brevard hereby declares the following temporary road closure during the day and time set forth below on the following described portion of a State Highway System route:

Plein Air Festival

Date: Saturday, September 14, 2024

Time: 10:00 AM – 5:00 PM

Route Description: Main Street (U.S. 276) from Broad Street to Caldwell Street.

SECTION 2. Pursuant to authority granted by G.S. 20-169, the City of Brevard hereby declares the following temporary road closure during the day and time set forth below on the following described portion of a State Highway System route:

Halloweenfest

Date: Saturday, October 28, 2024

Time: 9:00 AM – 5:00 PM

Route Description: Main Street (U.S. 276) from Caldwell Street to Johnson Street
Broad Street (U.S. 64) from Morgan Street to Probart Street

SECTION 3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted and approved this the 3rd day of September 2024

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

STAFF REPORT

City Council, Tuesday, September 3, 2024

Title: Resolution Fixing a New Date of Public Hearing for Annexation
- Jason Shepherd, 34 Verdery Avenue

Speaker: Denise Hodsdon

Prepared by: Denise Hodsdon

Approved by: Wilson Hooper, City Manager

Background

A Petition Requesting Voluntary Contiguous Annexation was submitted on July 1, 2024 by Jason Shepherd. The petition requests that the property located at 35 Verdery Avenue, Brevard be annexed into the City of Brevard (Tax Property Identification Number: 8585-28-6101-000).

Discussion

On August 5, 2024 City Council approved a Resolution Directing the Clerk to Investigate the Sufficiency of the Petition. The Clerk, Staff and Attorney have investigated and feel this annexation can move forward with setting a date for public hearing. On August 19, 2024 Council approved a Resolution Fixing the Date of Public Hearing for September 16, 2024. Petitions for Annexation are reviewed by the Planning Board for recommendation prior to Council holding the public hearing. The petition was scheduled to be considered by the Planning Board at its August 27th meeting, but that meeting was canceled due to lack of a quorum. The petition will be considered by Planning Board at its next meeting on September 24, 2024.

Recommendation

Staff recommends Council adopt the drafted Resolution Setting a New Date for Public Hearing on Monday, October 7, 2024.

Attachments:

1. Resolution Fixing New Date for Public Hearing_Jason Shepherd

RESOLUTION NO. 2024-XX

**A RESOLUTION FIXING A NEW DATE OF PUBLIC HEARING
ON THE QUESTION OF ANNEXATION PURSUANT TO
NCGS 160A-31, AS AMENDED**

WHEREAS, a petition was received on July 1, 2024, requesting the annexation of a contiguous area described in said Petition as a portion of the Jason Shepherd property at 35 Verdery Avenue, Brevard, NC 28712, consisting of 0.101 acres, more or less, be annexed into the City of Brevard. (Tax Property Identification Number: a portion of 8585-28-6101-000).; and

WHEREAS, the Brevard City Council has by Resolution No. 2024-30 directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made; and

WHEREAS, the Brevard City Council has by Resolution No. 2024-33 scheduled a public hearing on the question of annexation for September 16, 2024; and

WHEREAS, the Brevard Planning Board reviews petitions for annexation and makes recommendation to City Council prior to the public hearing, and the petition was scheduled to be considered by the Planning Board at its meeting scheduled for August 27, 2024. The August 27, 2024 meeting was canceled and the petition will be considered by the Planning Board at its meeting on September 24, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

Section 1. That a public hearing on the question of annexation of the contiguous area described below as requested by Jason Shepherd, will be held at Brevard City Hall at 5:30 P.M. on the 7th day of October, 2024.

Section 2. The area proposed for annexation is described as follows:

That certain piece of land being located in the state of North Carolina, county of Transylvania, township of Brevard. Beginning at an unmarked point on the existing line of the City of Brevard Limits and on the northern right of way line of Verdery Ave., also being located on the southern line of that property of Jason M. Shepherd described in Deed Book 765 Page 452, said property being that 0.34 Acre tract shown on Plat File 16 Slide 749. Thence running with the existing City of Brevard Limits, a curve with an arc length of 113.84', with a radius of 983.05', with a chord bearing of N 42°18'23" W, with a chord length of 113.78', to an unmarked point in the northern line of the before mentioned tract, said point being on the existing line of City of Brevard Limits. Thence leaving the existing City of Brevard limits and running with the Earnest Duncan line a course S 76°10'43" W a distance of 18.15' to a 1/2" Rebar found, the southwest corner of the Earnest Duncan property described in Deed Book 320 Page 140. Thence with the Bobby Tucker line a course S 14°14'36" E a distance of 20.01' to a 1/2" Rebar found at a 3" spindle guard stake, the southeast corner of the Bobby Tucker Tract described in Deed Book 332 Page 469. Thence with the line of the other property owned by Jason M. Shepherd, described in Deed Book 765 Page 436, for two calls, S 13°27'48" E a distance of 4.95' to a 5/8" Rebar and Cap set, thence S 13°37'43" E a distance of 75.06' to a 5/8" Rebar and Cap set. Thence leaving the Shepherd tract described in Deed Book 765 Page 436 and traveling along the northern right of way line of Verdery Ave. N 76°09'56" E a distance of 72.55' to an unmarked point on the existing line of the City of Brevard Limits, which is the point of beginning. Containing 0.101 acres, more or less. Being a portion of the property conveyed to Jason M. Shepherd in Deed Book 765 Page 452.

Also shown as "This Portion of Property to be Annexed +/- 0.101 acres" on a plat prepared by David L. Burrell titled "Plat of a Boundary/Annexation Survey for Jason M.

Shepherd" being drawing number 24-27-REVISED and dated June 20, 2024-Revised July 23, 2024. Reference is hereby made to said plat for a more complete and accurate description. The intent of the landowner, Jason M. Shepherd, is to annex any portion of the property described in Deed Book 765 Page 452 that is not in the existing City of Brevard Limits, into the City of Brevard limits.

Section 3. Notice of said public hearing shall be published in the Transylvania Times, a newspaper having general circulation in the City of Brevard, at least ten (10) days prior to the date of said public hearing.

Section 4. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 3rd day of September, 2024.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

MINUTES

Rosenwald Community Advisory Board

Thursday, May 16, 2024 - 6:00 PM

Mary C. Jenkins Community & Cultural Center

Members Present: Pamela Holder, Co-Chair, Council Member
Randy Lytle, Co-Chair (Arrived 6:08 PM)
Gary Daniel, Council Member
Victor Foster, Citizen Member
Susan Threlkel, Citizen Member
Edith Darity, Citizen Member
Ella Jones, Citizen Member
Mayor Maureen Copelof, Ex-Officio

Staff Present: Alex Shepherd, Assistant to the City Manager
Tyree Griffin, Community Center Director

Guests: Monica Driscoll

A. Welcome & Call to Order

Co-Chair Pamela Holder welcomed everyone and called the meeting to order at 6:04 PM.

B. Invocation

Ms. Darity offered an invocation.

C. Certification of Quorum

Quorum was certified by Assistant to the City Manager Alex Shepherd.

D. Approval of Agenda

Motion by Mr. Foster, seconded by Ms. Jones, to approve the agenda as presented.
The motion carried unanimously.

E. Approval of Minutes from March 21, 2024.

Motion by Ms. Threlkel, seconded by Mr. Foster to approve the minutes of the March 21, 2024 as presented. The motion carried unanimously.

F. Juneteenth Celebration Update

Mr. Griffin provided an overview and a timeline of events for the Juneteenth Celebration on Saturday, June 15th at the Mary C. Jenkins Center.

Ms. Darity mentioned that we will need additional time for the youth if we start at 10:30 AM.

Mr. Griffin said we can extend the youth explosion experience until 1 or 2 PM.

Ms. Darity agreed, noting that we have three presenters coming and a scavenger hunt planned.

Ms. Threlkel said we need to find a way for people to view the exhibits while the youth explosion is going on.

Ms. Darity suggested letting out earlier, around 12:30 PM.

Ms. Holder asked how people will know to come to the youth explosion.

Mr. Lytle said they are using a flyer, advertising on the radio, and WLOS.

Ms. Holder asked where the vendors will be located.

Mr. Griffin said they will be in front of the basketball court. He added that the music is being coordinated by Mr. Foster. All events will shut down at 5 PM, but the music will continue if people are still at the event. He mentioned that there will always be someone at the check-in table and that no one person will work there for more than an hour.

Ms. Holder asked where the T-shirts came from.

Mr. Griffin said the Mary C. Jenkins Board made the T-shirts. They are currently being sold for \$19. Ms. Karen Darity is handling the sales, and the last day to order is tomorrow.

Mr. Foster said the T-shirts were originally only for the Board, but they decided to sell them to the public.

Mr. Lytle mentioned that they are trying to prevent excess and only want to produce the number of shirts needed.

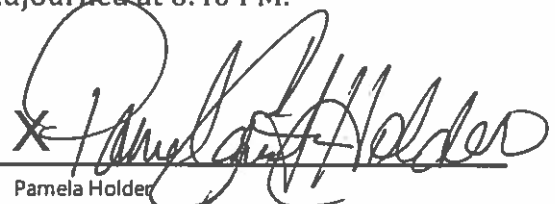
Mr. Griffin said that since there will not be a meeting in June, he will send out a survey for the committee to participate in and provide feedback.

G. Set Date for Next Meeting

The next meeting was scheduled for Thursday, August 15, 2024 at 6:00 PM at the Mary C. Jenkins Community & Cultural Center.

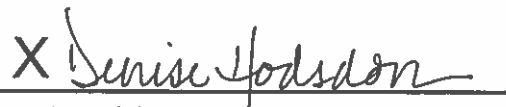
H. Adjourn

There being no further business, the meeting was adjourned at 6:40 PM.



Pamela Holder
Co-Chair

Minutes Approved: August 27, 2024



Denise Hodsdon
City Clerk

MINUTES

City Council Parks, Trails, & Recreation Committee

Wednesday, July 31, 2024 - 3:30 PM
City Council Chambers

Members Present: Aaron Baker, Chair, Council Member
Lauren Wise, Vice Chair, Council Member
Howie Granat, Citizen Member
Wyn Birkenthal, Citizen Member
JD Powers, Citizen Member
Reba Osborne, Citizen Member
Mayor Maureen Copelof, Ex-Officio

Absent: Nancy DePippo, Citizen Member

Staff Present: Wilson Hooper, City Manager
Wesley Shook, Acting Public Works Director
Aaron Bland, Assistant Planning Director
Becky McCann, Communications Coordinator
Denise Hodsdon, City Clerk

Guests: Gary Lowden, Pisgah Area SORBA; Charles Taylor and Owen Taylor, Monte Vista, Inc.; Nicole Bentley, Heart of Brevard; and Jack Duncan

A. Welcome & Call to Order

Committee Chair Aaron Baker welcomed everyone and called the meeting to order at 3:30 pm.

B. Certification of Quorum

Quorum was certified by City Clerk Denise Hodsdon.

C. Approval of Agenda

Mr. Hooper requested to add an item regarding an update regarding the Davidson River Pedestrian Bridge. Motion by Mr. Power, seconded by Ms. Osborne, to approve the agenda as amended. The motion carried unanimously.

D. Approval of Minutes from May 15, 2024 Meeting

Mr. Wise noted an error in Ms. DePippo's name in Item D. Motion by Mr. Wise, seconded by Ms. Osborne to approve the minutes of the May 15, 2024 meeting as amended. The motion carried unanimously.

E. Davidson River Pedestrian Bridge Update

Mr. Hooper announced that the new Davidson River Pedestrian Bridge has been set on its buttresses. It is not yet open to the public as they still need to secure it and build the ramps, but that project is nearing completion. Mr. Baker suggested following up with NCDOT to inquire whether the planned crosswalk on Route 276 would be painted prior to completion of the roundabout. He noted that once the pedestrian bridge is open, that crosswalk will be important and hoped it would be painted soon.

F. Bracken Preserve Maintenance and Trail Building Update

Mr. Hooper reported that he has met with Keith Arbogast of Brevard Music Center (BMC) about the easement we need on their property. Mr. Arbogast requested a written proposal recording our request to take to his board of directors for approval. Mr. Hooper also reported that he and staff have been working with Pisgah SORBA on the maintenance agreement. He asked Gary Lowden of Pisgah Area SORBA to share their plan for next steps. Mr. Lowden said that SORBA will inventory the Bracken trails over the next two weeks to identify any issues/concerns and then generate an action plan and timeline for the projects that need to be done. SORBA is planning two volunteer days for this year.

Mr. Granat presented the Bracken Preserve expansion project produced by Todd Branham of Long Cane Trails. He noted that the project has been broken out into three phases so it can be built in sections as funding becomes available. The first piece of trail work, cleaning up the first 150-200 foot section has been completed. They are currently working in the second piece of Phase I, which involves repairing the first half mile of the trail system and adding the new climbing trail. The new climbing trail will have a grade of approximately 10-12% and allow us to cut out the existing steepest section, which has a grade of 15-20%. With the funds of approximately \$13,500 currently remaining with Conserving Carolina, we have enough to do the climbing trail. The \$20,000 we received from TCTDA would be used for the emergency access trail and to start the construction of Phase 2.

Mr. Granat reviewed the trail easement proposal to be presented to BMC. The plan for the new climbing trail stays mostly within our own land, but also includes a 0.1-mile access across the Music Center's property. He noted that with an easement from BMC, we would save approximately \$16,700 in trail building costs. Additionally, a number of BMC students and faculty frequent the Bracken Preserve trails and we would offer BMC a promotional recognition on our signage. If BMC gives us the easement, we have the funding, the builder is ready to go, and the hope is that it can be completed by the end of this year.

G. Bracken Preserve Emergency Access Agreement

Mr. Hooper reviewed a draft agreement with Monte Vista, Inc. to provide an emergency access from Laurel Falls Road. The access route would expedite emergency response efforts to existing trails while also creating an established point of entry for first

responders to the new trails. In exchange, the City would provide two access points available for use by residents of Laurel Falls Road. The agreement will go to City Council in August.

H. Committee/Public Comment

Mr. Baker mentioned that there will be a couple of items on the upcoming Council agenda related to the Ecusta Trail – the reconstituted membership of the Ecusta Trail Advisory Board and the potential for the Ecusta Trail to go all the way to Main Street. He also mentioned that the Mountain Industrial Drive extension is now open and includes a spur of greenway that crosses the new road, and the long-term intention of that was to connect to the Ecusta Trail.

Mr. Granat commented that Conserving Carolina will have a table at Oskar Blues in September to fundraise for Bracken Preserve.

Mr. Hooper mentioned that we have recovered the old digester from the Ecusta Mill property and temporarily “parked” it at the Sports Complex until we can fund and construct the landscaping and betterments on the roundabout.

There was no public comment.

I. Set Date for Next Meeting

The next regular meeting of the Parks, Trails & Recreation Committee was scheduled for Wednesday, August 21, 2024 at 3:30 PM.

J. Adjourn

There being no further business, the meeting was adjourned at 4:29 PM.

Minutes Approved: August 21, 2024

X Aaron Baker
Aaron Baker
Chair, Council Member

X Denise Hodsdon
Denise Hodsdon
City Clerk

MINUTES

COUNCIL FINANCE, HUMAN RESOURCES and CITIZEN APPOINTMENT COMMITTEE

Monday, June 3, 2024 – 11:00 AM
City Hall Council Chambers

Members Present: Lauren Wise, Chair, Council Member
Gary Daniel, Vice-Chair, Council Member (Arrived at 11:05 AM)
Susan Miller, Citizen Member

Staff Present: Wilson Hooper, City Manager
Dean Luebbe, Assistant City Manager/Finance Director
Kelley Craig, Human Resources Director
Becky McCann, Communications Coordinator
Alex Shepherd, Assistant to the City Manager

Guests: Harvey Sankey

A. Welcome & Call to Order

Committee Chair Lauren Wise welcomed everyone and called the meeting to order at 11:00 AM.

B. Certification of Quorum

Quorum was certified by Assistant to the City Manager Alex Shepherd.

C. Approval of Agenda

Motion by Mr. Daniel, seconded by Ms. Miller to approve the agenda as presented. The motion carried unanimously.

D. Approval of Minutes of April 22, 2024 Meeting

Motion by Ms. Miller seconded by Mr. Daniel to approve the minutes of the April 22, 2024 meeting as presented. The motion carried unanimously.

E. ARPA Financial Policies

Mr. Luebbe explained that he has been in contact with the State ARPA funds representative regarding whether our current policy is sufficient, but he has not yet heard back from them. He noted that there are a number of other ARPA policies that he

will need to bring before the committee in the upcoming months. Mr. Hooper added that the State is requiring that we have those policies codified and adopted.

F. Purchasing Policy

Mr. Shepherd noted that the revision discussed at the last meeting regarding purchases over \$75,000 has been included in this draft. Mr. Shepherd reported that he consulted with the UNC School of Government, and they have advised that for these types of purchases the Council can delegate the authority to the City Manager to award that contract, or they can choose not to and keep that power for themselves. This draft includes the provision in Section 3.2.D. that "Purchases in the formal range require the approval of the City Council or the City Council may delegate this authority to the City Manager." Mr. Luebbe added that this authority would be for expenditures passed in the operating budget.

During discussion it was decided that Council's delegation of authority to the City Manager should be granted annually as part of the budget approval and ordinance and that any purchases made outside the normal budget process would require approval of City Council. Mr. Daniel moved, seconded by Mr. Miller to approve the Purchasing Policy with those edits. The motion carried unanimously.

G. TAC Appointment

Mr. Hooper explained that this appointment is for the Transylvania County Transportation Advisory Committee, the local appointed body that provides feedback to the State on their strategic transportation infrastructure plans (STIP), which govern the transportation projects throughout our transportation district. Currently Aaron Bland is our representative and his term is expiring. Staff has discussed this and concluded that it would be best to have an elected official, rather than a technician, to fill our designated seat on that board. Following discussion, it was decided to poll the Council to see who would be interested in serving on the committee.

H. ABC Appointments

Mr. Hooper explained that our ABC system is going through a transitional phase right now with their interim general manager and the need to hire a new general manager. Additionally, their audit firm was acquired by another firm and therefore, they may be switching audit firms. He added that there is a need to have people on the board who have backgrounds in that particular area, and he is not sure that the folks on the board as it stands have the necessary background to lead ABC through this next phase in their existence. He said they have two appointments coming up in July and I am recommending that we fill at least one of them with a staff person who has background in finance and administration and can help the board through this next phase. Mr. Luebbe is not eligible, so I am recommending that you instead appoint me to the ABC Board to fill one of those slots. And then the other one we can either advertise openly and choose the candidate at-large like we have been doing, or we could recommend

someone with the necessary background. He asked Ms. Miller if she would be willing to serve on the board. Ms. Miller said she would be willing and could contribute because of her background in finance, hiring and administration. Mr. Daniel moved, seconded by Mr. Wise to recommend the appointment of City Manager Hooper and Susan Miller to the ABC Board. Vote was 2-0, with recusal by Ms. Miller; the motion carried.

I. Public Comment – None.

J. Set Date for Next Meeting

The next meeting of the Finance & Human Resources Committee will be on Monday, August 26, 2024, at 11:00 AM.

K. Adjourn

There being no further business, the meeting was adjourned at 12:00 PM.

X

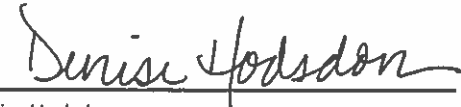


Lauren Wise
Chair Council Member

Minutes Approved:

August 26, 2024

X



Denise Hodsdon
City Clerk

**MINUTES
BREVARD ABC BOARD
June 27, 2024**

Approved:	
Conner:	
Pearsall:	
Brewer:	
Mooney:	

The Brevard ABC Board met in regular session on Thursday, June 27, 2024 at 8:30 a.m. in the Council Chambers at City Hall.

Members Present: Kevin Jones, Chair
Frank Pearsall
Ron Brewer
Carl Mooney

Members Absent: Lisa Conner

Staff Present: Jackie Jarvis, Interim General Manager
Paxton McAbee, ABC Staff

A. Welcome & Call to Order

B. Quorum

Board Chair Kevin Jones called the meeting to order at 8:31 a.m. and a quorum was noted.

C. Approval of Agenda

Motion by Mr. Pearsall, seconded by Mr. Mooney to approve the agenda as presented. The motion carried unanimously.

D. Approval of Minutes

1. Minutes from Regular Session – June 6, 2024

Motion by Mr. Pearsall, seconded by Mr. Mooney to approve the minutes of the Regular Session meeting on June 6, 2024, as presented. The motion carried unanimously.

E. Public Hearing

1. ABC FY 2024/2025 Proposed Budget

At 8:33 a.m. Mr. Mooney moved, seconded by Mr. Pearsall, to open the public hearing for the proposed FY 2024/2025 ABC Board Budget. The motion carried unanimously. No members of the public were present. Mr. Mooney then moved, seconded by Mr. Pearsall to close the public hearing.

F. New Business

1. Manager's Report / Sales Update

Ms. Jarvis reported that sales were up \$12,757 over last year.

Ms. Jarvis informed the Board that Brevard College has requested \$3,500 for their alcohol education program. They have sent a proposal for the Board's consideration. Ms. Jarvis noted that the budget includes 5% for educational purposes. She has not yet received a request from CARE Coalition, but they hope to meet with the Board in the next month or so to make their annual request. She noted that the Board gave Rise and Shine \$2500. Following review and discussion of the proposal, Mr. Pearsall moved, seconded by Mr. Brewer to table the Brevard College request until we have afforded the opportunity to other organizations. During discussion, there was consensus that the Board would like more details on how the money would be used for alcohol education. Vote on the motion was 4-0; the motion carried. The Board directed the General Manager to ask for requests from other area non-profits.

Mr. Mooney had a question about the reconciliation and noted that the date on the bank statement seems to be from 2023. Ms. Jarvis will contact the accountant for a corrected reconciliation and bring it back to the next meeting for Board approval.

Mr. Jones asked Ms. Jarvis to remind the accountant of his inquiry about the difference between how they do accounting for state taxes and how our auditor does.

Mr. Mooney noted that on Page 15 of the FY 2023 audit we had a non-compliance with the North Carolina General Statutes and asked if that is something we need to correct. Mr. Jones noted that the correction is indicated in the audit and he recalled that we had done a revised budget, but he was unsure whether it was filed or not. He pointed out that most of the variance was the profit distributions paid to the city and county. He explained that if we spend something that we haven't budgeted for, we are supposed to do a budget amendment. He said that he did not do a budget amendment for June because he is awaiting an answer on the variance in the state tax issue. We need an answer to that and we need to figure out how to be more careful about revising the budget. He said we need to talk with the accountant to get an understanding of where she is filing this stuff so we can follow it.

2. Review, Approve and Adopt Proposed FY 2024/2025 Budget

Mr. Jones reviewed the proposed budget and noted this was the budget reviewed by the Board at the last meeting. The budget includes a 5% increase in sales and after expenses and distributions, the estimated undistributed balance is \$62,300. He said we do successfully increase our sales as projected, that would mean that the amount of money we can hold without forced distributions to the city and county would be \$75,000, so we might have the option of keeping the undistributed money.

Mr. Mooney mentioned that he was blown away by the \$128,000 rent per year for the two stores. Ms. Jarvis explained that the rent for the Downtown store is \$3800 and the rent for the Pisgah Forest store is almost \$6,000 per month. Mr. Jones said there are about 5 years left on the lease for the Downtown store and asked Ms. Jarvis how much time is left on the Pisgah Forest store. Ms. Jarvis said she believes there are 5 or 6 years left.

Mr. Jones asked how can we prepare for 5 years from now when our leases run out? He mentioned that he and the former General Manager had some conversation with Perry, the Downtown store's property owner about the need for more storage room, and Perry offered to build a warehouse right behind the store. His comment then was I would need to raise your rent and we would need to go farther out with the lease. Mr. Jones noted that in this budget we are only making \$70,000 and we need more time to accumulate money to put a down payment on a building. The question is should we encourage our landlord to solve our storage problems and to lengthen our lease so that we don't have to worry about being homeless in 5 years.

Mr. Pearsall suggested it would be worth talking to Perry to see if he would be willing to sell the building to us and what his price would be. If he gives us a good price, then we buy that building. Mr. McAbee wondered if we had that whole building, could we close the Pisgah Forest store and have a larger downtown store? Mr. Jones said we have never done an analysis as to how much each store makes. Maybe we need to do an analysis as to whether the Pisgah Forest store makes money. Mr. Mooney asked if it makes enough to cover the rent. He suggested that we take a look at the lease agreement to see what the term is and include that in the analysis of the cost. There was consensus that Ms. Jarvis will talk to Perry to inquire if he would consider selling us our building and the parking lot in front of it.

Mr. Pearsall moved, seconded by Mr. Mooney to approve the FY 2024/2025 Budget as presented. The motion carried unanimously. A copy of the adopted budget and notes is attached as Exhibit A.

G. Unfinished Business

1. Review and Approve Accountant's Reports from April 2024

Mr. Jones said he will write a letter to the accountant to request she make the financial report more understandable and easier to read.

2. Review and Approve Reconciliations and Bank Statements from April 2024

The Board will sign the April reconciliation and bank statements at the next meeting.

H. Next Meeting

The Board set the next regular meeting for Thursday, July 25, 2024 at 8:30 a.m. Ms. Jarvis informed the Board that in September she will be gone for about 2 ½ weeks so she would like to not meet that month. Mr. Jones asked her to bring an amended 2024/2025 meeting schedule to the next meeting.

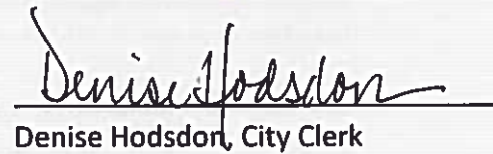
I. Adjourn

There being no further business the meeting adjourned at 9:40 AM.


Jackie Jarvis, Interim General Manager


Kevin Jones, Chair

Minutes Approved: July 25, 2024


Denise Hodsdon, City Clerk

BREVARD ABC PROPOSED BUDGET FOR FISCAL YEAR 2024-2025

	Credit	Expense
Sales	\$7,000,000.00	
State Taxes		\$1,680,000.00
Cost of Sales		\$3,710,000.00
Credit Card and Bank fees		\$98,000.00
Total Tax and COGS		\$5,488,000.00
 GROSS PROFIT	 \$1,512,000.00	
 EMPLOYEE EXPENSE		
Wage and Salary Expense		\$620,000.00
Payroll taxes		\$58,900.00
Pension Funding		\$40,000.00
Total Employee Expense		\$718,900.00
 GROSS PROFIT AFTER EMPLOYEE EXPENSE	 \$793,100.00	
 BUILDINGS AND EQUIPMENT		
Rent		\$128,000.00
Utilities		\$38,300.00
Maintenace Agreements		\$24,500.00
Repairs		\$12,000.00
Capital outlay		\$5,000.00
Truck Expense		\$18,000.00
All insurance		\$72,000.00
TOTAL BUILDING AND EQUIPMENT		\$297,800.00
 GROSS PROFIT AFTER BUILDING EXPENSES	 \$495,300.00	
 INTERIOR EXPENSE		
Office Supplies		\$27,000.00
Profesional Services		\$32,000.00
Travel and Employee training		\$6,000.00
Dues and Subscriptions		\$5,000.00
CONTINGENCY		\$5,000.00
TOTAL INTERIOR EXPENSE		\$75,000.00
 GROSS PROFIT AFTER ALL EXPENSES	 \$420,300.00	
 DISTRIBUTIONS		
CITY		\$ 240,000.00
COUNTY		\$ 80,000.00
POLICE		\$ 26,000.00
EDUCATION		\$ 12,000.00
TOTAL DISTRIBUTIONS		\$ 358,000.00
UNDISTRIBUTED	\$62,300.00	

Notes to Proposed Budget 2024-2025

Sales: A five percent increase from this years budgeted number (6.6MM) would be 6.93MM is rounded up to 7 Million

Cost of Sales and Taxes CC fees: These are estimated at 53%, 24% and 1.4%

Employee wages of \$620,000 represents an increase in hourly wages and an assumption of increased hours. Last year we budgeted \$580,000

Pension expense increases due to additional employees be covered

Rent and utilities up slightly

Repairs and Capital outlay anticipated lower- Capital outlay would be mostly new shelving for additional storage.

Truck expense: While running currently with no immediate problems, we can easily spend 18,000 in one or two repairs. IN the future a replacement should be considered.

Insurance cost is going up- thus the budget increase to \$72,000

Office supplies in line with previous year

Professional Service up slightly due to increase in monthly accounting

Contingency reduced form 15K to 5K to be more in line with State budget expectations.

Employee training and travel raised to anticipate more of both

Submitted by Kevin Jones 6-25-24

**MINUTES
BREVARD ABC BOARD
July 25, 2024**

Approved	
Conner:	_____
Pearsall:	
Brewer:	
Mooney:	

The Brevard ABC Board met in regular session on Thursday, July 25, 2024 at 8:30 a.m. in the Council Chambers at City Hall.

Members Present: Kevin Jones, Chair
Ron Brewer
Carl Mooney
Lisa Conner

Members Absent: Frank Pearsall

Staff Present: Jackie Jarvis, Interim General Manager

A. Welcome & Call to Order

B. Quorum

Board Chair Kevin Jones called the meeting to order at 8:30 a.m. and a quorum was noted.

C. Approval of Agenda

Motion by Mr. Mooney, seconded by Mr. Brewer to approve the agenda as presented.
The motion carried unanimously.

D. Approval of Minutes

1. Minutes from Regular Session – June 27, 2024

Mr. Mooney noted that on page 3 the total rent should say "\$128,000 per year". Motion by Mr. Brewer, seconded by Mr. Mooney to approve the minutes of the Regular Session meeting on June 27, 2024, as amended. The motion carried unanimously.

E. New Business

1. Manager's Report / Sales Update

Ms. Jarvis reported that the accountant has corrected the financials to correctly reflect payments to the City for utilities and for profit distribution. The Board requested that the utilities line item be further broken down to include separate categories for gas,

electric , telephone and water/sewer. Mr. Mooney and Mr. Jones also suggested that given it is the beginning of a new fiscal year, it would be a good idea to review all of the categories. In response to Mr. Mooney's question regarding the maintenance agreements line item, Ms. Jarvis explained that the contract with Carolina Data for the computer equipment and software system is \$10,000 per quarter.

Ms. Jarvis reported that Terry Andersen will be doing the annual audit the week of August 5th.

Mr. Mooney noted that the profit for June was 2.15% and for the year is 3.27% and wondered if we would get back to 5%. Mr. Jones said he wants to talk with the auditors regarding our profit as he has a question about how the sales tax affects our profit.

Ms. Jarvis said she has called Brevard College regarding their request for funding, but she is still awaiting a response from them.

Ms. Jarvis distributed copies of the Legislative Report of budget bills and legislation that affects ABC operations, including a summary of SB 527 that was passed by the House and Senate and has been sent to the Governor.

F. Unfinished Business

1. Lease at Store 1

Ms. Jarvis reported that she has talked with Perry to inquire whether he would be willing to sell the building. He said the business is a family enterprise and they have no intention of selling, but if they decided to sell, they would sell the entire 5 acres and would not break it up. He did say that as long as he is living, he will renew the lease, but if he passes away, his sons would want to sell it. Ms. Jarvis said she asked him if he would consider extending the current lease now and he said he would look at it. The current lease expires in 2029. Mr. Jones said he would be looking for a 5 to 10-year extension.

2. Sales for Store 2

Ms. Jarvis provided a sales summary for Store 2 for calendar years 2022, 2023, and 2024 to date. Mr. Mooney questioned whether the store is making a profit after expenses for the lease, payroll and utilities; or is Store 1 carrying Store 2? He noted it is important to know that before renewing the lease for Store 2. It was noted that the lease expires in February, 2025. Ms. Jarvis will provide more information for the Board's review.

3. Review and Approve Financial Reports from May and June 2024

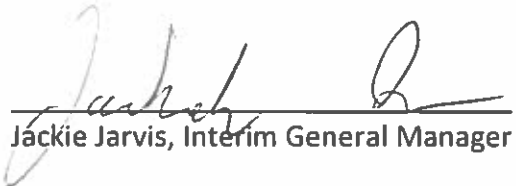
The financial reports for May and June 2024 were reviewed and circulated for signatures.

G. Next Meeting

The Board set the next regular meeting for Thursday, August 22, 2024 at 8:30 a.m.

H. Adjourn

There being no further business the meeting adjourned at 9:24 AM.


Jackie Jarvis, Interim General Manager


Kevin Jones, Chair

Minutes Approved: August 22, 2024


Denise Hodsdon, City Clerk

STAFF REPORT

City Council, Tuesday, September 3, 2024

Title: Proposed Amendments to City of Brevard Code of Ordinances
Chapter 14 - Dangerous Dogs

Speaker: Tom Jordan, Police Chief

Prepared by: Tom Jordan, Police Chief

Approved by: Wilson Hooper, City Manager

Background

In May 2024 a number of concerned citizens approached the Public Safety Committee (PSC) about the possibility of strengthening the dangerous dog regulations in the city's Code of Ordinances. Staff's first action was to ask Transylvania County whether they would be willing to use their Dangerous Dog Review Board to adjudicate dangerous dog designations made by city officers but, for legal reasons, the county declined.

Upon review by staff it was discovered that the North Carolina General Statutes permits a more expansive definition of what constitutes a "dangerous dog" than what is codified in the ordinances. At the direction of the PSC staff developed a proposal for updating Brevard's ordinance. The updated ordinance language was approved by the PSC at the July 22 meeting and referred to full City Council.

Discussion

The expanded definition is included in the attached draft ordinance. Though perhaps more notable is the change to the adjudication procedure that's proposed. The updated code refreshes the city's Dangerous Dog Appellate Board and outlines the procedures it must follow in order to give due process to dog owners whose dogs have been deemed dangerous. The revised code also stipulates requirements that owners of dogs declared dangerous must follow in order to keep possession of the dog. Finally, the code explicitly designates failure to follow such requirements as a Class 3 Misdemeanor.

Action

Council held a public hearing on this item on August 19th and Staff is requesting action at this time. Council's options are:

1. Adoption of the amendment as written;
2. Adoption of the amendment as revised by Council
3. Rejection of the amendment;
4. Defer this matter for further consideration.

Attachments:

1. Draft Ordinance
2. Draft Amendments to Chapter 14-36 Dangerous Dogs

ORDINANCE NO. 2024-XX

**AN ORDINANCE AMENDING THE CITY OF BREVARD CODE OF
ORDINANCES, CHAPTER 14 – ANIMALS AND FOWL: SPECIFICALLY
AMENDING REGULATIONS REGARDING CONTROL OF DANGEROUS DOGS OR
POTENTIALLY DANGEROUS DOGS**

WHEREAS, the City of Brevard wishes to strengthen its regulation of dangerous dogs or potentially dangerous dogs; and

WHEREAS, certain provisions of the Code of Ordinances must be updated to expand the definition of what constitutes a dangerous dog or potentially dangerous dog, to provide due process for dog owners whose dogs have been deemed dangerous, and to stipulate requirements that owners of dogs declared as dangerous must follow in order to keep the dog; and

WHEREAS, a public hearing was conducted on August 19, 2024, by Brevard City Council, and after hearing all persons wishing to comment, and upon review and consideration of the proposed amendments, it is the desire of the Brevard City Council that the City Code of Ordinances be amended as outlined below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

SECTION 01. The City of Brevard Code of Ordinances is hereby amended as depicted in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 02. The City Clerk of the City of Brevard is hereby authorized and directed to revise and amend the official records and the Code of Ordinances to reflect the changes as set forth in the aforementioned Exhibit A.

SECTION 03. If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

SECTION 04. This Ordinance shall be in full force and in effect from and after the date of its adoption and approval.

Adopted and approved on the 3rd day of September, 2024.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney



14-36. Control of dangerous dogs or potentially dangerous dogs.

- A.** An owner of a dangerous or potentially dangerous dog shall take precautions against attacks by such dogs resulting in serious bodily injury to a person. Determination of a dangerous or potentially dangerous dog shall be in accordance with G.S. 67-4.1 and provisions under City of Brevard ordinance 14-36. The City of Brevard Chief of Police, or their designee, shall have the authority to declare a dog to be a dangerous/potentially dangerous dog. Any determination that a dog is dangerous/potentially dangerous shall be made in writing, summarizing the available evidence that led to the determination and shall be delivered or mailed by registered or certified mail to the owner/keeper of the dog.
- B.** “Dangerous Dog” means without limitation any dog defined as such pursuant to G.S. 67-4.1 including:
1. Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting.
 2. Any dog that, without provocation, has killed or inflicted severe injury on a person.
 3. Any dog determined by the Chief of Police or their designee to be a "Potentially Dangerous Dog".
- C.** “Potentially Dangerous Dog” means without limitation any dog defined as such pursuant to G.S. 67-4.1 including any dog that the Chief of Police or their designee determines to have:
1. Inflicted a bite on a person that resulted in broken bones or disfiguring lacerations or required cosmetic surgery or hospitalization, or
 2. Killed or inflicted severe injury upon a domestic animal when not on the owner's real property; or
 3. Approached a person when not on the owner's property in a vicious or terrorizing manner in an apparent attitude of attack. In addition, thereto, any dog whose behavior constitutes a risk of severely injuring or killing a human or domestic animal or which, by demonstrated behavior, is commonly accepted as dangerous shall be deemed “potentially dangerous.” A dog declared by the Chief of Police, or their designee, is also a "Dangerous Dog" by definition.
- D.** An appellate board will be designated by the city council to hear any appeals. The dangerous dog appellate board shall be composed of a practicing veterinarian and two public citizens as appointed by the city council. The veterinarian shall be vested with a personal or professional stake in Transylvania County, and the two citizen members shall be residents of the City of

Brevard. The owner/keeper of a dog that has been declared dangerous/potentially dangerous may appeal the declaration in writing to the dangerous dog appellate board within **five** business days of the receipt of notice of the original declaration. While any appeal is pending, the owner/keeper of the dog shall comply with the dangerous/potentially dangerous dog confinement measures set forth in City Code section 14-36 and G.S. 67-4.2. If the declaration made by the **Chief of Police**, or **their** designee, is upheld by the appellate board, the owner of the dog may appeal the decision to superior court by filing notice of appeal and a petition for review within ten days of the decision made by the appellate board. Appeals from the final decisions of the appellate board shall be heard in the superior court of the county.

- E.** The owner/keeper of a dog that has been declared “dangerous” or “potentially dangerous” has the right to properly appeal the initial declaration to the City of Brevard Dangerous Dog Appellate Board.
- F.** To be properly appealed, any request for an appeal must be made in writing and must be delivered to the appellate board c/o the City Manager, or otherwise mailed thereto bearing a postmark, within 5 days of receipt by the owner of the written declaration from which the appeal is sought.
- G.** While the appeal to the appellate board is pending, the owner/keeper of the dog must comply with all provisions of this ordinance pertaining to “dangerous” or “potentially dangerous” dogs except with respect to any tattooing or micro chipping requirements.
- H.** The appellate board shall schedule a quasi-judicial hearing within 30 days of receiving the written request for an appeal to determine whether to affirm, remand for further consideration, or overturn the Chief of Police or their designee’s declaration. The appellate board’s decision shall be issued in writing within 10 days of its decision.
- I.** Any appeal from the final decision of the appellate board shall be taken to the Transylvania County Superior Court by filing notice of appeal and a petition for review therewith within 10 days of the final decision of the appellate board.
- J.** While any appeal to the Transylvania County Superior Court is pending, the owner or keeper of the dog must comply with all provisions of this ordinance pertaining to “dangerous” or “potentially dangerous” dogs except with respect to any tattooing or micro chipping requirements.
- K.** Failure to file any appeal within the applicable deadline shall result in the owner or keeper being deemed to have waived its right to file an appeal, and the owner or keeper shall thereafter immediately comply with all provisions of this ordinance.
- L.** The owner/keeper of a declared “dangerous” or “potentially dangerous” dog may

keep the dog only if all the following conditions are satisfied on an ongoing and continuous basis:

1. The owner must ensure that the dog remains either confined or controlled and muzzled as described below at all times. Failure to comply shall subject the owner to prosecution and/or penalties under this ordinance or state law.
 - a. Confined: The dog may be confined inside the owner's or keeper's residence. Alternatively, the dog may be confined inside a securely enclosed, locked pen with a concrete bottom and secure top. The lock must require a combination or key to open. The pen and the lock shall be subject to inspection and approval by the City of Brevard Animal Services Officer.
 - b. Restrained and muzzled: If the dog is not confined as described above, it must be muzzled, restrained on a leash or chain, and controlled by a competent person at all times.
2. The owner must immediately post one or more warning signs indicating that a declared "dangerous" or "potentially dangerous" dog is on the property. The signs must include both a written statement as well as a graphic representation of a dangerous dog. The sign must be approved by the Chief of Police, or their designee, and must be at least 120 square inches in size. At least one sign must be posted in a clearly visible manner at each entrance to any residence or enclosure in which the declared dog will be kept or confined at any time.
3. Within 10 days of exhausting all available appeals or otherwise within 10 days of the expiration of any applicable appeal deadline, the owner must ensure that the dog is either tattooed on the inside of the right hind leg with an identification number or microchipped. The owner must provide the Chief of Police with a signed written statement containing the identification number or microchip identifier used within 72 hours.
4. City of Brevard Animal Control Officers and other law enforcement officials may conduct periodic inspections of the owner's property to evaluate compliance with this ordinance. If the owner refuses to permit such inspections, the Animal Control Officers and law enforcement officials may seek an administrative inspection warrant to conduct a periodic inspection.
5. If the owner transfers ownership or possession of a declared dog to someone else, the restrictions on the dog shall transfer to the new owner or keeper. Prior to transferring ownership thereof, the owner must obtain a "Transfer of

Ownership" form from the Animal Services Officer explaining the dog has been declared “dangerous” or “potentially dangerous” and outlining the restrictions placed thereupon. The person assuming ownership must sign the form and the signature must be notarized. The signed and notarized form must be returned to the Chief of Police or their designee before the animal is transferred to the new owner.

M. Violations

1. If an owner or keeper of a declared dog fails to comply with any requirement in this section:
 - a. They may be charged criminally pursuant to this ordinance with a Class 3 Misdemeanor in which event the dog may be immediately impounded; and/or
 - b. They may be issued a civil citation and assessed for civil penalties pursuant to this ordinance as set by the City of Brevard fee schedule.
2. If the owner of a declared dog impounded under this section is found to not violate this section either criminally or civilly, the dog shall be released from impoundment, and all impoundment costs shall be paid by the owner/keeper at the daily rate established by the Transylvania County Animal Shelter.
3. Any declared dog shall not be offered for adoption through any animal shelter.
4. Any dog that kills a person shall be impounded and euthanized upon order of the court.

N. Reporting Requirements for declared “dangerous” or “potentially dangerous” dogs are as follows:

1. A report to the City of Brevard Animal Services Officer shall be made by contacting the Transylvania County 911 Center within 24-hours of any of the following events by persons specified herein:
 - a. If any declared “dangerous” or “potentially dangerous” dog attacks or bites a person or domestic animal it shall be reported by the owner/keeper.
 - b. If there is a change in address, ownership or possession of a declared “dangerous” or “potentially dangerous” dog, the same shall be reported by the owner or keeper thereof; or

c. If a declared “dangerous” or “potentially dangerous” is removed from the City of Brevard and Transylvania County, or expires, the same shall be reported by the owner or any keeper thereof.

2. Failure to comply with this section may result in criminal prosecution and/or civil remedies including the assessment of penalties as otherwise provided under Section L.1.(a)&(b) of this ordinance.

O. The owner/keeper of any declared “dangerous” or “potentially dangerous” dog shall have strict liability in civil damages for any injuries or property damage the dog inflicts upon any person, their property, or another animal as per G.S. 67-4.4.

(Code 1980, § 4-26; Ord. No. 2017-07, § 1, 3-20-17; Ord. No. 2018-15, § 1, 6-18-18)

State law reference(s)—Authority to regulate, restrict, and prohibit the possession or harboring of dangerous animals, G.S. 160A-187.

STAFF REPORT

City Council, Tuesday, September 3, 2024

Title: Board and Committee Appointments

Speaker: Lauren Wise, Finance, Human Resources and Citizen Appointment Committee Chair

Prepared by: Denise Hodsdon

Approved by: Wilson Hooper, City Manager

Background

The following statutory/code committees have current or upcoming vacancies:

1. Brevard ABC Board - 2 seats expiring in September
2. Brevard Planning Board - 2 seats expiring in September and 1 newly created seat
3. Board of Adjustment - 1 seat expiring in September and 3 seats expiring in November
4. Dangerous Dog Appellate Board - 1 Veterinarian and 1 citizen

Staff conducted an open recruitment for citizens interested in serving on these statutory/code committees. A number of applications were received and copies of all applications are attached.

At its August 26, 2024 meeting, the Finance, Human Resources and Citizen Appointment Committee reviewed applications and recommended the following appointments:

1. Brevard ABC Board - Susan Miller and Paula McKeller
2. Brevard Planning Board - Greg Hunter and Reid Wood (both are reappointments)
3. Board of Adjustment - Jackson Tate for the seat expiring in September; Peter Offen (reappointment) and Reid Wood for seats expiring in November
4. Dangerous Dog Appellate Board - Veterinarian Dr. Thomas Cox and Citizen Member Susan Azar

The Finance, Human Resources and Citizen Appointment Committee also agreed to extend the recruitment period for the newly added city-appointed Planning Board seat to recruit more candidates.

Action

Consider a resolution appointing the aforementioned individuals to the listed statutory/code committees.

Attachments:

1. ABC Board Applications
2. Planning Board Applications
3. Board of Adjustment Applications
4. Dangerous Dog Appellate Board Applications
5. Resolution Appointing Members to Statutory/Code Committees

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Carpenter, Thomas S
202200016 STATUTORY / CODE COMMITTEE MEMBER
ABC Board

Received: 7/30/24 12:33 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID#: 202200016
NAME: (Last, First, Middle) Carpenter, Thomas S	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 53 North Rice St., Brevard, North Carolina 28712	EMAIL ADDRESS: floridatscarp@yahoo.com
HOME PHONE: 828-508-1123	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Bachelor's Degree	

PREFERENCES

ARE YOU WILLING TO RELOCATE? ☐ Yes ☒ No ☐ Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Regular
TYPES OF WORK YOU WILL ACCEPT: Full Time

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
retired
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
none
4. Why do you want to be a member of this Board and/or Committee?
im a local and enjoy having input on issues and needs of Brevard nc
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
been involved with public, working and teaching for many years
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
just moved back to area and was intersted in getting involved in the community
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
none

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
ABC Board
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
- I understand that this competed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Thomas S Carpenter on 7/30/24 12:33 PM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Jones, Kevin E
202200016 STATUTORY / CODE COMMITTEE MEMBER
ABC Board

Received: 7/24/24 2:10 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID#: 202200016
NAME: (Last, First, Middle) Jones, Kevin E	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 135 Maple Street, Brevard, North Carolina 28712	EMAIL ADDRESS: kevinwardjones@gmail.com
HOME PHONE: 828-384-1616	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Bachelor's Degree	

PREFERENCES

ARE YOU WILLING TO RELOCATE? ☐ Yes ☐ No ☐ Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Regular
TYPES OF WORK YOU WILL ACCEPT: Per Diem
SHIFTS YOU WILL ACCEPT: Day, Evening

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
retired- Formerly financial adviser and business consultant
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
ABC Board Chairman
Board of Adjustment
4. Why do you want to be a member of this Board and/or Committee?
Would like to see the transitions through. These include helping new manager, Make inventory work more aggressive and designed to generate more gross profit. To secure long term locations for retail outlets. To establish addition cap accumulation accounts for future investment. To reconcile monthly accounting with actual business plan Increase GP profit on sales from 10% to 14%
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
Previous experience of four years on the board. Two as chairman
Business startups in the Brevard and Asheville area with an emphasis on profitability and stability
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
Long term relationship with the Brevard music center raising scholarship money
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
None

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
ABC Board
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
- I understand that this competed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Kevin E Jones on 7/24/24 2:10 PM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

McKeller, Paula R
202200016 STATUTORY / CODE COMMITTEE MEMBER
ABC Board

Received: 7/12/24 10:06 AM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE:
STATUTORY / CODE COMMITTEE MEMBER

EXAM ID#:
202200016

NAME: (Last, First, Middle)
McKeller, Paula R

SOCIAL SECURITY NUMBER:
N/A

ADDRESS: (Street, City, State/Province, Zip/Postal Code)
660 E. Main St., Brevard, North Carolina 28712

EMAIL ADDRESS:
paulaerenard@yahoo.com

HOME PHONE:
828-577-0628

NOTIFICATION PREFERENCE:
Email

LEGAL RIGHT TO WORK IN THE UNITED STATES?

☒ Yes ☐ No

What is your highest level of education?
Bachelor's Degree

PREFERENCES

WHAT TYPE OF JOB ARE YOU LOOKING FOR?
Temporary

TYPES OF WORK YOU WILL ACCEPT:
Per Diem

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
The Weight Place, Office Manager
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
None
4. Why do you want to be a member of this Board and/or Committee?
To bring my organizational and finance background to help support my local community.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
My office management experience includes financial, organizational, and administrative elements that will benefit this board.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
I have been a member of the Brevard Community for 30 years and continue to support a number of local organizations and businesses.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
None.

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
ABC Board
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
- I understand that this competed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Paula R McKeller on 7/12/24 10:06 AM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Miller, Susan McCallum
202200016 STATUTORY / CODE COMMITTEE MEMBER

ABC Board
Planning Board

Received: 7/1/24 8:16 PM
For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID#: 202200016
NAME: (Last, First, Middle) Miller, Susan McCallum	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 56 Knight Court, Brevard, North Carolina 28712	EMAIL ADDRESS: susan_miller@comporium.net
HOME PHONE: 828-966-3222	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Master's Degree	

PREFERENCES

MINIMUM COMPENSATION: \$1.00 per hour; \$1.00 per year	ARE YOU WILLING TO RELOCATE? ☐ Yes ☒ No ☐ Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Temporary	
TYPES OF WORK YOU WILL ACCEPT: Per Diem	
SHIFTS YOU WILL ACCEPT: Day, Evening	

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
retired
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
Finance, Personal and Committee Appointments Committee
4. Why do you want to be a member of this Board and/or Committee?
I am skilled in Financial Management, Auditor Selection and Strategic Planning, attributes which are beneficial to a citizen's board.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
Retired City Manager, Retired City/County Finance Director, CPA and I have a Master's in Public Administration from University of West Florida
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
Raised funds to build County Animal Shelter, On the Mayor's Task Force for Age Friendly Community, formerly was a Board Member for United Way
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
none

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
Planning Board,ABC Board
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
- I understand that this competed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Susan McCallum Miller on 7/1/24 8:16 PM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Mooney Jr, Carl
202200016 STATUTORY / CODE COMMITTEE MEMBER
ABC Board

Received: 7/11/24 4:20 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER		EXAM ID#: 202200016
NAME: (Last, First, Middle) Mooney Jr, Carl		SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 34 Mills Ave., Brevard, North Carolina 28712		EMAIL ADDRESS: csmoon@comporium.net
HOME PHONE: 8285532937	ALTERNATE PHONE: 8288844560	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No		LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Master's Degree		

PREFERENCES

MINIMUM COMPENSATION: \$0.00 per hour; \$0.00 per year	ARE YOU WILLING TO RELOCATE? ☐ Yes ☐ No ☐ Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Temporary	
SHIFTS YOU WILL ACCEPT: On Call (as needed)	

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
Retired
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
I currently serve on the Brevard ABC Board
4. Why do you want to be a member of this Board and/or Committee?
I currently serve as a member of the Brevard ABC Board and would like to continue my service for another term.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
I have previously served on the Board of Brevard Housing Authority as a member and chairman. I currently serve on the Brevard ABC Board. My experiences in business, for profit and non-profit, allows me to bring those skills to use in this appointment. I was a former Manager with DuPont.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
I served as a Board Member and chairman of BHA for 40 years. I served as a Board member and Treasurer for Neighbors In Ministry (Rise and Shine after school program). And I am currently serving as a Brevard ABC Board member.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
I have NONE

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
ABC Board
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
- I understand that this competed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Carl Mooney Jr on 7/11/24 4:20 PM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Hunter, Greg
202200016 STATUTORY / CODE COMMITTEE MEMBER
Planning Board

Received: 8/21/24 2:09 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID#: 202200016
NAME: (Last, First, Middle) Hunter, Greg	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) PO Box 168, Brevard, North Carolina 28712	EMAIL ADDRESS: greghunter@yahoo.com
HOME PHONE: 8282432824	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Master's Degree	

PREFERENCES

MINIMUM COMPENSATION: \$0.00 per hour	ARE YOU WILLING TO RELOCATE? ☐ Yes ☒ No ☐ Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Temporary	
SHIFTS YOU WILL ACCEPT: Evening	

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
Self-employed, property management and construction
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
Brevard Planning Board Chairperson
4. Why do you want to be a member of this Board and/or Committee?
I appreciate the concerns of my fellow citizens and encourage open communication amongst the board and community members. I allow the audience to engage with the Brevard Planning Board (BPB) beyond the usual time limits and have a dialogue of ideas and concerns. I believe at this level it is important that our fellow citizens have an opportunity to ask questions and raise concerns that may not be addressed at city council. Our meetings are usually smaller and less formal allowing individuals to speak more freely.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
The majority of my educational background is sciences. I feel this provides me with critical thinking skills to carefully examine items that come before the BPB. I am a lifelong resident of Transylvania County and hold great respect for the history of our area. As a residential home carpenter and property owner I am well aware of the housing challenges facing residents of Brevard. I have currently served on the board 4+ years.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
I currently serve on the Transylvania Historical Society as vice president. This spring, I tutored math and reading at Pisgah Forest Elementary on a part time basis. This experience has enlightened me to some of the difficulties facing our families.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
I prefer the current schedule for BPB (evenings), as this provides an opportunity for citizens to attend after regular business hours.

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
Planning Board
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

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- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Greg Hunter on 8/21/24 2:09 PM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Jerue, Richard T.
202200016 STATUTORY / CODE COMMITTEE MEMBER
Planning Board

Received: 8/6/24 11:11 AM
For Official Use Only:
QUAL: _____
DNQ: _____
☐ Experience
☐ Training
☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID #: 202200016
NAME: (Last, First, Middle) Jerue, Richard T.	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 14 Lingerlong Lane, Brevard, North Carolina 28712	EMAIL ADDRESS: rtjerue@gmail.com
HOME PHONE: 8436073021	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Doctorate	

PREFERENCES

MINIMUM COMPENSATION: \$1.00 per hour	ARE YOU WILLING TO RELOCATE? ☐ Yes ☐ No ☐ Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Regular	
TYPES OF WORK YOU WILL ACCEPT: Full Time	
SHIFTS YOU WILL ACCEPT: Day, Evening, Night, Weekends	

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
retired
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
none
4. Why do you want to be a member of this Board and/or Committee?
I am a new Brevard resident. I want to do what I can to serve the City. I have had extensive government service at the federal, state and local levels. I'd like to use this experience in a meaningful and productive way.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
I served for the last 8 years as chief of staff to the Mayor of Charleston, SC. In that capacity I was involved in all aspects of city government, including budgeting, human resources, planning, zoning, public safety, public works, cultural affairs, liveability, parks and recreation. I oversaw the successful search and recruitment of two police chiefs and the city's current fire chief, as well as the City's Planning Director, Transportation Director and the city's legal counsel and CFO.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
I was Board Chair of the Charleston Wine&Food Festival for 3 years. I was involved in the restoration of the city's municipal auditorium. I was the founding chair of Engaging Creative Minds, a non-profit that used local artists to assist public school teachers in teaching the core curricula.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
None.

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
Planning Board
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
- I understand that this competed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Richard T. Jerue on 8/6/24 11:11 AM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Tate, Jackson
202200016 STATUTORY / CODE COMMITTEE MEMBER

Planning Board
Board of Adjustment
Brevard Housing Authority

Received: 4/8/24 12:33 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID #: 202200016
NAME: (Last, First, Middle) Tate, Jackson	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 107 Maple Street, Brevard, North Carolina 28712	EMAIL ADDRESS: tateacresllc@gmail.com
HOME PHONE: 843-697-8601	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Bachelor's Degree	

PREFERENCES

WHAT TYPE OF JOB ARE YOU LOOKING FOR?
Regular

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
Managing partner of the North Carolina Appraisal Company, which is located in Cashiers, NC. I'm a Certified General Real Estate Appraiser.
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
Transylvania County Board of Equalization & Review.
4. Why do you want to be a member of this Board and/or Committee?
We are a pivotal point in time for the future of Brevard, and I want to be involved in the future of it. I believe with my background in real estate, I can bring valuable experience to the Board.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
Through my 12+ years of real estate appraisal and investment experience, I am well versed in a variety of real estate/planning/development aspects. My 3+ years on the Board of Equalization & Review has given me ample experience listening to and dealing with the public.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
I have been a volunteer basketball coach in the community, and am involved in several local/regional public outreach organizations like Conserving Carolina.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
I am flexible as I can set my own schedule.

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
Planning Board, Board of Adjustment, Brevard Housing Authority
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may be required to verify any and all information on this application.
- I understand that this completed application is the property of the City of Brevard and will not be returned.
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- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Jackson Tate on 4/8/24 12:33 PM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Wood, Reid deJarnette
202200016 STATUTORY / CODE COMMITTEE MEMBER

Planning Board
Board of Adjustment

Received: 8/4/24 10:15 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID#: 202200016
NAME: (Last, First, Middle) Wood, Reid deJarnette	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 68 Elks Club Road, Brevard, North Carolina 28712	EMAIL ADDRESS: Reidnik2002@yahoo.com
HOME PHONE: 828.226.4169	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Master's Degree	

PREFERENCES

MINIMUM COMPENSATION: \$0.00 per year	ARE YOU WILLING TO RELOCATE? ☐ Yes ☐ No ☐ Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Temporary	
SHIFTS YOU WILL ACCEPT: Day, Evening	

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
PLATT/ Architect
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
Brevard Planning Board-Vice Chair
4. Why do you want to be a member of this Board and/or Committee?
I am currently a member of the Brevard planning board. I have enjoyed serving and would like the opportunity to continue. It's been exciting to approve all the improved updates to the UDO, id like to continue working with the planning department on those improvements as well as and the creation of the Pisgah Gateway Use Zoning District.and I'd like to work with Plusurbia on the architectural standards for downtown.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
My background as an architect, working with city planners and developers on projects, provides me with knowledge of these issues, conflicts, and possible resolutions. Plus, my interest as a citizen makes it all that much important to me.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
My current work on the planning board, combined with past work on city and county boards, provides me with knowledge of these issues, conflicts, and possible resolutions. Plus, it provides me with a foundation of interest that I'd can build upon.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
I can make my schedule accommodate board meetings.

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
Planning Board, Board of Adjustment
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may be required to verify any and all information on this application.
- I understand that this completed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
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- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Reid deJarnette Wood on 8/4/24 10:15 PM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Yunker, Gerald
202200016 STATUTORY / CODE COMMITTEE MEMBER
Planning Board

Received: 8/20/24 8:42 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID#: 202200016
NAME: (Last, First, Middle) Yunker, Gerald	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 374 Elk Mountain Trail, Brevard, North Carolina 28712	EMAIL ADDRESS: mylonitejy@gmail.com
HOME PHONE: 3372306905	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Master's Degree	

PREFERENCES

MINIMUM COMPENSATION: \$0.00 per hour; \$0.00 per year	ARE YOU WILLING TO RELOCATE? ☐ Yes ☒ No ☐ Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Temporary	
TYPES OF WORK YOU WILL ACCEPT: Per Diem	
SHIFTS YOU WILL ACCEPT: On Call (as needed)	

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
Retired, Petroleum Geologist
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
N/A
4. Why do you want to be a member of this Board and/or Committee?
I have experience working with numerous regulatory agencies and completing projects on time and within budget. I've seen Brevard grow and change since 1973. We built a home here and are fully engaged in the community. I'd like to contribute to a great town and help guide its future.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
Brevard College grad (1975). BS, MA in Geology from Furman University & Univ. of Missouri respectively. 43 years experience in petroleum exploration in multiple U. S. basins managing exploration teams and up to \$500 million yearly budgets.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
I am a volunteer at the Pisgah National Forest Ranger Station Visitor Center
I am treasurer for a sub association of the Straus Park HOA.
I am a 2022 graduate of the Vision TC program.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
None

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
Planning Board
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
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- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Gerald Yunker on 8/20/24 8:42 PM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Offen, Peter B.
202200016 STATUTORY / CODE COMMITTEE MEMBER
Board of Adjustment

Received: 8/21/24 11:47 AM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID #: 202200016
NAME: (Last, First, Middle) Offen, Peter B.	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 67 Willow Drive, Brevard, North Carolina 28712	EMAIL ADDRESS: pboffen@mail.roanoke.edu
HOME PHONE: 703-268-3819	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Master's Degree	

PREFERENCES

WHAT TYPE OF JOB ARE YOU LOOKING FOR? Regular
TYPES OF WORK YOU WILL ACCEPT: Full Time, Part Time, Per Diem

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
US Department of Justice- Attorney-Advisor
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
Board of Adjustment Chair
4. Why do you want to be a member of this Board and/or Committee?
I would like to continue my work on this Board as it has been a great experience, and I think I have materially contributed to the Board and the community.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
My legal background provides a great foundation for conducting the business of the Board of Adjustment.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
As a member of the Board for the past couple years, and serving as the current chair I have a deep understanding of how the Board functions. I have existing relationships with everyone on the Board, and have been through the training provided by the Board Attorney which is an asset to the Board.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
I do not have limitations.

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
Board of Adjustment
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

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- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Peter B. Offen on 8/21/24 11:47 AM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Tate, Jackson
202200016 STATUTORY / CODE COMMITTEE MEMBER

Planning Board
Board of Adjustment
Brevard Housing Authority

Received: 4/8/24 12:33 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID #: 202200016
NAME: (Last, First, Middle) Tate, Jackson	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 107 Maple Street, Brevard, North Carolina 28712	EMAIL ADDRESS: tateacresllc@gmail.com
HOME PHONE: 843-697-8601	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Bachelor's Degree	

PREFERENCES

WHAT TYPE OF JOB ARE YOU LOOKING FOR? Regular
--

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
Managing partner of the North Carolina Appraisal Company, which is located in Cashiers, NC. I'm a Certified General Real Estate Appraiser.
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
Transylvania County Board of Equalization & Review.
4. Why do you want to be a member of this Board and/or Committee?
We are a pivotal point in time for the future of Brevard, and I want to be involved in the future of it. I believe with my background in real estate, I can bring valuable experience to the Board.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
Through my 12+ years of real estate appraisal and investment experience, I am well versed in a variety of real estate/planning/development aspects. My 3+ years on the Board of Equalization & Review has given me ample experience listening to and dealing with the public.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
I have been a volunteer basketball coach in the community, and am involved in several local/regional public outreach organizations like Conserving Carolina.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
I am flexible as I can set my own schedule.

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
Planning Board, Board of Adjustment, Brevard Housing Authority
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

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This application was submitted by Jackson Tate on 4/8/24 12:33 PM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Wood, Reid deJarnette
202200016 STATUTORY / CODE COMMITTEE MEMBER

Planning Board
Board of Adjustment

Received: 8/4/24 10:15 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID#: 202200016
NAME: (Last, First, Middle) Wood, Reid deJarnette	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 68 Elks Club Road, Brevard, North Carolina 28712	EMAIL ADDRESS: Reidnik2002@yahoo.com
HOME PHONE: 828.226.4169	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Master's Degree	

PREFERENCES

MINIMUM COMPENSATION: \$0.00 per year	ARE YOU WILLING TO RELOCATE? ☐ Yes ☐ No ☐ Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Temporary	
SHIFTS YOU WILL ACCEPT: Day, Evening	

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
PLATT/ Architect
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
Brevard Planning Board-Vice Chair
4. Why do you want to be a member of this Board and/or Committee?
I am currently a member of the Brevard planning board. I have enjoyed serving and would like the opportunity to continue. It's been exciting to approve all the improved updates to the UDO, id like to continue working with the planning department on those improvements as well as and the creation of the Pisgah Gateway Use Zoning District.and I'd like to work with Plusurbia on the architectural standards for downtown.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
My background as an architect, working with city planners and developers on projects, provides me with knowledge of these issues, conflicts, and possible resolutions. Plus, my interest as a citizen makes it all that much important to me.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
My current work on the planning board, combined with past work on city and county boards, provides me with knowledge of these issues, conflicts, and possible resolutions. Plus, it provides me with a foundation of interest that I'd can build upon.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
I can make my schedule accommodate board meetings.

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
Planning Board, Board of Adjustment
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may be required to verify any and all information on this application.
- I understand that this completed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Reid deJarnette Wood on 8/4/24 10:15 PM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Azar, Susan R
202200016 STATUTORY / CODE COMMITTEE MEMBER
Dangerous Dog Appellate Board

Received: 7/25/24 4:07 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID#: 202200016
NAME: (Last, First, Middle) Azar, Susan R	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 12 Hilt Street Ext, Brevard, North Carolina 28712	EMAIL ADDRESS: susan.r.azar@gmail.com
HOME PHONE: 8285776999	NOTIFICATION PREFERENCE: Email
LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No	
What is your highest level of education? Master's Degree	

PREFERENCES

MINIMUM COMPENSATION: \$0.00 per hour; \$0.00 per year	ARE YOU WILLING TO RELOCATE? ☐ Yes ☒ No ☐ Maybe
WHAT TYPE OF JOB ARE YOU LOOKING FOR? Regular	
TYPES OF WORK YOU WILL ACCEPT: Part Time	
SHIFTS YOU WILL ACCEPT: Day, Evening, Rotating, Weekends, On Call (as needed)	

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
Yes
2. Please list your current place of employment and your occupation.
Retired
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
None
4. Why do you want to be a member of this Board and/or Committee?
Would like to be a part of the Dangerous Dog Appeal Board since I have been involved with the updating of the current statute language.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
I've been involved in the recent changes to the Dangerous Dog Statute Language. I've also witnessed an attack and have personally been attacked by a dog.
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
I've been involved in the recent changes to the Dangerous Dog Statute Language
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
No limitations

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
Dangerous Dog Appellate Board
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
- I understand that I may required to verify any and all information on this application.
- I understand that this competed application is the property of the City of Brevard and will not be returned.
- I understand it is my responsibility to notify Human Resources of any change to my name, address and/or phone number
- I authorize my current and former employers to give any information regarding me or my employment, whether or not it is on their records. I hereby release them from any damage whatsoever for issuing same.
- I also authorize educational institutions which I attended to reveal my scholastic ratings, as well as degrees or certificates earned, to the City; and associations, registration and licensing boards and to others to furnish whatever detail is available concerning my qualifications. Notwithstanding any provision of State or Federal law, I expressly waive any right I have to review information the City receives from an employer or educational institution under a promise of confidentiality.
- I also permit the City to conduct a Police, Court, Credit and/or Motor Vehicle Records Investigation of my background where related to the job for which I am applying.
- I understand that if I apply or have applied for certain jobs, I may be tested for drug and alcohol use to determine if I am currently using or abusing these substances. I consent to the testing and understand that the results could prevent my employment.
- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Susan R Azar on 7/25/24 4:07 PM

EMPLOYMENT APPLICATION



CITY OF BREVARD
95 W Main St
Brevard, North Carolina 28712
<http://www.cityofbrevard.com>

Cox, Thomas
202200016 STATUTORY / CODE COMMITTEE MEMBER
Dangerous Dog Appellate Board

Received: 7/25/24 4:50 PM

For Official Use Only:

QUAL: _____

DNQ: _____

☐ Experience

☐ Training

☐ Other: _____

PERSONAL INFORMATION

POSITION TITLE: STATUTORY / CODE COMMITTEE MEMBER	EXAM ID #: 202200016
NAME: (Last, First, Middle) Cox, Thomas	SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 19 Cameron Circle, Pisgah Forest, North Carolina 28768	EMAIL ADDRESS: tomcox58@yahoo.com
HOME PHONE: 9044635764	NOTIFICATION PREFERENCE: Email
DRIVER'S LICENSE: ☒ Yes ☐ No	LEGAL RIGHT TO WORK IN THE UNITED STATES? ☒ Yes ☐ No
What is your highest level of education? Doctorate	

PREFERENCES

WHAT TYPE OF JOB ARE YOU LOOKING FOR? Regular
TYPES OF WORK YOU WILL ACCEPT: Full Time

EDUCATION

Nothing Entered For This Section

WORK EXPERIENCE

Nothing Entered For This Section

CERTIFICATES AND LICENSES

Nothing Entered For This Section

Skills

Nothing Entered For This Section

ADDITIONAL INFORMATION

Nothing Entered For This Section

REFERENCES

Nothing Entered For This Section

Agency-Wide Questions

1. Are you a resident of the City of Brevard? A resident is defined as someone who lives in within the corporate city limits the majority of the year and claims the City of Brevard as their domicile for legal purposes.
No
2. Please list your current place of employment and your occupation.
Animals of Eden
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
None
4. Why do you want to be a member of this Board and/or Committee?
Input for the dangerous dog bill.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
Veterinarian for 40 years
6. Please briefly describe any community involvement you have that may be related and beneficial for City Council to know as they evaluate applicants to serve on this Board and/or Committee.
Work as a local Veterinarian.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
Minimal

Job Specific Supplemental Questions

1. Please select from the list below which Statutory / Code Committee and/or Committees you are interested in serving on.
Dangerous Dog Appellate Board
-

The following terms were accepted by the applicant upon submitting the online application:

By clicking the Accept and Submit button, I hereby certify that every statement I have made in this application is true and complete to the best of my knowledge. I understand that any false or incomplete information may be grounds for not employing me and for termination from employment, after employed.

- I understand that I will have to produce documentation verifying identity and eligibility to work in the United States if offered employment.
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- I understand and acknowledge that should I be employed by the City, then I serve "at will". This means that I may be terminated at any time. I further understand that this "at will" employment relationship may not be changed by any written document unless such change is specifically approved by the City Manager

This application was submitted by Thomas Cox on 7/25/24 4:50 PM

RESOLUTION NO. 2024-XX

**RESOLUTION APPOINTING MEMBERS TO
STATUTORY/CODE COMMITTEES**

WHEREAS, in Fall 2022 the City of Brevard City Council held a work retreat to reform its board/committee structure; and

WHEREAS, the Council initiated a new system for making appointments that would apply to every body to which the Council makes appointments which includes the Brevard Alcoholic Beverage Control Board, the Brevard Planning, Board of Adjustment, and Dangerous Dog Appellate Board; and

WHEREAS, the Finance, Human Resources and Citizen Appointment Committee and charged with reviewing applicants for the various boards/committees/advisory groups and making appointment recommendations to the full Council; and

WHEREAS the terms of two members of the Brevard Alcoholic Beverage Control Board expired in July 2024 and Council extended their terms to the end of September 2024; and

WHEREAS, the terms of two members of the Brevard Planning Board expire in September 2024 and the City of Brevard Code of Ordinances Chapter 15 was amended by Ordinance No. 2024-14 on May 20, 2024 to add one additional member residing within the city; and

WHEREAS, the term of one member of the Board of Adjustment expires in September 2024 and the terms of three members expire in November 2024; and

WHEREAS, the terms of two members of the Dangerous Dog Appellate Board have expired; and

WHEREAS, city staff, with the oversight of the Finance, Human Resources and Citizen Appointment Committee, conducted an open recruitment for citizens interested in serving on the above statutory/code boards; and

WHEREAS, the Finance, Human Resources and Citizen Appointment Committee considered applications at their August 26, 2024 meeting and recommended appointments to the ABC Board, Brevard Planning Board, Board of Adjustment, and Dangerous Dog Appellate Board; and

WHEREAS, the Finance, Human Resources and Citizen Appointment Committee agreed to extend the recruitment period for the newly added city-appointed Planning Board seat to recruit more candidates.

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

- 1) The Brevard City Council does hereby appoint Susan Miller and Paula McKeller to the Brevard Alcoholic Beverage Control Board effective October 2024 and expiring in July 2027.
- 2) The Brevard City Council does hereby reappoint Greg Hunter and Reid Wood to the Brevard Planning Board effective September 2024 and expiring in September 2027.
- 3) The Brevard City Council does hereby appoint Jackson Tate to the Board of Adjustment effective September 2024 and expiring in September 2027. The Brevard City Council does hereby appoint Peter Offen and Reid Wood to the Board of Adjustment effective November 2024 and expiring in November 2027.

- 4) The Brevard City Council does hereby appoint Dr. Thoms Cox and Susan Azar to the Dangerous Dog Appellate Board effective September 2024 and expiring in September 2027.

Adopted and approved this the 3rd day of September, 2024.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC

STAFF REPORT

City Council, Tuesday, September 3, 2024

Title: Appointment of City Representative to Transylvania County Transportation Advisory Committee

Speaker: Lauren Wise, Finance, Human Resources and Citizen Appointment Committee Chair

Prepared by: Denise Hodsdon

Approved by: Wilson Hooper, City Manager

Background

At its June 3, 2024 and August 26, 2024 meetings, the Finance, Human Resources, and Citizen Appointment Committee considered who to appoint to the Transylvania County Transportation Advisory Committee. After deliberation committee referred Council Member Mac Morrow to full Council for appointment.

Discussion

The Transportation Advisory Committee (TAC) is a 9-member advisory board to the Transylvania County Board of Commissioners that focuses on transportation needs and issues throughout the county, working in close coordination with NCDOT Division 14 and the Land of Sky RPO. The TAC is primarily tasked with developing a comprehensive transportation plan (CTP) that identifies and prioritizes road needs of the County. Additionally, the TAC prepares and submits an annual road needs report and recommendations for the Transportation Improvement Plan (TIP) and serves as a contact point for citizens with road-related concerns. Members serve 3-year terms with a limit of 2 terms and meet quarterly in January, April, July & October.

Action

Council is asked to approve the attached resolution appointing Mr. Morrow.

Attachments:

1. Resolution Appointing a Council Member to Transylvania County TAC

RESOLUTION NO. 2024-XX

**RESOLUTION APPOINTING A CITY COUNCIL MEMBER TO
THE TRANSYLVANIA COUNTY TRANSPORTATION ADVISORY COMMITTEE**

WHEREAS, The Transylvania County Transportation Advisory Committee is a 9-member advisory board to the Transylvania County Board of Commissioners that focuses on transportation needs and issues throughout the county, working in close coordination with NCDOT Division 14 and the Land of Sky RPO; and

WHEREAS, the City of Brevard appoints one member to the Transportation Advisory Committee to serve a 3-year term; and

WHEREAS, at its June 3, 2024 and August 26, 2024 meetings, the Finance, Human Resources, and Citizen Appointment Committee considered who to appoint to the Transportation Advisory Committee and recommended to City Council the appointment of Council Member Mac Morrow.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BREVARD, NORTH CAROLINA THAT:

Section 1. The Brevard City Council does hereby appoint City Council Member Mac Morrow to the Transylvania County Transportation Advisory Committee.

Adopted and approved this the 3rd day of September, 2024.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

STAFF REPORT

City Council, Tuesday, September 3, 2024

Title: Amend Council Meeting Calendar to add Ecusta Trail Strategic Planning Workshop

Speaker: Wilson Hooper

Prepared by: Denise Hodsdon

Approved by: Wilson Hooper, City Manager

Background

The City Council's regular meeting schedule includes meetings on the first and third Mondays of each month, though Council may amend the schedule when necessary. The meeting schedule is published on the City's website and posted at City Hall.

Discussion

It is the desire of Council to hold a Council Strategic Planning Workshop for the Ecusta Trail. That workshop has been scheduled for Tuesday, October 15, 2024 from 12:30 pm to 4:30 pm and must be added to the published calendar.

Action

To adopt the amendment to the City Council Meeting Schedule adding an Ecusta Trail Strategic Planning Workshop for October 15, 2024.

Attachments:

1. Amended 2024 Council Meeting Schedule

Brevard City Council 2024 Meeting Schedule

Day / Date	Time	Type	Location
Tuesday, January 16, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, February 5, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, February 19, 2024	5:30 PM	Regular Meeting	Council Chambers
Thursday, February 29, 2024	8:30 AM	Strategic Planning Session	MCJCCC
Monday, March 18, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, April 1, 2024	5:30 PM	Regular Meeting	Council Chambers
Friday, April 12, 2024	8:30 AM	Budget Workshop	TBD
Monday, May 6, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, May 20, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, June 3, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, June 17, 2024	5:30 PM	Regular Meeting	Council Chambers
Wednesday, June 26, 2024	1:30 PM	Ecusta Trail Workshop	Council Chambers
Monday, August 5, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, August 19, 2024	5:30 PM	Regular Meeting	MCJCCC
Tuesday, September 3, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, September 16, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, October 7, 2024	5:30 PM	Regular Meeting	Council Chambers
Tuesday, October 15, 2024	12:30 PM	Ecusta Trail Strategic Planning Workshop	Council Chambers
Monday, October 21, 2024	5:30PM	Regular Meeting	Council Chambers
Monday, November 4, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, November 18, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, December 2, 2024	5:30 PM	Regular Meeting	Council Chambers
Monday, December 16, 2024 (If Needed)	5:30 PM	Regular Meeting	Council Chambers

Amended: September 3, 2024
Amended: June 3, 2024
Amended: December 18, 2023
Adopted: December 4, 2023
Distribution: December 5, 2023
D Hodsdon, City Clerk