



AGENDA
BREVARD CITY COUNCIL - REGULAR MEETING
Tuesday, October 8, 2024 - 5:30 PM
City Council Chambers

A. Welcome and Call to Order

B. Invocation

Dr. Andrew White, Pastor - Calvary Baptist Church

C. Pledge of Allegiance

D. Certification of Quorum

E. Approval of Agenda

F. Approval of Minutes

1. September 16, 2024 Regular Meeting

G. Public Comments

H. Certificates / Awards / Recognition

1. Proclamation No. 2024-20 Domestic Violence Awareness Month
2. Proclamation No. 2024-21 Breast Cancer Awareness Month

I. Special Presentation(s)

J. Public Hearing(s)

1. Pathways to Removing Obstacles to Housing (PRO Housing) Federal Grant Application
2. Ordinance - Voluntary Contiguous Annexation - Jason Shepherd / 35 Verdery Avenue

K. Consent and Information

1. Budget Amendment - Housing Trust Fund - Purchase Agreement for \$115,000
2. Age-Friendly Survey Results

3. Council Parks, Trails & Recreation Committee Meeting - August 21, 2024
4. Council Finance, Human Resources, & Citizen Appointment Committee Minutes - August 26, 2024
5. Council Downtown Master Plan Committee Minutes - August 29, 2024

L. Unfinished Business

M. New Business

1. Approve Option to Purchase Three Properties in Azalea / Rhododendron Neighborhood for Potential Affordable Housing Project
2. Approve Housing Trust Fund (HTF) Allocation and "Mini-Brooks" Act Exemption for Development Finance Initiative Phase II Work
3. Planning Board Appointment

N. Remarks / Future Agenda Considerations

O. Closed Session(s)

P. Adjourn

Agenda Posted, Website, Sunshine List (October 3, 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
September 16, 2024 – 5:30 PM

The Brevard City Council met in regular session on Monday, September 16, 2024, at 5:30 p.m. in the Council Chambers of City Hall 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, Assistant City Manager David Todd, 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, Fire Chief Bobby Cooper, Public Works Director Wesley Shook, Water Treatment Plant ORC Dennis Richardson, Wastewater Treatment Plant ORC Emory Owen, and Community Center Director Tyree Griffin

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

A. Welcome and Call to Order – Mayor Copelof called the meeting to order and welcomed those present.

B. Invocation – Rev. Dr. Sharad Creasman of Brevard College 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. Daniel requested to add an item regarding Resolution Authorizing a Great State Trails Grant Application as Item M-1 under New Business. Mr. Baker moved, seconded by Mr. Morrow to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes

F-1. September 3, 2024 Regular Meeting – Mr. Wise moved, seconded by Ms. Holder to approve the minutes of the September 3, 2024 Regular Meeting as presented. The motion carried unanimously.

G. Public Comments

Sean Walton of Hendersonville said I would like to speak to you about the current difficulties occurring at the Brevard Police Department. Although I am neither an employee of this agency nor a resident of Brevard, I have a vested interest in these matters as I am Lt. Kat Twomey's fiancé and recent decisions are negatively affecting her home life and her work life. Additionally, currently I am in my 30th year in law enforcement and in my current job have worked with the Brevard Police Department for the past 12 years. The current schedule of patrol, a modified Panama schedule was recently forced upon the Patrol Division. This schedule was not asked for, nor were the patrolmen consulted before this change. The prior DuPont schedule provided for an 8-day break, which many families, including ours, scheduled our vacation. Patrolmen would also schedule training during this time as to not burden their shifts with working short. It could be said that police officers could use their vacation as other city employees do, but in what other department do employees, instead of management,

have to find a replacement for them when they take vacation? Officers have had to return from approved vacations due to these replacements not being available. This pool of replacements has become less and less with the short staffing of the Patrol Division, which is continuing as officers are leaving this agency and seeking other law enforcement job opportunities. With the new schedule, a directive was sent out that patrol officers will not work more than 4 days in a row. This winnows down the officers available to work for others even more. Making this pool even smaller is the fact that only the Patrol Division seems to be carrying this burden. The Chief of Police had a practice where all patrol shifts would be staffed with 4 officers. Now some patrol shifts have only 2 officers working at a time. This is an officer safety issue. This change in schedule seems to be retaliatory for a recent complaint filed with the Occupational Safety & Health Administration. The schedule was implemented not only the same day that the Police Department was notified of this complaint, but within hours of it being notified. I know this because I'm the one who contacted OSHA. My fiancé's workstation at the old Police Department downstairs, which included computers and monitors and other electronic equipment, had flooded during the rains of this summer. She had taken pictures and videos of rainwater coming down the walls over electrical outlets and pooling around the chairs at these computer stations. When she notified her chain of command, their advice was "limit their time in this working environment". This is the same advice given to patrol officers when a portion of the department was moved to the new Police Department due to mold and respiratory health issues. But Patrol did not move and continued to work in that environment until recently. What would you have done if this was a family member of yours? Additionally, the current Police administration has put out a schedule for cleaning the new Police Department to include cleaning the bathrooms. In conclusion, the City of Brevard police officers are your employees. You're supposed to protect them from these sort of issues and I would ask that you look into these issues and the issues that others are going to address tonight.

Tim Waldrop of 3225 Island Ford Road said I am not a resident of the City of Brevard, but I did put in 30 years at the City of Brevard - started out as a patrol officer and retired as a lieutenant. During my career we had a waiting list to be hired at the Police Department. I retired in 2008 and I would say there were 14 to 15 officers waiting to come in. It's not that way anymore. Two officers per shift is...we went to 3 officers per shift in the mid-80's; 4 officers per shift in the early 2000's and it's not just a club; those officers are needed on the road. It is not safe for one officer to answer calls by themselves. I don't know where the problem lies but I have heard it from many officers. There are 3 or 4 here who were still here when I retired. City Council used to come out and ride with the officers; they knew what we were facing and they actually cared about what we were facing and tried to do their best to help us. I am not seeing that now and I don't mean to disparage anyone here, but I am not seeing anyone standing up and trying to help the Brevard Police Department.

Rick Harbin of 418 Pisgah Drive said I served at Brevard Police Department for the better part of 13 years. I recently retired in May of this year as Lieutenant. I loved serving this city and I feel that it is my duty to help in this matter. I urge you not to take these complaints, facts, and concerns lightly, as our ultimate goal is to make Brevard a better and safer place. Under the current administration staffing issues are at an all-time low. This is not only a safety issue for the officers, but makes providing law enforcement services to the public at the expected levels very difficult. The lack of leadership at this department is appalling and in turn has significantly lowered the morale of the officers on duty, something that is important in this line of work. A sudden schedule change without the knowledge of the officers has recently raised concern. This change has been detrimental to the officers' well-being and family lives. Again, two things in this line of work that are significantly impactful on their daily lives. Under this leadership the communication between agencies has deteriorated making it difficult to better serve this community as a team in my opinion. It is no secret that there are drug issues, not only among this community, but the surrounding areas as well, yet this leadership caused the removal of the Brevard PD from the Narcotics Task Force. This causes less intel and action by the City for drug enforcement. This is highly

important to better the city that we all love. I encourage you to please get input from the officers as currently their livelihood, well-being and the safety of Brevard are at risk.

Vince Stone of 75 Dodson Flats, said I was an officer here and had to retire prematurely due to some medical issues. But in my job the biggest concern is safety and we are having that issue now. Two officers to a shift is unsatisfactory and needs to be corrected immediately. Morale at this department has gone downhill; not sure of everything that is going on with it, but I do know the schedule being changed going from the DuPont to the Panama...I'm not real familiar with the Panama; don't care. I worked 39 years rotating shifts starting at Ecusta and then came here. When I came to work here I felt like family and the closer I got and had some medical issues, the worse it got. We had Interim Chief Dean Galloway and he was a good chief. People got along, we all did our jobs, we worked and had fun, along with the risk we took when we put that uniform on. When he went out things started changing and starting going downhill and they have gone downhill since then. Right now it's at its worst and it's embarrassing. It's bad enough that the officers have to deal with all the issues that we dealt with over the last 4 years – defund the police and all the harassments and other issues that are going on – but now we're having to go out on patrol and work short-handed and deal with complaints and then come and deal with administrative issues. I read an article, something about retaliation, I'm not sure what that's about, but there is no place for that here. We talk about people being bullied at school and if there is retaliation going on in this department, that's bullying and that needs to stop. Mold is another issue. It's hard to cover everything in 3 minutes that needs to be covered, but I will leave it at the fact of it's a safety issue for officers.

Brandon McGaha of Mills River said I work for the NC Police Benevolent Association and I travel the state working on issues like these. If I'm here it's typically that somebody has reached out to me and has brought me here and that's the scenario here. I have met with Mr. McKeller and Mr. Hooper and have found them both very good to work with. I think we may have disagreements on the progress made at this stage, but I have found them open to suggestions. But we are concerned about the men and women at the Police Department. Morale is especially low in the Patrol Division and that is partially due to a schedule change that I believe you all received some information from me today on. While the new schedule hasn't been in effect but a couple of weeks, it's obvious on paper that it's not going to work for them. It gives them less time with their families. Taking a Friday, most families start their activities then, and trading for a Monday doesn't make sense to anyone. It drastically affects the family and their weekend events. How patient should officers be when they see something that damages their lives so much? Officers already lose large amounts of time due to work and any further loss is a huge bill to them that will cause officers to look other places. Several officers have advanced degrees and can manage organizations themselves. The administration seems to have the parent/child mentality concerning the Police Department and that prevents the development of a happy and healthy workplace. There seems to be a feeling that when someone stands up for themselves, that they are retaliated against. I offered to employees for them to come today and watch this process and speak to you all on matters of public concern and they refused out of concerns for retaliation. These employees did communicate to me that they would be willing to sit down with Mr. Hooper or you all to talk about these issues. While you can't order a schedule change, North Carolina General Assembly has given you all authority to keep tabs on the city's services. You all can hold hearings and hear from officers as to the functionality of the PD. I would say it is part of your duty to make sure the city services are topnotch and that may be more than just listening to the administration of the city. Our hope is that you all will communicate your vision for a vibrant workplace where the employees feel vested and part of the mission of the City.

Rick Tullis, President of the Mountain Chapter of the North Carolina Police Benevolent Association, said we represent over 17,000 members in North Carolina, several of which are Brevard officers, which brings me here tonight. The association exists to provide its membership with legal representation, legislative advocacy, as well as grievance resolution. When it comes to resolving grievances or complaints we always prefer to work closely with law enforcement executives and government

officials privately so as to reach an amicable agreement for each party, Over the last several years we have received disturbing complaints from our members about the administration of the Brevard Police Department. We have diligently attempted to work through the administration and the city attorney to resolve these concerns. The administration seems to be unwilling or unable to acknowledge that the Brevard Police Department is facing a severe dilemma regarding the morale issues and trust in the officers' leadership. Additionally, certain members of the administration have acted in a manner that appears to be retaliatory, specifically as it relates to abruptly changing the patrol schedule to a schedule that is untenable and negatively impacts the officers and their families. There has been no explanation or reason given to the officers as to why this has occurred. This change has come suddenly and without warning immediately following an OSHA investigation that was brought forth by the concerns of members of that agency. Another equally and disturbing issue is the state of the evidence room. We have been made aware that there are several items of evidence missing, including money and drug evidence. When we brought this to the administration's attention we were met with denials of stonewalling and furthermore, the Chief went on record recently with the media to say he was never made aware of the state of the evidence room. We have documents in our possession that are public record that contradict his statements. Not only was he aware, instead of working with his staff to resolve these issues, we have documents to show he acted in a manner to subvert and block the efforts of his staff. The importance of missing evidence and mismanagement of the evidence room cannot be understated. It directly impacts the integrity of any evidentiary of value and impedes the Brevard Police Department's ability to provide the District Attorney with the means to successfully prosecute cases brought forth by the officers. I must urgently ask this council, as within its authority per NCGS 160A-80, to initiate an investigation, subpoena any records relating to the administration of the Brevard Police Department for misconduct as it relates to the obstruction of officers' abilities to uphold their oaths of office, retaliatory actions that have created a hostile work environment for the officers, and refusal to report as required to the District Attorney the department's compromised ability to provide evidence in its criminal cases.

Don Rogers of 45 Gristmill View said I am on the board and volunteer with the Hunger Coalition of Transylvania County, which I hope you are somewhat familiar with. We have several programs and this year during the budgeting cycle I submitted a grant request for \$5,000 to fund our meal kit program. These are meal kits that we hand out to the after-school programs and to families that teach heart healthy plant-based cooking. We requested \$5,000 to provide 2,000 meals, a very good deal, and we were denied; and I and my board have trouble understanding why that was true. We did investigate a little bit; I see that your support for other non-profits has gone down quite a bit in the last three years from \$140,000 two years ago, \$120,000 last year, and only \$82,000 this year designated for non-profits. Well there are some budgetary we understand, and so we were feeling a little better. However, if you look at the individual of what you funded with that, you funded the Pisgah Conservancy and the Southern Off-Road Bicycle Association (SORBA), both with more than \$5,000 and it seems to us that that says your priorities are more on tourism and bicycling than feeding hungry families and kids and teaching them how to cook and be more heart healthy. This program has been funded by Dogwood regionally with a \$30,000 grant three years ago but we have used that money and now to keep it going we have got to have more and we can't continue without it. We were lucky enough to get another grant for \$5,000 to continue the program through Christmas, but after Christmas we are dead in the water. I am hoping you might be able to help with that; maybe this was just an unfortunate oversight on the Council's part, because I can't believe you prioritized tourism over feeding your own citizens. If that's true, maybe you can help as we've still got until January to do that. Lacking that, perhaps you could lead us or point us at somewhere we might also be funded again. Bottom line, we feel like this is not right. We will reapply next year but without your help it is possible that we will not be able to continue this the rest of the school year.

Brent Wilson of 120 Orchid Heights Dr., Pisgah Forest said I worked here at the Police Department for 13 years and I have seen morale in the Police Department go

down in the years that I've been gone; I left in 2005. To see the police officers having to struggle to have two men on a shift, when we were here we had five men on a shift. Crime in the City of Brevard has not gone down; it's not changed from when I was here. There's probably more now and we have the same amount of dope I'm sure that was here then. I don't understand the City not having a drug enforcement team to back up with the County on the situation with the drug enforcement because we had it here then and I did a lot of work in it. It hurts my heart to know that police officers don't do the escort for funeral services anymore here in Brevard. That was a thing that I took heart in when I worked here and I know a lot of the older officers that worked here were proud to do stuff for the people in the community. I don't understand stuff like that. It's a sad day that our police officers don't have enough protection. That was something that was in my heart when I got hurt and I left. Now you don't have the people covered. It's not right if somebody was to get hurt and you don't have enough manpower to take care of that man or woman that is working out there on the street. It should be that we are all taken care of. If you knew what happened to me and I had people back me up, but if somebody got hurt on the street today, two people on the road is not enough. There were five that came out to help me the day that I got hurt and it took five, so if there is something bad, it is going to take more than two people. I just wish you all would pay attention to these older officers who have been here and have done this stuff.

H. Certificates/Awards/Recognition

H-1. Proclamation No. 2024-18 Constitution Week – Mayor Copelof read the proclamation aloud and presented it to DAR members Stacy Hufziger, Nancy Davis, Molly Tartt, and Kathy Haehnel.

PROCLAMATION NO. 2024-18 CONSTITUTION WEEK

WHEREAS, September 17, 2024, marks the two 237th anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Maureen Copelof by virtue of the authority vested in me as Mayor of the City of Brevard, North Carolina, do hereby proclaim the week of September 17 through 23 as **"CONSTITUTION WEEK"** in the City of Brevard, and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed this 16th day of September, 2024.

Attest: Denise Hodsdon, CMC, City Clerk

s/Maureen Copelof, Mayor

I. Special Presentations

I-1. Estatoe Trail Unfinished Sections Review and Next Steps Discussion – Mr. Hooper presented a table of Estatoe Trail outstanding projects (copy attached) and noted that there is still more information to come. He said he hoped to have a discussion about which segment Council would like to prioritize and dedicate most of our resources to in the year to come. He noted that the Parks, Trails & Recreation Committee was asked the same question a few weeks ago. Mr. Hooper explained that the Estatoe Trail has eight outstanding projects to complete it. Six of those are active and three of those six are constructing new segments. One of the sections that is about to be constructed, Tannery North, is funded and we are waiting for it to start. We turned that project over to NCDOT because of the complexity of doing construction on a Brownfield and they are more familiar with administering federal grants, which is the source of funding for this project. In exchange for their expertise, we have traded

timeliness and this has been delayed a little bit, primarily due to the federal funding source. The let date for this contract has been pushed off to fall of 2025, which means it probably won't be open until spring of 2026. This project is also affected by the bat moratorium for this area and construction can only take place in the wintertime. Staff are in talks with NCDOT to see if we can do some of the preparatory site work this season so construction could go a little quicker.

The two remaining construction projects – Main Street to Mary C. Jenkins Community Center and Rosman Hwy to the high school – are both the subject of our 30% design contract Council recently approved, but we have an opportunity to apply for a Great State Trail Program grant. Aaron Bland explained that this grant is for planning, design and construction and maintaining trails. Staff is suggesting that if we are successful with this grant request that we change that 30% design contract to a 100% design contract for these two sections and use the grant to fund the majority of that. We would have to match \$1 for every \$2 of the grant, but our matching funds for that grant for 100% designs would be less than we are already committed to spend for 30% designs.

Mr. Hooper said we have more information on the cost of right-of-way acquisition from Main Street to MCJCC. With that information, he is projecting that we will have \$500,000 or more in right-of-way acquisition cost, and there is the challenge of the intangible cost of using eminent domain. This was the segment that was endorsed by the Parks, Trails & Recreation Committee as their top priority.

The last construction segment is the Rosman Hwy to the high school and there are fewer properties to acquire right-of-way on, but longer distances to cover. We have no idea of the right-of-way acquisition cost but suspect it will be a similar order of magnitude to the other section. The design contract will inform this substantially.

Mr. Hooper explained that the next category are enhancements to current infrastructure that will make that infrastructure function more like a trail and be more accessible to bicyclists and pedestrians. These are:

- 1) Rosman Hwy Crossing – conceptual designs have been approved by NCDOT and we have sufficient information to apply for the necessary encroachment permit. The projected project will be a pedestrian stop light and in exchange for NCDOT paying for and installing this light, the City has offered to build sidewalks on both sides of the road.
- 2) R-5800 Betterments – Transylvania County Development Authority gave us a \$75,000 grant to study these improvements. We have asked our trail designer TPD to review NCDOT's design plans and identify possible traffic safety enhancements and trail features that might work on this project; and then to approach NCDOT to find out which of those NCDOT would be willing to add to the project. The majority of these enhancements would have to be funded by our local funds.

The two boardwalks behind McDonald's that connect the trail to Poplar Street and beyond are reaching the end of their useful life. We have engaged an expert to assess these structures and give us an estimate of the cost to repair or replace them, but we are still waiting for him to come out to do that assessment. Mr. Hooper noted that if it is uneconomical to replace the bridges, an alternative alignment to use the abandoned railbed may be worth considering.

Mr. Hooper explained that no action was needed this evening, but he wanted to hear Council's thoughts on which project(s) to focus on. Following Council's discussion, there was consensus that the first priority would be the section from Main Street to MCJCC, followed by the Rosman Hwy crossing as the second priority. Council Members also noted that the R-5800 project is very important and encouraged negotiating with NCDOT to use its funds to help pay for some of the enhancements.

J. Public Hearing(s) – None.

Adopted and approved this the 16th day of September 2024.

Attest: Denise Hodsdon, CMC, City Clerk

s/ Maureen Copelof, Mayor

K-4. Proclamation No. 2024-19 Honoring the 156th Anniversary of Mud Creek Missionary Baptist Association

**PROCLAMATION NO. 2024-19
HONORING THE 156TH ANNIVERSARY OF
MUD CREEK MISSIONARY BAPTIST ASSOCIATION**

WHEREAS, the year 2024 marks the 156th Anniversary of Mud Creek Missionary Baptist Association, which has been dedicated to the service of God and humanity and played an important role in the religious life of many Black Baptist Churches in a three-county area (Henderson, Buncombe, and Transylvania) of Western North Carolina; and

WHEREAS, we give pause, honor and praise for the deep and abiding Christian commitment of those who in faith began this work and for all those who have given so unselfishly during the many years to help the work grow and thrive and provide valuable human services to our community; and

WHEREAS, our community has benefited from the fine Christian influence of the Mud Creek Missionary Baptist Association through the years and the many facets of its outreach; and

WHEREAS, the Mud Creek Missionary Baptist Association's 11th Annual Banquet will take place on September 21, 2024; and

WHEREAS, the City of Brevard hereby extends its expression of best wishes to Mud Creek Missionary Baptist Association on its 156th Anniversary.

NOW, THEREFORE, I, Maureen Copelof, Mayor of the City of Brevard, hereby proclaim September 21, 2024 as "**MUD CREEK MISSIONARY BAPTIST ASSOCIATION ANNIVERSARY DAY**" and ask our citizens to extend their appreciation for the exemplary work Mud Creek Missionary Baptist Association continues to do in our community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Brevard, North Carolina, to be affixed this, the 11th day of September, 2024.

Attest: Denise Hodsdon, CMC, City Clerk

s/ Maureen Copelof, Mayor

K-5. Ecusta Trail Advisory Board Minutes – May 29, 2024

K-6. Council Downtown Master Plan Committee Minutes – June 12, 2024

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

K-8. Council Housing Committee Minutes – August 13, 2024

L. Unfinished Business – None.

M. New Business

M-1. Great Trails State Grant Application – Mr. Daniel moved, seconded by Mr. Baker to approve the resolution authorizing the grant application. The motion carried unanimously.

**RESOLUTION NO. 2024-41
A RESOLUTION AUTHORIZING CITY STAFF TO APPLY FOR A GREAT
TRAILS STATE PROGRAM GRANT FOR THE DESIGN AND ENGINEERING
OF THE REMAINING SECTIONS OF THE ESTATOE GREENWAY**

WHEREAS, The City of Brevard has long valued quality multi-modal transportation infrastructure investments, a value expressed through numerous public input efforts and planning processes over many years; and

WHEREAS, the North Carolina Division of Parks and Recreation has announced the Great Trails State Program grant, a one-time grant cycle of \$25 million to provide funding for new trail development and extension of existing trails in the state of North Carolina; and

WHEREAS, the City’s Estatoe Trail greenway has currently built out 6.4 miles of the planned 7.5-mile-long system; and

WHEREAS, the City of Brevard City Council has prioritized the Estatoe Trail greenway system repeatedly over the past several years, including at the Strategic Planning Retreat held February 29, 2024; and

WHEREAS, the *Building Brevard 2030 Comprehensive Land Use Plan* action ATCH-16 states “Complete priority greenways including the Estatoe Trail and the Ecusta Trail. Pursue grants and prioritize local funding to be used for key segments and/or matching grants”; and

WHEREAS, the *2023 Brevard Pedestrian and Bicycle Plan* identifies completing the Estatoe Trail as a top priority; and

WHEREAS, design and engineering of new paved trails, resulting in a set of construction documents, is an eligible project of the Great Trails State Program grant; and

WHEREAS, Transylvania County is a “Tier 2” county and therefore the City would be required to match one non-state dollar for every two dollars of grant funding; and

WHEREAS, the Great Trails State Program grant applications are due November 12, 2024, with awards expected to be announced in early 2025.

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

Section 1. The City of Brevard Planning Department is hereby authorized to apply for the Great Trails State Program grant for the design and engineering of the remaining unbuilt sections of the Estatoe Trail greenway system.

Section 2. This resolution shall become effective upon its adoption and approval.

Adopted and approved this the 16th day of September 2024.

Attest: Denise Hodsdon, CMC, City Clerk

s/ Maureen Copelof, Mayor

N. Remarks/Future Agenda Considerations.

Mr. Wise commented that the Moms Mabley mural is awesome.

Mr. Holder agreed with Mr. Wise and said it was good to see Moms Mabley who my dad knew well and passed on some of her albums to me. She thanked the Mayor and City Clerk for the Mud Creek Association proclamation.

Mr. Morrow remarked that it was great that Moms Mabley is finally getting some recognition and said in talking with the artist it was interesting to hear why they chose that picture of her.

Mr. Daniel commented that it was perfect timing for the Moms Mabley mural to be finished in time for the Plein Air Festival. He mentioned that that festival is one of the more unique municipal festivals and encouraged folks to attend next year.

Mr. Baker agreed that seeing Moms Mabley up there was great and hoped that their encounter with the mural would lead to people wanting to learn more about her. He said I want to acknowledge what a gift our trail system is and how proud I am of what we have in Brevard already; and the advantages of the Ecusta Trail for Brevard, I feel like we are very well positioned to take advantage of that.

Attorney McKeller said I want to express that any concerns you have heard tonight about the Police Department, every concern that has been brought to staff’s attention has been very carefully looked at and investigated. There were some allegations made regarding evidence and retaliation, and I have done an extensive review and found no evidence of that whatsoever. I offered under very carefully closed opportunities on two different occasions to listen to any other specific allegations that may be out there and both meetings were canceled by the PBA at the last minute. I am

still willing to listen to any sort of allegations that may be brought out, but I wanted to assure you that the administration of the City is taking each and every one of these allegations seriously and is investigating them thoroughly. The mold issue was the primary reason Council was asked earlier this year to approve a new place for them to go, so I'm not sure of the genesis of some of the statements that were brought forth tonight. We want to ensure that there is a non-retaliatory workplace, and I hope we can get any issues resolved.

Mayor Copelof reiterated that the Plein Air Festival was wonderful and expressed thanks to Heart of Brevard, the Police Department, the Fire Department and Public Works. She heard feedback from the artists that this was one of their favorite places to come to because they were treated so well. She said she has received nothing but positive feedback about the Moms Mabley mural and thanked the Planning Department for their work on getting us the grant to pay for the mural. She added that she and Paul Ray attended the Great State Trail Conference last week and Brevard was recognized for our trail system in almost every session.

O. Closed Session

O-1. Property Acquisition: NCGS §143-318.11.(a)(3)(5) – At 6:59 p.m. Mr. Baker moved, seconded by Mr. Daniel to enter into closed session to discuss a property acquisition matter and to clear Council Chambers. The motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney were City Manager Wilson Hooper, City Clerk Denise Hodsdon, Planning Director Paul Ray, Senior Planner Emily Brewer and Assistant City Manager David Todd.

Council Returned to Regular Session – at 7:17 p.m. Council resumed the meeting in regular session. No official action was taken in closed session and the minutes of the closed session are authorized to be sealed.

O-2. Pending Litigation: NCGS §143-318.11.(a)(3) – At 7:17 p.m. Mr. Wise moved, seconded by Ms. Holder to enter into closed session to discuss pending litigation matter City of Brevard vs. Bauslaugh - Case No. 21-CVS-381. The motion carried unanimously. Authorized to remain for the closed session with Council and the Attorney were City Manager Wilson Hooper, City Clerk Denise Hodsdon, Planning Director Paul Ray, Assistant Planning Director Aaron Bland and Assistant City Manager David Todd.

Council Returned to Regular Session – at 7:45 p.m. Council resumed the meeting in regular session. No official action was taken in closed session and the minutes of the closed session are authorized to be sealed.

P. Adjourn – There being no further business, at 7:45 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: October 8, 2024

ESTATOE TRAIL – OUTSTANDING PROJECTS (as of September 2024)			
SECTION	Next steps	COST	NOTES
Main Street to Mary C. Jenkins Center	30% Design	\$65,000	30% design for Main St. to High School underway [FUNDED]
	ROW Acquisition	\$500,000 est.	Acquisition areas and cost dependent on path determined by 30% design work. [PARTIALLY FUNDED]
	100% Design	UNK	Seeking permission to apply for Great State Trails grant to cover these costs.
	Construction	UNK	
Tannery North	Construction	\$112,000	Anticipated start date late 2025. Cost is city's match for Carbon Reduction Grant [FUNDED]
Rosman Hwy to Country Club Road	30% Design	\$65,000	30% design for Main St. to High School underway [FUNDED]
	ROW Acquisition	UNK	Acquisition cost dependent on path determined by 30% design work
	100% Design	UNK	Seeking permission to apply for Great State Trails grant to cover these costs.
	Construction	UNK	
Rosman Hwy Crossing	Encroachment agreement	UNK	Concept approved by NCDOT after 30% design. Staff has all relevant documents needed to apply for sidewalk encroachment agreement.
	Construction	\$40k-\$75k est.	Specialized construction best performed by NCDOT. Negotiating with NCDOT to perform construction in exchange for city-performed sidewalk construction on each side of the highway.
Probart Street to Bracken Parking Lot	Preliminary Design	Unknown	No work has started on this section
Gallimore Road to Hsp Simpson	Preliminary Design	Unknown	No work has started on this section
R-5800 Bike/Ped Betterments	Study Options	\$12,500	TPD review's NCDOT's 90% design plans and identifies possible enhancements. Take's NCDOT's temperature on the possibility of incorporating enhancements in 100% design [FUNDED]
	Engineering	UNK	TPD designs the permitted enhancements [PARTIALLY FUNDED]
	Construction	UNK, \$420k	The cost of potential enhancements like better crossing signals, relocated crosswalks, and signage is unknown. However, NCDOT has submitted that the 10 foot path will only be constructed along the path's existing alignment. If the city wishes to have 8 foot (rather than 5 foot) along the entire length of the project, it will need to contribute an additional \$420k to the project.
Boardwalk Repair/Replacement	Condition assessment	De Minimis	Awaiting initial condition assessment
	Design/engineering	UNK	
	Construction	\$250k-\$750k est.	Cost largely dependent on results of condition assessment
Pender Lane Realignment ***alternative to boardwalk repair***	30% design	UNK	
	ROW acquisition	UNK	
	100% design	UNK	
	Construction	UNK	



PROCLAMATION NO. 2024-20

**DOMESTIC VIOLENCE AWARENESS MONTH
OCTOBER 2024**

WHEREAS, intimate partner violence alone affects more than 12 million people every year; and

WHEREAS, an average of 24 people per minute are victims of rape, physical violence or stalking by an intimate partner in the United States – more than 12 million women and men over the course of a single year; and

WHEREAS, nationally one in three women and one in four men will experience some form of sexual assault in their lifetime; and

WHEREAS, almost half of all women and men in the US have experienced psychological aggression by an intimate partner In their lifetime; and

WHEREAS, women ages 18 to 34 generally experience the highest rates of intimate partner violence; and

WHEREAS, current or former intimate partners accounted for nearly 33% of women killed in US workplaces between 2003 and 2008; and

WHEREAS, the presence of a gun in domestic violence situations increases the risk of homicide for women by 500%; and

WHEREAS, the City of Brevard recognizes the significant impact domestic violence has on Transylvania County individuals, families, children, schools, workplaces, and places of worship; and

WHEREAS, by working together, we can build a community where intimate partner violence is not tolerated and all individuals can be safe, feel respected, and live free from abuse;

NOW, THEREFORE, I, Maureen Copelof, Mayor of the City of Brevard hereby proclaim the month of October 2024 as "**Domestic Violence Awareness Month**" in the City of Brevard and urge the citizens of Brevard to work together to eliminate domestic violence from our community, to keep our community members safe from this crime and to stand with survivors and victims of domestic violence.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Brevard to be affixed this 8th day of October, 2024.


Maureen Copelof
Mayor

Attest:



Denise Hodsdon, CMC
City Clerk





PROCLAMATION NO. 2024-21
BREAST CANCER AWARENESS MONTH
October 2024

WHEREAS, the City of Brevard joins our nation in recognizing October as Breast Cancer Awareness Month; and

WHEREAS, breast cancer is the most commonly diagnosed cancer among women in the United States, and is the second-leading cause of cancer deaths among women in North Carolina and our nation; and

WHEREAS, early detection can be an effective tool in combating breast cancer, with regular screenings preventing 15 to 30 percent of all deaths from breast cancer in women over 40; when diagnosed while still confined to the breast, the 5-year relative survival rate is 99 percent; and

WHEREAS, on average, every 2 minutes a woman is diagnosed with breast cancer in the United States; and

WHEREAS, 1 in 8 women in the United States will be diagnosed with breast cancer in her lifetime and although rare, men get breast cancer too; and

WHEREAS, in 2024 an estimated 310,720 new cases of invasive breast cancer are expected to be diagnosed in women in the U.S.; and

WHEREAS, in 2024 an estimated 2,800 new cases of invasive breast cancer are expected to be diagnosed in men in the U.S.; and

WHEREAS, in 2024 an estimated 42,250 women and 530 men will die from breast cancer in the U.S.; and

WHEREAS, the City of Brevard encourages citizens to talk with their health care providers about regular screenings, examinations and mammograms, and to practice self-examination.

NOW, THEREFORE, I, Mayor Maureen Copelof and Brevard City Council, do hereby proclaim **October 2024**, as "**Breast Cancer Awareness Month**" in the City of Brevard, North Carolina, and call on all citizens to join us in recognizing and commend this observance to all citizens.

Adopted and approved this the 8th day of October, 2024.



Maureen Copelof
Mayor

ATTEST:



Denise Hodsdon, CMC
City Clerk



STAFF REPORT

City Council, Tuesday, October 8, 2024

Title: Pathways to Removing Obstacles to Housing (PRO Housing)
Federal Grant Application

Speaker: Emily Brewer, AICP, Senior Planner

Prepared by: Emily Brewer, Senior Planner

Approved by: Wilson Hooper, City Manager, Paul Ray, Planning Director

Background

The Pathways to Removing Obstacles to Housing (PRO Housing) grant, administered through U.S. Department of Housing Urban Development, is a competitive funding opportunity for the identification and removal of barriers to affordable housing production and preservation. The grant is intended to highlight the efforts of communities that have shown commitment to addressing the housing crisis and support projects that create long-term affordable housing. The grant awards will range between \$1 million and \$7 million. PRO Housing incentivizes housing-forward actions to further development, evaluate, and implement housing challenges and facilitate the production and preservation of affordable housing. More information on the funding opportunity can be found on the [U.S. Department of Housing and Urban Development's website](#).

Discussion

The City's vision for this proposal is to proactively remove infrastructure barriers to housing production and to invest in communities through preservation programs. To realize that vision, the City of Brevard is requesting \$4,000,000 to complete the following activities:

- **Azalea / Rhododendron Neighborhood Sewer Extension:** The first grant-funded project is extending sewer utilities to the Azalea / Rhododendron neighborhood in Transylvania County. This predominately low-income neighborhood is plagued with failing septic systems that are costly, or in some cases impossible, to repair. Extending sewer utilities to the 125 residential parcels in this area will address a major public health concern, preserve the naturally occurring affordable housing found in the neighborhood, and create a favorable environment for developers to create new housing opportunities on the vacant parcels. The funding secured with the PRO Housing grant will fund two elements of the project - (1) engineering design to extend sewer to the entire neighborhood and (2) the first phase of construction. The first phase of construction will include the main trunkline of the sewer infrastructure along Old Hendersonville Highway and construction of the pump station that is necessary to serve the entire neighborhood.

- **Woodland Terrace Sewer Extension:** The next grant-funded project is extending sewer utilities to a 7.8-acre parcel on Woodland Terrace owned by Transylvania Habitat for Humanity. The Woodland Terrace project represents a pivotal initiative project by Habitat to address the growing need for affordable housing in our community. This development will feature approximately 47 cluster homes, designed to create a close-knit, sustainable, and affordable neighborhood for low- to moderate-income families. These homes will include a variety of housing models, such as duplexes, triplexes, and quadraplex homes, providing flexibility and diversity in housing options to meet the needs of the community. The municipal sewer service is a key component for advancing a multi-family development.
- **Housing Trust Fund Affordable Housing Preservation Programs:** The second grant-funding activity is endowing the City of Brevard's Housing Trust Fund's affordable housing preservation programs. These programs will enable low-income homeowners to rehabilitate existing affordable housing units, improve quality and safety of the housing units, and remain in their community. The Housing Trust Fund investment will implement many of the City's housing strategies, as identified in the Building Brevard 2030 Comprehensive Land Use Plan, by preserving affordable housing throughout the City of Brevard's entire planning jurisdiction.

The City submitted an application for the PRO Housing FY 23 funding cycle and was not selected. In the prior application, the City requested \$6,000,000, and prioritized funding the entire Azalea / Rhododendron neighborhood sewer extension (\$4.8 million) and housing preservation programs (\$1.2 million). The changes in this proposal reflect a reduced ask amount, expanded geographic scope of the infrastructure investments, and laying the foundation for the next phase of sewer extension into the Azalea / Rhododendron neighborhood. Additionally, the amended ask focuses on supporting both preservation and creation of new units – with the City-supported affordable housing project and the extension to the undeveloped parcel owned by Transylvania Habitat.

Policy Analysis

The *Building Brevard 2030* Comprehensive Land Use Plan highlights the provision of affordable housing and promotion of health and safety as critical objectives, specifically:

- **GOAL 2:** *Encourage a **development pattern** that respects Brevard's sense of place and prioritizes **livable communities**.*
- **GOAL 4:** *Create a built environment that prioritizes a **safe, active, multi-modal transportation system** and community health and wellness.*
- **GOAL 8:** *Plan for **efficient, equitable, and resilient infrastructure** and services that maintain and improve quality of life throughout the city.*

Public Input Requested

The City is requesting public comments to inform the grant proposal. All comments received will be documented and incorporated into the grant submission. Members of the public can provide feedback and insight by:

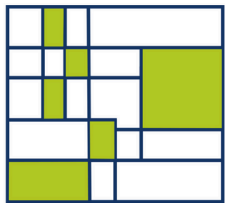
- Speaking at the public hearing tonight
- Filling out the comment form on the City's PRO Housing webpage (www.cityofbrevard.com/PROhousing)
- Emailing Emily Brewer at emily.brewer@cityofbrevard.com to provide written comment
- Contacting the Planning Department at 828-885-5630 to provide verbal comment

Action

This information is for the public hearing; no formal action is requested of City Council at this time. All comments received from the public hearing will be documented and incorporated into the grant application.

Attachments:

1. FY24 PRO Housing Summary Sheet
2. PRO Housing Round 2 Draft (Published 9/24/24)



PRO HOUSING

Pathways to Removing Obstacles

www.hud.gov/program_offices/comm_planning/pro_housing

ROUND 2
\$100 MILLION

Through competitive grants, round two of the Pathways to Removing Obstacles to Housing (PRO Housing) competition will provide \$100 million in funding for communities across the country to identify and remove barriers to affordable housing production and preservation.

This unique funding opportunity supports the Biden-Harris Administration's Housing Supply Action Plan, and highlights the efforts of communities who have committed to housing-forward policies and practices.

Competition Goals and Objectives

- Elevate and enable promising practices for identifying and removing barriers to affordable housing production and preservation, while preventing displacement.
- Institutionalize state and local analysis and implementation of effective, equitable, and resilient approaches to affordable housing production and preservation.
- Provide technical assistance to help communities fulfill the Consolidated Plan's requirement of identifying barriers to affordable housing and to implement solutions.
- Facilitate collaboration and harness innovative approaches from jurisdictions, researchers, advocates, and stakeholders to further the national conversation on affordable housing.
- Affirmatively further fair housing by addressing and removing barriers that perpetuate segregation, inhibit access to areas of opportunity for protected class groups and vulnerable populations, and concentrate affordable housing in under-resourced areas.

Quick Facts

- **Grant Purpose:** Identification and removal of barriers to affordable housing production and preservation
- **Eligible Applicants:** States and local governments, metropolitan planning organizations (MPOs), and multijurisdictional entities
- **Eligible Uses:** Activities that further develop, evaluate, and implement housing policy plans, improve housing strategies, and facilitate affordable housing production and preservation
- **Minimum grant size:** \$1 million
- **Maximum grant size:** \$7 million
- **Maximum number of awards:** 30
- **Application deadline:** October 15, 2024 at 11:59pm ET (8:59pm PT) on Grants.gov

New in Round 2 (FY24)

Significant changes from Round 1 (FY23) to Round 2 (FY24) include an updated need rating factor to reflect the FY24 Appropriations Act directive to prioritize applicants who can demonstrate progress and commitment to overcoming local barriers, primarily by having enacted improved laws and regulations. The overall funding for Round 2 (FY24) increased to \$100 million from \$85 million, and the maximum award amount was changed to \$7 million. The number of expected awards increased for Round 2 (FY24) to 30 awards.





Eligible Uses

PRO Housing incentivizes housing-forward actions to further develop, evaluate, and implement housing policy plans; address restrictive zoning or land use; improve housing strategies; and facilitate affordable housing production and preservation, including:

- Developing, updating, or advancing housing and community plans
- Creating transit-oriented development zones
- Incentivizing the development of vacant lots or the conversion of commercial properties to residential and mixed-use development
- Streamlining permitting processes and expanding by-right development
- Reducing barriers to development such as residential property height limitations, off-street parking requirements, density restrictions, and minimum lot sizes

Eligible Applicants

- Local governments, States, Metropolitan Planning Organizations (MPOs), and multijurisdictional entities approved by HUD may apply for PRO Housing
- Urban, suburban, and rural applicants are encouraged to apply.
- Each applicant should identify its barriers based on local context and propose an approach to address those specific barriers to increase the supply of affordable housing.

Additional Resources

To support PRO Housing:

- HUD held a webinar series on identifying and addressing barriers to housing production and preservation.
- There is also webinar series to guide potential PRO-Housing applicants through the application process.

Both series are available on HUD.gov.



- Allowing accessory dwelling units on lots with single family homes
- Adopting strategies to preserve and revitalize affordable housing
- Building capacity of local nonprofit organizations to increase housing supply
- Increasing community resilience and mitigating environmental/natural hazards

Statutory Provisions

Per the Appropriations Act, priority will be given to applicants who demonstrate a commitment to and progress toward overcoming local barriers to affordable housing and have an acute demand for affordable housing. HUD will provide an easy-to-use data resource for jurisdictions to review acute housing demand factors.

Priority will also be given to applicants who can demonstrate progress and commitment to overcoming local barriers, primarily by having enacted improved laws and regulations.

For More Information

www.hud.gov/program_offices/comm_planning/pro_housing
CDBG-PROHousing@hud.gov



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DRAFT

EXHIBIT A | EXECUTIVE SUMMARY

Affordable and workforce housing have long been recognized as a substantial need for residents of the City of Brevard and the surrounding area. Transylvania County was identified by HUD as a priority geography for this funding opportunity. The City of Brevard is the largest city, county seat, and primary employment center in Transylvania County.

In an effort to promote increased development and retention of affordable and workforce housing within its corporate jurisdiction, the City of Brevard established the Housing Trust Fund in 2012. Since then, housing affordability has become even more of a crisis as many key members of the workforce, including teachers, police officers, construction workers, retail workers, and home health aides, on average, cannot afford to live in Brevard or Transylvania County.

In the past two years, the City of Brevard has reaffirmed its commitment to addressing the housing crisis. Significant time and resources to identify, address, mitigate, and remove barriers to affordable housing production and preservation. These efforts include:

- Proactively been taking steps to remove regulatory barriers to housing that existed within the City's development regulations, including permitting missing middle housing types by-right, allowing more opportunities for infill development, and regulating short-term rentals that have been constraining the housing supply.
- Contracting the University of North Carolina School of Government's Development Finance Initiative to support the City in attracting private investment for housing development.
- Expanding the authority of the Housing Trust Fund to support a myriad of housing efforts within the City's corporate limits and Transylvania County within the City's extraterritorial jurisdiction.
- Endowing Housing Trust Fund with the equivalent of two cents of the city's \$.48 property tax rate in 2023 and one and a half cents in 2024.

Despite the City's ongoing work, numerous barriers that hinder our ability to produce and preserve more affordable access still exist, including:

- Limited developable area, with a significant portion of the area constrained by steep slopes in the mountains and/or floodplains with the French Broad River.
- Significant infrastructure constraints, with utility infrastructure being limited and, in some cases, reaching the end of their intended lifespan.
- High construction costs, exacerbated by the capital required to extend utilities and/or undergo significant site work.
- State law preemption that hinders local government's ability to pursue proactive policies for affordable housing production and preservation.
- Lack of funding available at the local, state and federal level.

The City's vision for this proposal is to proactively remove infrastructure barriers to housing production and to invest in communities through preservation programs. To realize that vision, the City of Brevard is requesting \$4,000,000 to complete the following activities:

- ***Azalea / Rhododendron Neighborhood Sewer Extension:*** The first grant-funded project is extending sewer utilities to the Azalea / Rhododendron neighborhood in Transylvania County. This predominately low-income neighborhood is plagued with failing septic systems that are costly, or in some cases impossible, to repair. Extending sewer utilities to the 125 residential parcels in this area will address a major public health concern, preserve the naturally occurring affordable housing found in the neighborhood, and create a favorable environment for developers to create new housing opportunities on the vacant parcels. The funding secured with the PRO Housing grant will fund two elements of the project - (1) engineering design to extend sewer to the entire neighborhood (\$348,000) and (2) the first phase of construction (\$1,744,000). The first phase of construction will include the main trunkline of the sewer infrastructure along Old Hendersonville Highway and construction of the pump station that is necessary to serve the entire neighborhood. Completing the first phase of construction will serve 30 of the 125 lots, ensure the required pump station is completed, and better position the project for future funding opportunities.
- ***Woodland Terrace Sewer Extension:*** The next grant-funded project is extending sewer utilities to a 7.8-acre parcel on Woodland Terrace owned by Transylvania Habitat for Humanity (\$687,000). The Woodland Terrace project represents a pivotal initiative project by Habitat to address the growing need for affordable housing in our community. This development will feature approximately 47 cluster homes, designed to create a close-knit, sustainable, and affordable neighborhood for low- to moderate-income families. These homes will include a variety of housing models, such as duplexes, triplexes, and quadraplex homes, providing flexibility and diversity in housing options to meet the needs of the community. The municipal sewer service is a key component for advancing a multi-family development.
- ***Housing Trust Fund Affordable Housing Preservation Programs:*** The final grant-funding activity is endowing the City of Brevard's Housing Trust Fund for affordable housing preservation programs (\$1,221,000). These programs will enable low-income homeowners to rehabilitate existing affordable housing units, improve quality and safety of the housing units, and remain in their community. The Housing Trust Fund investment will implement many of the City's housing strategies, as identified in the *Building Brevard 2030* Comprehensive Land Use Plan, by preserving affordable housing throughout the City of Brevard's entire planning jurisdiction. The Housing Trust Fund has eligibility requirements that require funding goes to low-income households with a guaranteed affordability of at least 15 years (with preference going to projects that have longer affordability periods). Furthermore, the investment in preservation programs, home repairs, and tap fee reimbursement will ensure the current residents of the Azalea / Rhododendron neighborhood are able to remain in their homes and benefit from the newly established resources.

The City of Brevard is fully committed to this project. As the lead agency, the City is committing \$912,688 in in-kind. The project is anticipated to be completed in December 2028, but the proposed activities will enable the production and preservation of affordable housing units long after the grant's period of performance.

EXHIBIT B | THRESHOLD REQUIREMENTS AND OTHER SUBMISSION REQUIREMENTS

Threshold Eligibility Requirements (Section III.D)

The City of Brevard has carefully reviewed the threshold eligibility requirements and affirms:

1. Resolution of Civil Rights Matters – The City does not have any unresolved civil rights matters, including no charges, cause determinations, lawsuits, or letters of findings referenced in Section III.D.1 subparagraphs (1)-(5).
2. Timely Submission of Applications – The City is submitting the application before the deadline of 10/15/2024 11:59:59PM Eastern.
3. Eligible Applicant – The City of Brevard is a city government incorporated in the State of North Carolina in 1868.
4. Number of Applications – The City of Brevard is only submitting one application.

Other Program-Specific Requirements (Section IV.G)

1. Limited English Proficiency – While the City of Brevard is committed to including all people, regardless of English proficiency, in its programs and services, the LEP population does not trigger the thresholds that require translation services. According to the 2022 ACS 5-year estimates, only 2.9% of the population speaks a language other than English at home (0.8% Spanish, 1.8% other Indo-European languages, 0.3% other languages). However, the City will include Spanish language contact information on public outreach materials and provide interpretation as needed, as we have done on previous CDBG projects.
2. Physical Accessibility – The City of Brevard held a public hearing on October 8, 2024, in accordance with the public participation requirements included in the NOFO. The meeting was held at Brevard City Council Chambers at 95 W. Main Street, Brevard, NC 28712. This facility is on the first floor of the publicly-available government building that meets all accessibility requirements of the Americans with Disability's Act (ADA), North Carolina Building Code, and the relevant sections of the Rehabilitation Act of 1973. In addition, all notices of and communications during the public meetings were provided in a manner that is effective for persons with hearing, visual and communication-related disabilities. The public hearing notices were mailed to affected property owners and occupants in the Azalea / Rhododendron neighborhood, published for two weeks in the Transylvania Times, and posted at various locations around Brevard, including the Mary C. Jenkins Community and Cultural Center. The meeting is also live-streamed with the recording accessible on the City of Brevard's YouTube Channel (<https://www.youtube.com/@thecityofbrevardnc>).
3. Environmental Review – If awarded, the project will require an environmental assessment according to 24 CFR 58.36 and 8-step decision making process for floodplains (24 CFR 55.20) for both of the proposed new sewer lines. The home rehabilitation work will fall under the categorical exclusion (Subject to 58.5) level of review. All of the Environmental Review Records will be prepared by experienced staff from Land of Sky Regional Council. No work or choice limiting actions may begin outside of administrative activities until the environmental certification and Request for Release of Funds has been approved by HUD.

EXHIBIT C | NEED

i. Demonstrate your progress and commitment to overcoming local barriers to facilitate the increase of affordable housing production and preservation

(a) Improved Laws, Regulations and Land Use Policies

City Council held an affordable housing summit in November 2021 to reaffirm its commitment to address this crisis. In response, staff dedicated significant time and resources to identify, address, mitigate, and remove barriers to affordable housing production and preservation. Since then, housing affordability has become even more of a crisis as many key members of the workforce, including teachers, police officers, construction workers, retail workers, and home health aides, on average, cannot afford to live in Brevard or Transylvania County. The major efforts undertaken by the City of Brevard are described in detail below and in subsection (b).

Since then, the City of Brevard has proactively been taking steps to remove regulatory barriers to housing that existed within the City's zoning and development regulation.

- *Comprehensive Land Use Plan Update*: The housing summit coincided with the launch of the City's Comprehensive Land Use Plan update, ***Building Brevard 2030***, the first comprehensive planning effort since 2002. Affordable housing consistently ranked among the top priorities of community members during outreach and engagement. In fact, during plan development the community overwhelmingly identified housing as the most important goal for the future of Brevard, specifically, *"Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods."* The plan includes numerous recommendations for addressing the housing shortage and affordability crisis and outlines a housing toolkit that describes an array of strategies available to North Carolina municipalities. This land use policy document, formally adopted in March 2023, has **led to the development of numerous ordinance amendments** to address dimensional requirements that may serve as obstacles to housing, creation of new "missing middle" housing types and allocation of funding to affordable housing initiatives [these elements are outlined in further detail below].
- *Multiple Missing Middle Housing Types Allowed By-Right*: Several of the changes related to increasing the types of housing permitted in different areas of the City. These changes were to allow "missing middle housing," the range of house-scale buildings with multiple units, to be allowed by-right without the need for discretionary approval by City Council or the Board of Adjustment. The first of these changes was **allowing triplexes and quadraplexes by-right** in all residential zoning districts (i.e., all zoning districts except General Industrial) in June 2022. Since then, no new triplexes or quadraplexes were created. Feedback from developers was that the maximum allowable density and the required amount of parking were limiting developability of this type of housing. With this information, Staff amended the parking requirements to a hybrid model where some zoning districts have a minimum amount of parking required and others, where there is available public parking and/or on-street parking, have a maximum amount of parking instead. As part of these changes, the zoning districts where these housing typologies are most likely to occur have a reduced parking minimum of one space per dwelling unit. Staff also initiated an ordinance amendment to **allow "cluster home development" by-right**. A cluster home development, also referred to as "cottage courts," allows for small lot residential development in a manner that organizes multiple dwellings around a common

open space, designed as a cohesive whole and maintained in shared stewardship by residents. Additionally, a density bonus is attached to this type of development, where the maximum allowable density is increased to 50% greater than the underlying zoning district. Allowing cluster home developments will not only create more diverse housing options, but also allow for greater development potential on challenging sites with limited road frontage, environmental constraints, or topographic limitations. This amendment was adopted by City Council in June 2024. Though no new cluster homes have been permitted, Staff is reviewing plans for a residential neighborhood with approximately 66 dwellings, which will have three cluster home developments. Other affordable housing developers, including Transylvania Habitat for Humanity, are also preparing plans for new cluster home developments. Lastly, Staff **increased the allowable size of accessory dwelling units (ADUs)** from 800 square feet to 1,200 square feet. This change was adopted in December 2022 in response to feedback from constituents. Since its adoption, 10 new ADUs have been built and one smaller residential home was converted to an ADU with a new primary structure built on-site. All of three of these amendments facilitate “gentle” increases in density and increase the variety of housing types available at different levels of affordability, while also encouraging affordable housing throughout the city rather than in segregated and concentrated areas.

- *Infill Development Allowances:* The City adopted amendments to the subdivision regulations to allow for irregular lot shapes and more efficient usage of land. The cost of land in Transylvania County has jumped in recent years, and it has become cost-prohibitive for many would-be homeowners (see the *Acute Need for Housing* subsection below for more details). Vacant and underutilized parcels in established neighborhoods are ripe with opportunities for infill development. With property values skyrocketing, selling excess land with the intention of development generates new income for property owners and reduces their annual property taxes. The purchaser, on the other hand, buys a more affordable property in a desirable neighborhood with amenities and connectivity. In November 2022, City Council passed an ordinance amendment to **allow irregular or “flag” lots** to be created in its jurisdiction. These types of lots have reduced road frontage requirements with functional access for ingress, egress, and utilities provided along a long narrow strip of property and the portion of the lot where development is intended typically situated, at least in part, behind the adjoining lots. Allowing irregular or “flag” lots facilitate infill development that fit the existing context of a neighborhood in its scale and character. Since this ordinance passed 2 of the 24 subdivisions approved created flag lots. Additionally, City Council approved amendments in June 2024 that increased opportunities for denser development without the need for subdivision by adopting robust **group development regulations**. By permitting “group developments” by-right, development can occur with more than one principal building on a single parcel (e.g., allowing two quadraplexes on a parcel). This new change is critical for the success of the cluster home developments and other permitted missing middle housing types, as described above, because it allows for additional development opportunities without the need to subdivide the parcel.
- *Short-Term Rental Regulations:* The State of North Carolina significantly limits the authority that cities have to **regulate short-term rentals (STR)**. With the County’s abundance of natural resources and booming tourism sector, STRs have increasingly impacted Brevard’s housing stock, as demonstrated by the increase in seasonable homes

and vacant units that are unavailable to long-term renters. In the fall of 2021, City Council established the Short-Term Rental (STR) Taskforce, charged with obtaining data on STRs in the City, understanding the preemptive regulations at the State level, assessing the positive and negative impacts, and providing recommendations to City Council on how to proceed. The City of Brevard quickly identified short-term rentals as detrimental to housing development that is more affordable and further constraining the housing stock. This effort was driven by a desire to ensure housing units developed in Brevard are used as a home, instead of an STR. In August 2023, City Council approved the regulations proposed by the Taskforce. Now, STRs are only permitted in mixed-use zoning districts, not within the General Residential zoning district. One major component of the amendments was altering the definition of STR to be whole-house rentals where a permanent resident does not live on site. This change allows residents to rent their homes, a section of their home, and/or an accessory dwelling unit on a short-term basis as an additional source of income. As part of the outreach conducted by the Taskforce, many residents reported that the ability to rent part of their home is an essential revenue source that allows them to stay in their homes and prevents displacement. Since the ordinance was adopted, there have been no new whole-house STRs permitted in the City's jurisdiction. Planning Department staff continues to investigate zoning code enforcement cases against illegal STRs and discuss the ordinance changes with property owners, sellers, and prospective purchasers to ensure the housing supply is not further constrained.

- *Updated Architectural Standards (anticipated Fall 2024):* Like most other communities across the nation, there is general opposition to larger, new development by people who live nearby. Those that express the “Not In My Back Yard” (NIMBY) sentiment towards affordable housing fear the potential negative impact to their neighborhood, citing diminished property values, increased traffic, destruction of the natural environment, and changing neighborhood character. The procedural delays associated with soliciting engagement or community review and the combatting the opposition to new affordable housing can put additional pressure on the already-thin margins and threaten the financial feasibility of the project. In December 2023, the City of Brevard hired an architecture and planning consulting firm, Plusurbia, to **update the architectural standards** in the Unified Development Ordinance for the first time since their debut in 2006. These changes aim to address new building materials, changing construction trends, and the desires of community stakeholders. The new standards will contribute to Brevard's quality of life, with the ultimate goal of ensuring new development and investment in existing structures will enhance the character of the community for a strengthened sense of local identity. The project kicked off by engaging over 400 residents to share their vision for the character of Brevard and some of its prominent areas. Not only will updating the architectural standards with modern building practices by-right will reduce the procedural delays associated with additional City Council and Board of Adjustment meetings, but this initiative will also ensure new larger developments align with the character of Brevard and face less “NIMBY” backlash about “not fitting in” with the community. These regulations are in development and are anticipated to be adopted by the end of the 2024.

(b) Other Recent Actions Taken to Overcome Barriers to Facilitate the Increase of Affordable Housing Production and Preservation

In addition to the regulatory changes, the City of Brevard has also pursued other housing strategies and new initiatives to overcome barriers to affordable housing production and preservation:

- *Housing Trust Fund Reform:* In an effort to promote increased development and retention of affordable and workforce housing within its corporate jurisdiction, the City of Brevard established the Housing Trust Fund in 2012 as a part of its CDBG-funded Cottages of Brevard housing development, which created 48 new affordable units. The Housing Trust Fund was intended to serve as a flexible source of funding that can be used to support a variety of affordable housing activities and initiatives. However, the Housing Trust Fund, as initially established, was not effective as a tool for the creation and preservation of affordable housing. This was in part due to the funding limitations and overly prescriptive requirements mandated in the bylaws. The City's Housing Committee worked to revise the Housing Trust Fund bylaws and policies starting in June 2022. As part of this effort, the Committee reviewed the North Carolina General Statutes, examined housing programs in other cities, discussed the ideal process for distributing funds, and identified priorities for investment. In March 2023, City Council expanded the scope of the Housing Trust Fund and established funding priorities. Staff also prepared a new guidebook that is intended to serve as information materials outlining the requirements, policies, and procedures for funding requests for potential applicants. The Housing Trust Fund now can support a myriad of housing efforts that serve residents within its corporate limits and Transylvania County within the City's extraterritorial jurisdiction (ETJ). Since the amendments passed, the Housing Trust Fund has had limited success; the small amount of available funding has been earmarked for the pursuit of a City-supported project (described in detail below). However, the reformed Housing Trust Fund lays the groundwork for the City to support affordable housing production and preservation.
- *Funding Allocations:* Brevard City Council identified funding affordable housing initiatives as a top priority in the FY 2023-2024 budget. The approved budget **endowed the Housing Trust Fund** with the equivalent of two cents of the city's \$.48 property tax rate. This is the first time City Council has contributed to the Housing Trust Fund since its establishment in 2012. The renewed investment was intended to be an annual commitment to continue to bolster the funding available for affordable housing initiatives. In FY 204-2025, City Council continued funding the Housing Trust Fund with the equivalent of one and a half cents of the city's \$.48 property tax rate. This is a significant commitment as North Carolina municipalities have few statutorily approved revenue sources with which to fund public services. By dedicating an allocation of the tax rate, Brevard's governing board prioritized housing over other needs. Currently, the Housing Trust Fund has approximately \$584,000 in cash and \$172,500 in receivables. As previously stated, this relatively small amount of funding is earmarked for the predevelopment services and potential gap funding necessary for the City-supported project (described below). The City is also taking steps to dispose of excess City-owned land that cannot accommodate larger-scale affordable housing development projects with the proceeds going into the Housing Trust Fund.
- *Pursuing a City-Supported Affordable Housing Project:* In March 2023, the City of Brevard engaged the University of North Carolina School of Government's Development Finance Initiative (DFI) for \$90,000 to assess affordable housing development opportunities and support the City in attracting private investment for housing

development. The scope of work includes assessing the scale and scope of the housing crisis with a comprehensive needs assessment, identifying potential sites for large-scale affordable housing projects, conducting a financial feasibility study on a selected site, and assisting the City in soliciting a development partner. The goal of this project is to reduce the risk associated with new affordable housing development by conducting predevelopment analysis, public engagement, and preliminary design work for a future development partner. DFI completed the housing needs assessment and opportunity site identification in the fall 2023. Based on DFI's preliminary analyses, the City elected to partner with the Brevard-Davidson River Presbyterian Church (the Church) to utilize Church-owned land for affordable housing development. In June 2024, the City and the Church entered into a lease agreement with an option to purchase the property to begin predevelopment work on the site. Geotechnical assessment was conducted on the site that revealed 15 to 18 feet of soft soil content that was incompatible with large scale development and would cost significantly more in site preparation and stabilization than an average site in the area.

In addition to the City-led efforts, the City of Brevard contributes to the broader regional housing efforts.

- **Transylvania County** is conducting a **Comprehensive Housing Study** for the entire county, including the City of Brevard. The goal is to obtain information about the type, size, location, and price of housing required to meet the current and future needs of residents living and working in the county.
- **Land of Sky Regional Council (LOS)** is a multi-county, local government planning and development organization. They provide technical assistance to local governments and administer projects and programs which benefit our region's residents, businesses and non-profits as well. The City of Brevard has worked closely with LOS for many years to identify barriers, implement effective housing strategies, and pursue funding opportunities in pursuit of these programs. LOS has vast experience in administering federal and state grants and will serve as a key member of the project team (see *Exhibit E – Capacity*). The City of Brevard has participated in numerous LOS affordable housing summits, community engagement activities, fair housing trainings, regional analysis of impediments, grant proposals and other projects to address the affordable housing crisis at a local and regional level. LOS is currently establishing a **Regional Housing Alliance** to strengthen partnerships and pursue additional funding sources beyond HOME and LIHTC funds for the region, including a new regional Housing Trust Fund. Brevard's HTF will serve as a model to inform the regional effort. Multiple members of the Regional Housing Alliance provided feedback and input for this application.
- The **Asheville Regional Housing Consortium** is a four-county consortium, consisting of Buncombe, Henderson, Transylvania and Madison Counties, that distributes HOME funds from the US Department of Housing and Urban Development to projects in the region through a competitive application process. The City of Asheville is the lead entity for the consortium (Participating Jurisdiction) and administers the HOME funds for the area, and a representative from the City of Brevard sits on the board of the Consortium and participates in all funding decisions. Historically, the projects have been concentrated in

Buncombe and Henderson Counties. In recent years, the Consortium members have prioritized funding across the four-county region and have allocated funds to projects in Transylvania County in 2022 and 2023.

- The **Brevard-Transylvania Housing Coalition** brings together local leadership from non-profits, faith congregations, government officials and concerned citizens. Initiated by Sharing House, a local faith-based supportive service provider, the Coalition convened its first meeting in November of 2022 and meets monthly with a focus on breaking down the barriers of access for low- and moderate-income households. The City of Brevard and both of the partners included in this grant application – Transylvania County and Habitat for Humanity – serve on the coalition. The goal of the Coalition is to share information, collaborate on projects and initiatives, advocate for local housing reform, and host education and engagement events. Most recently, the Coalition hosted a community tour in recognition of World Homelessness Day on October 10, 2024. The tour highlighted how local organizations provide shelter, rental assistance, and housing support for residents facing housing instability in Transylvania County by

ii. Do you have acute need for affordable housing? What are your remaining affordable housing needs and how do you know?

Transylvania County was identified by HUD as a priority geography for this funding opportunity. The County exceeded the threshold requirement for two of the three measures – the *Off-Pace Factor* and the *Housing Affordability Factor*. The City of Brevard is the largest city, county seat, and primary employment center in Transylvania County. Approximately one-third of the County’s population (33,400) lives within the City of Brevard and its Extra-territorial Jurisdiction (ETJ). The proposed project will entirely serve residents of Transylvania County, both inside the City limits and within the City’s ETJ.

Affordable and workforce housing have long been recognized as a substantial need for residents of the City of Brevard and the surrounding area. In March 2023, the City of Brevard engaged the University of North Carolina School of Government’s Development Finance Initiative (DFI) to conduct a robust housing needs assessment to understand the acute need for housing in Brevard and assess affordable housing development opportunities. This report resulted in statistical evidence that validates the anecdotal accounts of Brevard residents and employers.

Over 800 low- to moderate-income (LMI) households in Brevard have housing needs. In this context, “housing needs” are defined as (1) spending at least 30% of their annual income on housing-related costs, (2) living in units without plumbing or kitchen facilities, or (3) living in units with more than 1 person per room. There are approximately 1,165 LMI renters, of whom 530 (45%) have housing need and 300 (25%) have severe housing need. Of Brevard’s 635 LMI homeowners, 305 (48%) have housing need, and 110 (17%) have severe housing need.

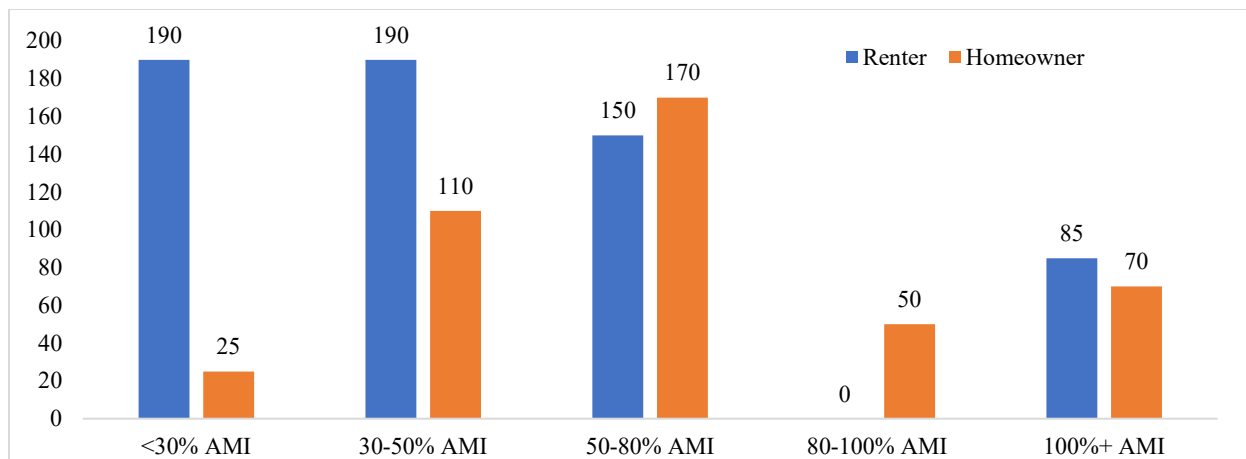


Figure 1: Number of Households with Housing Needs by Income Level [Source: HUD CHAS (2020)]

This number is anticipated to grow as the housing stock continues to age. Approximately 17% of housing units in Transylvania County were built before 1959. In the City of Brevard, this increases to 61%. Many older homes, particularly those built before 1959, lack basic amenities, such as heating, electrical, or plumbing. These deficiencies pose serious health and sanitation risks to occupants, especially seniors and low-income families living in these homes.

Many key members of the workforce, including teachers, police officers, construction workers, retail salespersons, childcare workers, and home health aides, cannot afford to live in Brevard. Approximately 1,200 employees commute to Brevard from outside Transylvania County. Over half of Brevard's commuters (700 people) make less than \$40,000 per year (below 80% AMI). Many stakeholders in this situation used to live in Brevard and were pushed out by prices or want to live in Brevard but can't enter the housing market.

Half of Transylvania County's workforce is employed in industries with average wages of less than \$40,000 a year. For example, the average retail wage in Transylvania County is approximately \$30,000 per year, but the estimated annual cost for non-housing related expenses in a single-person household (i.e., transportation, healthcare, and food) is \$30,000, which leaves \$0 leftover for housing-related costs. Similarly, Transylvania County School first-year teachers earn \$37,000 for the 2022-2023 school year. To earn the area median income, a teacher without a master's degree must have at least 14 years of experience. As Brevard's economy grows, housing that is affordable across a range of wages will likely become even more critical. These lower-wage industries are growing in number of employees and growth in these sectors impacts ongoing housing needs.

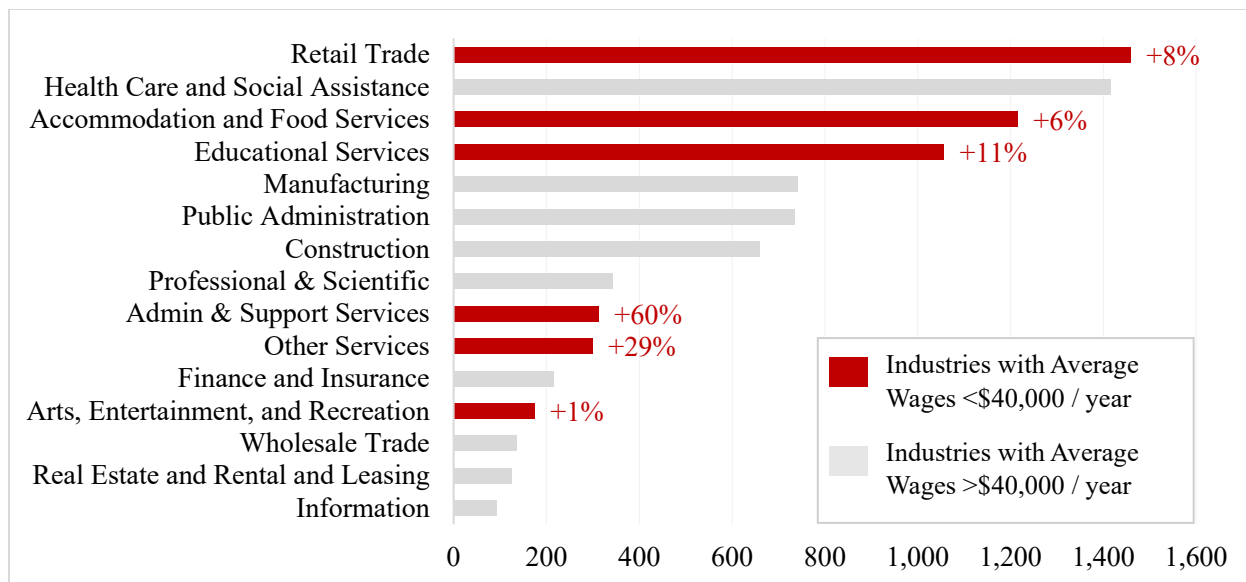


Figure 2: Employees in Transylvania County by Industry (2021) [Source: LEHD on the Map; Economic Policy Institute]

The rise in housing costs over the last four years, post-pandemic, has increased the number of cost-burdened households, due to the increasingly competitive rental and home buying market. Even though net migration was increasing prior to COVID, the housing market activity has accelerated since. Home sales have increased by 50% during the pandemic, driven primarily by second home and investor purchases. 40% of the homes sold were bought by individuals or entities with mailing addresses outside of Transylvania County. Because single-family homes make up a third of rental housing types, this increase in non-resident home purchases reduces the availability of homes both for renter and for owner-occupied sales.

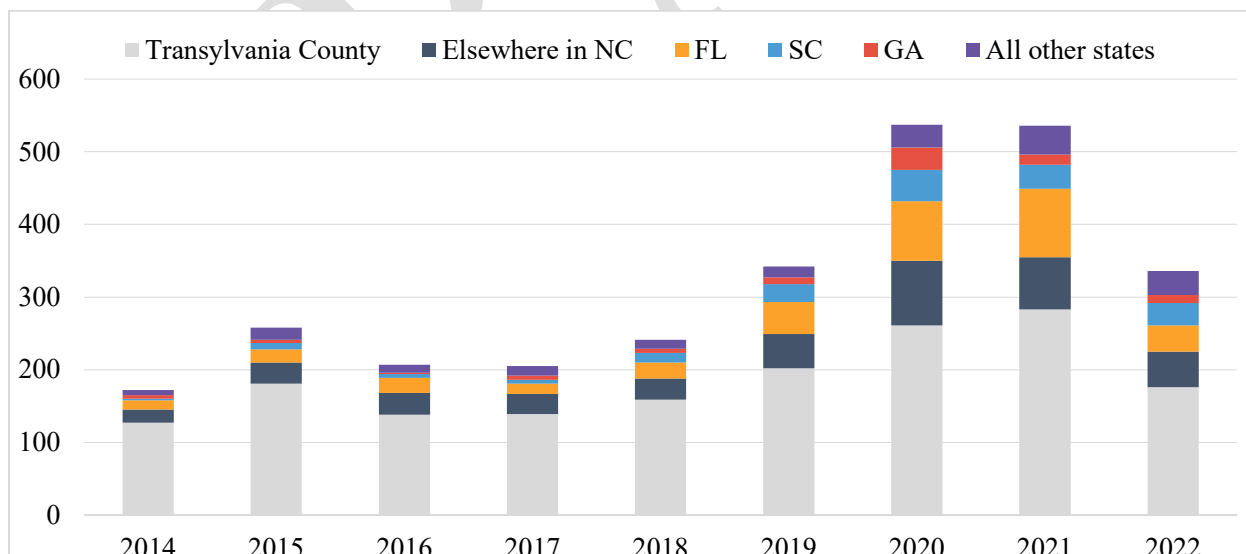


Figure 2: Single-family Home Sales in Transylvania County by Buyer Mailing Address [Source: DFI Analysis of Transylvania County tax parcel data]

Unsurprisingly given the home sale trends, additional pressure on Brevard's housing stock has been created by a tripling of seasonal use properties. In 2021, over 10% of the housing units in the

City were reserved for seasonal use and off-market for year-round renters. Over the same time period, the vacancy rate for year-round rentals fell to 0%. There has been a net increase in units in the City over the last decade, yet of the 436 net new units added, over 300 are for seasonal use, and the rental and homeowner vacancy rates remain below 1%.

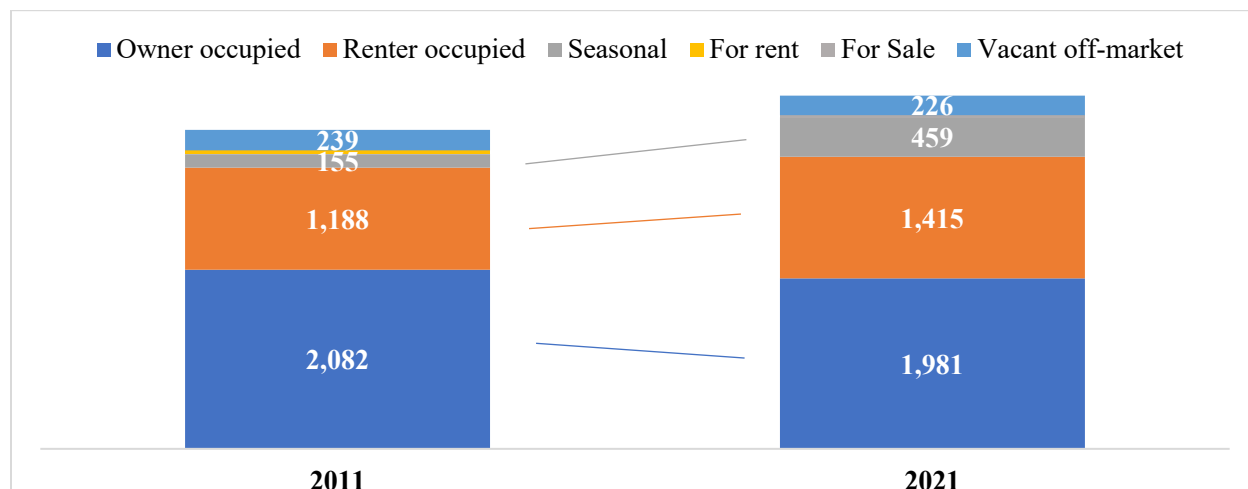


Figure 4: Brevard Housing Units by Occupancy [Source: ACS 2021, 5-year estimates]

Despite the increase in rental units, Transylvania County lowered its affordability and lost lower-priced rent units. The number of rental units costing over \$1,000 in monthly rent more than doubled over this period. This, coupled with the low vacancy rates, has resulted in households with higher incomes occupying units affordable to lower-income households. Over half of the units affordable to households earning 50% of AMI or below are occupied by renters with higher incomes.

For homeowners, the increased demand is reflected in rising costs for new housing and average home sale prices. The median sales price for homes sold in Transylvania County in 2Q 2024 was \$520,000. This is more than double the pre-pandemic median sales price (\$258,000, 2Q 2019). Now, the household income needed to purchase the median sales price is \$107,000, which reflects 140% AMI for a family of four.

During the pandemic, demand for land in Transylvania County broke historic records. The number of land sales increased by nearly 300% since 2011 and land sale prices jumped by 900%. This level of increase in land purchases, especially given the limited developable land in the region [see *Additional Barriers* below], along with the uptick in land prices directly affects homeowners, and because developers pass on those costs to tenants, this impacts renters in the region as well.

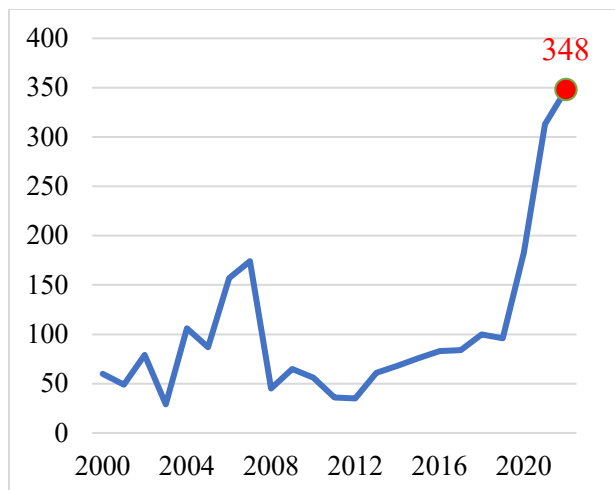


Figure 3: Sale Transactions for Undeveloped Lots <5 acres in Transylvania County [Source: DFI analysis of tax parcel data]

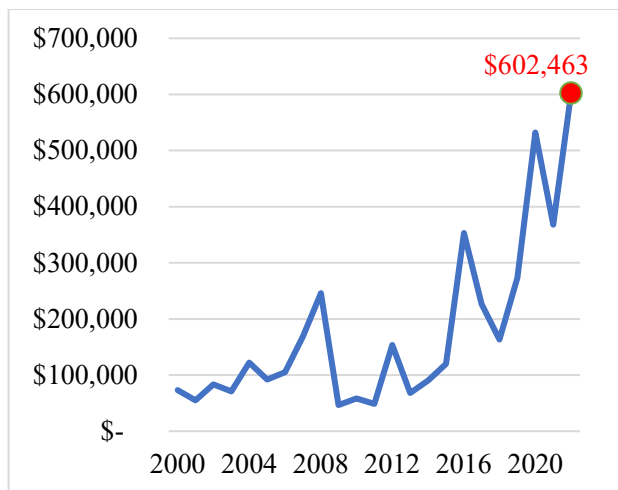


Figure 4: Sale Price per Acre for Undeveloped Lots <5 acres in Transylvania County [Source: DFI analysis of tax parcel data]

The heightened demand for land and skyrocketing home prices coupled with the dwindling developable land available has created displacement pressures on many of Brevard's in-town neighborhoods. These displacement pressures disproportionately impact communities of color and lower income areas.

One threatened area is the historic Rosenwald neighborhood, a traditionally African American community located adjacent to Downtown. This historic community is seeing immense residential investment, with new, half-million-dollar homes being constructed next to historic one-story frame houses built in the 1950s and 1960s. This gentrification often leads to significant displacement pressures, as rising property values and rents push long-time residents out of their homes. These neighborhood changes threaten the long-standing community that has deep cultural and historical roots in the area, resulting in a loss of social networks and cultural identity. These changes underscore the urgent need for housing preservation initiatives that prioritize the needs of existing residents while promoting community stability and fostering high opportunity neighborhoods.

iii. What key barriers still exist and need to be addressed to produce and preserve more affordable housing?

Despite the City's ongoing work to address barriers through the regulatory reforms and other initiatives outlined above, numerous barriers that hinder our ability to produce and preserve more affordable access still exist.

- **Sensitive Topography and Limited Developable Area:** One of the greatest constraints is the topography of the region. With the French Broad River to the east and Pisgah National Forest to the west, Brevard is surrounded by many valuable natural resources; this contributes to the high quality of life, but significantly limits the developable land in the area. Much of the available land, generally on the outer edges of the City's planning jurisdiction, is constrained by steep slopes and/or floodplains that prohibit or significantly limit the development potential. In an effort to reduce the fiscal burden on households, the City of Brevard participates in the Community Rating System (CRS), a voluntary incentive

program that recognizes and encourages community floodplain management practices that exceed the minimum requirements of the National Flood Insurance Program (NFIP). The City of Brevard is a Level 8 community, which equates to a 10% discount on flood insurance premiums. Even the land not within a hazard areas face difficult environmental site conditions that hinder development potential and effectively eliminate opportunities for affordable housing developments. As stated previously, the City partnered with the Brevard-Davidson River Presbyterian Church to utilize Church-owned land for affordable housing development. In June 2024, the City and the Church entered into a lease agreement with an option to purchase the property to begin predevelopment work on the site. Geotechnical assessment was conducted on the site that revealed 15 to 18 feet of soft soil content that was incompatible with large scale development and would cost significantly more in site preparation and stabilization than an average site in the area. High-level cost estimates revealed that the cost of site remediation and preparation alone would be four times more expensive than an average site.

- *Infrastructure Constraints*: Brevard also suffers from significant infrastructure limitations. Water and sewer infrastructure is limited, and many existing pipes are at the end of their intended lifespan. Due to the topography of the area, water or sewer infrastructure that is built as a part of new development often must include costly pump or lift stations. Existing City pumps and lifts are at the upper end of their functional capacities, and if a project were to build enough houses to cause those capacities to be met, then the cost of necessary upgrades would be borne by the developer, resulting in higher listing prices of the homes to offset the added expense. The City of Brevard owns and operates the larger of the two wastewater collection and treatment systems in Transylvania County. The collection system serves more than 3,600 customers and consists of 55 miles of gravity sewer lines, 6 miles of force mains, and a wastewater treatment facility (WWTP) that discharges into the French Broad River. The plant is permitted to treat 2.5 million gallons of sewage a day and currently receives 1.7 million gallons. With increased development in city limits, the plant has struggled to remain in compliance with the organic waste treatment standards. As the WWTP quickly draws closer to the 80% capacity mark, the City must plan to expand operations. Earlier this year, the City hired an engineering firm to perform projections and evaluate possibilities for the expansion or potential replacement of the WWTP. Streets within the City face similar issues. In a 2021 condition survey, over 23% of City-owned street mileage was rated as either “Poor” or “Very Poor.” New streets are occasionally constructed and dedicated to the city, but these are typically very short cul-de-sac streets that offer no real increase in connectivity. Any new street of a substantial length would inevitably have to contend with topographical challenges that quickly drive the cost of road construction up, which is then passed along to the buyers of the homes built along it.
- *High Construction Costs*: In addition to the high cost of land described above, high construction costs have further hindered development. With the limited infrastructure and challenging topography, construction typically requires utility extension and/or significant site work. These are large up-front expenses that are borne by the developer before even breaking ground. The impact on the bottom line reduces the financial feasibility of the project and, typically, leads to an increase in rent or purchase price to overcome the financial gap. Coupled with the limited availability of contracts and high inflation, construction costs are projected to continue increasing in the years to come. Just recently,

the feasibility of an affordable housing development was threatened by rising construction costs. In 2022, Fairhaven Meadows, a 60-unit affordable housing complex in Brevard city limits, was awarded Low Income Housing Tax Credits (LIHTC) from the North Carolina Housing Finance Agency. Due to rising construction costs, the project initially submitted by the developer to NCHFA had a multi-million-dollar funding gap. The developer was forced to reduce the scale of the project in order for the financing to pencil out. The now 42-unit project is under final review by City staff and is anticipated to begin construction in winter 2024, a year behind schedule.

- *Limited Local Funding Options:* With high land acquisition and construction costs, the availability of funding becomes one of the greatest obstacles for affordable housing development. Locally, the City of Brevard is a small municipality with limited funds generated almost exclusively from modest property tax revenue. City Council's recent appropriations to the Housing Trust Fund (two cents per \$100 of property value in FY 2023 and one and a half cents per \$100 of property value in FY 2024) can support a few smaller projects annually or serve as developer gap financing every few years. After two fiscal years and a few smaller projects, the current cash balance in the HTF is \$645,000. While this is an important investment and demonstrates the City's commitment to housing, it is not enough to make a large impact on the affordable housing shortage in the area. Dogwood Health Trust, which serves the 18-county western NC region and the Qualla Boundary, is the other main local resource for housing funding and provided nearly \$13M in grants in 2023; however, this is a very competitive resource due to the large geographic footprint. Many of the projects selected focus on especially vulnerable populations like those that need permanent supportive housing and seniors. Dogwood is not yet ready to invest the LOS Regional Housing Trust Fund, which is why the City's Trust Fund remains a critical resource for local efforts.
- *State Law Preemption:* The State of North Carolina has a number of preemptive regulations that affect the ability of a local government to pursue proactive policies for affordable housing production and preservation. First, North Carolina explicitly prohibits local governments from regulating the amount of rent that can be charged for privately-owned single-family or multiple unit residential properties (North Carolina General Statutes Section 42-14.1). This **rent control** ban was passed in 1987 with no modifications since. Rent control or stabilization is an important tool for anti-displacement because it allows current residents to remain in their homes longer. State law also precludes local governments from implementing any **property tax-based preservation programs**. The North Carolina State Constitution includes a "uniformity clause," which requires uniform property tax rates on all property throughout a taxing jurisdiction and uniform property tax classifications (meaning exemptions and exclusions) throughout the entire state. This clause prohibits innovative tax-based anti-displacement programs for income-qualifying homeowners, such as setting limits on annual property tax increases, offering homestead exemptions that exclude a share of the home's value from the property tax calculation, or deferring the collection of increased property taxes until the resale of the property. These types of programs have successfully supported long-time homeowners stay in their homes and communities across the nation. State law preemption also extends to regulatory policies for affordable housing production. The State constitution and general statutes do not grant local governments the power to enact **inclusionary zoning**, which involves using zoning

authority to mandate private development to produce affordable housing units as part of their project. North Carolina General Assembly grants cities “adequate authority to execute the powers, duties, privileges, and immunities conferred upon them by law” (North Carolina General Statutes Section 160A-4). The ramifications of this as it relates to inclusionary zoning have been debated state-wide. Though three municipalities have implemented mandatory inclusionary zoning, the prevailing interpretation is that North Carolina municipalities cannot enact mandatory inclusionary zoning requirements. Even if a municipality were to move forward with that policy, the strict rent control ban precludes any for-rent inclusionary zoning policies, only for-sale units.

- *Not Competitive in State and Federal Programs*: Furthermore, the City of Brevard and Transylvania County are not positioned to receive funding through competitive state and federal programs. For instance, the County is, typically, not competitive in the Low-Income Housing Tax Credit Program (LIHTC) administered through the North Carolina Housing Finance Agency (NCHFA). The NCHFA allocates funding based on the geographic and income limit designations. Transylvania County is located in the “Western” region, which only receives 16% of the funding awards annually. The County is also considered “moderate-income” with other counties in the region being higher funding priorities. This is due in part to the high-income residents in the Lake Toxaway community located twenty miles southwest of Brevard. The limited infrastructure and challenging topography result in lower scores in the “Location and Site Suitability” criteria, as well. These factors all contribute to a low likelihood of award from one of the largest sources of funding for affordable housing, and, as a result, developers are unlikely to pursue projects in the area. Fairhaven Meadows, awarded in 2022, was the affordable housing tax credit award for family housing in Brevard since 2009 and only the fourth in the city’s history. As part of the 2022 Qualified Allocation Plan, a bonus point was given to new construction projects in counties declared a federal disaster area under Tropical Storm Fred, which included Transylvania County. In the highly competitive funding program, that one additional point and added preference towards funding projects in the Western Region resulted in Fairhaven Meadows receiving LIHTC.

EXHIBIT D | SOUNDNESS OF APPROACH

i. What is your vision?

Proposed Activities and Why They are Appropriate

As described in *Exhibit C – Need*, the City has made significant improvements to the ordinances and regulations to facilitate production of a more diverse, dense housing stock. These improvements, however, continue to have limited success due to other key barriers. **The City's vision for this proposal is to proactively remove infrastructure barriers to housing production and to invest in communities through preservation programs.** To realize that vision, the City of Brevard is requesting \$4,000,000 to complete the following activities:

- *Activity 1:* Engineering to Extend Sewer to the Azalea / Rhododendron Neighborhood (\$348,000)
- *Activity 2:* Construction of the Main Spine and Pump Station to Extend Sewer to the Azalea / Rhododendron Neighborhood (\$1,744,000)
- *Activity 3:* Engineering and Construction to Extend Sewer to Habitat for Humanity's Project on Woodland Terrace (\$687,000)
- *Activity 4:* Endowing the Housing Trust Fund for Affordable Housing Preservation Programs (\$1,221,000)

The specific vision and scope of each project component is described in detail below.

Activities 1 & 2: Azalea / Rhododendron Neighborhood Sewer Extension

The first grant-funded project is extending sewer utilities to the Azalea / Rhododendron neighborhood in Transylvania County. This predominately low-income neighborhood is plagued with failing septic systems that are costly, or in some cases impossible, to repair. Extending sewer utilities to the 125 residential parcels in this area will address a major public health concern, preserve the naturally occurring affordable housing found in the neighborhood, and create a favorable environment for developers to create new housing opportunities on the vacant parcels.

The funding secured with the PRO Housing grant will fund two elements of the project - (1) engineering design to extend sewer to the entire neighborhood and (2) the first phase of construction. The first phase of construction (\$1,744,000) will include the main trunkline of the sewer infrastructure along Old Hendersonville Highway and construction of the pump station that is necessary to serve the entire neighborhood. Completing the first phase of construction will serve 30 of the 125 lots, ensure the required pump station is completed, and better position the project for future funding opportunities.

In 2020, door-to-door income surveys along with web and telephone surveys were conducted to identify LMI households along with other key HUD demographics in the Azalea / Rhododendron neighborhood. This outreach effort surveyed the 93 households in the area (67 owner-occupied and 26 renter-occupied), with the remainder of the properties being vacant. Of the households surveyed, 54% were low-income, earning less than 80% of AMI in 2020. 20 of those households were classified as extremely low- (30% AMI in 2020) or very low-income (50% AMI in 2020). At that time, 167 people resided in the neighborhood. The neighborhood is predominately white, with 14 residents identifying as non-white (African American or two or more races). 24% of the people

living in the neighborhood are elderly (over the age of 62). While this data is a few years old, the character of the neighborhood has remained largely unchanged, and most of the households were owner-occupied, which typically means less turnover. These surveys were conducted at the onset of the COVID-19 pandemic. As described in *Exhibit C – Need*, affordability in Brevard and Transylvania County continues to worsen in the years following the pandemic.

The Azalea / Rhododendron neighborhood is an area of opportunity less than a mile from many of the County’s major employment centers (Downtown and Transylvania Regional Hospital), educational institutions (Brevard Middle School, Blue Ridge Community College and Brevard College), grocery stores, recreational facilities, etc. However, not having adequate sewage has stifled the area and perpetuates the underserved nature of the area. This proposal will ensure the underserved area near community assets becomes a well-resourced area of opportunity.

Because this neighborhood is underserved with respect to utilities, the residents rely on aging septic tank systems that are either failing or rapidly approaching the end of their life spans with no space or proper site conditions for replacements other than municipal sewer. Through two different household surveys (2005 NCDEQ Wastewater Elimination Discharge (WaDE) and 2020 follow-up), 27 homes (22%) have been identified with failing septic and are illicitly discharging their wastewater. 18 of these homes are LMI households. Transylvania County Department of Public Health reports that none of the failing septic systems have been replaced and no remediation has been undertaken since the last survey in 2020. The Department of Public Health has also determined that repairing septic systems is impossible in some circumstances due to the high clay content of the soil preventing water absorption, insufficient available space, inability to meet required setbacks and other site-specific issues. The choices in these cases are limited to either pumping and hauling the sewage to an approved wastewater treatment facility or abandoning the structure as a residence.

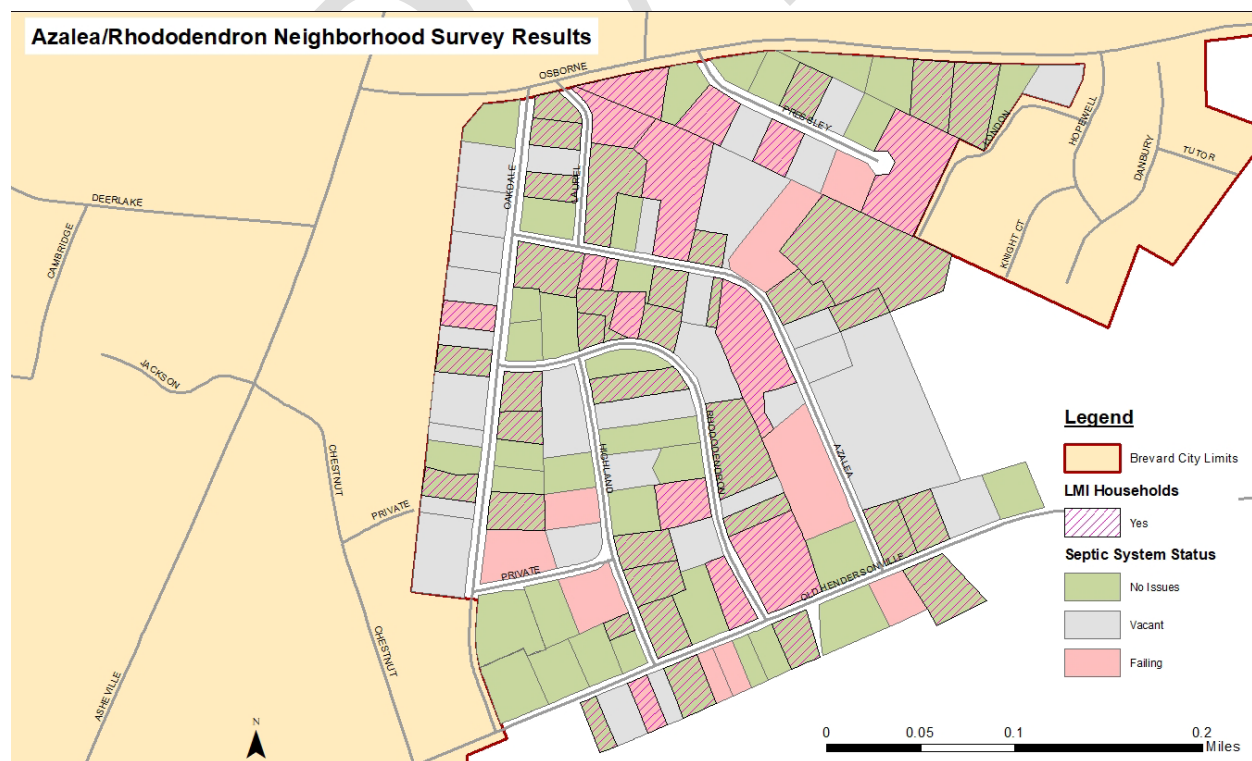


Figure 7: Project Location and Resident Survey Findings [Source: Land of Sky Regional Council with results from 2020 neighborhood survey]

It is assumed by Transylvania County Department of Public Health and the City of Brevard that the septic issues have become more extensive in recent years. This is in part because of the flooding that has plagued the area. Transylvania County is one of the wettest counties in North Carolina, with some areas receiving over 100 inches of precipitation annually. As a result, the French Broad River, which spans the entire County, is subject to frequent flooding. The Gilbreath Branch is located in the Azalea / Rhododendron neighborhood and flows directly into the French Broad River just south of the neighborhood. Failing septic systems are a major source of bacteria pollution and other pathogens in the region's waterways. The illicit discharge generated by failing septic systems in this neighborhood flows directly into the French Broad River degrading its water quality.

More than a quarter of the properties in the Azalea / Rhododendron neighborhood are vacant. The majority of those vacant parcels are unable to be developed because they cannot secure a septic permit from the Transylvania County Health Department due to the high clay content of the soil preventing water absorption, insufficient available space, inability to meet required setbacks and other site-specific issues. **The only way for development to occur in on the 8+ acres of vacant properties is with public sewer.** If the vacant parcels are developed as affordable housing, they will have access to the Housing Trust Fund programs, but there will also be benefits with development of market-rate housing. The reduction of barriers to housing development in the area will also improve the production of housing in general and produce indirect improvements in affordability generated through increased supply of market-rate housing.

Installing new utilities and improving the infrastructure is critical for the development and preservation of affordable housing in this opportunity neighborhood. With the high cost of infrastructure and topographic constraints, the financial resources required to extend sewer infrastructure are beyond the capacity of the City. The need to invest in this high-opportunity neighborhood by preparing it for future housing and preserving the existing housing for low-income residents is paramount and cannot be accomplished without outside resources. This project will permanently remove the infrastructure barrier that has stifled development in the neighborhood, improve the community resilience, and facilitate the preservation of affordable housing in an area of opportunity. Furthermore, this project achieves all three of the CDBG National Objectives:

1. **National Objective: Benefiting low- and moderate-income persons.** This project fulfills the first national objective because the majority of the current residents in the Azalea / Rhododendron neighborhood are low-income, earning less than 80% of AMI.
2. **National Objective: Preventing or eliminating slums or blight.** The Azalea / Rhododendron neighborhood is riddled with failing septic systems and faulty sanitation facilities that threaten the health and safety of the neighborhood. This blight is perpetuated with a lack of sewer infrastructure that can be used to remedy the issues.
3. **National Objective: Meeting other community development needs.** In addition to the immense need for affordable housing, the environmental consequences of the failing septic system pose a serious and immediate threat to the health and welfare of the broader community. The severe lack of adequate sanitation facilities has led to illicit discharge that flows directly into the French Broad River. The degradation of the French Broad River's

water quality has had a drastic impact on the health of the entire region – not just Transylvania County.

Activity 3: Woodland Terrace Sewer Extension

The next grant-funded project is extending sewer utilities to a 7.8-acre parcel on Woodland Terrace owned by Transylvania Habitat for Humanity (Habitat). The municipal sewer service is a key component for advancing a multi-family development planned by Habitat, consisting of at 47 housing units on the recently acquired parcel.

Transylvania Habitat for Humanity, an affiliate of Habitat International, is a nonprofit housing organization that has tirelessly supported our county for 40 years. Habitat's model is to build homes for qualifying families and individuals at no profit. In exchange, homeowners pay an affordable mortgage payment that does not exceed 30% of their gross monthly income and perform a minimum of 200 hours of sweat equity as part of their partnership with Habitat.

The Woodland Terrace project represents a pivotal initiative project by Habitat to address the growing need for affordable housing in our community. This development will feature approximately 47 cluster homes, designed to create a close-knit, sustainable, and affordable neighborhood for low- to moderate-income families. These homes will include a variety of housing models, such as duplexes, triplexes, and quadraplex homes, providing flexibility and diversity in housing options to meet the needs of the community.

Obtaining sewer services to this parcel is vital for the project to succeed. This site has been contemplated for affordable housing in the past, with a developer preparing an application for LIHTC through the North Carolina Housing Finance Agency; however, that project did not move forward, in part, because of the high cost of extending sewer infrastructure to the site. The wetlands and flood hazard area on the property limit the viability of a project relying on septic systems. The preliminary design, which was used to inform the cost estimate, includes a force main that crosses the floodway. The project will comply with all floodway development regulations included in the CDBG program requirements outlined in CPD-17-013.

The Woodland Terrace neighborhood will also be an environmentally conscious development, incorporating creek restoration in partnership with Conserving Carolina. This collaboration will help preserve the natural surroundings, promote environmental sustainability, provide a common area greenspace for the residents to enjoy, and enhance the livability of the neighborhood.

Upon completion, Woodland Terrace neighborhood will provide affordable, decent housing for approximately 47 families, helping to alleviate the housing crisis in Brevard. It will foster a sense of community among residents while contributing to the city's broader goals of inclusive and sustainable urban development. This project is aligned with Habitat's mission to build strength, stability, and self-reliance through shelter.

Similar to the sewer extension to the Azalea / Rhododendron neighborhood above, this project will permanently remove the infrastructure barrier that has hindered development on the site in the past, particularly because the extension includes crossing the floodway. This grant activity is appropriate because it meets the following national objectives:

1. **National Objective: Benefiting low- and moderate-income persons.** All units (at least 31 single-family homes and duplexes) developed by Transylvania Habitat for Humanity on Woodland Terrace will serve residents earning 80% of AMI or less.

Activity 4: Housing Trust Fund Affordable Housing Preservation Programs

The final grant-funding activity is endowing the City of Brevard's Housing Trust Fund for affordable housing preservation programs. These programs will enable low-income homeowners to rehabilitate existing affordable housing units, improve quality and safety of the housing units, and remain in their community. The Housing Trust Fund investment will implement many of the City's housing strategies, as identified in the *Building Brevard 2030* Comprehensive Land Use Plan, by preserving affordable housing throughout the City of Brevard's entire planning jurisdiction. The Housing Trust Fund has eligibility requirements that require funding goes to low-income households with a guaranteed affordability of at least 15 years (with preference going to projects that have longer affordability periods). Furthermore, the investment in preservation programs, home repairs, and tap fee reimbursement will ensure the current residents of the Azalea / Rhododendron neighborhood are able to remain in their homes and benefit from the newly established resources. These activities will preserve affordable housing across a broad area in a HUD-identified priority geography, Transylvania County.

As previously described, the City of Brevard's Housing Trust Fund (HTF) is a flexible source of funding for affordable housing initiatives. As described in *Exhibit C – NEED*, City Council recently expanded the scope of the HTF to support a myriad of housing programs and established funding priorities. Pairing the infrastructure investment with these preservation programs is critical to curb displacement of LMI residents in the Azalea / Rhododendron neighborhood.

An assortment of activities are eligible for HTF funding, including developer gap financing, homeowner assistance, and renter assistance, but funding received through the PRO Housing grant will be allocated to *preservation programs*. The goal of these programs is to help preserve affordable homeownership and assist homeowners to live in healthy, safe, and accessible homes. Potential projects include:

- Critical housing repairs and replacements (roofs, floors, plumbing, hot water, HVAC, etc.)
- Accessibility modifications (ramps, handrails, door widening, non-slip surfaces, etc.)
- Weatherization and energy efficiency (insulation, ventilation, windows, appliances, etc.)
- Reimbursement of expenses incurred to connect to City services (reimbursement of utility tap fees, annexation application fee, etc.)

Eligible residents, developers or other providers may request funds from the HTF to support this mission of preserving affordable housing in the City of Brevard and its ETJ. All funding requests are reviewed by the Housing Committee, who will make a recommendation to the City Council regarding fund allocation.

In order to qualify for funding through the HTF, beneficiaries must have a gross income of 80% of AMI or less for homeowners and 60% of AMI or less for renters. The affordable building or unit that is subject to program funding must be dedicated to beneficiaries at the designated income level for a minimum of 15 years. The funding priorities established by the City's Housing

Committee and City Council reflect community needs and high-quality development standards. They include the following:

- Projects with longer-term affordability (beyond the 15 years required for eligibility);
- Projects with serve households of very low- and extremely low-income;
- Projects that are located near grocery stores, schools, recreational activities, employment centers, and other community assets;
- Projects that implement best practices in energy efficiency, low impact development, and universal design.

With this grant-funded activity, the following national objectives are met:

1. ***National Objective: Benefiting low- and moderate-income persons.*** All funding that is granted from the Housing Trust Fund is required to serve households earning less than 80% of AMI for a minimum of 15 years, with deeper affordability and longer-term requirements earning higher preference.
2. ***National Objective: Preventing or eliminating slums or blight.*** The Housing Trust Fund preservation programs will fund critical home repairs and other preservation projects that allow residents to stay in their homes and prevent involuntary displacement due to rising costs and unsafe facilities.

Addressing Key Barriers and Advancing Housing Initiatives

The proposed project directly addresses many of the major barriers identified in *Exhibit C – Need* – specifically:

- ***Infrastructure Constraints:*** The proposal will permanently remove this barrier in two areas by extending sewer infrastructure. These investments will contribute to the production of new affordable housing units and preservation of a predominately low-income neighborhood. As previously stated, housing production in these areas cannot occur in these areas without the sewer infrastructure due to the topographic challenges and inability to build adequate septic facilities.
- ***Sensitive Terrain and Limited Developable Area:*** The prevalence of environmentally sensitive areas significantly limit the development potential of a large portion of the City's jurisdiction. This proposal will allow two areas that are encumbered by flood hazards – the Azalea / Rhododendron neighborhood and the Woodland Terrace property – to be developed safely and sustainably. These areas would not be able to be developed to the full potential without the provision of sewer infrastructure, particularly because of the inability to use septic systems due to the high clay content of the soil.
- ***Limited Local Funding Options:*** The proposal will propel the City's affordable housing initiatives forward. The impact of the limited local funds available will be tripled with the infusion of federal grant dollars. Without the additional funds, it would take at least 16 years of annual contributions to the Housing Trust Fund to collect the funds necessary to complete these projects.

- *Inability to Implement Property Tax Preservation Programs*: State law preempts municipalities from creating property tax-based preservation programs. For a city with limited local funds, this prohibition severely limits the ability to preserve naturally-occurring affordable housing. Instead, the proposal is requesting funds for the City to launch its own preservation programs that can make an impact in the lives of community members.

This proposal also aligns with numerous housing actions in the *Building Brevard 2030* Comprehensive Land Use Plan:

- Utilize the Housing Trust Fund to leverage private investment to create affordable housing units
- Provide support for the preservation and rehabilitation of existing affordable housing
- Address housing shortage by removing barriers to multi-family and “missing middle” housing opportunities

Furthermore, this proposal advances the city’s other housing initiatives, including the recently passed regulatory changes.

- In the Azalea / Rhododendron neighborhood, the vacant properties and underutilized parcels present an unparalleled opportunity for increased density through infill development. New development that is connected to sewer infrastructure will not require large septic fields, which opens up land for additional housing units. This new area can be developed using the myriad of recent regulatory changes, including allowing irregular or “flag” lots, missing middle housing types, such as triplexes and quadraplexes, and larger accessory dwelling units. In fact, Transylvania Habitat for Humanity was approached by a property owner in the area that is interested in donating the property if the sewer infrastructure is extended, and the land could accommodate up to five additional housing units.
- The Woodland Terrace property owned by Habitat for Humanity will be built as a cluster home development. This recently adopted development typology allows for denser residential development to be clustered around a common open space. The ordinance allows for a density bonus of 50% greater than the underlying zoning district, which would allow Habitat to create an additional 15 housing units on the property.

In designing this proposal, the City of Brevard has taken steps to create new housing opportunities without inviting displacement. Displacement pressures can come from transformational infrastructure investment, but by pairing this with the \$1.2 million investment in affordable housing preservation programs, the residents of the Azalea / Rhododendron neighborhood will be able to remain in their homes and benefit from the improvements to the area.

How Proposal Compares to Similar Efforts and Lessons Learned

This application includes an amended proposal that was submitted during the 2023 PRO Housing funding cycle. In the prior application, the City requested \$6,000,000, and prioritized funding the entire Azalea / Rhododendron neighborhood sewer extension (\$4.8 million) and housing preservation programs (\$1.2 million). The changes in this proposal reflect a reduced ask amount,

expanded geographic scope of the infrastructure investments, and laying the foundation for the next phase of sewer extension into the Azalea / Rhododendron neighborhood. Additionally, the amended ask focuses on supporting both preservation and creation of new units – with the extension to the undeveloped parcel owned by Transylvania Habitat.

This proposal also draws from a previous CDBG-I grant proposal to extend sewer infrastructure to the Azalea / Rhododendron neighborhood. This effort was unsuccessful, in part, because there was hesitation from the LMI households to connect to the municipal utilities. It is the policy of the City of Brevard to only extend sewer utilities to areas within the corporate limits. However, given the severe need in this neighborhood and the prevalence of naturally occurring affordable housing, City Council is waiving the requirement for low- to moderate-income households in need of sewer connection to resolve an immediate danger to the public health and safety. Waiving the annexation requirement further ensures preservation by not placing an additional cost burden on households with City taxes. The annexation requirement was the main reason that some LMI households surveyed in 2020 did not want to connect, thus it is expected that all households in need can now be served. City Council plans to offer the waiver to property owners of low-income or those that place a deed restriction on the property to facilitate the creation of affordable housing on the vacant parcels. If a property owner voluntarily chooses to annex into the City limits, low-income homeowners can apply for a reimbursement of expenses incurred for annexation and connection to the sewer infrastructure (application fee, surveying / recording, etc.) through the Housing Trust Fund's preservation funds. These changes are the direct result of the lessons learned from the prior engagement. As part of the public comment received for this grant proposal, the City heard that multiple LMI households that were previously unwilling to connect will if the annexation requirement is waived.

When considering the preservation efforts, this effort draws on preservation efforts from other North Carolina municipalities and local nonprofits that have similar programs. Housing Trust Funds are a common tool for municipalities to pool resources from various sources for affordable housing initiatives. The City of Brevard's recent amendments to the Housing Trust Fund identified priority programs by learning from successful programs across the State [detailed in *Exhibit C – Need*]. Many North Carolina municipalities (such as the City of Asheville, the City of Raleigh, the Town of Chapel Hill, the Town of Carrboro, and Orange County) have successful Housing Trust Funds that provide funding for home repairs and accessibility improvements for LMI households. With a population of approximately 8,000, the City of Brevard is significantly smaller than most of those jurisdictions but recognized the paramount need for establishing this flexible funding source and the importance of investing in housing preservation programs. These municipalities informed how the City can be a project partner and funding source for these efforts. In fact, the City of Brevard has consulted with other smaller municipalities about establishing their own Housing Trust Fund.

When determining the types of housing programs that would be necessary, the City of Brevard engaged residents and affordable housing providers, such as Transylvania Habitat for Humanity and Housing Assistance Corporation [for more information on these organizations and their role in project implementation, please refer to *Exhibit E – Capacity*]. Outreach indicated a strong need for home repairs, assistance for aging residents, and reimbursement of the expenses to acquire necessary sewer connection (tap fees).

This proposal is innovative in that it pairs significant infrastructure investment in high opportunity areas with affordable housing preservation efforts to avoid involuntary displacement of residents.

As described in *Exhibit C – Need*, infrastructure is a challenge in Transylvania County, but also more generally in Western North Carolina. As other Western North Carolina jurisdictions consider expanding and improving utilities, this project could serve as a model for combining infrastructure investment with anti-displacement strategies.

How Proposal Advances and Complements Other Planning Initiatives, Land Use Reforms, and Other Community Assets

In addition to the affordable housing initiatives that are being advanced with this proposal (described above), the directly advances many of the City's other planning initiatives and priorities. In the City's Comprehensive Land Use Plan, *Building Brevard 2030*, these efforts advance all 8 of the stated goals:

- *Goal 1: Expand housing opportunities* for all residents while **preserving the character** of Brevard and its neighborhoods.
- *Goal 2: Encourage a development pattern that respects Brevard's sense of place and prioritizes liable communities.*
- *Goal 3: Ensure fairness and equity* in providing for the **health, safety, and welfare** of all citizens and groups.
- *Goal 4: Create a built environment that prioritizes a safe, active, multi-modal transportation system and community health and wellness.*
- *Goal 5: Celebrate Brevard's natural resources through conservation of environmentally sensitive areas*, improving access to recreation, and restoration of native ecosystems.
- *Goal 6: Integrate arts, culture, diversity, and history into everyday life and build on Brevard's identity as a dynamic community to live, work, play and create.*
- *Goal 7: Support economic vitality* and grow the tax base, cultivate local businesses, and attract sustainable industry.
- *Goal 8: Plan for efficient, equitable, resilient infrastructure* and services that maintain and improve **quality of life** throughout the City.

Community's Environmental Risks and How Proposal Promotes Community Resilience

Flooding is one of the city's most significant environmental risks. On average, Transylvania County receives 70 inches of rain annually, making it one of the wettest counties in North Carolina. The high level of precipitation in Transylvania County leads to excess runoff and inland flooding and contributes to the recurring water quality issues facing the French Broad River. The heavy precipitation and inland flooding can also exacerbate erosion and landslides, which is an additional danger given the steep slope areas in Transylvania County.

In an effort to reduce the fiscal burden on households, the City of Brevard participates in the Community Rating System (CRS), a voluntary incentive program that recognizes and encourages community floodplain management practices that exceed the minimum requirements of the

National Flood Insurance Program (NFIP). The City of Brevard is a Level 8 community, which equates to a 10% discount on flood insurance premiums.

Because precipitation and flooding are major risks for the community, each element of the proposal will strengthen the community resilience:

- *Azalea / Rhododendron Neighborhood Sewer Extension*: A large portion of the Azalea / Rhododendron neighborhood is encumbered by floodway and other flood hazards. Runoff in the area and contamination from the failing septic systems are contributing factors to the water quality issues impacting the French Broad River and its tributaries. The installation of sewer infrastructure will ensure residents have a safe and efficient means of waste disposal that does not continue to contaminate the region's waterways and groundwater.
- *Transylvania Habitat for Humanity Woodland Terrace Sewer Extension*: Similar to the Azalea / Rhododendron neighborhood, the property on Woodland Terrace owned by Habitat for Humanity has flood hazard area and wetlands on the property. Connecting the property to sewer infrastructure will prevent contamination and degradation of the environmentally sensitive areas. Habitat also intends to keep development away from the flood hazard areas (floodway and 100-year floodplain) and preserve the wetlands as open space. Habitat also uses energy-efficient features in their new homes and best practices in resilient design.
- *Housing Trust Fund Preservation Programs*: The preservation programs established as part of this grant will be used for the repair and/or rehabilitation of housing owned or occupied by LMI households. Many critical home repairs that are imperative for residents to continue occupying the structure can emerge due to persistent flooding, aging infrastructure, and environmental hazards. Among other things described above, programs will be able to fund critical home repairs and replacements (roofs, floors, plumbing, hot water, HVAC, etc.) and the installation of weatherization measures and energy-efficient features (insulation, ventilation, windows, etc.). With these types of improvements, the home will be able to withstand environmental risks, and the occupant will be able to reside in the home for years to come. Furthermore, one of the stated priorities of the Housing Trust Fund is to fund projects that utilize low-impact development techniques to manage stormwater, which will incentivize green development practices as part of the housing repairs.

Potential Roadblocks that Might Impede Implementation

Like any other major project, there is a risk that the construction costs will rise or that there will be unforeseen expenses. The cost estimate for the sewer extension uses conservative estimates and includes an industry-standard 10% contingency budget. Another potential roadblock is easement acquisition. Both sewer extension projects require utility easements on private properties that allow the City to install and maintain the infrastructure in perpetuity. The costs of securing easements may vary from anticipated costs due to extended negotiations and/or higher appraised values than anticipated.

Partnership will be key to implementation of the preservation programs. The City is not an expert in ongoing management of home repair projects. The partnership of organizations with established programs, relationships with vendors / contractors, and capacity for constant management will be

critical in ensuring timely utilization of the grant funds. Two of these organizations, Transylvania Habitat for Humanity and Housing Assistance Corporation, have expressed a strong interest in using the funds for repair programs, as described in *Exhibit E – Capacity*. In the event these organizations are unable to participate, the City continues to establish relationships with other organizations, religious institutions, developers, and partners that can assist in the implementation of preservation programs.

ii. What is your geographic scope?

This proposal serves the City of Brevard's corporate limits and its extraterritorial jurisdiction (ETJ) in Transylvania County. The infrastructure investment is concentrated in two high-opportunity areas that are underserved by utilities - the Azalea / Rhododendron neighborhood and Woodland Terrace. The Azalea / Rhododendron neighborhood is centrally located less than a mile from many of the County's major employment centers (Downtown and Transylvania Regional Hospital), educational institutions (Brevard Middle School, Blue Ridge Community College, and Brevard College), grocery stores, and recreational facilities. The Woodland Terrace property, located further south, is adjacent to the new Estatoe Trail greenway. This segment of the pedestrian and bicycle path is currently under design and will ultimately connect Downtown to Brevard High School, passing through numerous other activity areas and connecting to parks and other recreational amenities throughout the City. The City's request for preservation funding through the Housing Trust Fund will serve residents of the City of Brevard and within its ETJ in the County. In total, this proposal will facilitate increased production and preservation of affordable housing in 14.7 square miles of Transylvania County.

Key Stakeholders and How We are Engaging Them

This application has been prepared with input from years of engagement around the housing needs, barriers, and opportunities in Transylvania County.

The key stakeholders for this project are the residents and property owners in the Azalea / Rhododendron neighborhood and the current and future low-income residents of Brevard and its extraterritorial jurisdiction in Transylvania County. In developing this proposal, the City conducted outreach by:

- Engaging partners for support in preparing the application (e.g., Land of Sky Regional Council, Transylvania County, and Transylvania Habitat for Humanity);
- Advertising the public hearing in the local newspaper (The Transylvania Times) on September 23, 2024, and September 30, 2024;
- Mailing letters to the residents and property owners of the Azalea / Rhododendron neighborhood about the grant proposal and inviting them to the public hearing;
- Publishing the draft proposal on the City's website;
- Hosting a public comment form on the City's website;
- Conducting a public hearing on October 8, 2024;

- Publishing an announcement about the public comment period in the local newspaper (The Transylvania Times) on September 26, 2024, and October 3, 2024;
- Soliciting comments from many of the City’s affordable housing and supportive service providers.

A summary of all input received can be found in *Appendix A – Comments Received*.

The City also used past engagement efforts to inform the application, in addition to the grant-specific outreach.

- In 2020, the City and the Land of Sky Regional Council conducted a comprehensive survey of the Azalea / Rhododendron neighborhood as part of a previous CDBG-I grant application. The outreach was a door-to-door income survey, along with web and telephone surveys, to identify LMI households along with other key HUD demographics in the Azalea / Rhododendron neighborhood.
- As part of the Building Brevard 2030: Comprehensive Land Use Plan development the City of Brevard conducted robust community engagement aimed to reach as many people as possible, and this effort served as the driving force for Plan development. In total, more than 110 participants attended public meetings and workshops and over 1,000 survey responses were received. The engagement quickly identified housing as a top priority for engagement. The number one goal selected by the community was “*Expand housing opportunities for all residents while preserving the character of Brevard and its neighborhoods.*” This engagement effort launched a robust discussion about the community’s desire for neighborhood preservation and protection of the historic and cultural identity with staff and members of City Council. Affordable housing preservation efforts were recognized as a vital tool for keeping residents in their neighborhoods, near employment opportunities, and as part of a thriving, diverse community. As illustrated in *Exhibit C – Need*, the rising housing costs would be cost-prohibitive for residents to find another dwelling.
- Most recently, the City of Brevard launched an update of the architectural standards. While these changes aim to address new building materials and changing construction trends, the engagement sparked a discussion around community character. The initiative kicked off by engaging over 400 residents to share their vision for the character of Brevard and some of its prominent areas. The community overwhelmingly called for the preservation of historic structures and neighborhoods.

Outreach and proactive advertisement of the Housing Trust Fund programs are imperative in ensuring the programs are effective. In addition to publicizing information through regional news outlets and digital media platforms, City staff will work with partners to provide information and technical assistance to potential applicants to improve the accessibility of these programs and reduce barriers for residents to submit applications. The City of Brevard is fortunate to have several dedicated partners who will assist in outreach to LMI households, including:

- Non-profit supportive services providers (e.g., Transylvania Habitat for Humanity, Housing Assistance Corporation, Pisgah Legal Services, Sharing Housing, and The Haven of Transylvania County);

- Educational institutions (e.g., Transylvania County Schools, Blue Ridge Community College, and Brevard College);
- Religious institutions (e.g., Bethel A Baptist Church, Brevard-Davidson River Presbyterian Church, among others);
- Community facilities (e.g., Mary C. Jenkins Community and Cultural Center, Transylvania County Library); and
- Advocacy groups (e.g., Brevard-Transylvania Housing Coalition, El Centro Comunitario Hispano Americano).

The City also participated in the 2020-2024 Asheville Regional Housing Consortium (ARHC) Consolidated Plan development through stakeholder engagement meetings in Transylvania County as well as through representation on the ARHC. The proposed projects address three out of the five priority housing needs identified during the process: promote homeownership for low-income households, target low-wealth neighborhoods for improvements, and preserve existing housing. The City will also participate in the next Consolidated Plan update which is kicking off this fall.

Affirmatively Furthering Fair Housing Requirements

The crux of this proposal is creating well-resourced areas of opportunity through infrastructure investment and paired with preservation and anti-displacement measures. Specifically with the Azalea / Rhododendron neighborhood, the proposal will provide vital sewer utilities to a high opportunity neighborhood where development has been stifled. By including the preservation programs in the proposal, the residents in the Azalea / Rhododendron neighborhood will be able to remain in the neighborhood and benefit from the necessary infrastructure investment.

The racial composition of the households that will be served is not fully known at this time. Based on the income surveys from the 2020 CDBG-I application for the Azalea / Rhododendron neighborhood, representing 169 people, the neighborhood is predominantly white, non-Hispanic. There were five Hispanic, six African-American, four bi-racial (white/AA), and four other multi-racial people in the neighborhood at the time. Potential residents for Habitat's Woodland Terrace project have not yet been identified. Likewise, the people who will be served in the future through the City's Housing Trust Fund are unknown. However, the City of Brevard promotes Fair Housing principles that prohibit discrimination in housing based on race, color, sex, religion, national origin, disability, familial status, as well as age. All projects assisted with Housing Trust Fund money are required to abide by these principles.

According to the ACS 2021 5-year estimates, Transylvania County is 90% White and 3.4% Black, 3.6% Hispanic, 0.7% Asian, 0.5% Native American, and 2.2% Multi-Racial. Census data does not show any areas of racial concentration, or segregation, in part due to the small number of people of color in the community. More broadly, Brevard has taken numerous steps over the last few decades to remove barriers to the development of affordable housing. In 2006, the City of Brevard participated in the first regional Analysis of Impediments conducted by LOS, which largely looked at zoning and land use policies, and identified limits on multi-family housing as a permitted use, which has since been addressed and expanded from one zoning district to all districts except General Industrial. It also identified the lack of new multi-housing developments as a restriction on fair housing choice, which drove efforts to fund and implement projects like the Cottages at

Brevard, a 48-unit affordable housing development completed in 2012. Both multi-family developments that will be supported through this project will continue to address this issue.

The City of Brevard also participated in the last regional Analysis of Impediments completed in 2011 and used the findings to guide the development of the only other Housing Trust Fund in the region outside of the City of Asheville, which is significant for a community of under 7,000 people at the time it was established.

Since the last regional AI, LOS has only completed updates for communities over 10,000 to facilitate more in-depth analysis and the development and implementation of local strategies to overcome barriers to fair housing choice. However, the City of Brevard has continued to pursue strategies to identify and overcome barriers through zoning and subdivision updates as well as comprehensive planning outlined in *Exhibit C - Need*. The City has also sought to fund infrastructure investments to facilitate both new affordable housing development and the preservation of existing affordable housing stock, like that found in the Azalea / Rhododendron neighborhood. While the neighborhood does meet the >51% LMI criteria for HUD-funded infrastructure investment, 46% of the households in the neighborhood are above the moderate-income threshold, and there is interest in the vacant parcels from market-rate housing developers because the neighborhood is considered attractive due to its proximity to the county's major employment centers.

With the current and anticipated future mix of market-rate housing in a geographically well-situated neighborhood, there is not a risk of concentrating affordable housing in a low-opportunity areas through this project. Likewise, the Woodland Terrace development is adjacent to the new Estatoe Trail, near Brevard High School, and surrounded by a mix of assessed home values ranging from less than \$100,000 to nearly \$800,000. To address the risk of displacement in the Azalea / Rhododendron neighborhood, the \$1.2 million investment in affordable housing preservation programs will provide resources for residents in need to be able to remain in their homes and benefit from the improvements to the area. The Woodland Terrace development will also remain permanently affordable through the Habitat for Humanity program.

Historically, land use, city investment, and market forces have perpetuated wealth and opportunity inequality across racial and ethnic groups in Transylvania County. In recent years, the City of Brevard has prioritized investment in infrastructure and community amenities in neighborhoods that have been historically marginalized.

The City has taken steps in designing the grant activities to allow Azalea / Rhododendron neighborhood residents to have access to this critical infrastructure without increasing the housing cost burden for residents and contributing to involuntary displacement pressures. Brevard City Council is waiving the annexation requirements for LMI households in need of sewer connection. Waiving the annexation requirement further ensures preservation by not placing an additional cost burden on households with City taxes. If a property owner voluntarily chooses to annex into the City limits, LMI homeowners can apply for reimbursement of expenses incurred for annexation and connection to the sewer infrastructure (application fee, surveying / recording, etc.). Pairing the infrastructure investment with these efforts and the other preservation programs enables LMI households in the Azalea / Rhododendron neighborhood to remain in affordable housing near amenities, public services, jobs, transit, schools, and other important community assets.

While the occupants of the future affordable housing developments that will be supported through the proposed infrastructure investments have not been identified, people from all of the protected

classes will be encouraged to apply through targeted outreach, and the size and design of the units will be suitable for both families and people with disabilities. The City will continue to partner with multiple area non-profits to ensure that the needed supportive services are available to the residents, and residents may also use the Transylvania County transportation services, which offers both paratransit and medical transportation.

Accessibility and independent living are important project goals, both for people with disabilities and seniors. Transylvania County is an aging county, with a median age of 52.4 and 29% of the population aged 60 or older. Senior housing has been identified as an acute need in multiple studies, so this population will also be targeted for the new affordable units. Based on the 2020 income surveys, there are 40 seniors, 28 female head of households, and 26 people with disabilities in the Azalea / Rhododendron neighborhood that will be served by the infrastructure improvements once fully implemented. The Housing Trust Fund also provides the resources people need to stay safely in their homes through critical home repairs and accessibility modifications.

To ensure equitable access to the proposed improvements and resources, the City will continue to participate in the Brevard / Transylvania Housing Coalition, whose mission is to ensure that every resident has access to safe, affordable housing and which envisions a community where housing promotes equity, dignity, and opportunity for all. The coalition's core values are fundamentally based in equitable outcomes, and also inform the City's efforts:

- Keep people and communities first. We will honor the diversity of lived experiences by listening to understand before taking action or seeking to be understood.
- Partnering with Purpose. We will foster collective impact by promoting collaboration and shared learning.
- Support existing neighborhoods. We will strive to avoid gentrification, repair and restore existing housing, and create new, safe, and affordable housing within our communities.
- Make decisions based on data. We will use studies and available databases to support our strategies, programs, and initiatives.
- Build generational wealth and family stability. We will use housing ownership as a means for building home equity that can be passed on.
- Create a sustainable, equitable future anchored in community collaboration, a commitment to justice and inclusivity, and ensuring housing that is accessible to all.

In addition to the Faith + Housing Social Impact Summit, the Coalition has held listening sessions in the Rosenwald Neighborhood to understand issues of gentrification and displacement; created an advocacy toolkit and provides advocacy training for people interested in attending governmental meetings so that they can speak about topics related to affordable housing; and provides housing tours so that the public can visit and learn about the organizations that make up the Continuum of Care in Transylvania County related to shelter, support services, and housing.

This ethos of equity and inclusion will also be extended to the project implementation. The NC Department of Administration Office for Historically Underutilized Businesses offers a statewide solicitation portal where the City will post all requests for qualifications and proposals. Selected contractors will also be encouraged to engage women and minority-owned businesses as sub-contractors. RFQs and RFPs will also be sent directly to applicable M/WBEs.

Budget Proposal

The City of Brevard is requesting \$4,000,000 to complete the following activities:

- *Activity 1:* Engineering to Extend Sewer to the Azalea / Rhododendron Neighborhood (\$348,000)*
- *Activity 2:* Construction of the Main Spine and Pump Station to Extend Sewer to the Azalea / Rhododendron Neighborhood (\$1,744,000)
- *Activity 3:* Engineering and Construction to Extend Sewer to Habitat for Humanity's Project on Woodland Terrace (\$687,000)*
- *Activity 4:* Endowing the Housing Trust Fund for Affordable Housing Preservation Programs (\$1,221,000)*

The budget for the proposed activities is \$6,109,116. \$4,000,000 is requested from the PRO Housing grant program, and \$2,109,116 will be provided as leverage [detailed in *Exhibit F – Leverage and Detailed Budget Worksheet 424-CBW*].

The City of Brevard contracted Summit Engineering Group, Inc., a private civil engineering firm, to provide updated cost estimates for the two sewer extension projects using industry-accepted costs and standards.

- The Azalea / Rhododendron Phase 1 sewer extension consists of 1,900 linear feet of gravity sewer main, sewer taps for 30 residential properties, 11 manholes, and a new pump station.
- The Habitat for Humanity Woodland Terrace extension consists of 870 linear feet of force main sewer line, and a new sewer life station.

The \$1,221,000 in Housing Trust Fund Preservation funding could serve between 80 and 240 households, depending on the level of investment required for each home repair or other preservation activity (estimated at \$5,000 to \$15,000). The budgeted award amount aligns with grants for home repairs in the area. Transylvania Habitat for Humanity and Housing Assistance Corporation can provide a maximum of \$10,000 in grant funding as part of their home repair programs. By providing up to \$15,000 per LMI household, the program can defray the majority of costs for major repairs that would allow them to remain in their homes.

Alternative Funding Scenarios

While full funding for the City's proposed activities would do the most to address the barriers identified by this application, the City could make progress on the project goals without the full amount. The City would prioritize fully funding the sewer extension projects and scale back the preservation programs, if necessary.

If we were only granted half of the requested amount (approximately \$2 million), we would only be able to fund engineering for the Azalea / Rhododendron neighborhood sewer extension (Activity 1); engineering and construction for the Habitat for Humanity Woodland Terrace sewer extension (Activity 3); and a reduced amount of preservation programs (Activity 4) [see * on budget chart above]. With this reduced funding strategy, the City would be able to make significant progress on all elements on the project and would not be compromising on the geographic scope,

balance of preservation and production efforts, investment in high-opportunity areas, and other important facets of the proposal.

The reduced award amount would mean the City is required to seek additional funding for the sewer extension to the Azalea / Rhododendron neighborhood Phase 1 (main spine and pump station) and Phase 2 (remainder of the neighborhood) construction. This would further the

Timeline Proposal

The anticipated timeline for the engineering for the sewer extension project in the Azalea / Rhododendron neighborhood and construction of the main spine and pump station is 18 months. The Woodland Terrace sewer extension project has an anticipated timeline of 11 months for engineering and construction. The Housing Trust Fund preservation programs will be launched within a few months, with funding distributions anticipated in January 2026. The detailed project timeline with proposed activities, milestones, relevant sub-tasks, and planned start and completion dates for each task can be found in the attached Gantt chart. with activity descriptions below:

Task 1: Project Initiation (February 2025– April 2025)

The project start date provided in the grant program documentation is February 10, 2025. Once the grant agreement is executed, Staff will launch the project with community engagement in the Azalea / Rhododendron neighborhood. This outreach will focus on explaining the project and program and establishing open lines of communication with community members. This will likely be done through a combination of mailing information, door-to-door outreach, and public meetings to discuss project details. Transylvania County Department of Public Health will assist in this engagement with community members. Concurrently, the City will launch the solicitation and procurement process for the sewer extension engineer. This is anticipated to take three months with City Council approving the contract by May 2025.

Task 2: Engineering for the Sewer Extension to Azalea / Rhododendron Neighborhood and Construction of the Main Spine and Pump Station (May 2025– January 2027)

Once engineering services have been procured during project initiation, the detailed design and survey work are expected to begin in May 2025 and should take six months to complete. Once both the system design and environmental review (discussed in Task 5) are complete, the project will be formally bid and contracted by the end of February 2026. Sewer construction is expected to begin in March 2026 and take 8 months to complete. The residential connections for the 50 LMI households will be completed in the two months following system activation, by the end of January 2027.

Task 3: Construction for the Sewer Extension to Transylvania Habitat for Humanity's Parcel on Woodland Terrace (February 2025 – September 2025)

Similar to the Azalea / Rhododendron sewer extension project, the detailed design and survey work are expected to begin in May 2025, following the procurement processes in Task 1, and would take 1 to 2 months to complete. Sewer construction is expected to begin in October 2025 and take 4 months to complete.

Task 4: Housing Trust Fund Preservation Programs (February 2025– December 2027)

Staff will begin developing the applications for Housing Trust Fund funding at the onset of the project. Program awareness and outreach are key to the success of the preservation programs. In addition to publicizing information through regional news outlets and digital media platforms, staff will work with partners to provide information and technical assistance to potential applicants to improve the accessibility of these programs and reduce barriers for residents to submit applications. The application deadline is anticipated in July 2025.

Once applications are received, City staff will review the submissions for completeness and allow applicants to resubmit after making revisions. This additional time allows for greater accessibility of the programs and allows staff the chance to provide technical assistance if necessary. The governing board of the Housing Trust Fund, the City's Housing Committee, and a group of community representatives will review the applications and make funding recommendations for City Council's approval. The recommendations are anticipated in September 2025 and City Council's approval occurring the following month. After the funding awards are made, Staff will prepare the funding agreements establishing the award amount, expenditure deadlines and reporting requirements. The expenditure deadlines will depend on the scope and scale of the project but are not expected to exceed two years. Fund distribution occurring upon execution.

Task 5: Housing Trust Fund Preservation Programs (2nd Funding Cycle, if necessary)

The City is establishing a second funding cycle in the event all of the available funds are not expended during the first cycle. Only as many funding cycles will be completed as necessary to use the available funds. In doing so, the project prioritizes expending funds in Year 1 of the grant application, even if the entire \$1.2 million cannot be distributed at first. Additional marketing and outreach will be conducted in the second funding cycle to ensure the entire amount is expended and invested in the community.

Task 6: Project Administration and Reporting (Ongoing)

Project administration is largely focused on CDBG compliance activities. Note: compliance activities related to procurement and contracting are not included separately in this section, but rather embedded in Task 1 Project Initiation, Task 2 Azalea / Rhododendron Sewer Extension, and Task 3 Woodland Terrace Sewer Extension. After project initiation, compliance plans for equal employment and procurement; fair housing; Section 3; Section 504; and language access will be developed to guide project activities.

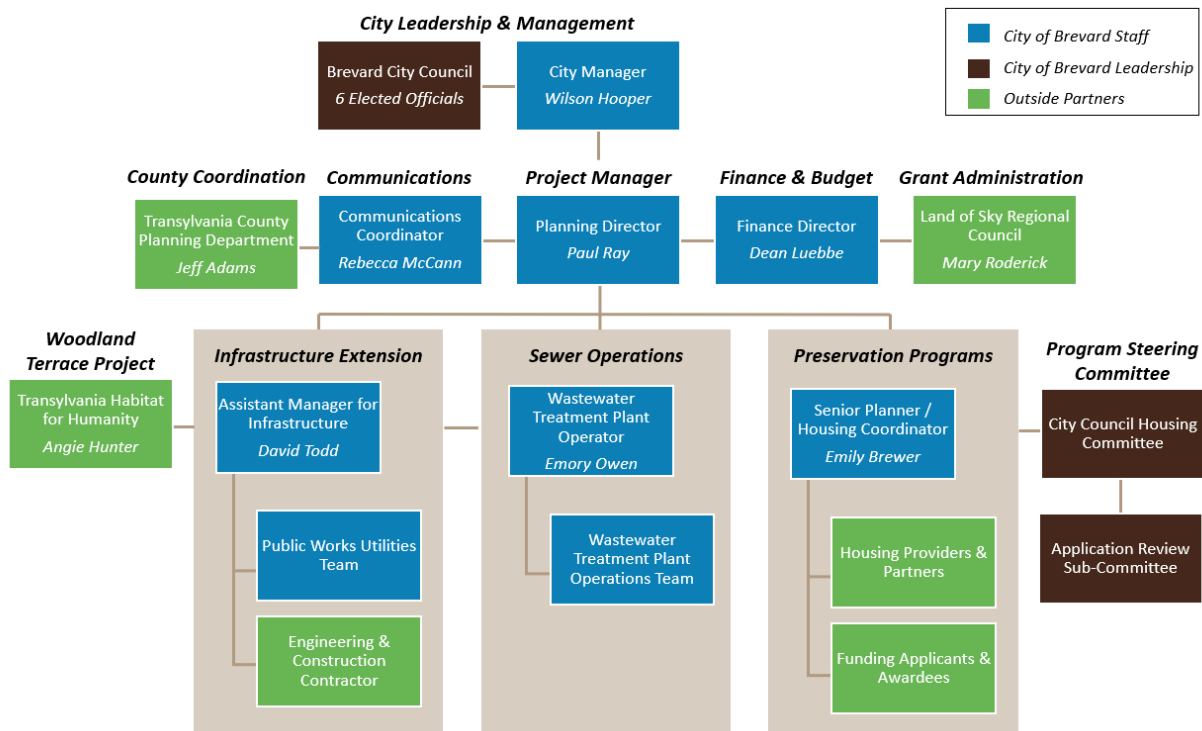
The project will require an environmental review including the 8-step floodplain management decision making process before the sewer engineering design work is completed and the sewer line extension is put out to bid. Once the project is cleared to proceed through the FONSI/NOI/RROF process, and construction begins, the focus will be on labor standards compliance through employee interviews and certified payroll review. If the construction contractor needs to hire positions as a part of the project that will trigger Section 3 activities.

Project administration will also include reviewing the contractor pay apps and assisting with requisitions, and well as semi-annual labor reporting and the preparation of the Annual Performance Report. Additional activities include maintaining admin files to provide for HUD monitoring, and project close-out once all projects have been completed.

DRAFT

EXHIBIT E | CAPACITY

i. What capacity do you and your Partner(s) have? What is your staffing plan?



Core Project Team

The project will be led and managed by the City of Brevard, with support from many outside partners. Planning Department staff will manage the project and oversee all activities, with six additional full-time staff that will oversee specific project elements. A description of these staff members and their responsibilities are outlined below:

- Paul Ray, Planning Director, will lead this effort as the Project Manager. As Planning Director, Mr. Ray oversees all planning, zoning, and development matters and has experience managing multi-million-dollar grants for the City of Brevard. Recently, the City of Brevard and the North Carolina Department of Transportation jointly received nearly \$46 million in funding from US Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity program (RAISE) and Nationally Significant Federal Lands and Tribal Projects program (NSFLTP) to fund the Transylvania County portion of the Ecusta Trail, a 20-mile multi-use trail extending from Downtown Brevard to Downtown Hendersonville. Mr. Ray serves as the project manager for the City and works alongside NCDOT, Henderson County, and other project partners. Mr. Ray works closely on all procurement activities (planning, design and construction) for planning-related projects and oversees all of the housing initiatives undertaken by the City of Brevard.
- Emily Brewer, Senior Planner / Housing Coordinator, will serve as Assistant Project Manager, specifically focusing on implementing the preservation programs. Ms. Brewer is the City's representative on the Asheville Regional Housing Consortium, serves as the staff support for the City's Housing Committee and Housing Trust Fund and has led the City's

affordable housing initiatives over the last two years. She brings an array of experience in real estate finance, equitable development, community engagement, and housing program development. Ms. Brewer is the liaison for all applicants and funding recipients of the Housing Trust Fund.

- Land of Sky Regional Council will serve as a key project partner in administering the grant and managing reporting. Mary Roderick, Planning Director for Economic & Community Development, has managed multiple CDBG grants for infrastructure improvements; building rehabilitation and conversion to affordable housing; home rehab; and pedestrian improvements. She also has extensive federal and state grant management experience including with FEMA, EDA, and ARPA funding.
- Dean Luebke, Finance Director / Assistant City Manager, will oversee and coordinate all expenditures related to the grant-activities. Mr. Luebke is experienced in managing large contracts and complex budgets for the City.
- David Todd, Assistant City Manager for Infrastructure, Utilities and Public Works, will assist with reviewing engineering documents, procurement for the sewer extension, and project and construction management assistance and oversight of the implementation of utility and infrastructure improvements. While new to the City of Brevard, Mr. Todd has 30 plus years of project and construction management experience recently managing all aspects of a \$34 million student housing project including budget management, issuance of design agreements, securing construction contracts and assuring quality control. Mr. Todd also brings experience working with grantors, donors, community stakeholders and other government agencies.
- Emory Owen, Wastewater Treatment Plant Superintendent, will advise on the installation of the infrastructure and oversee the wastewater management and treatment of all discharge generated by the Azalea / Rhododendron neighborhood. The City of Brevard owns and operates the largest wastewater collection and treatment system in Transylvania County, serving more than 3,600 customers. Mr. Owen is the lead operator and supervisor of the City's 2.5 MGD wastewater treatment facility that discharges into the French Broad River.
- Rebecca McCann, PhD, Communications Coordinator, will assist in ongoing project communication with the stakeholders and educate the public about the preservation programs. As a public information officer, Dr. McCann is experienced at disseminating information to key partners, soliciting feedback from constituents and coordinating with multiple agencies and partners. During the recent construction of the City's multi-million-dollar downtown streetscape renovations, Dr. McCann synthesized critical project information and timelines and provided regular updates to NC Department of Transportation, Brevard's Main Street organization, business owners, and residents.
- Wilson Hooper, City Manager, will oversee the project and provide strategic direction. Mr. Hooper will communicate progress on grant activities and related expenditures to elected officials as the primary point of contact.

The City of Brevard is a municipality established in 1868 and governed by an elected body, City Council. Brevard City Council, comprised of five city councilors and a mayor, has prioritized affordable housing initiatives, stating it as a top priority during the previous two annual strategic planning retreats. Under North Carolina General Statutes, City Council has the legal authority to

effectively implement the activities in this proposal by extending public infrastructure into previously underserved areas, entering into development agreements to ensure affordability provisions are achieved, and distributing funds to eligible LMI households for home repairs and improvements.



Figure 5: Brevard PRO Housing Core Team (from left to right: Rebecca McCann, Dean Luebbe, Mary Roderick, Paul Ray, Emily Brewer, Wesley Shook, Wilson Hooper, and Mayor Maureen Copelof)

Azalea Neighborhood Sewer Extension Implementation

The City will procure a contractor for the engineering and construction of the sewer extension in the Azalea / Rhododendron neighborhood following federal Uniform Guidance. Once installed, the City's Public Works Department will install the sewer taps, assist residents in connecting to the new wastewater collection system, and maintain the infrastructure. The City's Wastewater Treatment Plant operators are responsible for monitoring and treating the discharge.

Transylvania County Department of Public Health will serve as a partner in the sewer extension efforts by advising on the remediation efforts, providing education to the residents with failing septic systems in the area, and continued monitoring of the health of the neighborhood. The Transylvania County Commissioners voted unanimously to support the project and contribute in-kind staff time to support the initiative.

Woodland Terrace Sewer Extension Implementation

Transylvania Habitat for Humanity, an affiliate of Habitat International, is a nonprofit housing organization that supports low- and very low-income residents of our county find and stay in safe, affordable housing.

The City will procure a contractor for the engineering and construction of the sewer extension to the Woodland Terrace neighborhood following Uniform Guidance. Once installed, the City and Transylvania Habitat for Humanity will continue to collaborate on the project to ensure the new homes are connected

Preservation Program Providers

Transylvania County has numerous affordable housing providers that support creation and preservation initiatives. This includes Transylvania Habitat for Humanity and Housing Assistance Corporation. With this funding, the City of Brevard will be able to support many of these organizations that have existing programs.

- Transylvania Habitat for Humanity's Critical Home Repair program alleviates housing conditions which pose an imminent threat to the life or safety of low-income resident homeowners (below 80% of AMI), as well as those with special needs. The program addresses critical repairs, such as roof replacement, floor repairs, and HVAC / hot water heater repairs, and funds modifications that prevent displacement of seniors, the disabled, or very low-income occupants. To date, Habitat has completed critical repairs for 47 homeowners in Transylvania County. They received \$120,000 of funding from the North Carolina Housing Finance Agency for repairs to 12 additional homes.
- Housing Assistance Corporation (HAC) is a non-profit organization that strives to provide safe and affordable housing for persons of limited income living in Transylvania County, Henderson County and the surrounding areas. The organization has predominately worked in Henderson County but is actively pursuing opportunities to expand its presence in Transylvania County. One way that the organization is expanding its impact is the Home Repair Program to eliminate health and safety hazards. This includes (1) repairing floors, water heaters, plumbing, and roofs; (2) weatherizing of homes; and (3) installing ramps, handrails, and other accessibility modifications. In 2021 alone, the Home Repair program served 83 individuals and made 292 repairs in the region.

Both of these organizations have been consulted in this application process and have expressed interest in using the Housing Trust Fund to expand and improve affordable housing supply. Both are also experienced in protecting fair housing choice in the county and operating programs that have provided tangible reductions in racial disparities.

The City of Brevard's Housing Committee is the policy committee guiding all housing-related activities being undertaken by the City and serves as the governing board for the Housing Trust Fund. The Committee is responsible for reviewing all requests and applications for Housing Trust Fund funding and making recommendations to City Council. In reviewing the applications, the Housing Committee consults with a group of community members that reflect the diverse composition of Brevard and provide first-hand insight on the state of housing in the community. This group, the Application Review Sub-Committee, will consist of a variety of groups related to affordable housing and development, including low- to moderate-income residents, real estate developers, housing finance experts, homelessness service providers and community leaders/advocates.

Application Preparation

This grant application was prepared by the City of Brevard and the Land of Sky Regional Council, with support from the other project partners, specifically:

- Emily Brewer, Senior Planner / Housing Coordinator, City of Brevard

- Paul Ray, Planning Director, City of Brevard
- Mary Roderick, Planning Director for Economic & Community Development, Land of Sky Regional Council

Experience Working with Civil Rights and Fair Housing Issues

Local governments play a crucial role in addressing civil rights and fair housing issues by implementing policies that promote equity and inclusion. The City of Brevard encourages any person wishing to file a complaint of housing discrimination in the city to do so by informing the City Manager, who will notify the North Carolina Human Relations Commission about the complaint. The City also administers and enforces the minimum housing standards and the zoning regulations that promote safe, diverse, and accessible housing. From a legal perspective, the City of Brevard does not have any unresolved civil rights matters, including no charges, cause determinations, lawsuits, or letters of findings.

Transylvania Habitat for Humanity has 40 years of experience working with civil rights and fair housing issues. Habitat's mission includes addressing the lack of affordable housing for low-income and vulnerable populations in Brevard and the surrounding communities. This work inherently ties into fair housing and civil rights by focusing on providing access to housing for those who might otherwise face discrimination or economic barriers to homeownership. In addition to home building, the organization has many other programs and initiatives that align with broader civil rights and fair housing goals, particularly in ensuring access to safe, affordable housing for marginalized, low-income, and historically disadvantaged communities:

- The Rosenwald Community Revitalization Project addresses longstanding housing needs in Brevard's historically significant black community. By focusing on revitalizing this area and ensuring access to critical home repairs for long-time resident seniors, Habitat is tackling historical housing inequities and ensuring that marginalized groups receive fair and equitable housing opportunities.
- Habitat has programs specifically designed to help veterans, a population that often faces housing insecurity and barriers to fair housing opportunities. Working with major corporate partners like Lowe's and Owens Corning highlights efforts to address the housing needs of veterans, ensuring that they are provided equitable access to decent, safe and affordable homes.
- Transylvania Habitat for Humanity's heirs' property advocacy initiative aims to address the challenges of heirs' property ownership, a complex issue affecting families, especially in minority and rural communities. These properties can lead to ownership disputes and deprive families of wealth building, often due to historical discriminatory practices in property laws. Through recent grant funding, Habitat will participate in peer learnings and cohorts over the next 2 years working to resolve these land and homeownership issues, which directly impact the civil rights of property owners.
- Habitat's Critical Home Repair Program, set to complete 200 critical home repairs by 2025, focuses on ensuring that marginalized and vulnerable populations, especially BIPOC, seniors and low-income homeowners, have access to safe and habitable homes. This effort addresses fair housing issues by prioritizing individuals who may face disproportionate barriers to maintaining their homes due to economic or social disparities.

EXHIBIT F | LEVERAGE

The City of Brevard is fully committed to supporting the proposed activities. As the lead agency, the City is committing the following as leverage:

- Staff time and capacity over the duration of the project for the core team members identified in *Exhibit E – Capacity*, specifically Planning Director Paul Ray, Senior Planner / Housing Coordinator Emily Brewer, Finance Director / Assistant City Manager Dean Luebbe, Assistant City Manager for Infrastructure David Todd, Communications Coordinator Rebecca McCann, and City Manager Wilson Hooper;
- Staff time and capacity for the Public Works crew team for servicing and maintenance of the new municipal sewer lines (pro-rated based on the team composition);
- Staff time and capacity for the Wastewater Treatment Plan administration and monitoring of the wastewater discharge and the impact to the sewer system (pro-rated based on the team composition);
- Fringe benefits for City staff at a rate of 35% of salary expenses;
- Time and capacity for the City Attorney, specifically focused on deed recording, contract drafting, and other related legal assistance;
- The contract with Land of Sky Regional Council for grant administration [*executed Technical Services contract included*];

Additionally, Transylvania County is committing in-kind staff time from the County's Planning Director and Department of Public Health employees to assist in the engagement and outreach for the projects.

The total leverage contribution is \$2,089,116, which equates to 52% of the requested \$4,000,000. The leverage documentation attached in this exhibit reflect valid, accurate and firm commitments of future support.

EXHIBIT G | LONG-TERM EFFECT

i. What permanent, long-term effects will your proposal have? What outcomes do you expect?

The proposed activities will enable the production and preservation of affordable housing units long after the grant's period of performance.

- *Azalea / Rhododendron Sewer Extension:* Upon completion of grant-funded activities, the main spine of the Azalea / Rhododendron neighborhood will have access to a functional wastewater collection system and the remainder of the neighborhood will be fully engineered and designed. Utility extension is a crucial factor in removing barriers to housing production, as it provides essential services to previously underserved areas. By expanding utilities, developers can more easily build new housing, as the absence of necessary infrastructure often deters investment. This access not only reduces construction costs and timelines but also enhances the attractiveness of these areas for potential residents. With utilities extended, the neighborhood can grow more sustainably, accommodating new housing while ensuring that residents have the basic services that they need. This ultimately fosters the development of affordable, accessible, and resilient housing options, addressing housing shortages and promoting community stability.
 - *Deliverables:* Engineering design plans for the entire Azalea / Rhododendron neighborhood and completed construction of the main spine and pump station
- *Habitat for Humanity Woodland Terrace Sewer Extension:* Similarly, at the conclusion of the grant-funded activities, the Woodland Terrace property will have access to a functional wastewater collection system and construction will have started on the 31+ unit affordable housing project. The project is unable to move forward without this vital infrastructure. Habitat for Humanity uses a deed restriction model with a first-right-of-refusal that ensures the housing units developed are maintained as affordable housing units in perpetuity. Furthermore, the new sewer infrastructure can support additional extensions in the future with the most challenging and cost-prohibitive section (crossing the floodway) completed.
 - *Deliverable:* Completed construction of the sewer extension to the Woodland Terrace property
- *Housing Trust Fund Preservation Programs:* The preservation programs will reduce other housing expenses by improving the health and safety of the home. By repairing roofs, floors, windows, insulation, HVAC, and other critical features, the ongoing cost of maintenance and the burden of a large replacement will be removed entirely. Home repair programs, such as the ones included in this proposal, are proven tools to permanently preserve naturally occurring affordable housing, reduce ongoing housing costs, and ensure residents are not displaced from their community. By assisting residents in maintaining their properties, these initiatives help stabilize neighborhoods, allowing rather than being forced out due to rising property values or deteriorating living conditions. When homeowners can invest in their properties without the burden of significant financial strain, it fosters a sense of community and belonging. Preserving affordable housing through repair programs also contributes to broader economic stability. As homes are maintained and improved, the overall housing stock in the area becomes more desirable, attracting investment without displacing residents. This balance prevents the cycle of gentrification that often leads to rising rents and the exodus of long-time residents. By focusing on

preservation rather than new construction alone, these programs ensure that LMI families have the opportunity to remain in their neighborhood, ultimately creating a more equitable and diverse urban landscape. At the conclusion of the program, the City will have preserved affordable and safe housing for dozens of LMI households.

- Deliverable: Preservation grants to LMI households (estimated 85 to 254 households, depending on the grant amounts)

The City of Brevard will also ensure the housing created and preserved through this program remains affordable through shared equity deed restrictions. These deed restrictions for affordable housing are legal agreements placed on the titles that ensure that the home receiving a one-time public investment is maintained as affordable in the long-term. These restrictions can limit rental rates or resale prices, thereby preventing market fluctuations from driving costs beyond reach for LMI families. The City's Housing Trust Fund bylaws require projects to maintain affordability for a minimum of 30 years, and the City's Housing Committee is working to establish clear guidelines for deed restriction terms. In recent discussions, the Committee affirmed prioritizing ongoing affordability over wealth-building, given the dire need for affordable housing and the City's limited local funds. The City also plans to include a first-right-of-refusal where the City has the option to purchase the property or transfer that option to another income-eligible buyer. These requirements will ensure the funding distributed as part of this proposal will have a long-term impact, well past the grant performance period.

The City is committed to the long-term success of this project and will monitor the outcomes of this project beyond the grant period. Ultimately, the project will be successful in the long-run if:

- The LMI households in the Azalea / Rhododendron neighborhood have access to the municipal wastewater collection system and are not displaced as a result;
 - Target Outcome: The City leverages the engineering design work funded by this grant to raise the remaining \$2.8 million for sewer extension to the rest of the Azalea / Rhododendron neighborhood
 - Target Outcome: All 125 lots have access to sewer infrastructure and 0 households are involuntarily displaced
- The failing septic systems are remediated in the Azalea / Rhododendron neighborhood, improving the environmental health of the community;
 - Target Outcome: No failing septic systems remain in the neighborhood
- The vacant and underutilized parcels in the Azalea / Rhododendron neighborhood are developed as additional housing units, with the majority being affordable for low-income persons;
 - Target Outcome: 60 new housing units are constructed and at least 50% of the new housing units are reserved for LMI households
- The Transylvania Habitat for Humanity affordable housing project on Woodland Terrace is completed;
 - Target Outcome: 47 new affordable housing units are constructed

- The preservation programs created through the Housing Trust Fund can support dozens of LMI households throughout the area stay in safe, affordable housing;
 - Target Outcome: 100 homes are preserved through grants from the Housing Trust Fund's preservation programs
- The program serves as a model for other communities embarking on large infrastructure investments that risk displacement of LMI households.

These achievements will have a permanent, long-term effect on LMI households in the City of Brevard and Transylvania County.

STAFF REPORT

City Council, Tuesday, October 8, 2024

Title: Ordinance - Voluntary Contiguous Annexation - Jason Shepherd / 35 Verdery Avenue

Speaker: Emily Brewer, Senior Planner

Prepared by: Aaron Bland, Asst Planning Director

Approved by: Wilson Hooper, City Manager

Background

In July Jason Shepherd ("Applicant") submitted a request for voluntary continuous annexation for property located at 35 Verdery Avenue, further identified by PIN 8585-28-6101-000. The Planning Board considered this request at their September 24th meeting and unanimously recommended approval.

Discussion

The parcel is zoned GR8 and is partially inside the city's corporate limits already and the petition is to annex the remainder of the parcel. As the lot is currently vacant, the financial and service delivery impacts are estimated to be minimal.



Policy Analysis

Voluntary, contiguous annexations are governed by North Carolina General Statute §160A-31 which authorizes cities to annex any area contiguous to its borders on receipt of a petition signed by all the owners of real property within the area proposed for annexation. The subject property qualifies for annexation under this statute.

Action

This presentation is for public hearing purposes only and no action is requested at this time.

Attachments:

1. Petition for Annexation
2. Annexation Plat
3. Metes and Bounds Description

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA
CITY OF BREVARD

RECEIVED
7/1/2024
Alfordson



PETITION REQUESTING A CONTIGUOUS
ANNEXATION
(G.S. 160A-31)

Date: 6/25/24

To the City Council of the City of Brevard:

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Brevard.
2. The area to be annexed is contiguous to the City of Brevard and the boundaries of such territory are as follows:

Transylvania County Property Identification Number(s): 8585-28-6101-000

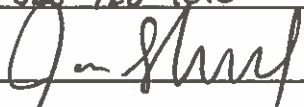
Street Address: 35 Verdery Ave. Brevard NC 28712

(ATTACH A METES AND BOUNDS PROPERTY
DESCRIPTION AS "ATTACHMENT A")

3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City of Brevard. (ATTACH MAP AS "ATTACHMENT B", including the Tax Map PIN)
4. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

Property Owner(s): Do you declare vested rights? Yes ☒ No ☐
(Vested rights are rights belonging completely and unconditionally to a person which cannot be impaired or taken away by another party.)

Property Owners Contact Information (If there are more than three property owners, provide their names, contact information and signatures upon a separate and attached sheet.)

a. Name Jason Shepherd
Address 301 Carolina Ave.
Brevard NC 28712
Telephone 828-423-9010 Email jshepherd.nc@gmail.com
Signature 

b. Name Merideth Saine
Address 301 Carolina Ave
Brevard NC 28712
Telephone 828-329-4003 Email merideth.saine@gmail.com
Signature 

c. Name _____
Address _____
Telephone _____ Email _____
Signature _____

Property Ownership by Corporation or LLC: (If there are more than three principals or managing members then provide their names, contact information and signatures upon a separate and attached sheet.)

a. Name _____
Address _____
Telephone _____ Email _____
By: _____
Type or Print Name and Title (President / Managing Member)
Signature _____

b. Name _____
Address _____

Telephone _____ Email _____

By: _____
Type or Print Name and Title (President / Managing Member)

Signature _____

c. Name _____
Address _____

Telephone _____ Email _____

By: _____
Type or Print Name and Title (President / Managing Member)

Signature _____

AGENT:

Name: _____

Address: _____

Telephone: _____ Email _____

Petition along with a copy of the property Deed, Metes and Bounds description (Attachment A), Map / Survey (Attachment B) and cash/credit or check in the amount of \$500 made payable to the City of Brevard is to be returned to:

Denise Hodsdon, City Clerk
City of Brevard
95 West Main St., Brevard, NC 28712

**2016002524**
 TRANSYLVANIA CO. NC FEE \$26.00
 STATE OF NC REAL ESTATE EXT
\$2.00

PRESENTED & RECORDED

06-06-2016 03:51:11 PM

CINDY M OWNBEY

REGISTER OF DEEDS

BY D REE M POWELL
DEPUTY REGISTER OF DEEDS**BK: DOC 765****PG: 452-455**

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 2.00

 Parcel Identifier No. _____ Verified by Transylvania County on the 6 day of June, 2016
 By: _____

 Mail/Box to: DONALD E. JORDAN, 4 W. Main Street, Brevard, NC 28712

 This instrument was prepared by: GAYLE E. RAMSEY (No Title Search Performed by the Preparer)

Brief description for the Index: _____

 THIS DEED made this 1st day of June, 2016, by and between

GRANTOR	GRANTEE
MARTHA SHEPPARD HIPP and husband, RAYMOND D. HIPP, and NORMA COLLINS HIPP and husband, EVERETT L. HIPP 304 Carolina Avenue Brevard, NC 28712	JASON M. SHEPHERD 301 Carolina Avenue Brevard, NC 28712

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

 WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Brevard, Brevard Township, Transylvania County, North Carolina and more particularly described as follows:

BEING ALL OF THE SAME LAND DESCRIBED ON THE PAGE WHICH IS ATTACHED HERETO, DESIGNATED AS EXHIBIT "A" AND INCORPORATED HEREIN BY REFERENCE.

 All or a portion of the property herein conveyed _____ does X does not include the primary residence of the Grantor.

A map showing the above described property is recorded in Plat File _____, Slide _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Easements, restrictions and rights of way of record, and those matters set forth in Exhibit "A" attached hereto.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

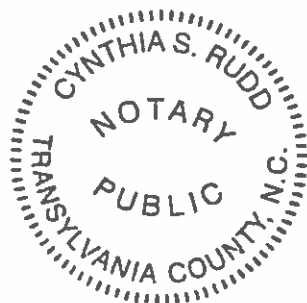
Norma Collins Hipp (SEAL)
NORMA COLLINS HIPPI

Everett L. Hipp (SEAL)
EVERETT L. HIPPI

STATE OF NORTH CAROLINA, COUNTY OF TRANSYLVANIA.

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: NORMA COLLINS HIPPI and EVERETT L. HIPPI

WITNESS my hand and Notarial Seal, this the 6th day of June, 2016.



Cynthia S. Rudd
Signature of Notary Public

Cynthia S. Rudd
Printed or typed name of Notary Public

My commission expires: 6/23/2020

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Easements, restrictions and rights of way of record, and those matters set forth in Exhibit "A" attached hereto.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

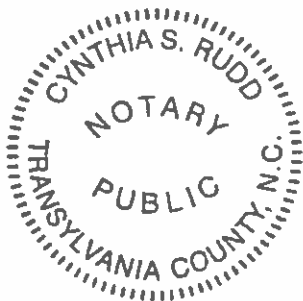
 (SEAL)
MARTHA SHEPPARD HIPP

 (SEAL)
RAYMOND D. HIPP

STATE OF NORTH CAROLINA, COUNTY OF TRANSYLVANIA.

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: MARTHA SHEPPARD HIPP and RAYMOND D. HIPP

WITNESS my hand and Notarial Seal, this the 6th day of June, 2016.




Signature of Notary Public

Cynthia S. Rudd

Printed or typed name of Notary Public

My commission expires: 6/23/2020

EXHIBIT "A" TO A DEED FROM HIPPI TO SHEPHERD

Being all of the same land described in a deed from Betty M. Sitton, widow of B. J. Sitton, Sr., et al, to Lawrence Hipp and wife, Elizabeth Hipp, dated April 14, 1957, and recorded in the office of the Register of Deeds for Transylvania County in Deed Book 119, page 52, said land being more particularly described in said deed as follows:

Being all of Lots Numbered 39, 40, 41, and 42 of the Brevard Park Subdivision, Transylvania County, North Carolina, as shown on plat of said subdivision recorded in the Office of the Register of Deeds for Transylvania County in Map Book 1, at page 52, reference to which plat is hereby made for a full and particular description of said lots by metes and bounds.

Being a part of Tract I as described in a deed from Elizabeth K. Hipp (Widow) to Martha Sheppard Hipp, Norma Collins Hipp and Elizabeth K. Hipp dated June 11, 2004, and recorded in the office of the Register of Deeds for Transylvania County in Document Book 245, page 49.

This parcel is also shown on a plat recorded in Plat File 16, Slide 749, Records of Plats for Transylvania County.

cindy/exhibits/hipp to shepherd \$1000

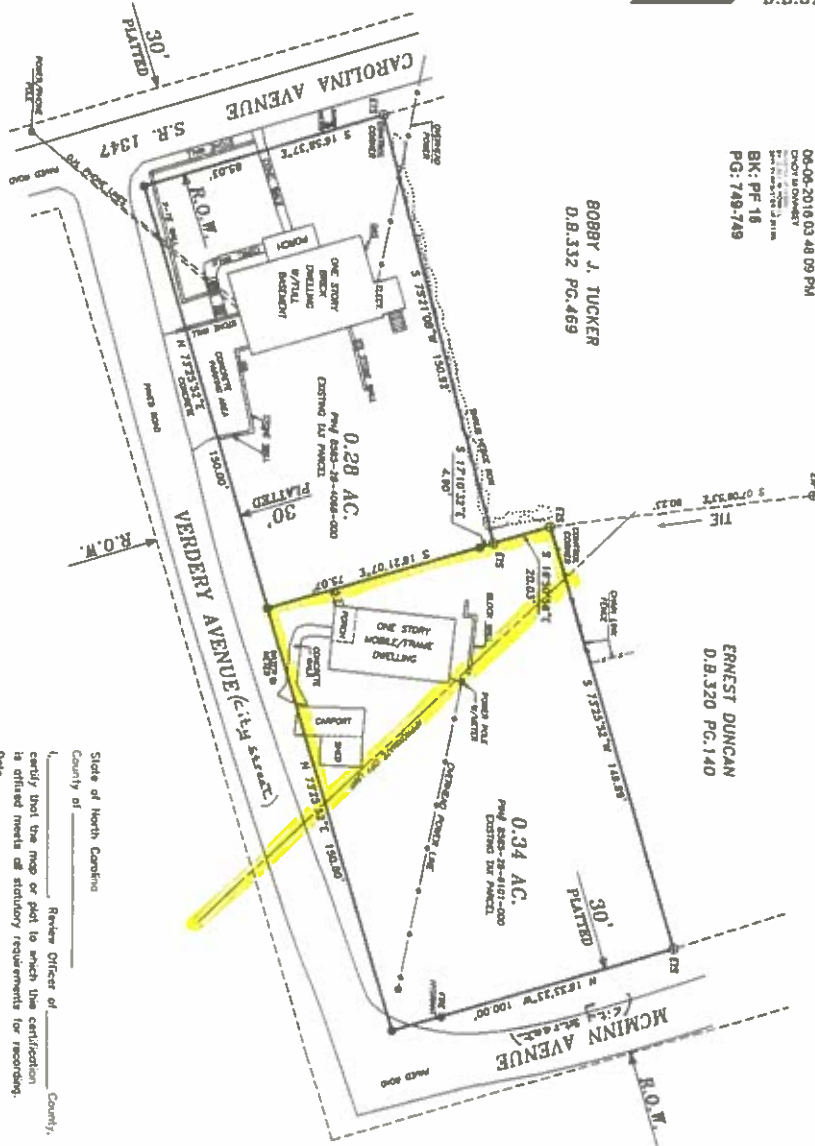
16,749

DEED NORTH
D.B.314 PG.198

2016002521
TRANSTYLANA, NC REC 171
06-06-2016 03:48:09 PM
DION DUNCAN
B.K. PF 16
PG: 749-749

BOBBY J. TUCKER
D.B.332 PG.469

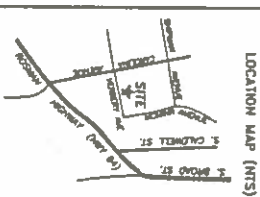
ERNEST DUNCAN
D.B.320 PG.140



- NOTES:
- 1) AREAS DETERMINED BY COORDINATE COMPUTATION
 - 2) THE CURRENT OWNERS OF RECORD ARE MARTHA SHEPPARD HIPP, NORMA COLLINS HIPP, AND ELIZABETH K. HIPP, AS PER D.B. 245, PG. 49
 - 3) THESE SUBJECT PROPERTIES ARE CURRENTLY ZONED GR-6 BY THE CITY OF BREVARD ETL WITH BUILDING SETBACK DIMENSIONS OF: FRONT/ROW 15'; SIDE 6'; REAR 25'.

LEGEND

- EXISTING CORNER MONUMENT AS NOTED
- NEW IRON PIPE SET OR AS NOTED
- COMBINED POINT-AND-STAKE AS NOTED
- CONCRETE MONUMENT AS NOTED



LOCATION MAP (N.T.S.)

State of North Carolina
County of _____
Review Officer of _____ County,
certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.
Date _____
Review Officer _____

REFERENCES:
DEED: D.B.245 PG.49
PLAT: D.B.314 PG.198
TAX ID REFERENCE:
AS SHOWN ON MAP
SCRN FILE: 16-029
DWG FILE:
REVISIONS:



SURVEY BY
STEVEN LLOYD WAGGONER
NC PLS 2874
WAGGONER & RHODES
LAND SURVEYORS, PLLC
540 SOUTH GROVE STREET
HENDERSONVILLE, NORTH CAROLINA 28712
PHONE: 828-993-1022
FAX: 828-993-4019

SCALE 1" = 30'



North Carolina, Transylvania County
The foregoing certificate of STEVEN LLOYD WAGGONER, Professional Land Surveyor, is certified to be correct. This plat was presented for recording and duly recorded in the office of the Public Trustee of Transylvania County, North Carolina, on this 16th day of May, 2016 A.D., at _____ o'clock P.M.

STEVEN LLOYD WAGGONER, PROFESSIONAL LAND SURVEYOR,
certify that the plat represents a survey of an existing parcel or parcels of land, as shown on the map, and that the same is in accordance with the provisions of G.S. 47-30 (1) (i) (6).

1. STEVEN LLOYD WAGGONER, a PROFESSIONAL LAND SURVEYOR, certify that this plat was drawn under my supervision from an actual survey made under my supervision. (Detailed description recorded in Book _____, Page _____, that the boundaries not surveyed are clearly indicated from information found in Book _____, Page _____, that the ratio of precision as calculated is 1/125,000, that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration and seal on this _____ day of _____, A.D. 2016.

PROFESSIONAL LAND SURVEYOR

PLAT OF SURVEY FOR
JASON M. SHEPHERD
BEING THE PROPERTIES DESCRIBED IN
D.B. 245, PG. 49

CITY OF BREVARD
BREVARD TOWNSHIP
TRANSYLVANIA COUNTY
NORTH CAROLINA
MAY 16th, 2016
SCALE 1" = 30'

Plat file 16, Slide 749

CITY OF PREVARD
CASH RECEIPT
DUPLICATE

Receipt No: 672956
Date: 6/25/2024
Time: 2:55:39PM

Received From:
JASON SHEPHERD

Received: 500.00

For
ZONING ADMIN 500.00
ANNEXATION APPLICATION

Check 500.00

569
RECEIVED BY WINDJW

LEGEND

- EXISTING PROPERTY MONUMENT (AS NOTED)
⊙ PROPERTY MONUMENT SET
(TYP. 5/8" REBAR W/CAP OR AS NOTED)
○ POINT NOT SET (PNS)
-○- POWER POLE
R/W RIGHT OF WAY
IPS IRON PIN SET
OTP OPEN-TOP-PIPE
RBC REBAR AND CAP
CMF CONCRETE MONUMENT FOUND
PSF PLANTED STONE FOUND
RBR REBAR

- SUBJECT PROPERTY LINE
----- ADJOINER PROPERTY LINE
(LINE NOT SURVEYED)
----- TIE LINE
----- BUILDING SET BACK
----- EXISTING R/W
----- OVERHEAD ELECTRIC
----- OVERHEAD TELEPHONE
----- FENCE LINE
----- DEED BOOK & PAGE
----- PLAT BOOK & PAGE
D.B. / PG.
P.B. / PG.

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I, _____, A NOTARY PUBLIC
OF SAID STATE AND COUNTY, DO HEREBY CERTIFY THAT

PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED
THE DUE EXECUTION OF THE FOREGOING INSTRUMENT.

WITNESS MY HAND AND NOTARIAL SEAL, THIS THE _____
DAY OF _____, 2024

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

State of North Carolina
County of TRANSYLVANIA

I, _____, Review Officer of TRANSYLVANIA County,
certify that the map or plat to which this certification is affixed meets all
statutory requirements for recording.

Review Officer

Date

OWNER CERTIFICATION – ANNEXATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED HEREON,
AND THAT I HEREBY ADOPT THIS PLAT OF ANNEXATION WITH MY FREE CONSENT

DATE

OWNER

CITY OF BREVARD – ANNEXATION

I HEREBY CERTIFY THAT THIS PLAT FOR ANNEXATION HAS FOLLOWED ALL REQUIREMENTS
AND PROCEDURES AND A PUBLIC HEARING WAS HELD BY THE CITY OF BREVARD TO
ANNEX THE PROPERTY HEREIN DESCRIBED
THE CITY OF BREVARD ADOPTED ORDINANCE NUMBER _____
TO ANNEX THE PROPERTY DESCRIBED HEREIN ON _____
WITH THE EFFECTIVE DATE OF ANNEXATION ON _____

DATE

CITY CLERK

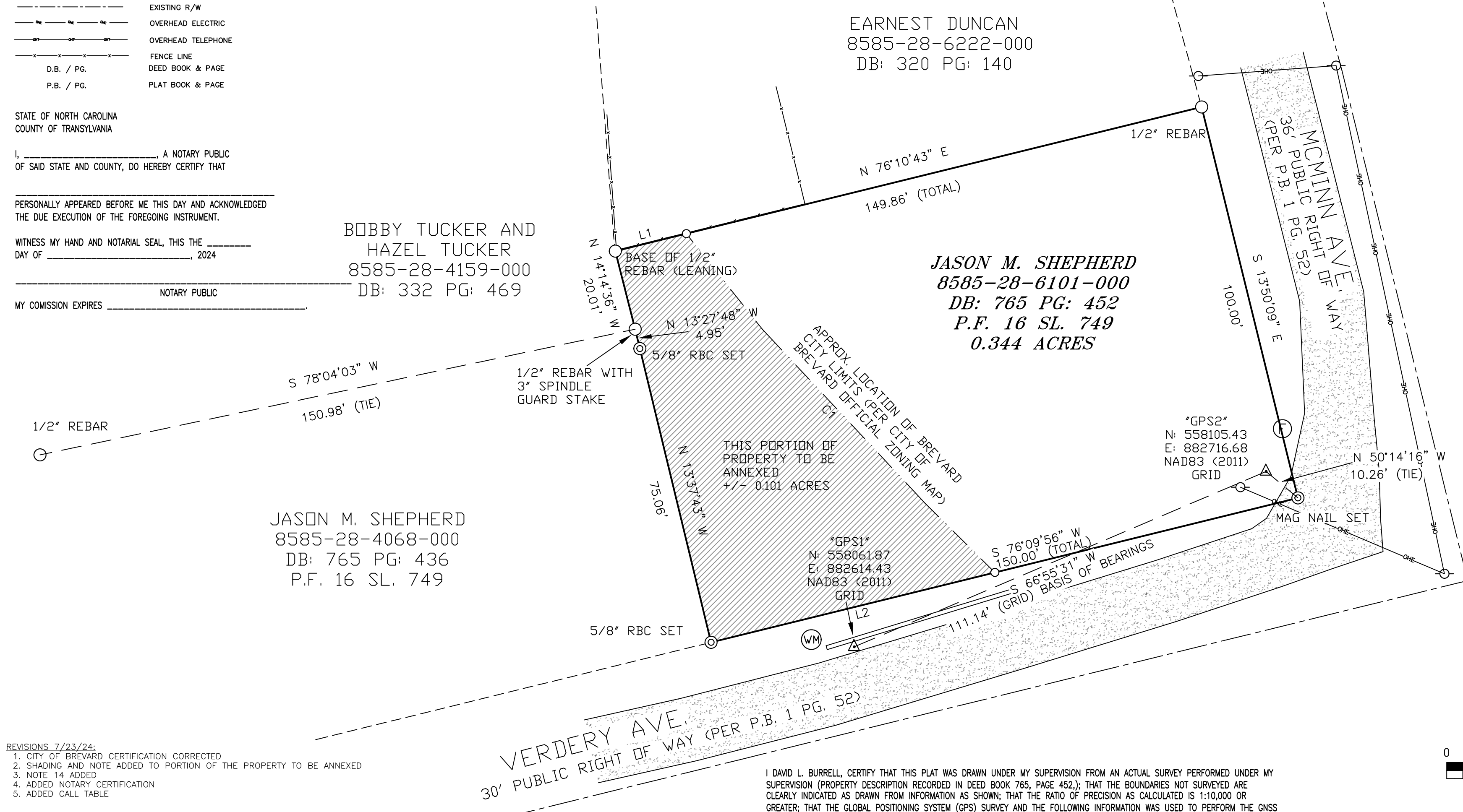
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	983.05'	113.84'	113.78'	S 42°18'23" E	6°38'06"
LINE	BEARING	DISTANCE			
L1	N 76°10'43" E	18.15'			
L2	S 76°09'56" W	72.55'			

EARNEST DUNCAN
8585-28-6222-000
DB: 320 PG: 140

JASON M. SHEPHERD
8585-28-6101-000
DB: 765 PG: 452
P.F. 16 SL. 749
0.344 ACRES

JASON M. SHEPHERD
8585-28-4068-000
DB: 765 PG: 436
P.F. 16 SL. 749

BOBBY TUCKER AND
HAZEL TUCKER
8585-28-4159-000
DB: 332 PG: 469



REVISIONS 7/23/24:

1. CITY OF BREVARD CERTIFICATION CORRECTED
2. SHADING AND NOTE ADDED TO PORTION OF THE PROPERTY TO BE ANNEXED
3. NOTE 14 ADDED
4. ADDED NOTARY CERTIFICATION
5. ADDED CALL TABLE

NOTES:

1. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES
UNLESS OTHERWISE NOTED.
2. AREAS SHOWN ARE SUBJECT TO EASEMENTS OF RECORD.
3. AREA DETERMINED BY COORDINATE METHOD.
4. OWNER OF RECORD: AS NOTED.
5. RECORD REFERENCES: AS NOTED.
6. AREAS INCLUDE ANY AND ALL PORTIONS OF PROPERTY UNDER
RIGHTS OF WAY AND OR EASEMENTS EITHER ACQUIRED OR CLAIMED.
7. ALL PROPERTY CORNERS ARE AS NOTED.
8. ALL EXISTING UTILITIES ARE ASSUMED TO HAVE EASEMENTS WHICH MAY AFFECT
PORTIONS OR ALL OF THE PROPERTY SHOWN.
9. ANY UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE AND SHOULD BE VERIFIED
10. ANY NAMES LISTED ARE FOR INDEXING PURPOSES ONLY, NOT A CERTIFICATION OF TITLE
11. MEASUREMENTS TO HOUSE CORNERS WERE TAKEN AT THE FACE OF THE WALLS
12. THIS LOT IS LOCATED IN FLOOD ZONE X (MINIMAL FLOOD RISK) PER F.I.R.M. OF THIS AREA
13. SUBJECT PROPERTIES ARE ZONED GR8 PER CITY OF BREVARD
14. IT IS THE INTENT OF THE OWNER TO ANNEX ANY PORTION OF TAX ID# 8585-28-6101-000
THAT IS NOT CURRENTLY IN THE CORPORATE LIMITS OF THE CITY OF BREVARD, INTO THE
CORPORATE LIMITS OF THE CITY OF BREVARD



I DAVID L. BURRELL, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY PERFORMED UNDER MY
SUPERVISION (PROPERTY DESCRIPTION RECORDED IN DEED BOOK 765, PAGE 452); THAT THE BOUNDARIES NOT SURVEYED ARE
CLEARLY INDICATED AS DRAWN FROM INFORMATION AS SHOWN; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000 OR
GREATER; THAT THE GLOBAL POSITIONING SYSTEM (GPS) SURVEY AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GNSS
SURVEY:

CLASS OF SURVEY: B
POSITIONAL ACCURACY: .03'
TYPE OF GPS FIELD PROCEDURE: NETWORK RTK
DATES OF FIELD SURVEY: 6/14/2024
DATUM/EPOCH: NAD83 (2011)
PUBLISHED FIXED CONTROL USE: GPS 2
GEOID MODEL: GEOID 18
COMBINED GRID FACTOR: 0.999775
UNITS: US SURVEY FEET

ALSO HEREBY CERTIFY THAT THIS SURVEY IS OF THE FOLLOWING CATEGORY AS DESCRIBED IN G.S. 47-30(f)(11):

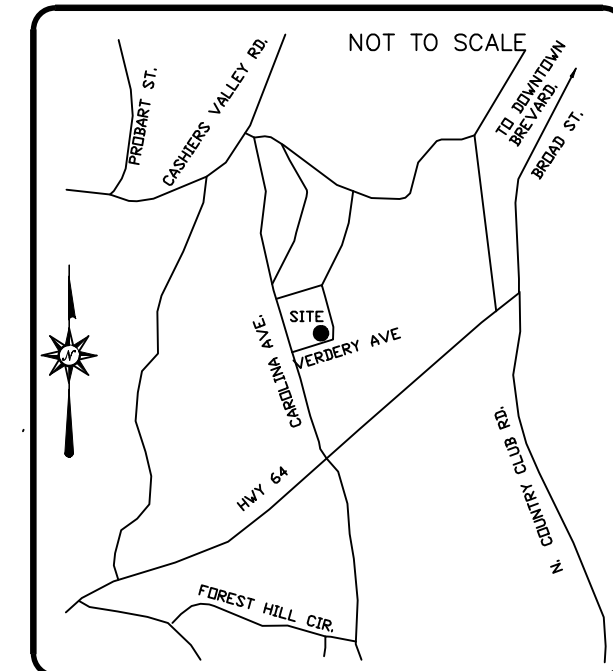
(c.)(1.) THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN
EXISTING STREET;

WITNESS MY SIGNATURE, LICENSE NUMBER, AND SEAL THIS _____ DAY OF _____, A.D., 20_____

N.C. PROFESSIONAL LAND SURVEYOR

L-5546
LICENSE #

P.F. _____ SL. _____



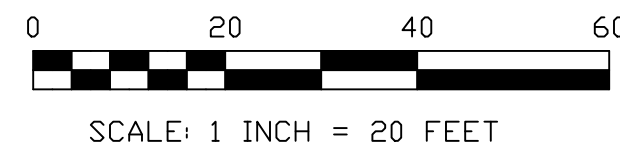
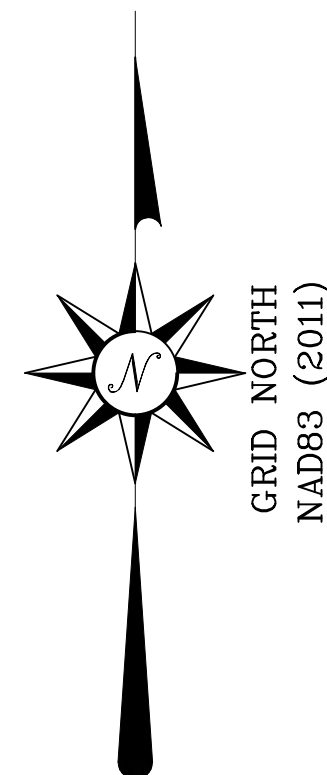
DAVID L. BURRELL
PROFESSIONAL LAND SURVEYOR

L-5546 (NC)

828-577-6568

133 COBB ST, EASLEY SC 29640

DRAWING NO. 24-27-REVISED



ANNEXATION PLAT- ORDINANCE NO. _____
OF THE PROPERTY OWNED BY JASON M. SHEPHERD

PLAT OF A BOUNDARY/ANNEXATION SURVEY FOR
JASON M. SHEPHERD
BEING THE PROPERTY
DESCRIBED IN: DEED BOOK 765 PAGE 452
PIN # 8585-28-6101-000
BREVARD TOWNSHIP
TRANSYLVANIA COUNTY, NORTH CAROLINA
JUNE 20, 2024 REVISED JULY 23, 2024

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 land owner, 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.

STAFF REPORT

City Council, Tuesday, October 8, 2024

Title: Budget Amendment - Housing Trust Fund - Purchase Agreement for \$115,000

Speaker: Dean M Luebbe

Prepared by: Dean Luebbe, Assistant City Manager/Finance Director

Approved by: Wilson Hooper, City Manager

Background

The City wishes to enter into a purchase agreement for three properties at Azalea Avenue and Old Hendersonville Highway. The overall purchase price will be \$1,100,000 and the City expects to almost evenly split these costs between the General Fund and the Housing Trust Fund. The first \$115,000 of this total is being budgeted from the Housing Trust Fund. At this time, the City expects the Housing Trust Fund to ultimately be made whole on this transaction, as one of the properties contains a dwelling unit, which the City is planning on selling, with the proceeds going back to the Housing Trust Fund.

Fiscal Impact

This budget amendment is funded by the Housing Trust Fund, fund balance. At 6/30/2023, the Housing Trust Fund had a fund balance of \$352,803, of which \$160,932 was cash. At 6/30/2024, the Housing Trust Fund is **expected** to have a fund balance of approximately \$570,000, of which nearly \$400,000 is cash. Additionally, the FY25 budget was approved with the General Fund contributing \$198,000 to the Housing Trust Fund

Attachments:

1. Budget Amendment \$115,000 HST 3 prop on Azalea

ORDINANCE NO. 2024-XX
AN ORDINANCE AMENDING THE FY2024-2025 BUDGET.
BUDGET AMENDMENT NUMBER 25-01

SUBJECT: Budget Amendment for purchase agreement of three properties at Azalea Avenue and Old Hendersonville Highway

AGENDA INFORMATION

Agenda Location: New Business
Department: Finance
Contact: Dean Luebbe, Assistant City Manager and Finance Director

BRIEF SUMMARY: As detailed later in this October 8th, 2024 City of Brevard agenda (Approve Option to Purchase Three Properties in Azalea/Rhododendron Neighborhood for Potential Affordable Housing Project), the City is intending to purchase three properties at Azalea Avenue and Old Hendersonville Highway. The total purchase price is \$1,100,000. At this time the City wishes to enter into a purchase agreement, with three additional one-month extensions, in the amount of \$115,000.

After these expenditures, the Housing Trust Fund will have an available cash balance of approximately \$250,500 and accounts receivable of \$172,500. Additionally, the General Fund will be contributing an additional \$148,500 to the Housing Trust Fund in the next three quarters of FY25, as budgeted in the FY25 annual City budget.

MOTION FOR CONSIDERATION: To approve Budget Amendment 25-01 as submitted, increasing the budget in expenditure account:

76-4900-7400 (Capital Outlay)	\$115,000
TOTAL	\$115,000

And increasing the budget in revenue account:

76-3990-0000 (Fund Balance Appropriated)	\$115,000
TOTAL	\$115,000

ATTACHMENTS: None.

MANAGER’S RECOMMENDATION: Adopt as presented.

Approved and adopted this 8th day of October, 2024.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

APPROVED AS TO FORM:

Mack McKeller
City Attorney

Results of Brevard's Age-Friendly Community Needs Assessment

BACKGROUND: In February 2024 the City of Brevard officially joined the AARP Age-Friendly Community Network. The first requirement after acceptance into the program was to conduct a needs assessment of older residents.

METHODOLOGY:

- A. Survey:** The City of Brevard in collaboration with AARP created a survey to help determine current satisfaction level and future needs from older residents. This was distributed to residents aged 50 and above over the period mid-April to mid-July.

The survey was open to all residents in Transylvania County since City of Brevard services, programs, amenities are utilized by and impact more than just city residents. Data is, however, sortable by zip code. 79% of respondents were from 28712 zip code.

The survey was available both online and via paper copies. It was advertised via social media, in the newspaper, via flyers, on radio, at several in-person town hall meetings, via local churches, veterans groups, at Bread of Life, Sharing House and copies were hand delivered to Meals on Wheels clients.

A total of 647 surveys were received.

- B. Listening Sessions:** In addition to the survey four in-person listening sessions were held where 201 specific suggestions/comments were received.

SURVEY DEMOGRAPHICS: The following were key demographics of survey responders.

81 % of survey respondents were white/Caucasian (2% were Non-white and 17% failed to respond)

69 % had a bachelor's degree or higher; 21% had some college; 7% High school or below and 3% did not respond.

58 % had lived in Brevard/Transylvania County for less than 20 years. The median years lived in TC was 14.

KEY SURVEY FINDINGS:

The Community Age-Friendly Task Force reviewed the survey results and identified the following as the most significant findings.

- 1. Overall there was a high level of satisfaction for the community as a place to age.**

(27.4% Excellent; 34.8 % Very good; 21.8% good; 11.8 % fair; 2.8% poor)

There was a slightly lower (less happy) shift for people who lived here a long time.

2. The main issues of concern from the survey were:

a. Ability to age in place. 43% rated this as Extremely important; 42 % as Very important; 7.8% as somewhat important; 1.2 % Not at all important; 5.5% not sure

b. Affordable Housing. Respondents were concerned about the lack of affordable housing for older residents as well concerned about the lack of affordable housing for adults of all ages.

c. Transportation. Accessible and convenient public transportation scored extremely low. Many comments were submitted concerning the need to better advertise the existing county van routes as well as suggestions on expanding this service.

d. Conveniently located public parking. This received the lowest overall score of all the public building & spaces questions. Multiple comments were submitted about lack of downtown parking impacting the ability of respondents to access, enjoy and support downtown.

e. Safety issues. Concerns with condition of downtown sidewalks, need to enforce vehicle speed limits

f. Adult day care. This service is not currently available anywhere in Transylvania County and respondents saw a high need for it.

g. Public Restrooms. Need for more public restrooms downtown.

3. There was a high level of satisfaction with:

a. Social connection. Very few people felt left out, or isolated. 65% of respondents currently attend a social group.

58% of respondents would like to see more offerings of intergenerational programs.

b. Community involvement. 64% of respondents volunteer and 73% said that information on volunteering opportunities was readily available.

c. Lack of Ageism. 81% of respondents said ageism was NOT a problem

LISTENING SESSION FINDINGS:

Following is a breakdown of the 201 suggestions obtained during the four in-person listening sessions. The most frequently mentioned suggestions were in the following areas of perceived need:

- Additional downtown parking
- Expanded public transportation and information about it
- More primary care providers and medical specialists in Brevard

- More affordable housing for both older adults and service workers
- Improved safety on city roads
- Community wide calendar or newsletter
- Increase in the number of opportunities for lifelong learning

These 7 areas of perceived need account for 72% of the responses. Noteworthy is the overlap of many similar areas of concern comparing these suggestions to the responses from the survey.

NEXT STEPS.

Results of the survey and listening sessions will be provided to AARP, the public, and other interested stakeholders.

The Age-Friendly Community Task Force will begin working on an action plan focused on the findings from the needs assessment survey. This will identify items where City of Brevard, Transylvania County, nonprofits and others can make a difference.



City of Brevard

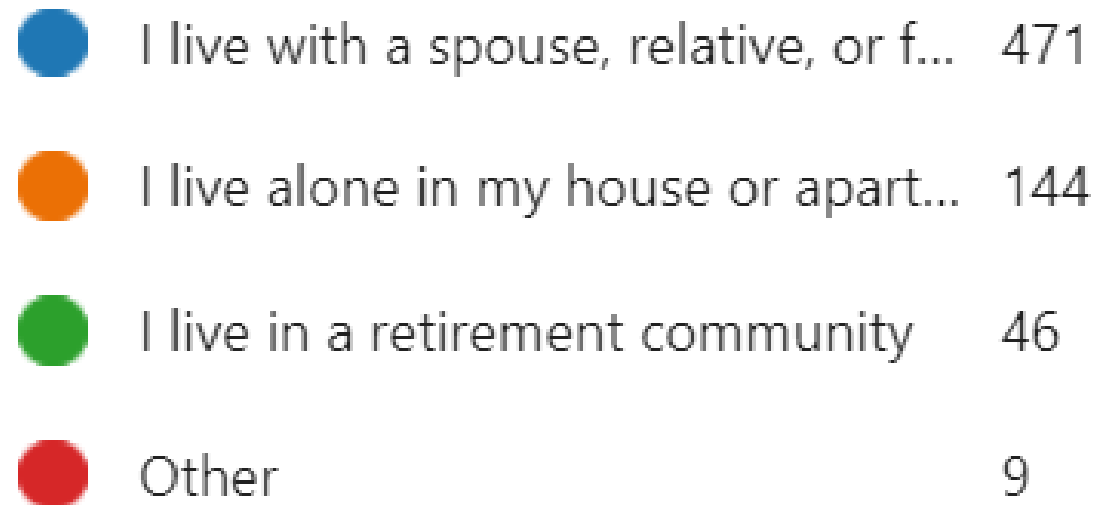
Age Friendly Community Survey Results



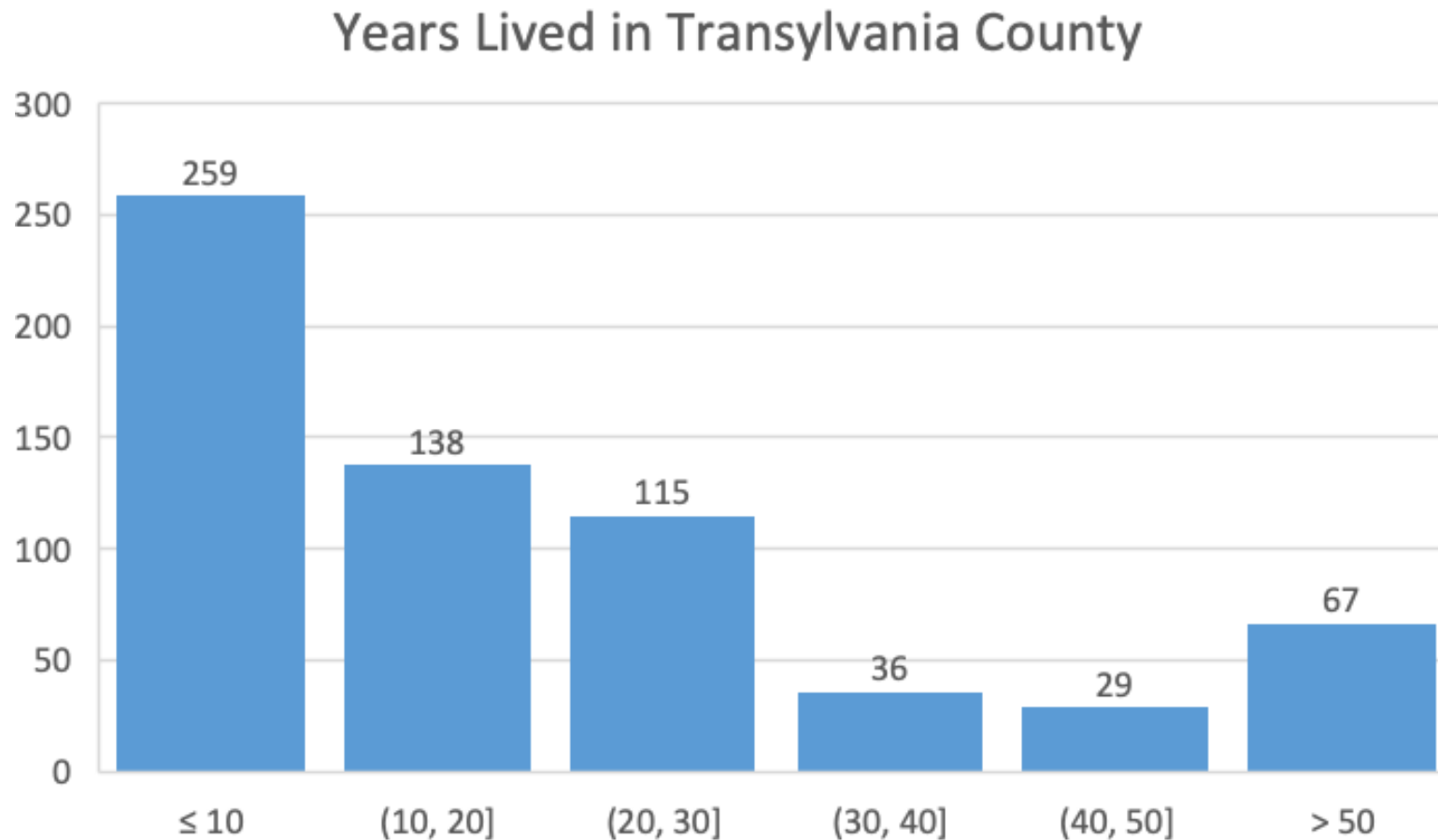


Housing

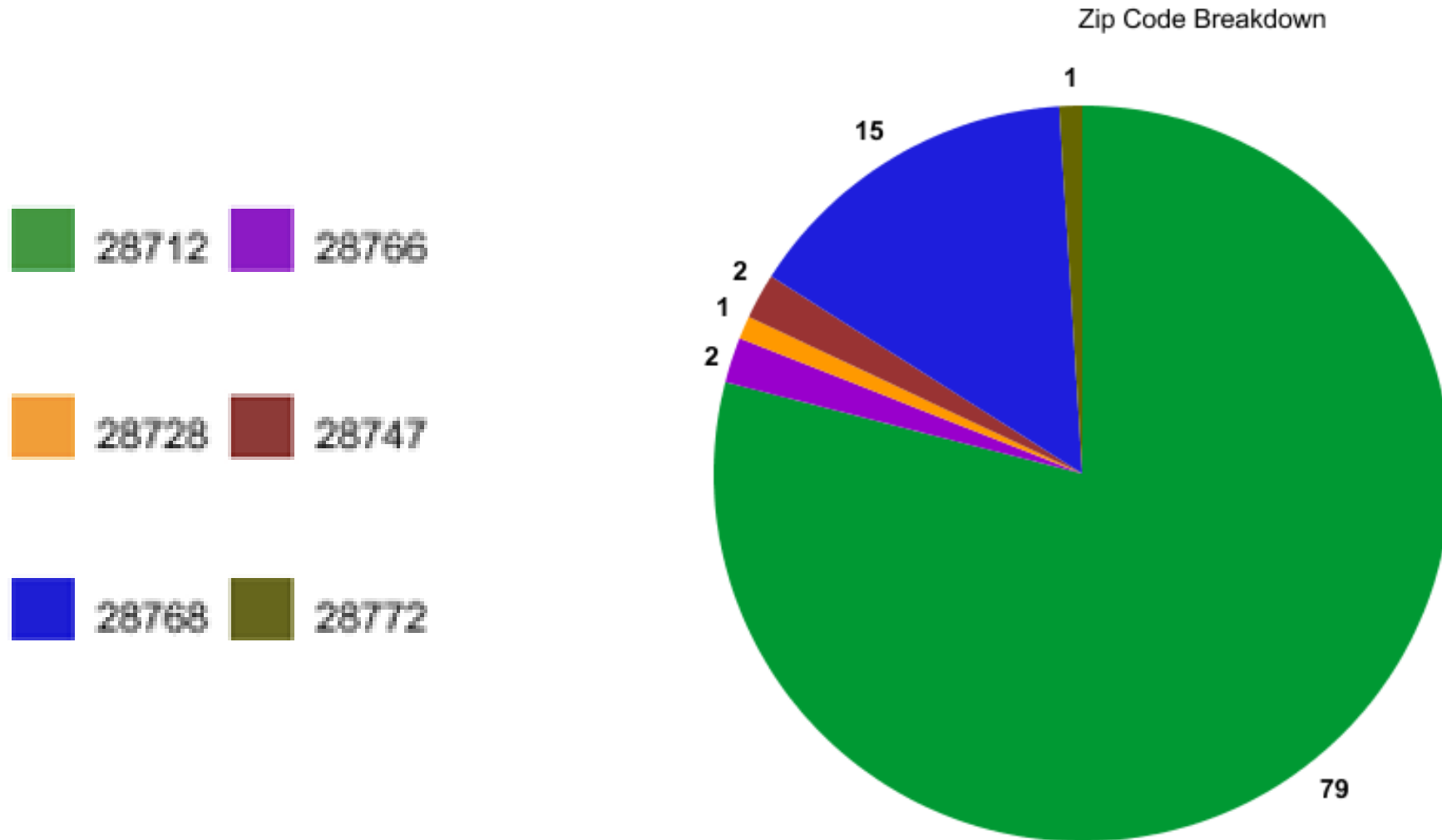
1. What best describes your current situation?



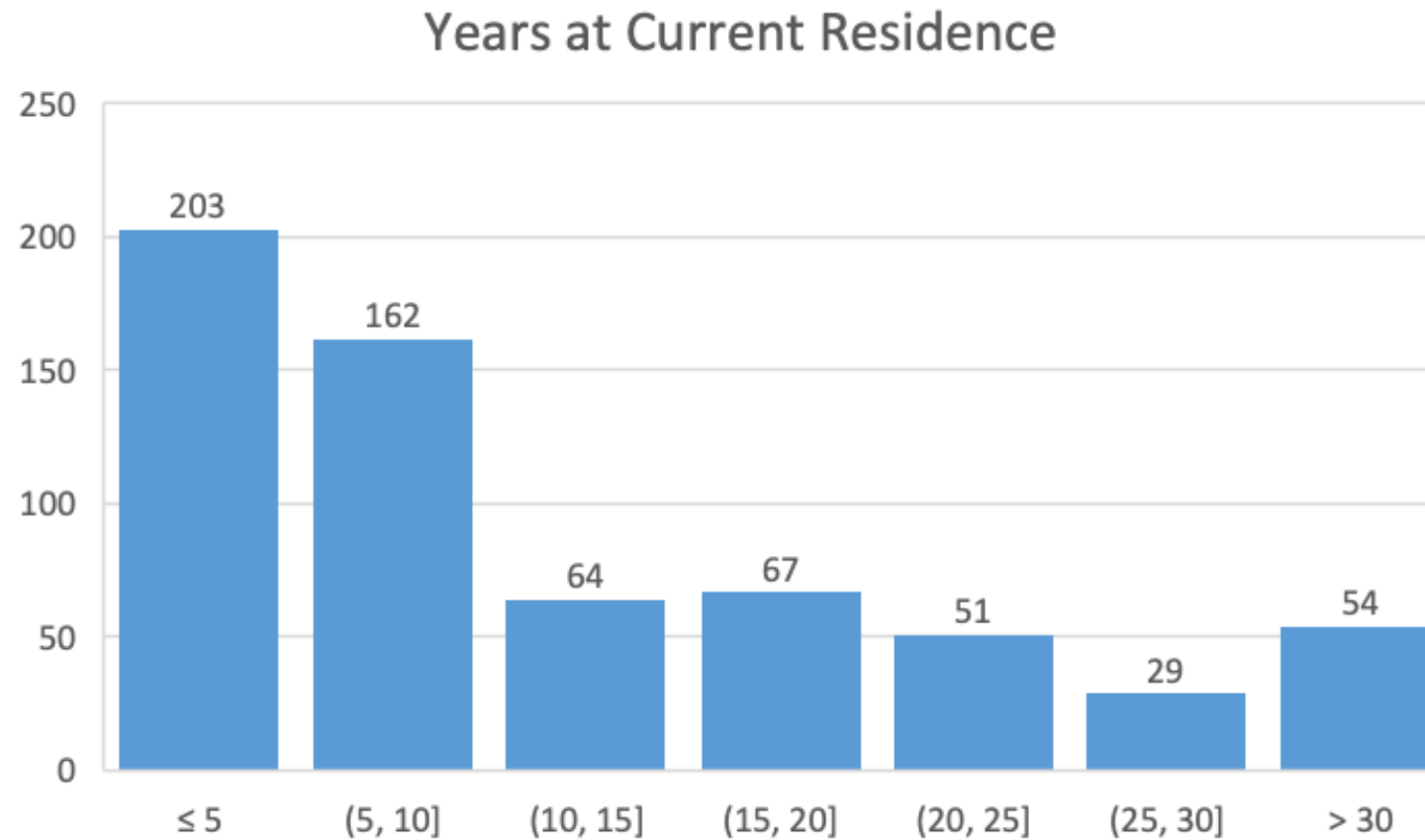
2. How long have you lived in Brevard/Transylvania County?



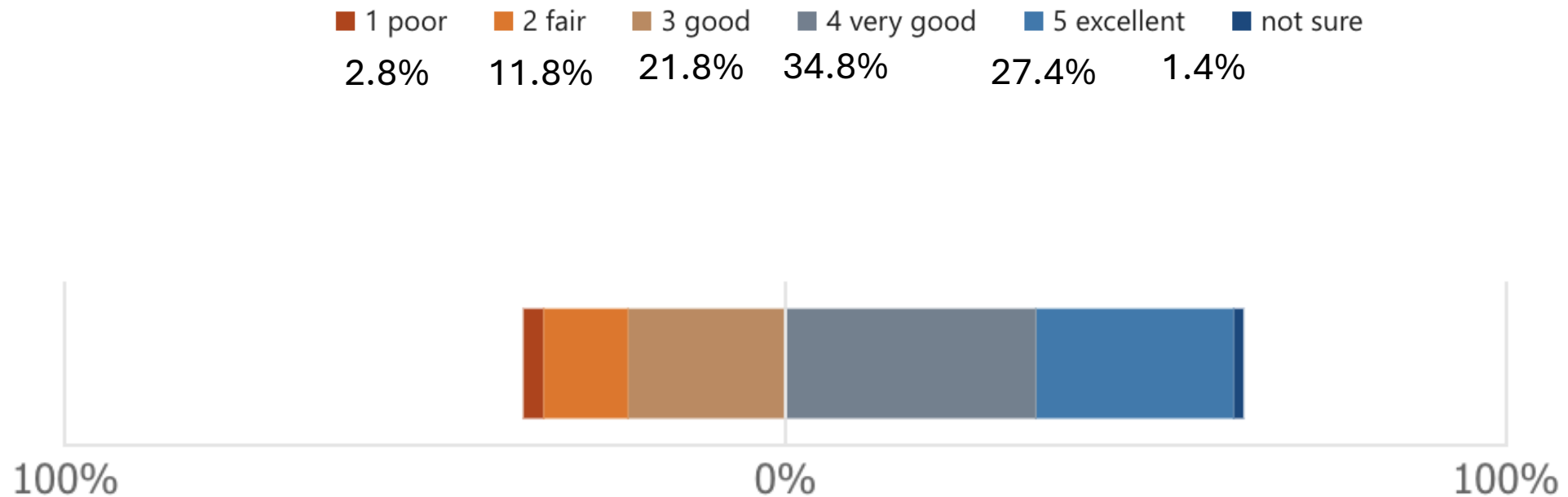
3. What is your zip code?



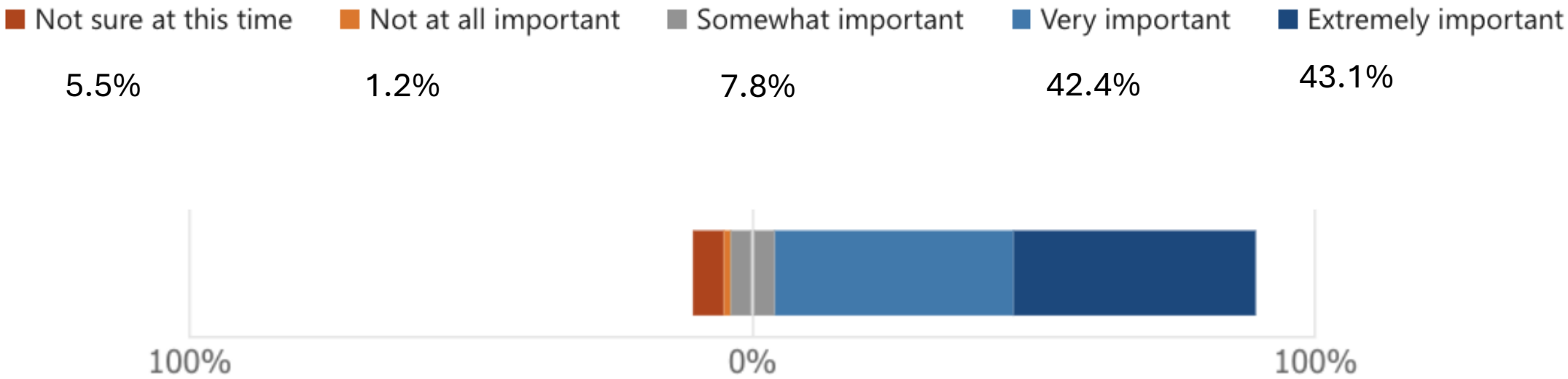
4. How long have you lived in your current residence?



5. How would you rate your current community as a place to live as you age?



6. If you are currently living independently in your own home, how important is it for you to continue to do so as you age?

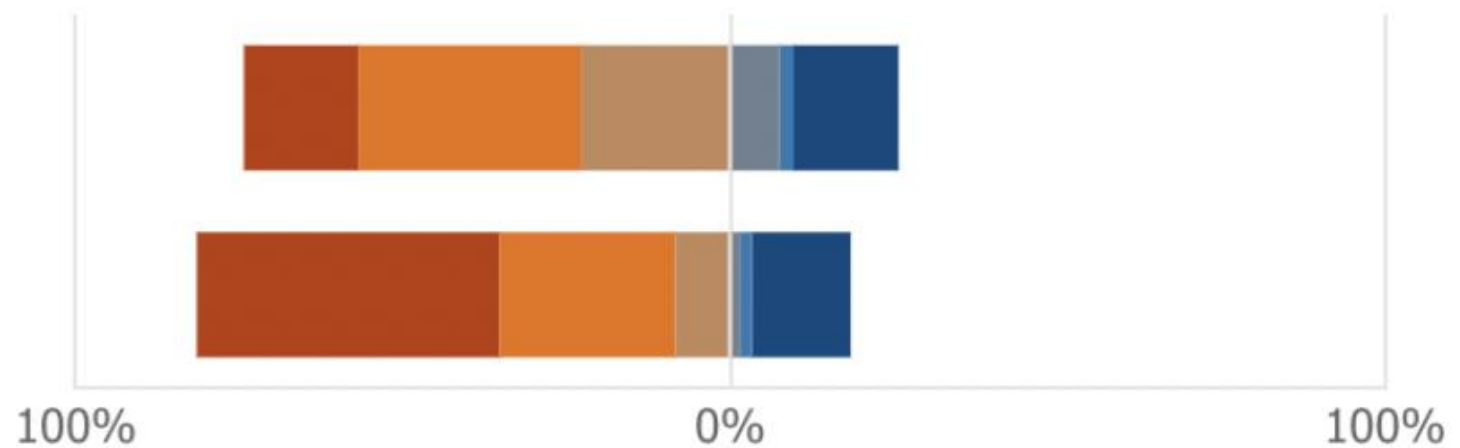


7. Rate Brevard, overall, for each of the following.

1 poor 2 fair 3 good 4 very good 5 excellent not sure

Housing options for older adults (e.g., assisted living communities, older adult ca...

Well-maintained, safe, low-income housing for adults of all ages





Public Buildings and Spaces

8. How would you rate Brevard for having each of the following?

1 poor 2 fair 3 good 4 very good 5 excellent not sure

Condition of sidewalks



Accessible, safe streets and intersections



Lighting in neighborhoods



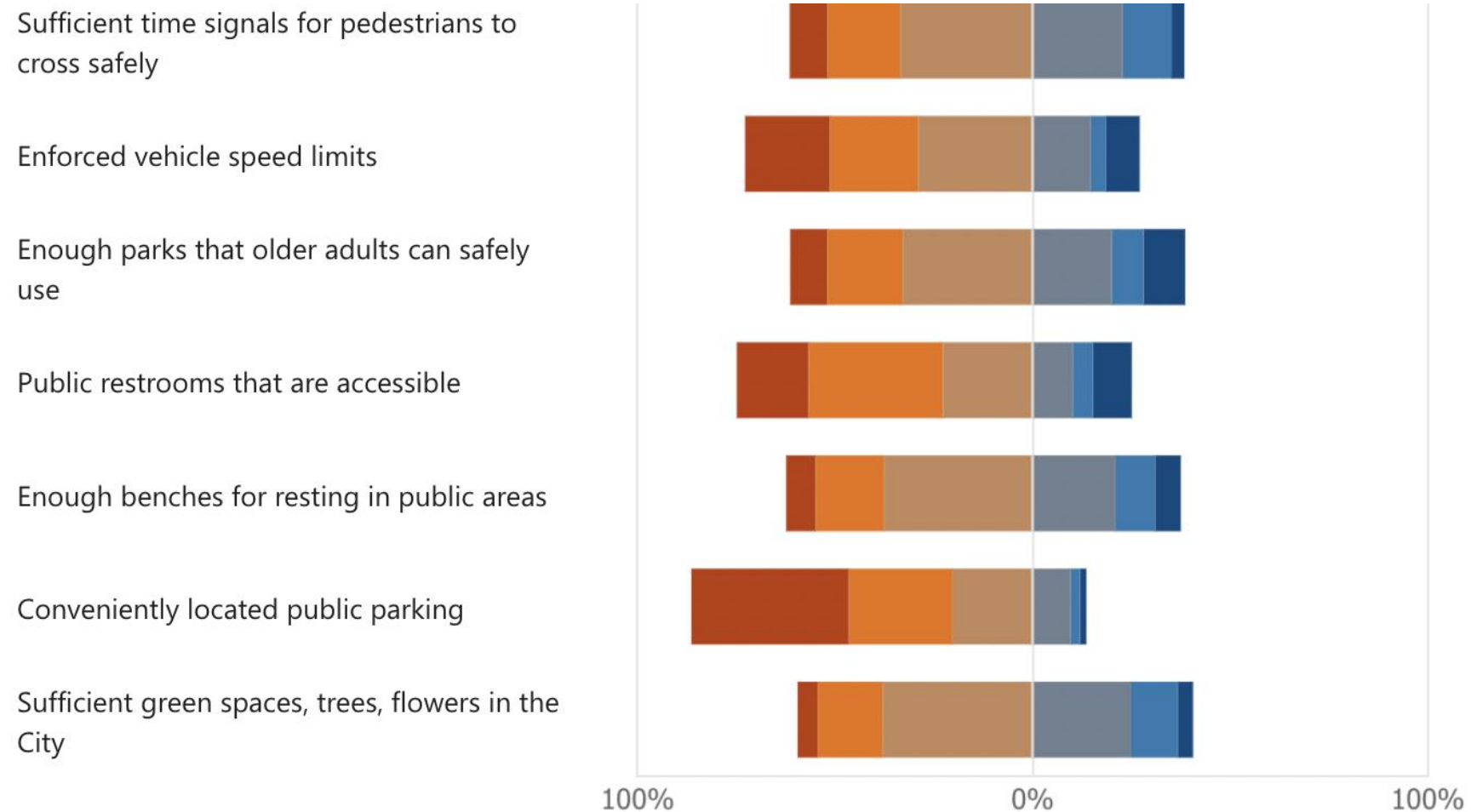
Sufficient bike paths in city



Sufficient trails near the city for walking and biking



■ 1 poor
 ■ 2 fair
 ■ 3 good
 ■ 4 very good
 ■ 5 excellent
 ■ not sure





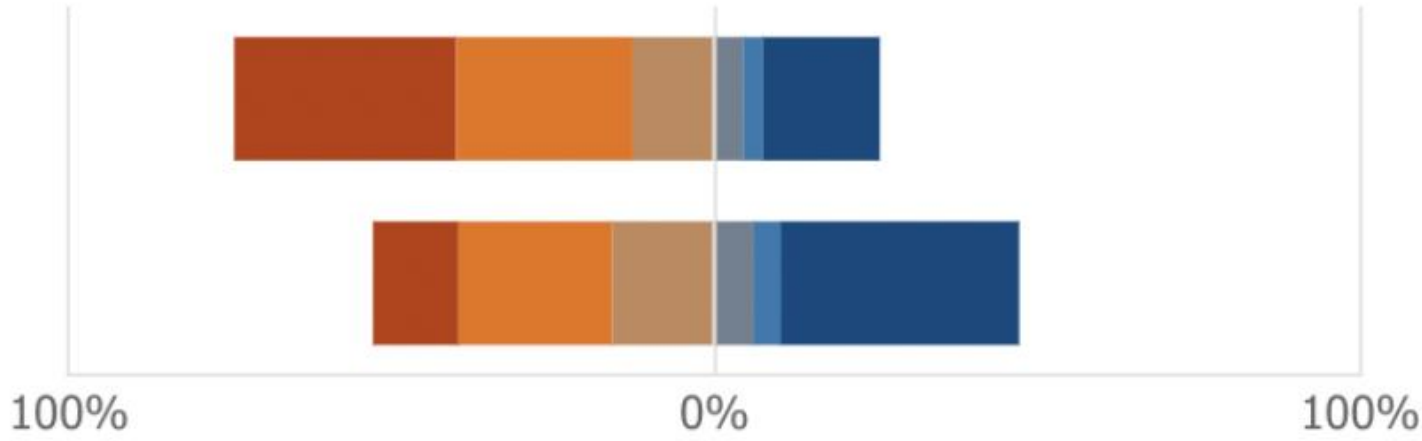
Transportation

9. How would you rate Brevard for each of the following?

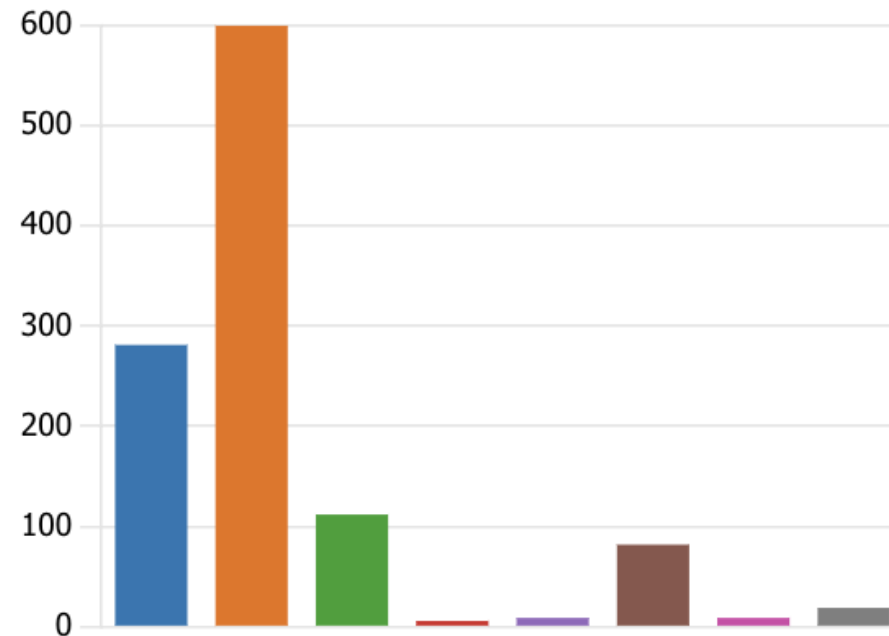
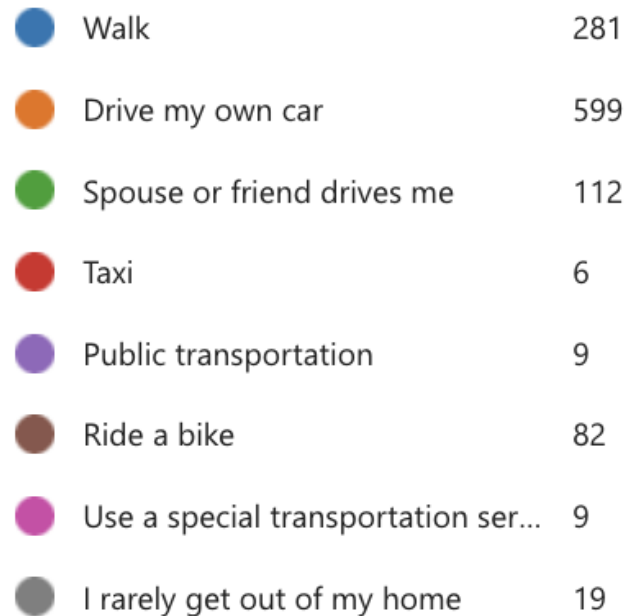
1 poor 2 fair 3 good 4 very good 5 excellent not sure

Accessible and convenient public transportation

Special transportation services for people with disabilities



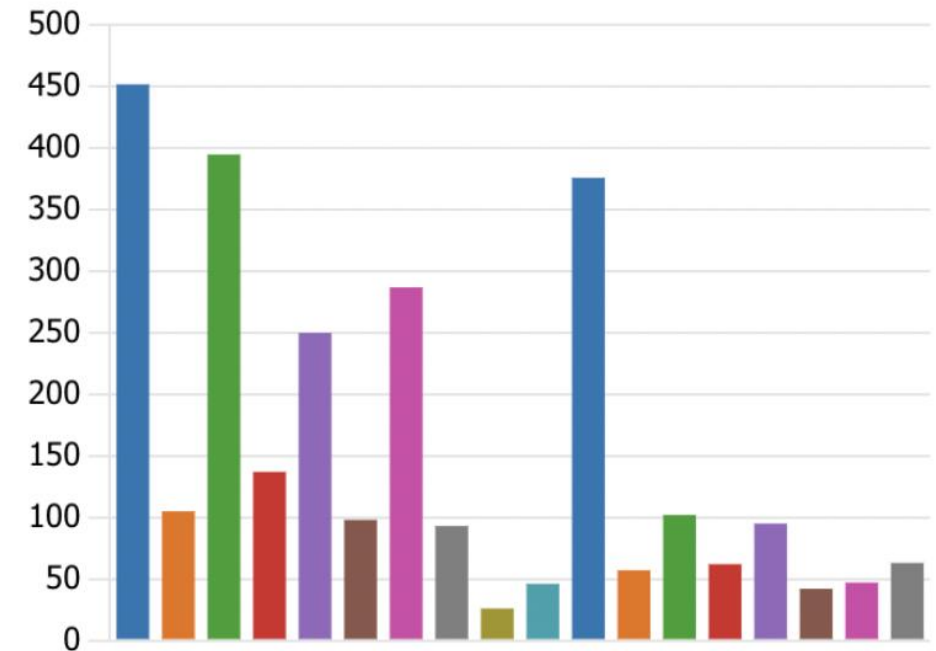
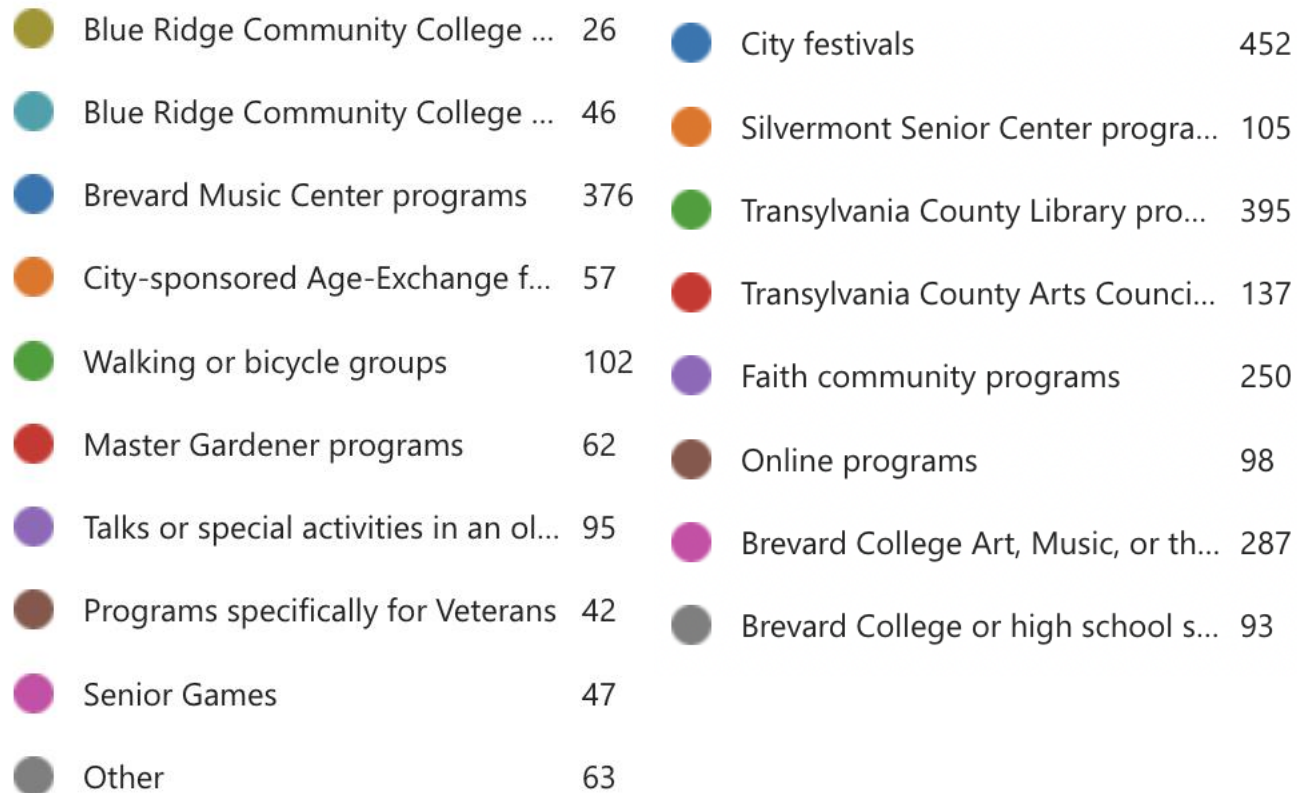
10. What modes of transportation do you use to get around your community for shopping, errands, medical appts, socializing?





Social Participation, Life-long Learning, Intergenerational programs

11. Select the programs below that you have attended in the past 12 months.

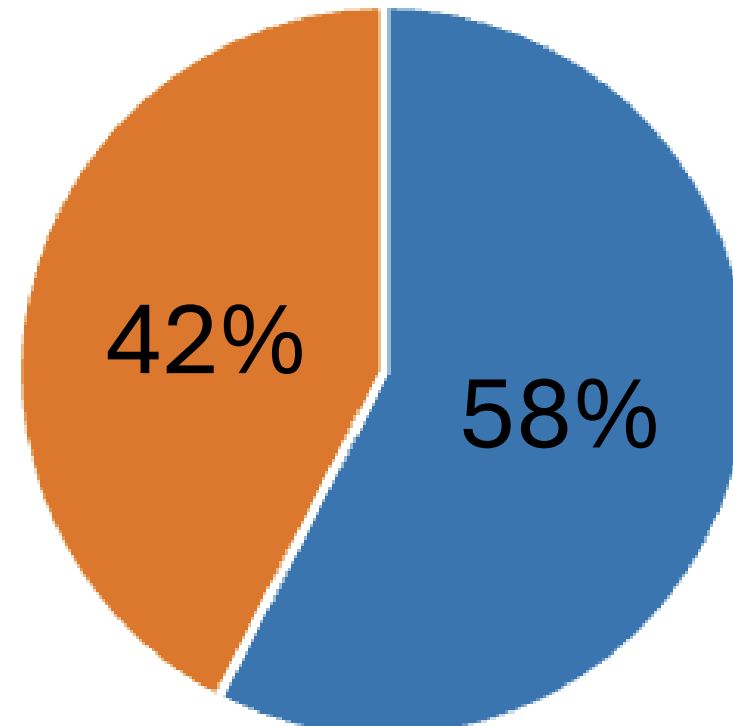


12. Would you like more offerings of intergenerational programs (i.e., opportunities where you can meet or talk to younger people)?



344

254



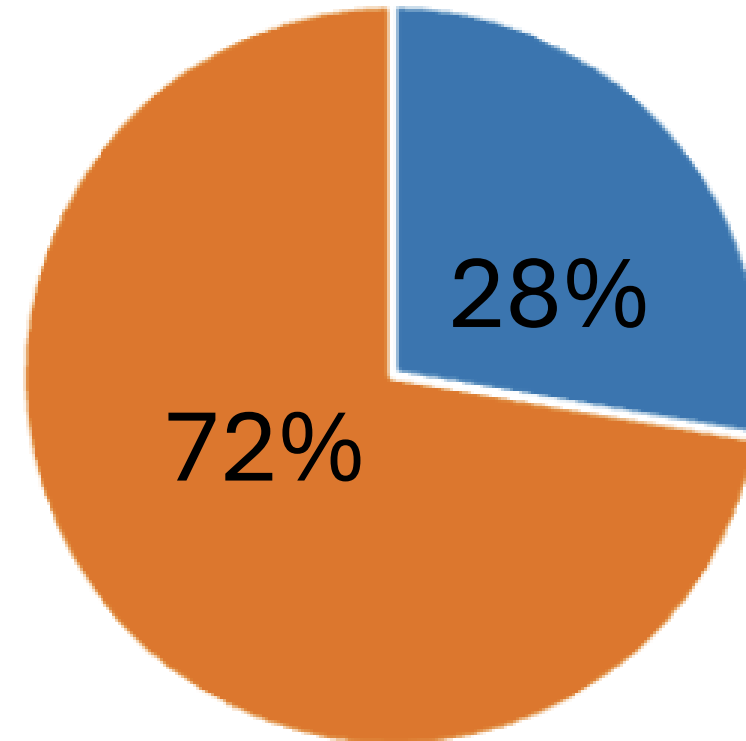
13. What types of additional intergenerational, social, or life-long learning programs would you like to have offered in our community, if any?



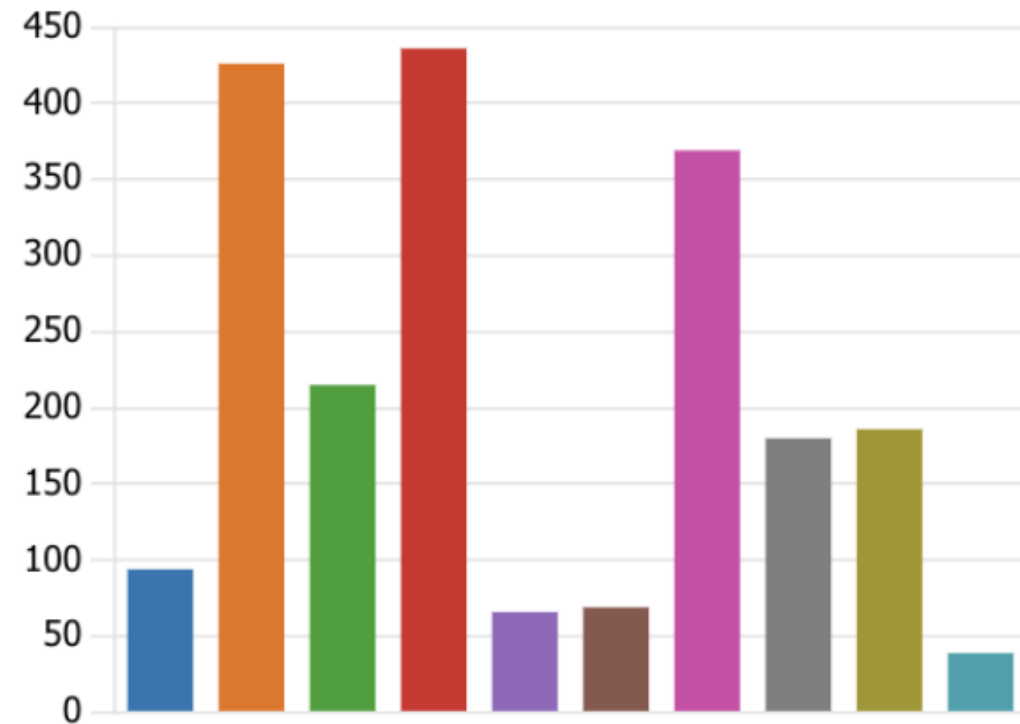
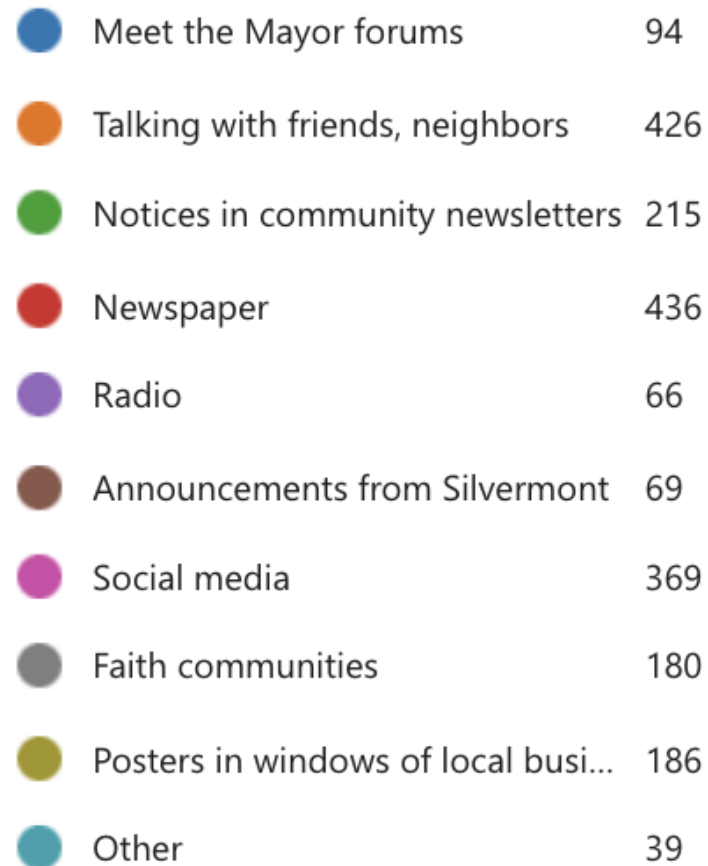
14. Would you like to mentor younger people?



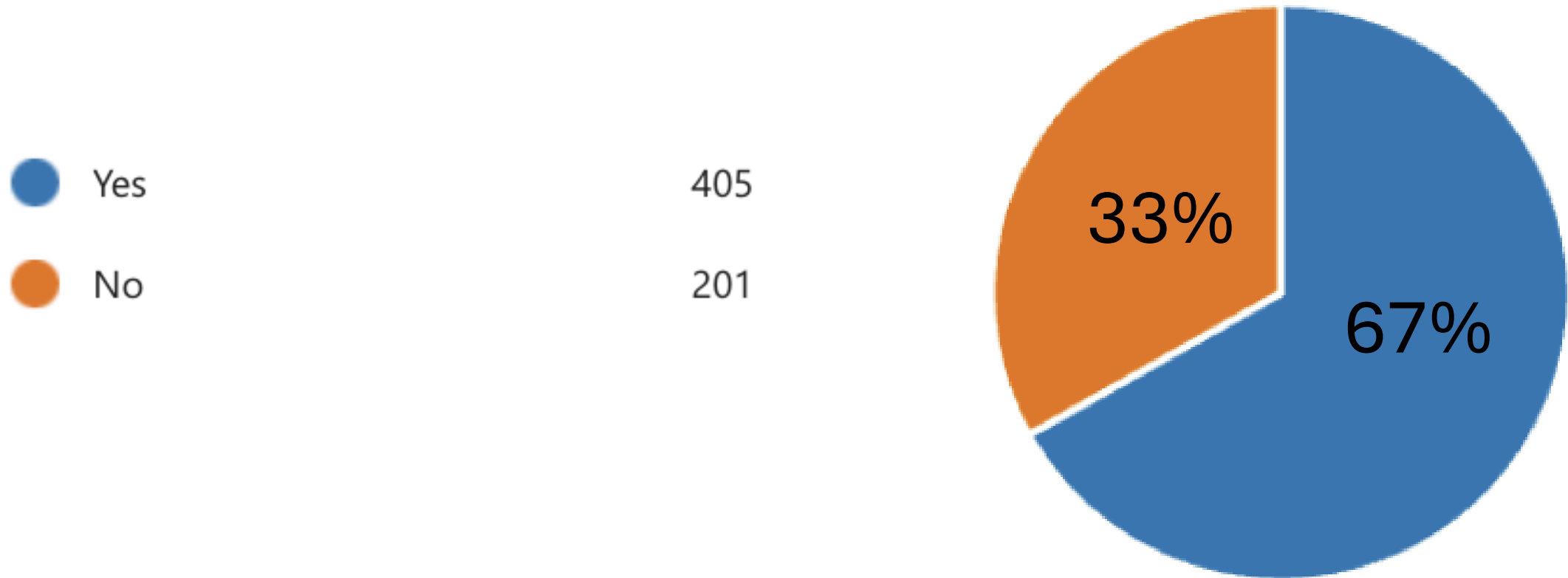
163
426



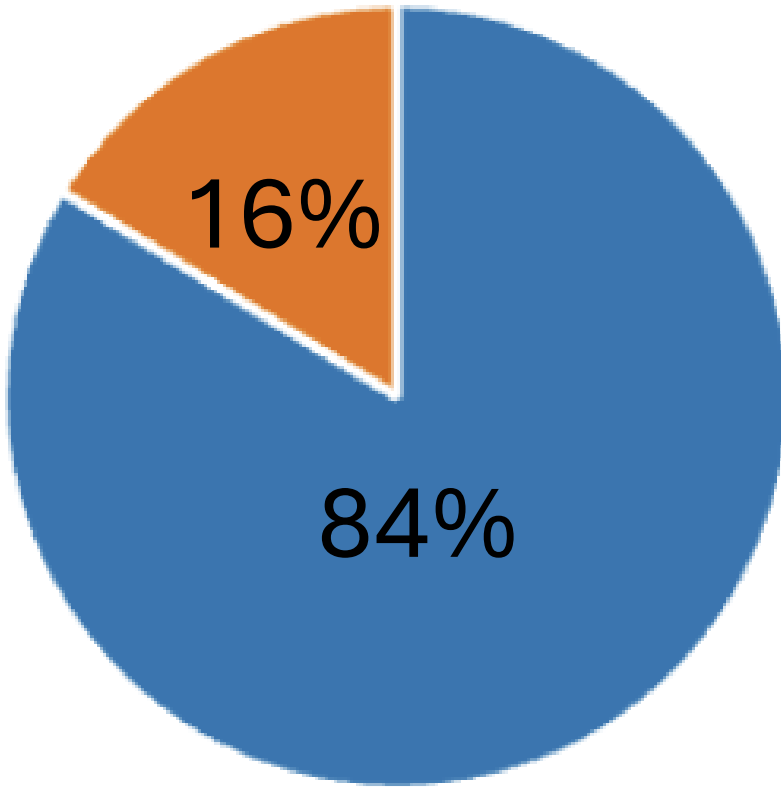
16. How do you learn of the programs available in the community?



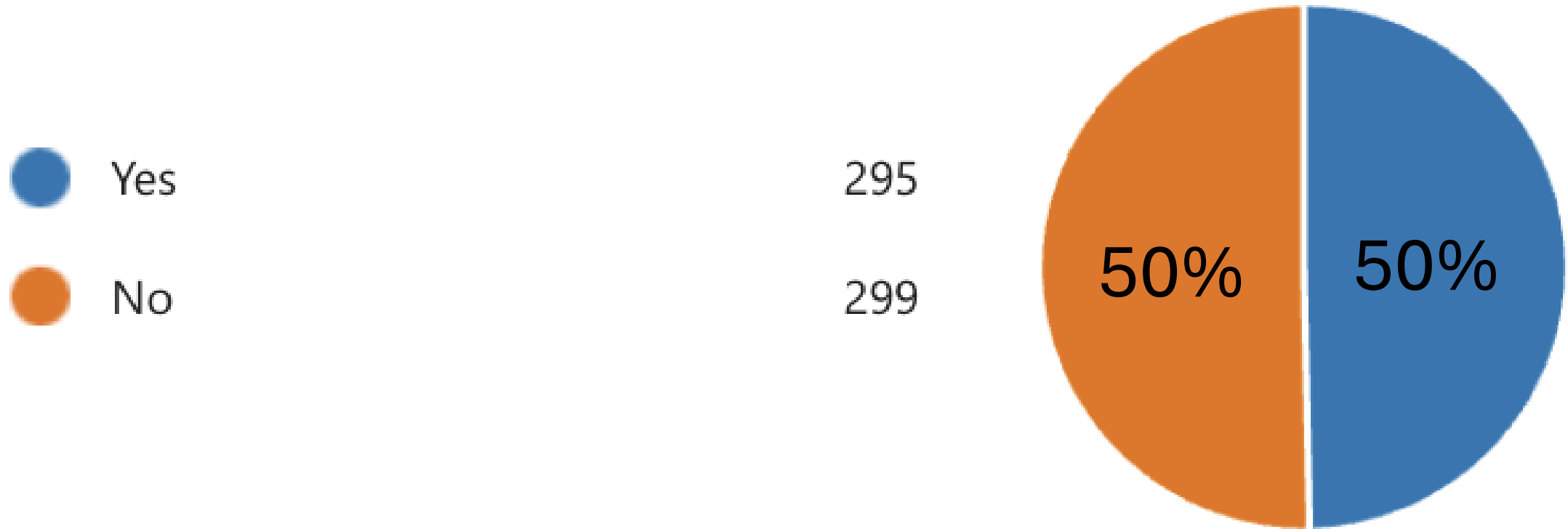
17. Do you want more ways to learn of opportunities for life-long learning programs?



18. If yes, would you likely use a website that listed them?



19. Do you think internet connection and bandwidth are adequate in the Brevard area?



20. Do you have any other comments about using the internet?

...

45 respondents (25%) answered **Comporium** for this question.



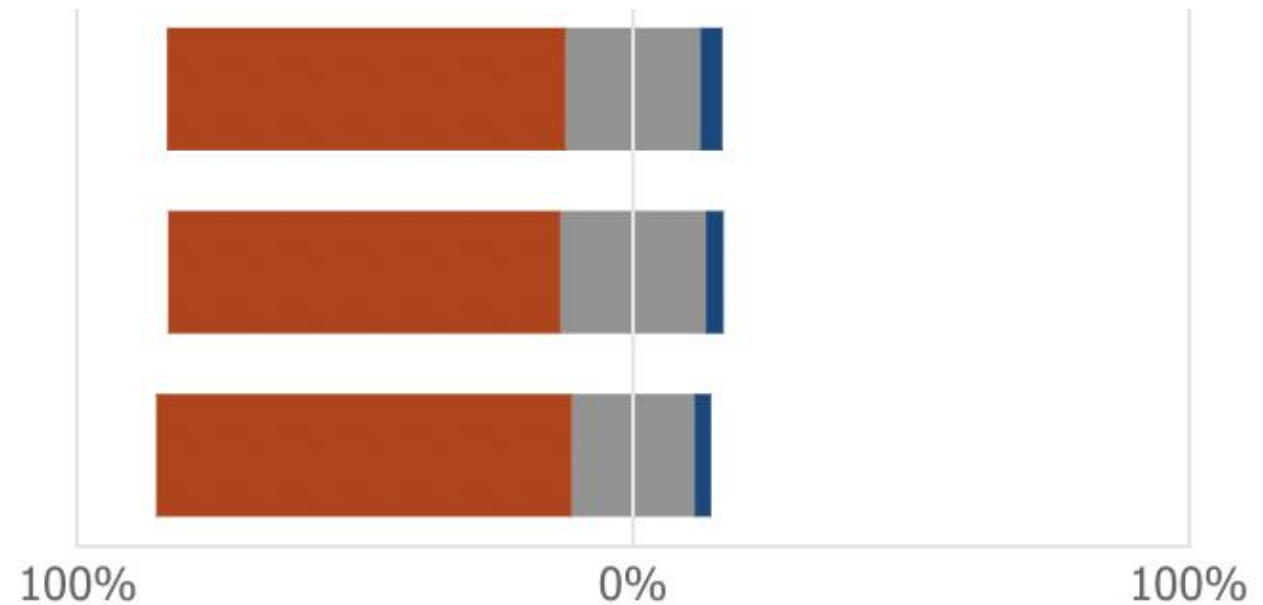
21. Please tell us more about your social connections.

■ hardly ever ■ some of the time ■ often

How often do you feel you lack companionship:

How often do you feel left out:

How often do you feel isolated from others:

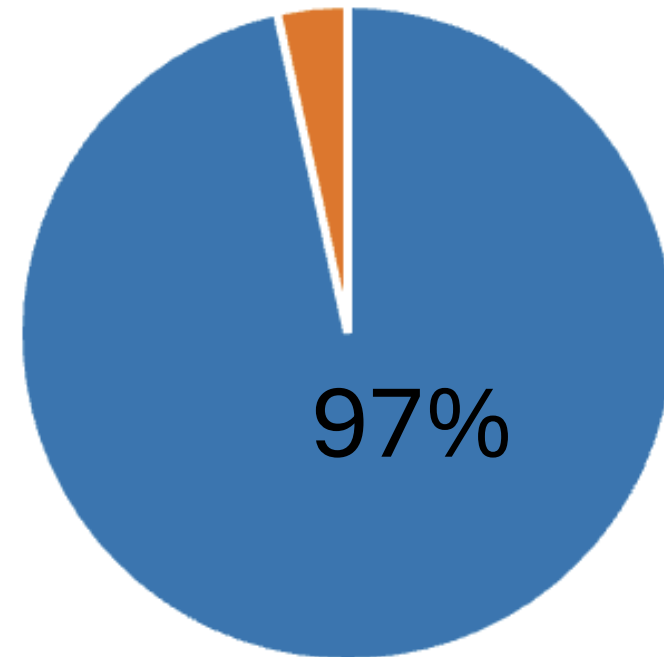


22. Do you have friends or family or neighbors who can help you in an emergency?



614

22

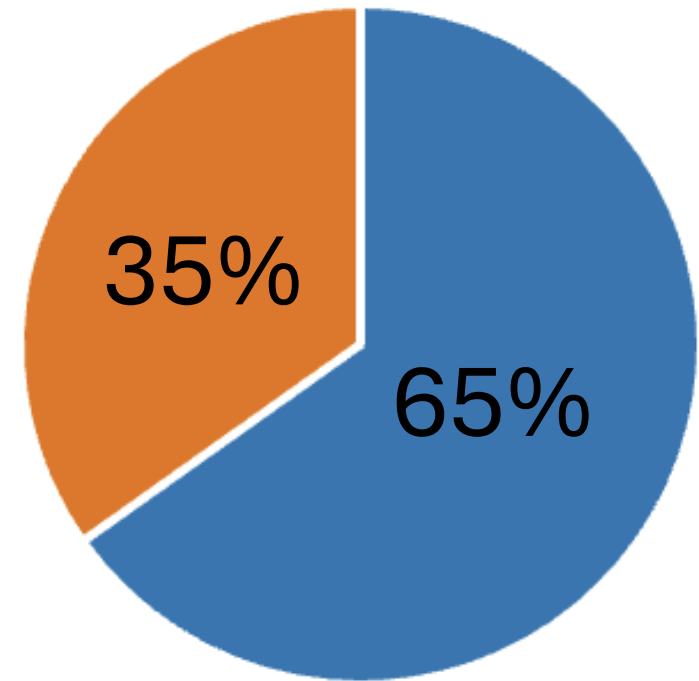


23. Do you currently attend a social group?

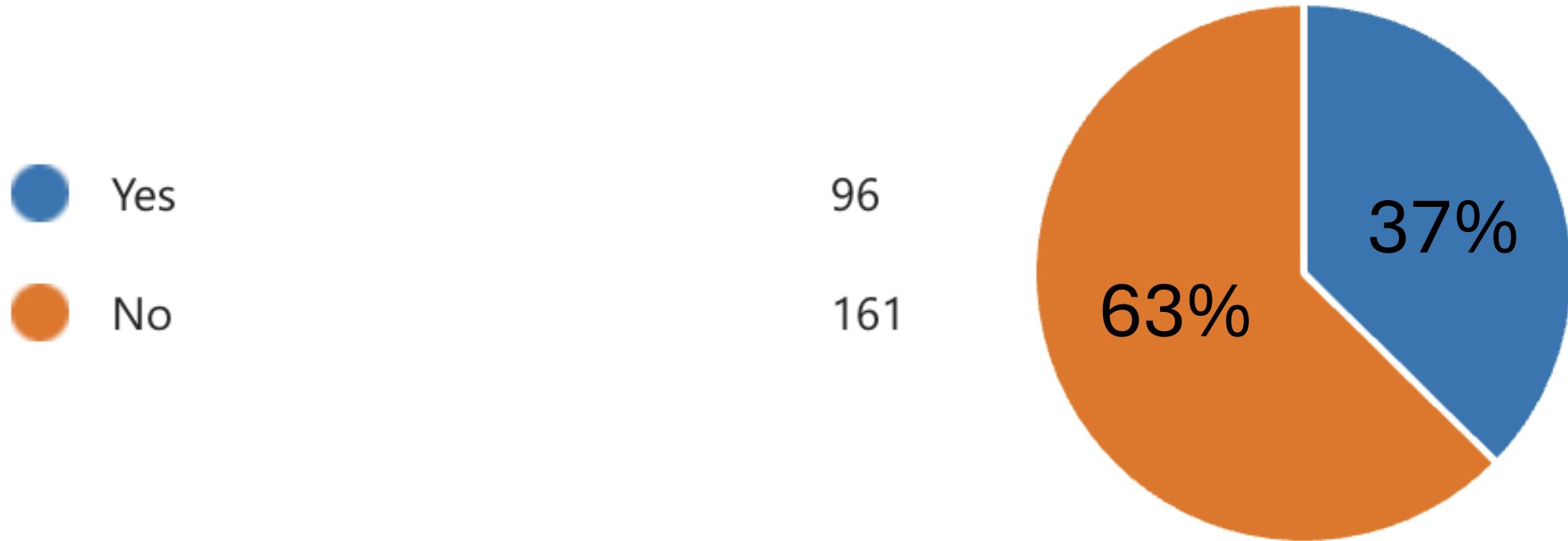


410

219



24. If not, would you like to attend one?





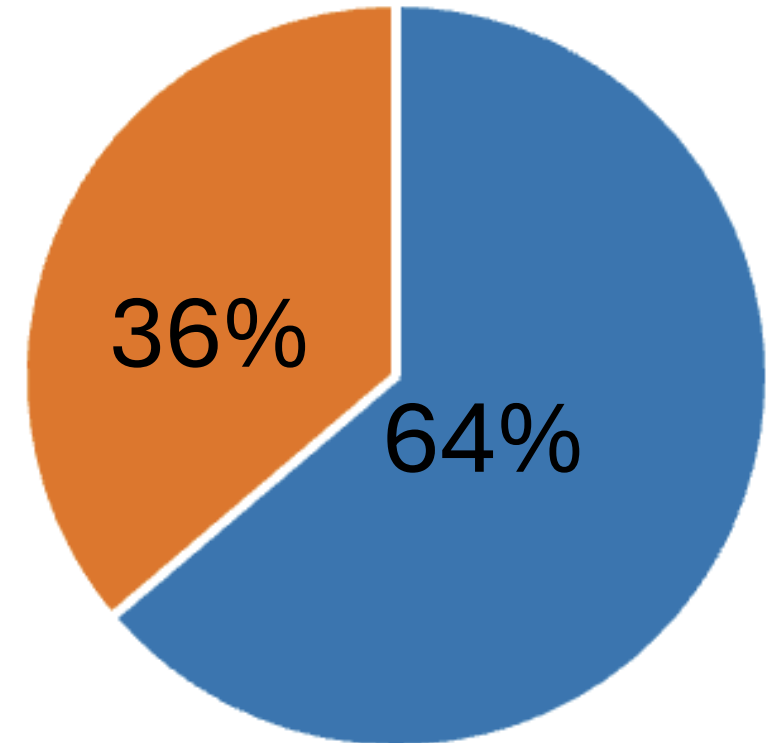
Volunteering, Civic Engagement, and Job Opportunities

25. Do you volunteer?

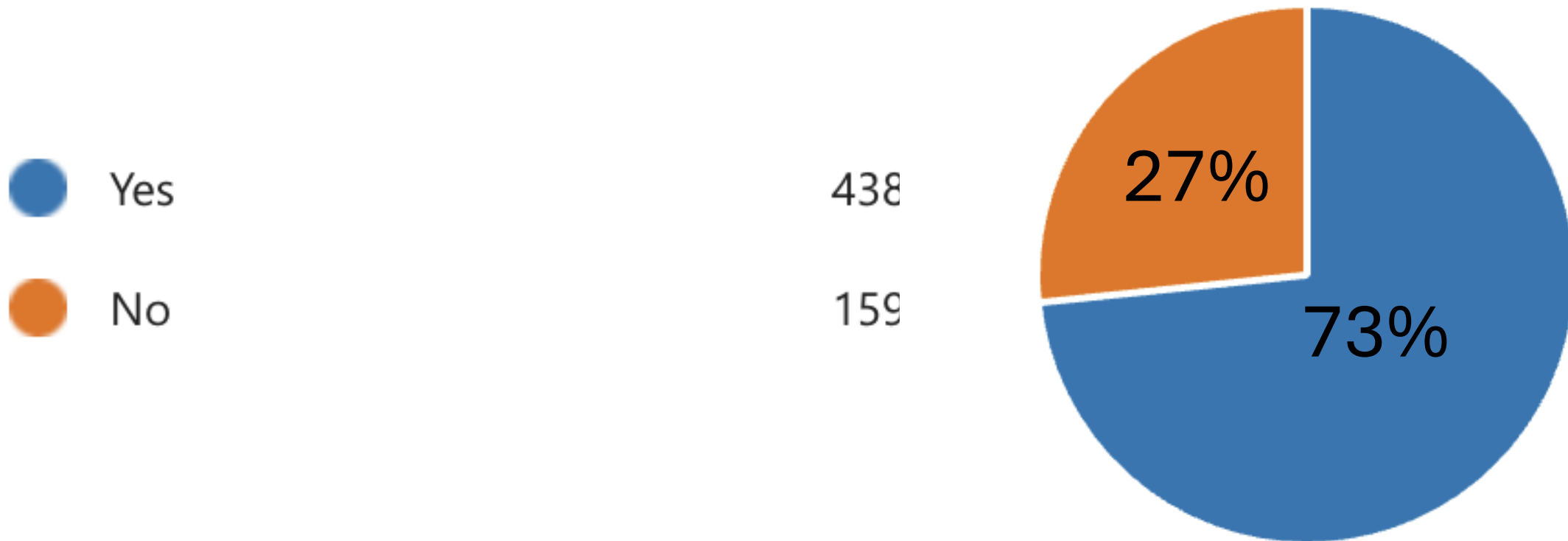


402

228



27. Is it easy to find information on available volunteer activities?

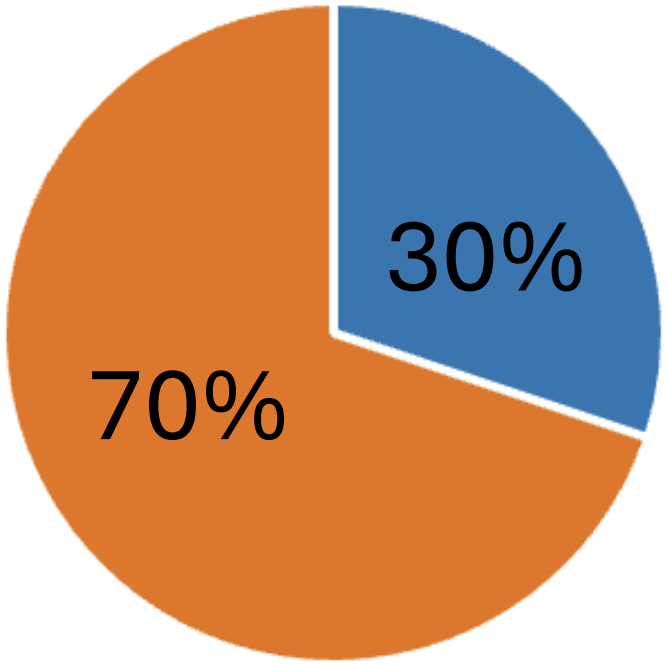


28. Are you interested in more opportunities to participate in decision-making bodies such as community sponsored committees?

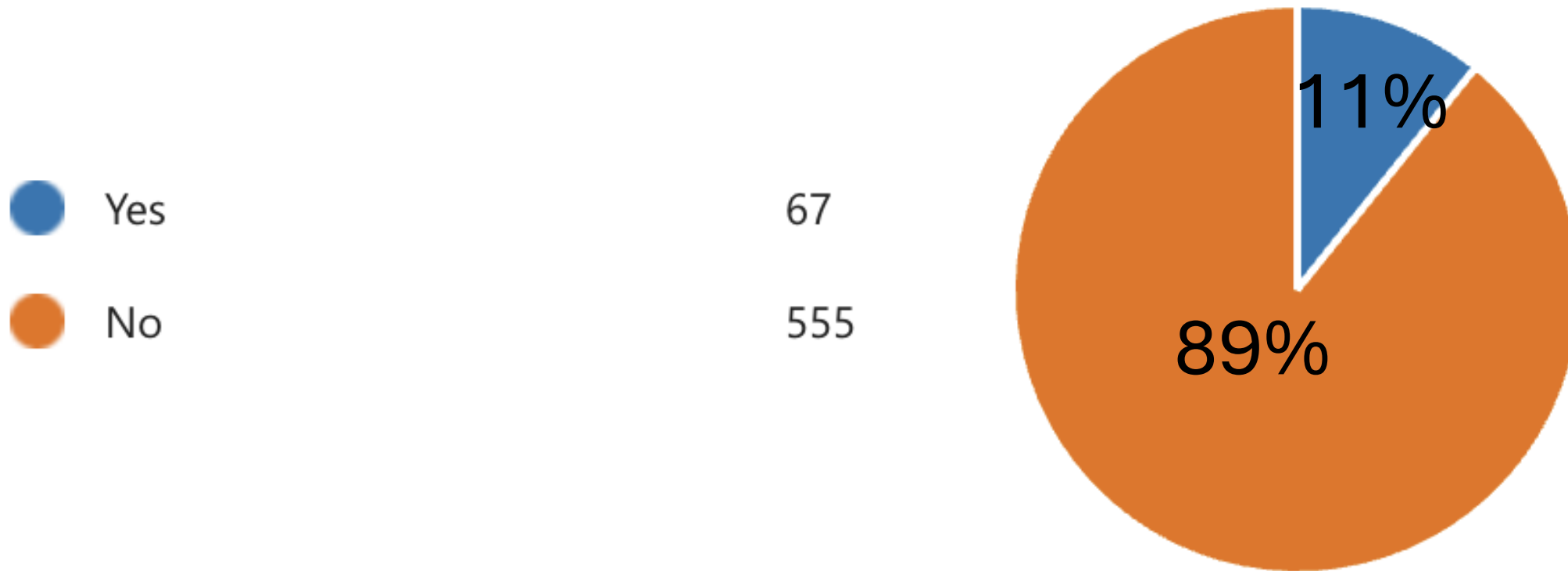
- Yes
- No

185

429



29. Are you interested in job training opportunities for older adults?





Health and Wellness

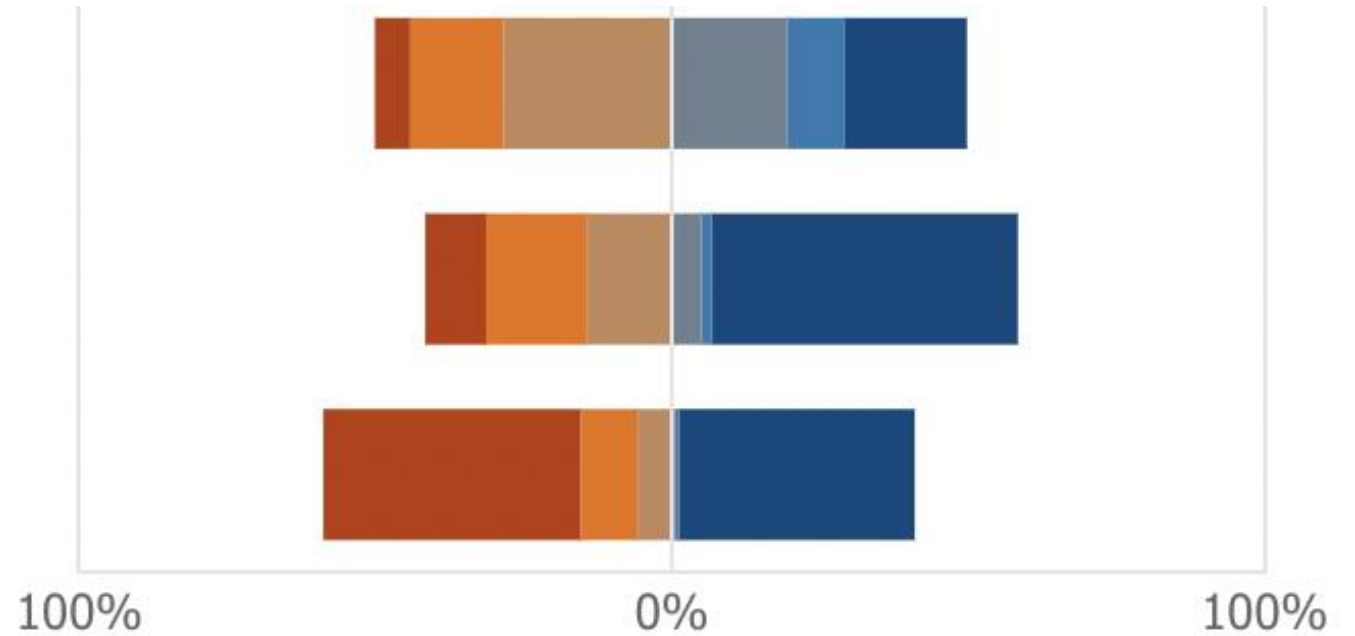
30. How would you rate Brevard for each of the following?

1 poor 2 fair 3 good 4 very good 5 excellent not sure

Affordable fitness activities geared toward older adults such as those...

Caregiver support groups

Adult day center (currently Transylvania County residents who...

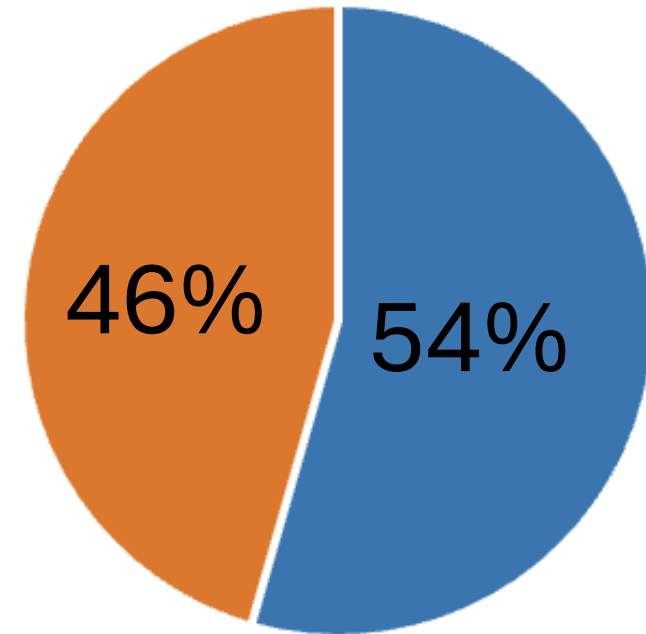


31. Would you like a forum offered where First Responders explain their role and services offered in our area?



332

278

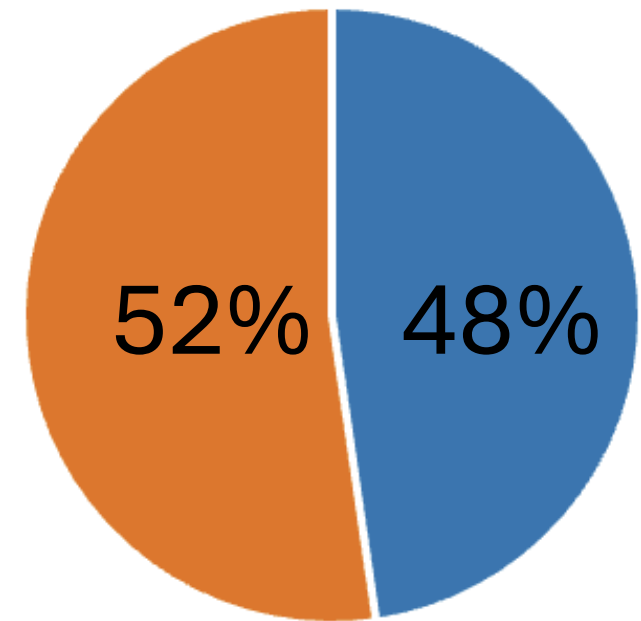


32. If the city offered regular small in-person groups for discussion & info on issues related to physical, emotional, and cognitive wellness as we age, would you likely attend?



292

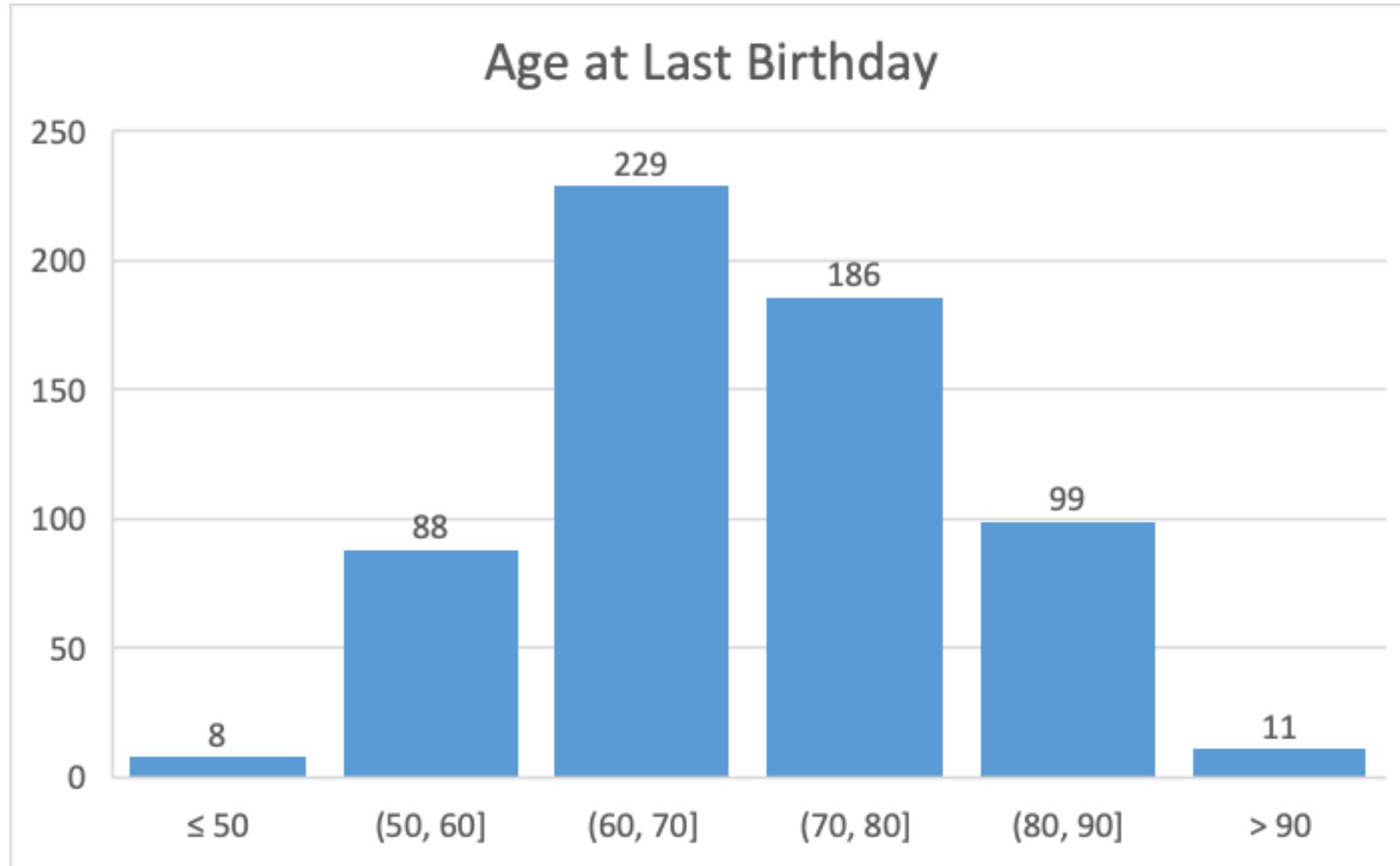
320





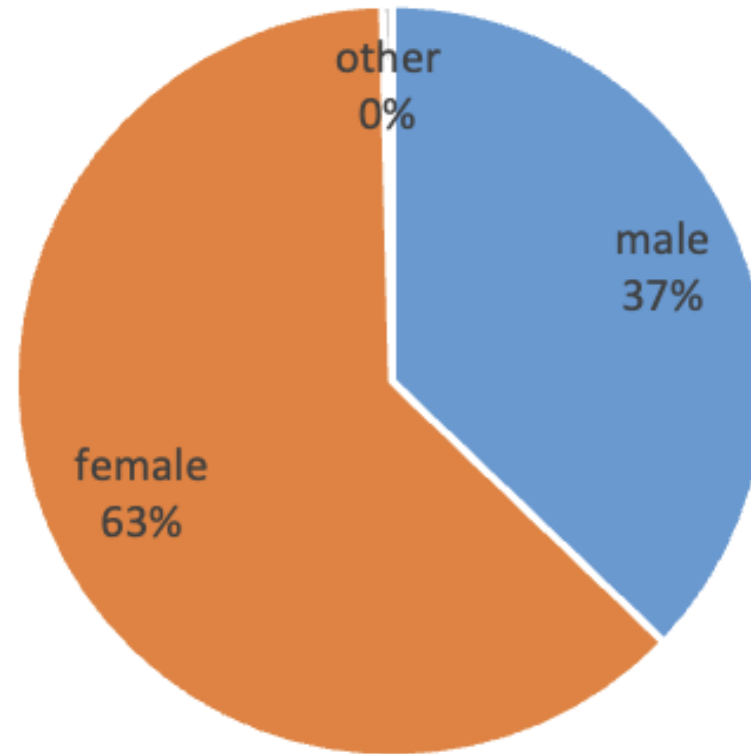
Demographics

33. Age at your last birthday?



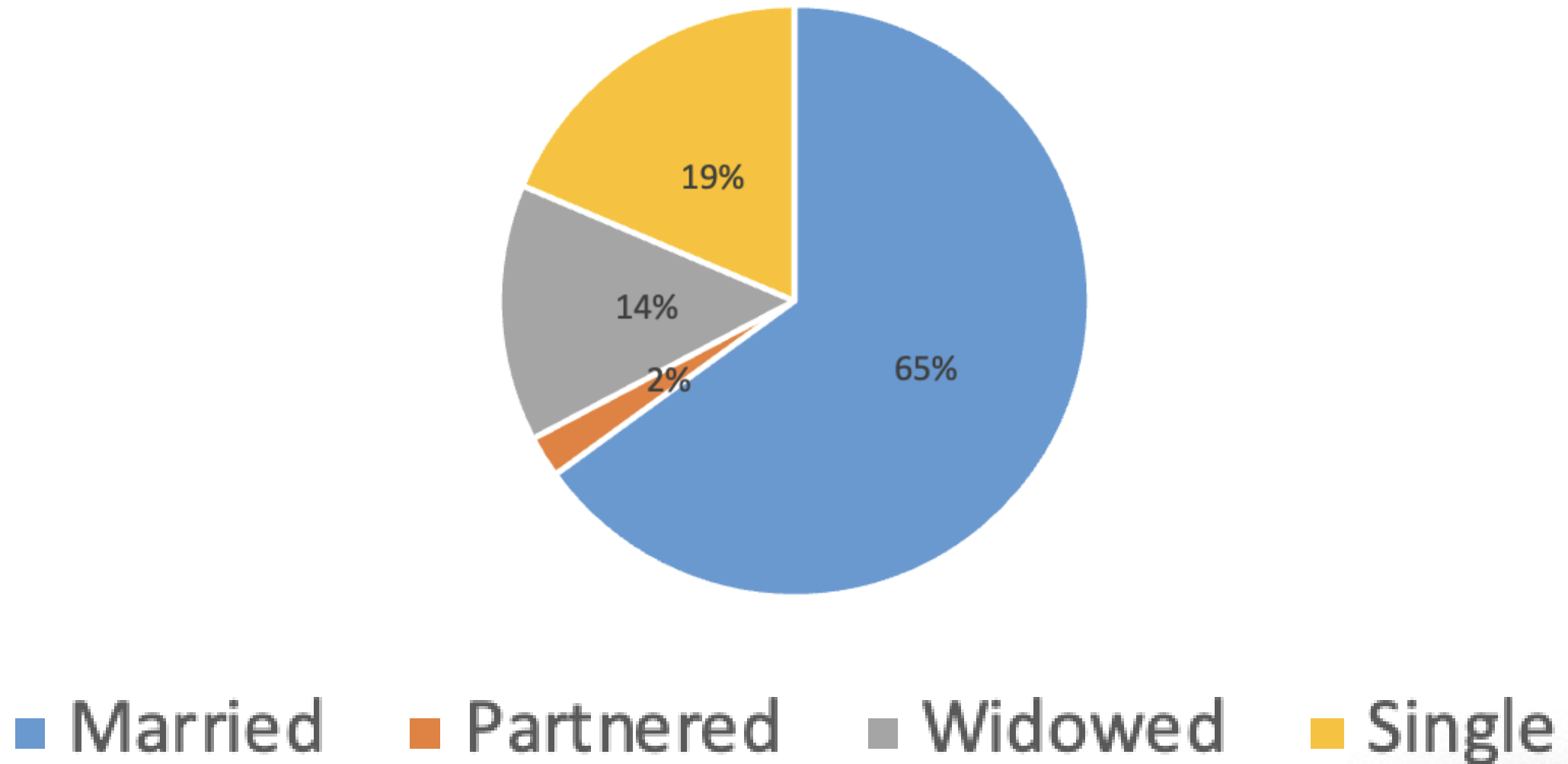
34. Gender

Gender Breakdown

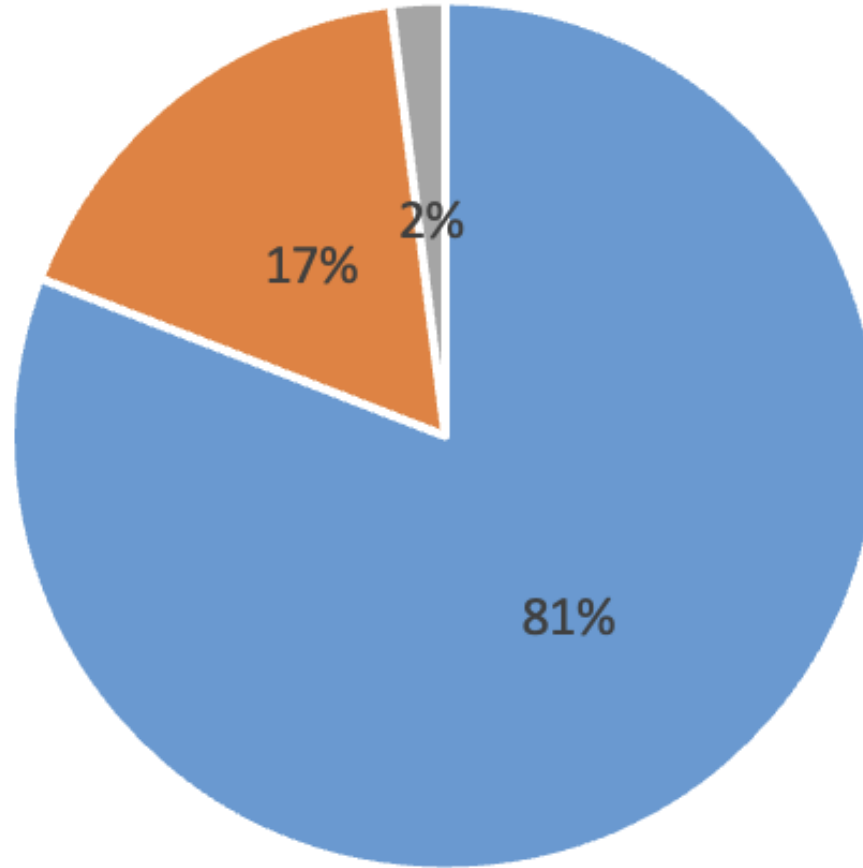


■ male ■ female ■ other

35. Marital status



36. Race

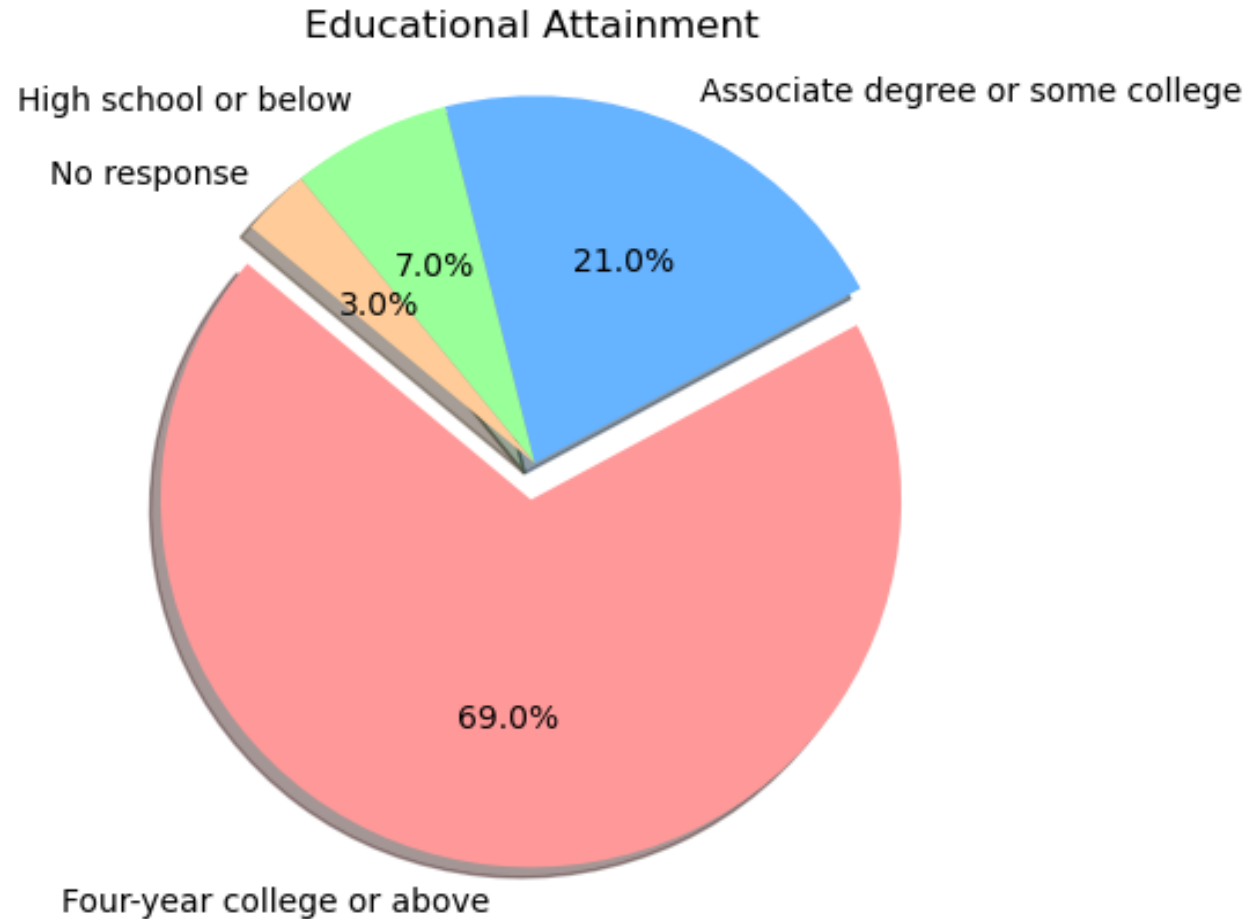


■ White / Caucasian

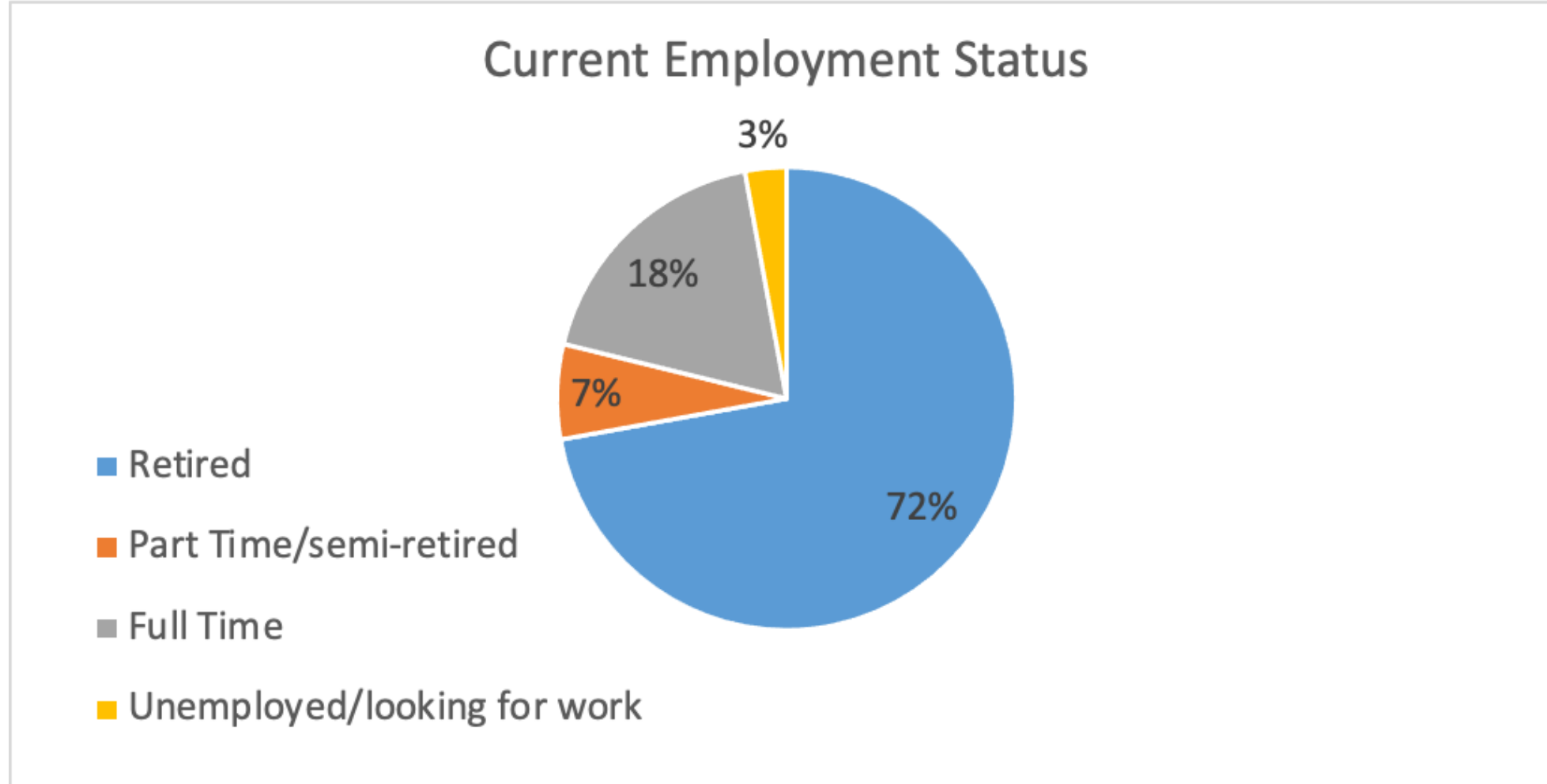
■ Decline to
Respond

■ Non-white

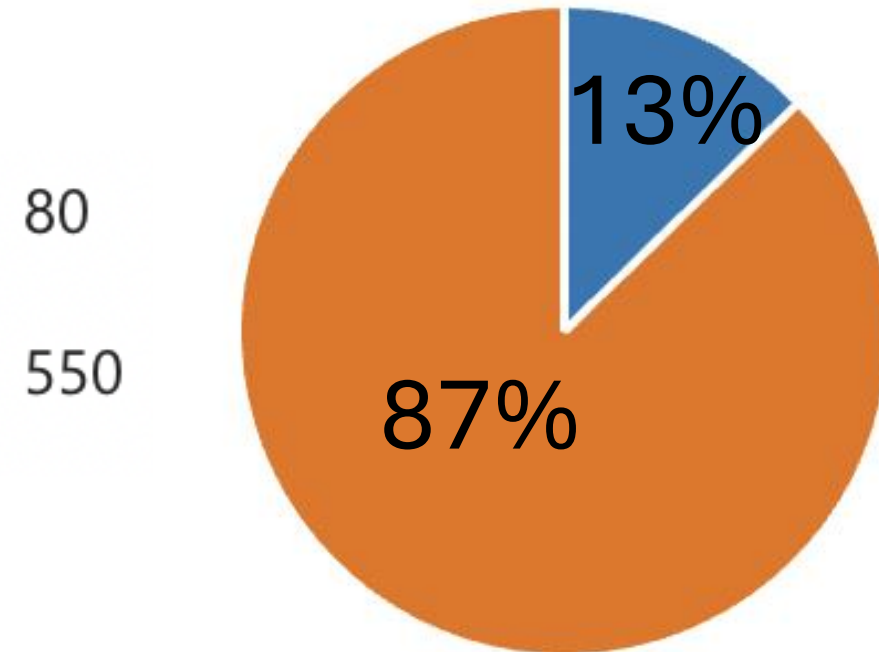
37. Highest level of education



38. Current employment status



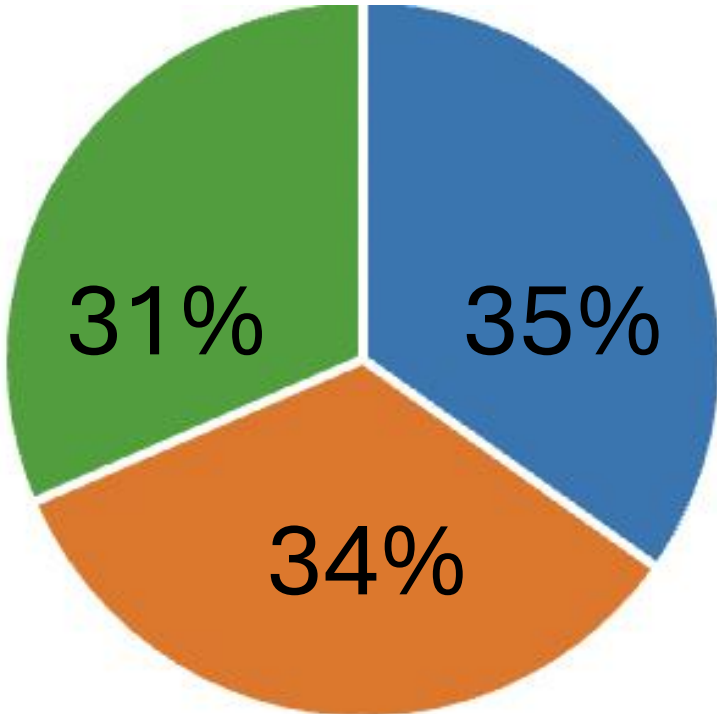
39. Are you currently a caregiver providing unpaid care to an adult loved one?



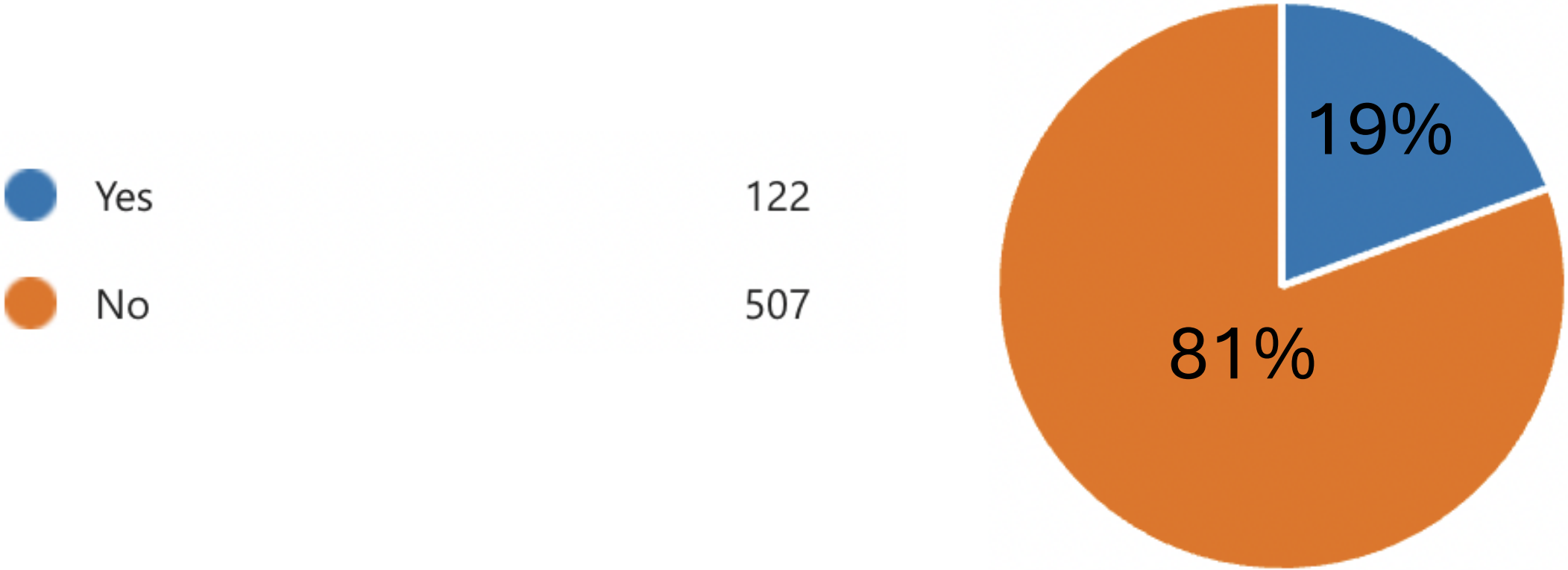
40. Is it likely you will be providing unpaid care to an adult loved one in the future?

- Yes
- No
- unsure

221
214
200

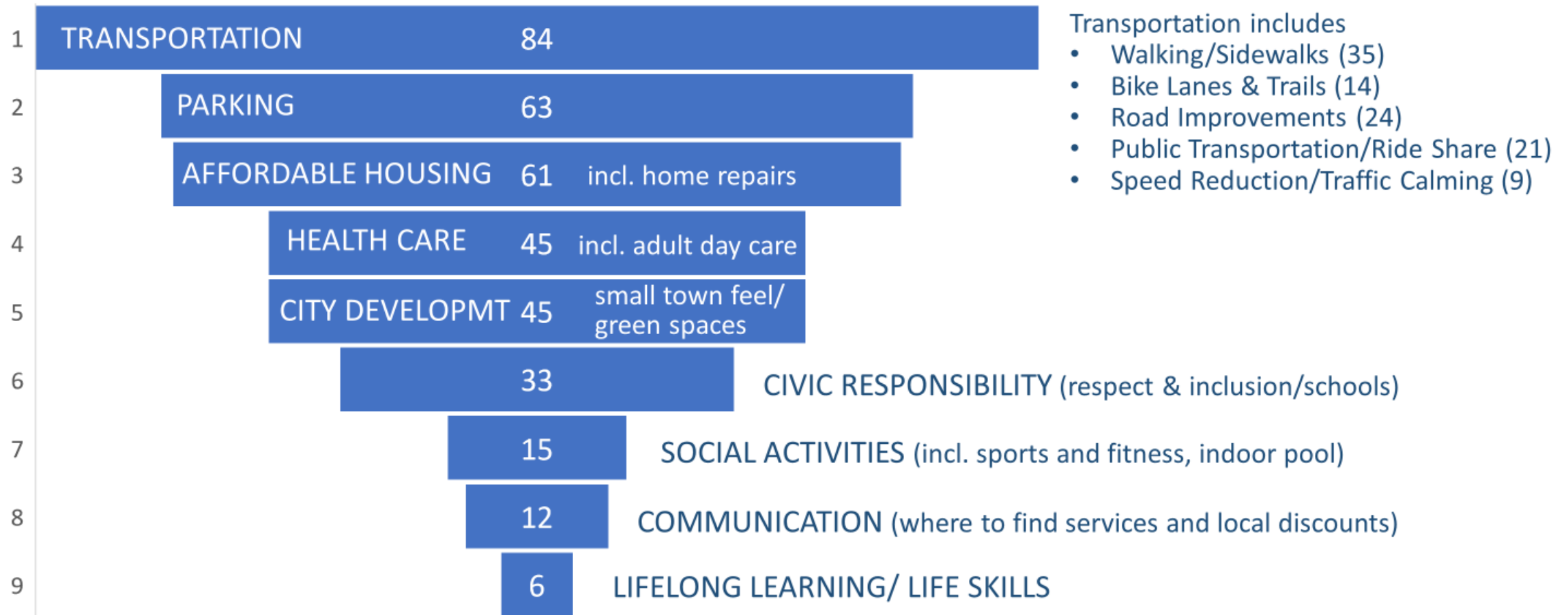


41. Have you experienced ageism?



How Brevard Can Improve as a Livable Community

319 comments received among 645 surveys; many with multiple suggestions:



MINUTES

City Council Parks, Trails, & Recreation Committee

Wednesday, August 21, 2024 - 3:30 PM
City Council Chambers

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

Absent: Wyn Birkenthal, Citizen Member

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

Guests: Joy and Bryce Baron, Residents

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. Baker requested to add an item regarding an update on Bracken Preserve. Mr. Granat moved, seconded by Ms. DePippo, to approve the agenda as amended. The motion carried unanimously.

D. Approval of Minutes from July 31, 2024 Meeting

Mr. Wise moved, seconded by Ms. Osborne to approve the minutes of the July 31, 2024 meeting as presented. The motion carried unanimously.

E. Estatoe Trail 30% Design

Mr. Hooper informed the Committee that Council authorized him to sign a contract with Summit Engineering for 30% design for the Estatoe Trail between Main Street and the high school. Between 6 and 8 months from now we'll have an actual scientific design that tells us where it is going to go, what kind of environmental challenges we might face, and how much it is anticipated to cost. He distributed a table that included a breakdown of the remaining sections of the trail (copy attached) and noted that the list includes repairing/replacing the boardwalks behind McDonalds. He noted that Staff is still tweaking this table and will bring it to Council in the coming weeks for discussion. He asked committee members to identify which one of these sections they consider most important and would help tie the trail together and make it more usable.

Following discussion, there was consensus that the Main Street to Mary C. Jenkins Community Center section would be the first choice, followed very closely by the Rosman Hwy to Brevard High School section.

Mr. Ray said he is anxious to get the Rosman Hwy crossing built before DOT changes their mind on the mid-block crossing. Right now they have said if the city builds a sidewalk from where the bike path currently stops at Rosman Hwy to the Marathon gas station and across the street by Subway, they will install and pay for a traffic signal for crossing right there. Mayor Copelof noted that we already have people crossing there trying to get to those stores, so even if we don't have the money for the rest of the trail, getting that crossing in would be an incredible benefit for the people that are using it.

Mr. Baker noted that in the area where the boardwalk is, the raised railbed goes straight behind McDonald's but the boardwalk veers off to the right and he was curious why the railbed route wasn't chosen when the trail was built. Given the cost of replacing that boardwalk, he said he would like us to investigate the option of changing the route slightly and actually using the railbed.

F. Dog Park Paved Paths

Mr. Hooper explained that the gravel paths at the Dog Park are there to provide handicap accessible access to the shelters in the middle of the park. The gravel is a special type that can accommodate a wheelchair and ADA requirements and is very expensive. Weeds are coming up through the gravel pathway and staff is debating the idea of replacing the gravel with concrete, but there is question whether concrete is appropriate in a dog park. He asked the committee for their thoughts from a user's standpoint on paving the pathways. He mentioned that the Community Focus Foundation has \$3800 that was raised for the Dog Park that we could use toward the cost. Following discussion there was consensus to recommend using concrete on the pathways.

G. Bracken Preserve Update

Mr. Granat reported that the Community Focus Foundation has \$9500 from an anonymous donor that was originally intended to go to the skatepark, but because there are no current plans for Phase 2 of the skatepark, that donor has asked if that money could be transferred to Conserving Carolina for the Bracken Preserve project.

Mayor Copelof mentioned that if that money was originally intended for the skatepark, there are other needs at the skatepark such as shade over the benches and other smaller needs. Mr. Granat thought the money had already been transferred to Conserving Carolina, but suggested that if there are things needed for the skatepark, we could ask whether the donor would be okay using some of that money for that purpose before we consume that total amount for Bracken. Mr. Granat said we already have the funding for Phase 1 of Bracken, so the money would essentially be going toward Phase 2, new trail construction, and we're not ready to start that.

Mr. Granat noted that Phase 1 is currently with the Music Center. Mr. Hooper added that he is meeting with Keith Arbogast to discuss their board's feedback on our proposal. Mr. Granat said the hope is that we will be continuing to work on the climbing trail and the next piece will be the emergency access trail from Laurel Falls Road. Pisgah SORBA has been working on the trail inventory to come up with a master plan for maintenance.

Mr. Hooper also reported that he and Aaron Bland met with the Waterford Place HOA President and talked about a plan to try to get the two properties there at the pinchpoint without the encumbrances that the bank is asking us to pay before they donate it directly to the City. His board has already approved that and authorized him to come talk with us and it is a pretty reasonable plan. One condition they have is that the trails in Phase 2 not be within view of a couple of the houses there.

H. Committee/Public Comment

Joy Baron and her son Bryce commented about the Skate Park. They said shade cloths over the benches would be a good idea because those metal benches get really hot to sit on. They also asked about the status of Phase 2 and what they could do to get the ball rolling. Ms. Baron asked if the community raised half, would the City meet that? Mr. Hooper suggested that when City Council starts setting its priorities in the spring for the upcoming budget, that's when they should get their friends to come make their case for Phase 2. Mr. Granat suggested that it would be helpful if they spend a day doing a user count and bring that type of data with them. Mr. Baker also suggested that nothing should stop them from raising funds toward Phase 2. Mr. Hooper said staff would look into the cost of shade cloths.

I. Set Date for Next Meeting

The next regular meeting of the Parks, Trails & Recreation Committee was scheduled

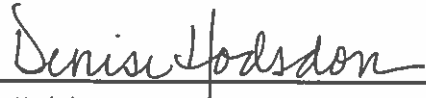
for Wednesday, September 18, 2024 at 3:30 PM.

J. Adjourn

There being no further business, the meeting was adjourned at 4:53 PM.

X 
Aaron Baker
Chair, Council Member

Minutes Approved: September 18, 2024

X 
Denise Hodsdon
City Clerk

ESTATOE TRAIL – OUTSTANDING PROJECTS (as of August 2024)			
SECTION	Next steps	COST	NOTES
Main Street to Mary C. Jenkins Center	30% Design	\$65,000	30% design for Main St. to High School underway [FUNDED]
	ROW Acquisition	\$500,000 est.	Acquisition areas and cost dependent on path determined by 30% design work. [PARTIALLY FUNDED]
	100% Design	UNK	
	Construction	UNK	
Tannery North	Construction	\$112,000	Anticipated start date late 2024. Cost is city's match for Carbon Reduction Grant [FUNDED]
Rosman Hwy to Country Club Road	30% Design	\$65,000	30% design for Main St. to High School underway [FUNDED]
	ROW Acquisition	UNK	Acquisition cost dependent on path determined by 30% design work
	100% Design	UNK	
	Construction	UNK	
Probart Street to Bracken Parking Lot	Preliminary Design	Unknown	No work has started on this section
Gallimore Road to Hap Simpson	Preliminary Design	Unknown	No work has started on this section
R-5800 Bike/Ped Betterments	Engineering Study	\$75,000 est.	Needed to ensure safety of increased usage from Ecusta Trail [FUNDED]
Boardwalk Repair/Replacement	Condition assessment	UNK	Staff seeking third-party firm to conduct condition assessment
	Design/engineering	UNK	
	Construction	\$250k-\$750k est.	Cost largely dependent on results of condition assessment

ESTATOE TRAIL – POTENTIAL GRANTS						
GRANT NAME & AGENCY	NEXT DEADLINE	RANGE	MATCH	ELIGIBLE	NOTES	RECOMMENDED PROJECT
Complete the Trails Program [NC Parks]	TBD	\$25,000 - \$100,000	1:1	Planning & Construction	Must connect to French Broad River Natural surface trail only	None at this time Hap Simpson connection in the future
Active Transportation Infrastructure Investment Program (ATIIP) [FHWA]	TBD	≥ \$100,000	80/20	Planning & Construction	Planning min project cost: \$100,000 Construction min project cost: \$15M	None at this time
Great Trails State [NC Parks]	November 2024	\$100,000 - \$500,000	2:1	Everything	One-time grant Min ask for construction is \$300k	Boardwalk Repair/Replacement
IMD Feasibility Studies Program [NCDOT]	TBD	\$60,000 - \$80,000	None	Feasibility Study	Funding status unknown	MCJCC to Bracken (covers 2 rows above)
Carbon Reduction Program [FHWA via NCDOT]	TBD	≥ \$100,000	80/20	Construction	Previously awarded for Tannery North	Rosman Highway Crossing if NCDOT does not fund
RTP Grant [NC Parks]	TBD	\$10,000 - \$100,000	75/25	Everything		None at this time

MINUTES

COUNCIL FINANCE, HUMAN RESOURCES and CITIZEN APPOINTMENT COMMITTEE

Monday, August 26, 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
Denise Hodsdon, City Clerk

Guests: Harvey Sankey

A. Welcome & Call to Order

Committee Chair Lauren Wise welcomed everyone and called the meeting to order at 11:01 AM.

B. Certification of Quorum

Quorum was certified by City Clerk Denise Hodsdon.

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 June 3, 2024 meeting as presented. The motion carried unanimously.

E. ARPA Financial Policies

Mr. Luebbe explained that Federal ARPA guidelines require the City to approve specific Finance policies to be eligible for reimbursement. He presented the following five

policies for the committee's consideration and noted that they are standard boilerplate policies:

1. Conflict of Interest Policy
2. Cost Principles Policy
3. Eligible Use Policy
4. Nondiscrimination Policy
5. Record Retention Policy

Mr. Daniel moved, seconded by Ms. Miller to send the ARPA policies to full Council with a recommendation to approve. The motion carried unanimously.

F. County Transportation Advisory Committee Appointment

Mr. Hooper reported that Council Member Mac Morrow is willing to serve as the City's representative on the Transportation Advisory Committee. Mr. Daniel moved, seconded by Ms. Miller to refer Council Member Mac Morrow to full Council for appointment to the Transportation Advisory Committee if there is no other interest. The motion carried unanimously.

G. Review of Applications for Boards/Committees

1. ABC Board

The ABC Board has two upcoming vacancies in September and applications were received from five citizens. Ms. Miller is one of the applicants, therefore she recused herself from discussion of the applications. Following review and discussion of the applications, Mr. Wise moved, seconded by Mr. Daniel to refer Susan Miller and Paula McKeller to full Council for appointment to the ABC Board. The motion carried 2-0.

2. Board of Adjustment

The Board of Adjustment has one upcoming vacancy in September and three in November. Applications were received from three citizens and Mr. Wise recused himself from discussion as one of the applicants is his wife. Following review and discussion, Ms. Miller moved, seconded by Mr. Daniel to recommend to full Council the appointment of Jackson Tate for the seat expiring in September; the reappointment of Peter Offen for his seat expiring in November; and the appointment of Reid Wood for an Alternate Member seat expiring in November. The motion carried 2-0.

3. Planning Board

The Planning Board has two upcoming vacancies in September and one newly added city-appointed seat, and applications were received from six citizens. Ms.

Miller was one of the applicants but withdrew her application. Mr. Wise recused himself from discussion as one of the applicants is his wife. During discussion, Mr. Daniel noted that there was a lack of diversity on the Planning Board and the committee agreed to extend the recruitment period for the newly added city-appointed seat to recruit more candidates. Mr. Daniel moved, seconded by Ms. Miller to refer Greg Hunter and Reid Wood to full Council for reappointment to the Planning Board. The motion carried 2-0.

4. Dangerous Dog Appellate Board

The Dangerous Dog Appellate Board has two vacancies – one citizen member and one veterinarian member – and one application was received for each seat. Mr. Daniel moved, seconded by Ms. Miller to recommend to full Council the appointment of Dr. Thomas Cox as the veterinarian member and Susan Azar as the citizen member. The motion carried unanimously.

H. Public Comment – Harvey Sankey had questions regarding the use of Fund Balance funds in the adopted FY 2024-2025 Budget. Mr. Hooper and Committee Members answered his questions.

I. Set Date for Next Meeting

The next meeting of the Finance & Human Resources Committee will be on Tuesday, September 17, 2024, at 3:30 PM.

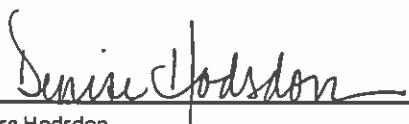
J. Adjourn

There being no further business, the meeting was adjourned at 12:08 PM.

X 

Lauren Wise
Chair, Council Member

Minutes Approved: September 17, 2024

X 

Denise Hodsdon
City Clerk

MINUTES

COUNCIL DOWNTOWN MASTER PLAN COMMITTEE

Thursday, August 29, 2024 – 4:00 PM

City Hall Council Chambers

Members Present: Pamela Holder, Vice Chair, Council Member (left at 4:45 pm)
Nicole Bentley, Exec Dir. Heart of Brevard
Lee McMinn, Citizen Member
Parker Platt, At-Large Member
Mayor Maureen Copelof, Ex-Officio

Members Absent: Gary Daniel, Chair, Council Member
Billy Parrish, Heart of Brevard Representative

Staff Present: Wilson Hooper, City Manager
David Todd, Assistant City Manager
Paul Ray, Planning Director
Becky McCann, Communications Coordinator
Denise Hodsdon, City Clerk

Guests: Monica Driscoll, Kevin MacDonald, Doug Miller

Media: Jon Rich, *Transylvania Times*

A. Welcome & Call to Order

Committee Vice Chair Pamela Holder welcomed everyone and called the meeting to order at 4:07 PM.

B. Certification of Quorum

Quorum was certified by City Clerk Denise Hodsdon.

C. Approval of Agenda

Ms. Holder noted that Item F Sidewalk Usage Policy needs to be postponed until the next meeting. Mr. Platt moved, seconded by Mr. McMinn to approve the agenda as amended. The motion carried unanimously.

D. Approval of Minutes of June 12, 2024 Meeting

Mr. McMinn moved, seconded by Mr. Platt to approve the minutes of the June 12,

2024 meeting as presented. The motion carried unanimously.

E. Times Arcade Alley Update

Mr. Hooper reported that the Times Arcade Alley project is substantially complete. However, there are a few outstanding items, including the addition of a few new drains that weren't in the original plans but are needed to catch rainwater from unexpected sources. Other items to be completed are the addition of the decorative light pole across from the Chocolate Shop, which is on order but not expected until October. He mentioned that now that the signs are installed in the Jordan St. bumpout, we feel that they look strange and don't function as expected. Staff has been looking at some reconfiguration to maybe make them function better and not obstruct pedestrian traffic as much as they do now. At the same, we are still working with Duke on whether the pole can be moved so that it's not in the middle of the walking path. We are also looking for an alternative to the stop sign because you can't see it until the last five feet, which defeats the purpose when it is too late to stop. Mr. Ray added that the landscaping will be installed all at once in the fall.

F. Parking Options

Mr. Hooper noted that since we did the bulbouts on Main Street last year, we have heard a lot of feedback on the loss of 19 parking spaces. We have been exploring some of the ideas we have heard from this committee and from constituents and Staff has categorized those ideas into buckets. He shared the attached list for the committee's review and noted that a few of these bucket items, particularly in columns 3 and 4, are things we could do fairly easily if the committee thinks appropriate.

Mr. Hooper explained that the proposal in column 4 would be to reconfigure the loading zone and the parking spaces on Jordan Street to make the phantom parking space there an official parking space and expand the length of the loading zone so that it can be used by trucks and delivery vehicles again, because at the moment they are blocking the street or parking on the sidewalk. On Broad Street, the long loading zone in front of Quixote has a handicap space right in the middle of it, which affects the utility of the loading zone. If we move that space up to the back of the existing spaces, we might have enough dimension to add two spaces there and still have a long enough loading zone to be helpful. That buys us one space back and relocates the handicap space to a more convenient location.

Mr. Platt asked about the two loading zones on the first blocks of Main Street and pointed out that the trucks can't really use them so are using the middle of the street. Mr. Hooper said they would be up for discussion, and he would be willing to explore how those are used by the businesses on Main Street.

Ms. Holder asked what items in columns 3 and 4 could we do that wouldn't cost a lot of money and time. Mayor Copelof thought that signage would be one of the most impactful and could be done quickly with minimal expense. She also thought if we

created a parking map that shows all the paid and free parking areas that we could give to businesses to hand out, that would be a tremendous impact at minimal cost. Mr. Hooper noted that staff is planning to add small wayfinding signage.

Mr. Hooper mentioned that something else to explore is #7 in column 3, which would be to do a survey of downtown streets to find out if there is extra space where we might be able to add more spaces.

Mr. Platt asked if there is an actual parking problem, or is there a perceived parking problem? Is it a signage problem or is it a quantity problem? Mayor Copelof said there is certainly a perceived problem and that the number one issue in the over-50 population survey was downtown parking. That demographic, which is large here, definitely sees parking as a problem and they are telling her that they have stopped coming downtown because of the parking problem. She added that the businesses perceive it as a problem and are upset about it. I don't think our visitors perceive it as a problem so much. She asked what if we tried to entice the people who have stopped coming downtown with some of the other suggestions that are on this list, like make the first hour in our pay lots free or just make Clemson Plaza lot free. It would be a goodwill gesture to our residents to make it easier for them to come downtown.

Ms. Bentley said we need to figure out the daily usage of downtown, thinking about the number of businesses we have, their employees, the residents who don't have designated parking. She agreed that the first hour free in the paid lots would go a long way to get folks downtown. She said we have also talked about whether it is possible to increase the on-street parking limits from 2 hours to 3 hours.

Mr. Platt asked if the over-50 folks were complaining about not being able to find parking or having to pay for parking. Mayor Copelof said the complaint was about not being able to find parking and having to walk too far. Mr. Platt said I think if it is a quantity problem, we need to know. He asked how many businesses we have and how many parking spaces do we have? Ms. Bentley said we have about 200 businesses who have employees and about 100 of those are public facing. Mr. Hooper thought there were approximately 340 free public spaces. Mr. Platt said if we don't have a clear idea of what our real need is and what our real supply is, we can find ourselves in a serious problem. He suggested that we need to do a parking study in order to work from facts. If the number one return from the over-50 population is parking, then we need to focus on it in a way that is more than just speculation. Mr. Platt moved, seconded by Mr. McMinn to recommend to Council that they consider undertaking a parking study. The motion carried unanimously.

Mr. Hooper noted that staff will start working on columns 4 and 5.

G. Public Comment

Doug Miller said I appreciate everything you are doing to update us. He said enforcing the loading rules would be helpful as some of the larger trucks can impede traffic flow and create

issues for people who are trying to find a parking spot or just trying to walk around. Also, consistency with enforcement of the rest of the parking would be helpful as there are people taking advantage of the fact that there is one parking enforcement officer and they know her consistent schedule.

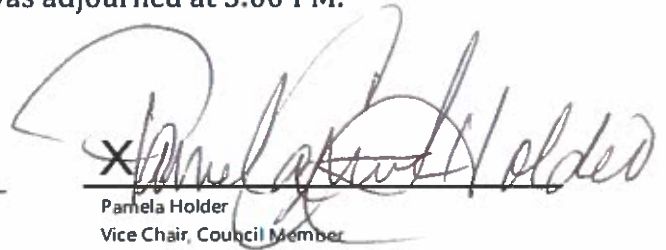
H. Set Date for Next Meeting

The next meeting of the Council Downtown Master Plan Committee is to be determined.

I. Adjourn

There being no further business, the meeting was adjourned at 5:00 PM.

Minutes Approved - September 19, 2024

X 
Pamela Holder
Vice Chair, Council Member

X 
Denise Hodsdon
Assistant to the City Manager

Disposition Buckets for Downtown Parking Possibilities

Highly unlikely (1)	Wait and see (2)	Study more (3)	Ask committee (4)	Staff will execute (5)
1. Build parking deck 2. Establish permanent shuttle 3. Buy Pisgah Health lot 4. Make Clemson and Jordan St. lots free w/o establishing paid lots somewhere else	1. Effects of new ticketing/enforcement 2. Partnerships with pvt lots, particularly for surface lot on E. Main 3. Big wayfinding refresh* 4. Make Clemson and Jordan free; charge for on-street parking at Main and Broad**	1. Buy Nichols grassy lot 2. Event/temporary shuttle 3. Make first hour free in paid lots 4. Fit more spaces by converting some to "compact only" 5. Fit more spaces by converting some streets to angled parking 6. Find unused collection/turn lane space to convert 7. Make some side streets one way to make room for more spaces.	1. Reconfigure Jordan St. loading zone 2. Reconfigure Broad St. (Quixote) loading zone	1. Convert Blue Ridge bakery loading zone 2. Small wayfinding/signage additions 3. Remove obstructions near existing spaces

STAFF REPORT

City Council, Tuesday, October 8, 2024

Title: Approve Option to Purchase Three Properties in Azalea / Rhododendron Neighborhood for Potential Affordable Housing Project

Speaker: Wilson Hooper, City Manager
Paul Ray, Planning Director
Emily Brewer, Senior Planner

Prepared by: Emily Brewer, Senior Planner

Approved by: Paul Ray, Planning Director, Wilson Hooper, City Manager

Background

In March 2023, the City engaged the UNC School of Government's Development Finance Initiative (DFI) to assess affordable housing development opportunities. Their scope of work included conducting a housing needs assessment and analyzing multiple sites that could support the City's affordable housing priorities. In the next phase of work, DFI will conduct a pre-development feasibility study that includes several components: community engagement, financial feasibility analysis, and site analysis in partnership with a third-party architecture firm. This work will culminate in the delivery of viable housing development program options that could meet the City's and the community's affordable housing goals for this site. The final development program will be utilized to competitively solicit a qualified development partner to finance, construct, and manage the affordable housing envisioned through this process.

DFI identified a large vacant property on Azalea Avenue as a site that (1) has limited topography, (2) could potentially be developed as a multi-family project, and (3) would likely be competitive for funding through the NC Housing Finance Agency's Low-Income Housing Tax Credit Program.

Concurrently, the City has been pursuing the federal funds to extend the sewer system into the Azalea / Rhododendron neighborhood. Last fall, the City submitted a proposal to extend sewer into the Azalea / Rhododendron neighborhood through the PRO Housing grant program, administered through HUD. We are not awarded funding at that time. Now, the City is reapplying for funding with an amended application. The request is to conduct a first phase of the Azalea / Rhododendron sewer extension project by completing the main line along Old Hendersonville Highway and the construction of the pump station. In order to be competitive for the grant, we must demonstrate that project will eliminate a barrier to housing production and preservation in the area. Extending the sewer into the neighborhood would allow for existing residents (many of which are low income and/or have failing septic systems) to connect to the public infrastructure, but it also opens up new opportunities for housing on the vacant sites. The grant ask would be even stronger if it coincides with and furthers the City-supported project as well.

Discussion

The City is interested in acquiring an option to purchase the subject parcels on Azalea Ave and Old Hendersonville Hwy. The vision for the property is to use it for a City-supported multi-family affordable housing project and to leverage this development potential to secure funding to extend sewer to the entire Azalea / Rhododendron neighborhood. Per NCGS, cities are not able to spend public funds for private entities. The City must have site control, via an option, in order to spend public money on the site-specific feasibility analysis with DFI.



	Property 1	Property 2	Property 3
Parcel Number	8596-05-5538-000	8596-05-8315-000	8596-05-6391-000
Acres	2.98 ac	0.49 ac	0.35 ac
Description	Large vacant parcel on Azalea Ave	Smaller vacant parcel on Old Hendersonville Hwy	Singe-family House at 543 Old Hendersonville Hwy

The property owners expressed an interest in selling the three properties that they own along Azalea Avenue and Old Hendersonville Highway. The appraised value of the three properties, according to the appraisal conducted in April, is a total of \$930,000.

City staff, in consultation with the City Attorney, have prepared the attached option to

purchase agreement for the properties. The total purchase price is \$1,100,000. The agreement is a 3-month option for the initial payment of \$40,000. Three additional one-month extensions to the option to purchase may be exercised by an additional payment of \$20,000 (month 4), \$25,000 (month 5) and \$30,000 (month 6). All payments made will be credited towards the purchase price of the property. The City may exercise the option (i.e., purchase the property) or terminate the option (i.e., chose not to purchase the property) at any time during the option period.

During the 6 month option period, the City will work with DFI to prepare the feasibility assessment of the site. This will include geotechnical assessments, community engagement, architectural site plan design, and financial feasibility modeling to inform a potential development program for the site.

The Housing Committee unanimously supported pursuing the property acquisition of the aforementioned properties on August 13, 2024. City Council members have been briefed on the terms of the acquisition in advance of tonight's meeting.

Fiscal Impact

The cost of the option, totaling \$115,000 for 6 months, can be paid from the Housing Trust Fund. Acquisition of land to be used for the creation of affordable housing in instances where the City is a project partner is an eligible expense in the Housing Trust Fund bylaws. At 6/30/2024, the Housing Trust Fund is **expected** to have a fund balance of approximately \$570,000, of which nearly \$400,000 is cash. Additionally, the FY25 budget was approved with the General Fund contributing \$198,000 to the Housing Trust Fund

The remainder of the purchase price will likely be paid using General Fund Fund Balance. While the purchase will require an initial infusion of cash from Fund Balance, the City is actively taking steps to find additional proceeds to support affordable housing initiatives. This includes preparing 3 properties for disposition on the open market, with the proceeds being allocated to the Housing Trust Fund. The City also expects to resell the single-family house (543 Old Hendersonville Hwy) to recuperate the costs.

Action

Staff recommends that City Council approve the attached resolution authorizing the City Manager to sign the option to purchase agreement on the City's behalf.

Attachments:

1. Draft Option-to-Purchase Agreement
2. Draft Resolution

STATE OF NORTH CAROLINA

COUNTY OF TRANSYLVANIA

OPTION TO PURCHASE AGREEMENT

THIS OPTION TO PURCHASE AGREEMENT (this “Agreement”), is made and entered into this ___ day of _____, 2024 (the “Effective Date”), by and between **KIRK DAVIS HOOPER and wife, SHARON VANCE HOOPER and PATRICK BRIAN SCOTT and wife, AMBER HOOPER SCOTT** owners of the described real property (hereinafter referred to as the “Optionor”), and **The City of Brevard , North Carolina**, a public body corporate and politic of the State of North Carolina, established pursuant to Article 29 of Chapter 160A of the North Carolina General Statutes with a mailing address of 95 W. Main Street, Brevard NC 28712 (hereinafter referred to as the “Optionee”).

W I T N E S S E T H:

That for and in consideration of the mutual agreements and undertakings set forth herein, including the purchase price, option fee and other good and valuable consideration paid to Optionor by Optionee, the receipt of which is hereby acknowledged, Optionor, on behalf of itself and its successors and assigns, does hereby give, bargain, grant and convey unto Optionee and its successors and assigns, the exclusive right and option (the “Option”) to purchase from Optionor that certain tracts or parcels of property and all associated improvements located in or near the City of Brevard, North Carolina containing three(3) tracts totaling approximately 3.82 acres combined and more particularly described in **Exhibit A** attached hereto and incorporated herein by reference (the “Properties”) for the sum of One Million One Hundred Thousand Dollars (\$1,100,000.00), subject to the following terms and conditions:

1. Option Period Agreement.

The Optionee shall make an initial payment of \$40,000 for an initial option period of 3 months. This amount will be absorbed into the total sales price of the real estate asset.

2. Ascending Additional Payments.

Following the initial option term, the Optionee agrees to the following additional payments to extend the said option period:

- a. For month 4 (one additional month), an additional payment of \$20,000.
- b. For month 5, (two additional months) an additional payment of \$25,000.
- c. For month 6, (three additional months) an additional payment of \$30,000.

3. Total Sales Price Summary.

- a. Total Payments Over 6 Months: \$115,000 (Initial + Additional)
- b. This total amount will be applied to the final sales price of the real estate (Exhibit A).
- c. The total price of the real estate assets shall not exceed the agreed upon amount.

4. Terms and Conditions.

- a. The option period shall commence on the effective date and continue for a total maximum of 6 months.
- b. All payments are due at the beginning of each respective month to extend the option.
- c. Upon completion of the option period and full payment, the total amount paid toward the option will be credited toward the final sales price of the asset.
- d. Any failure to make timely payments may result in termination of the agreement.

5. Exercise of Option.

Optionee may exercise the Option at any time during the Option Period by providing written notice of such intent to Optionor (an “Exercise Notice”). In the event Optionee timely provides an Exercise Notice to Optionor in accordance with the terms hereof, Optionor shall be obligated to sell the Property to Optionee, and Optionee shall be obligated to purchase the Property from Optionor, on the terms and conditions provided in this Agreement.

TERMS OF PURCHASE

1. **Purchase Price and Time of Payment.** The purchase price for the Property (the “Purchase Price”) shall be a sum equal to ONE MILLION ONE HUNDRED THOUSAND and No/100 Dollars (\$1,100,000.00); provided that all the conditions of the option have been satisfactory met by the Optionee. The Purchase Price shall be payable in United States currency by way of federal wire transfer to the trust account of the attorney conducting the Closing (as defined herein), subject to proration and other adjustments at Closing as set forth herein. The parties agree that the Option Fee shall be credited against the Purchase Price.

2. **Title.** In the event Optionee exercises the Option as provided herein, Optionor will convey to Optionee at Closing fee simple marketable title by a general warranty deed (the “Deed”), free and clear of all liens and encumbrances, except for ad valorem taxes for the Closing year and subsequent years; but subject to any restrictions, covenants, rights of way, easements and other matters of record in Optionor’s chain of title; and all governmental land use laws, rules, regulations, and ordinances applicable to the Property. Notwithstanding the foregoing, any monetary liens, mortgages or deeds of trust shall be removed by Optionor at or before Closing.

3. **Changes Prior To Closing.** During the term of this Agreement, Optionor shall not, without the express written consent of Optionee, cause or allow any liens or encumbrances with respect to the Property that may adversely affect the Property or transfer any interest in the Property except as otherwise permitted herein.

4. **Closing.** The consummation of the sale and purchase hereunder (the “Closing”) shall take place at a mutually convenient time and place on or before the date which is no more than thirty (30) days after the date of the Exercise Notice. Exclusive possession of the Property or applicable portion thereof shall be delivered to Optionee at Closing. Optionor also agrees to provide at Closing, an executed owner’s affidavit or other document(s) reasonably required by

Optionee's title insurance company as a condition to the issuance of a final title insurance policy in favor of Optionee with affirmative coverage against the possible lien claims of mechanics, laborers and materialmen.

5. **Closing Costs.** At Closing, Optionor shall furnish and pay the expense of preparation of the Deed, any documentary or transfer tax stamps and the fees and costs of Optionor's own attorney. Optionor shall also be responsible for and discharge prior to Closing all assessments (special or otherwise), rollback or deferred taxes and charges placed against or applicable to the Property, whether or not same are due and payable prior to Closing. At Closing, Optionee shall pay for the expense of recording the Deed, any title insurance premium for coverage insuring Optionee's title to the Property and the fees and costs of Optionee's own attorney. Ad valorem property taxes respecting the Property for the calendar year in which the Closing occurs shall be prorated and accounted for between Optionor and Optionee at Closing on a calendar year basis.

6. **Default.** In the event of a breach of this Agreement by Optionor, Optionee shall be entitled, after ten (10) days' prior written notice and failure to cure such breach by Optionor, to either (i) terminate this Agreement and, notwithstanding anything to the contrary herein, obtain a refund of the Option Fee, or (ii) the remedy of specific performance. In the event of a breach of this Agreement by Optionee, Optionor, as its sole right and remedy, shall, after ten (10) days' prior written notice and failure to cure such breach by Optionee, be entitled to retain the Option Fee as liquidated damages. The parties hereby agree that the amount of the liquidated damages provided in the immediately preceding sentence is a reasonable estimate of Optionor's damages in the event of Optionee's default, the actual amount of such damages being difficult or impractical to determine.

7. **Brokerage.** Optionor and Optionee represent and warrant each to the other that they have not dealt with any broker in connection with this transaction.

8. **Notices.** Any notices, requests, or other communications required or permitted to be given hereunder shall be in writing, shall be delivered by hand, delivered by overnight delivery service (e.g., Federal Express), or mailed by United States registered mail, return receipt requested, postage prepaid, and addressed to each party at the applicable addresses set forth in the introductory paragraph of this Agreement. Notice by personal delivery shall be effective on the day of personal delivery. Notice deposited in the mail in the manner hereinabove described shall be deemed received by the intended recipient and effective on the date that is three (3) calendar days after it is so deposited. Notice by overnight delivery service shall be effective on the first business day after said notice is sent. By giving at least ten (10) days' prior written notice thereof, any party hereto may, from time to time and at any time, change its mailing address hereunder.

9. **Assignment; Time is of the Essence.** Optionee reserves the right to assign its rights under this Agreement to any corporation, partnership, limited liability company or other entity which is owned or controlled by the Optionee. The consent of Optionor shall not be required for any such assignment by Optionee. TIME IS OF THE ESSENCE with respect to this Agreement.

10. **Recordation of Memorandum of Option.** This Option to Purchase Agreement

may not be recorded by any party hereto. Instead, a memorandum of this Agreement in the form attached hereto as Exhibit B and incorporated herein by reference may be recorded in the Office of the Register of Deeds of Transylvania County, North Carolina. The costs of the recordation of such memorandum shall be borne by Optionee.

IN TESTIMONY WHEREOF, the parties have executed this Agreement through their duly authorized agents as of the day and year first above written.

OPTIONORS/GRANTOR:

KIRK DAVIS HOOPER

SHARON VANCE HOOPER

PATRICK BRIAN HOOPER

AMBER SCOTT HOOPER

OPTIONEE/GRANTEE:

WILSON HOOPER, City Manager

Option to Purchase- Signature Page Continued

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public in and for _____ County, North Carolina, certify that KIRK DAVIS HOOPER and wife, SHARON VANCE HOOPER and PATRICK BRIAN SCOTT and wife, AMBER HOOPER SCOTT personally came before me this day and acknowledged that personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal this ____ day of _____, 2024.

Notary Public

My commission expires:

[NOTARIAL SEAL]

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public in and for _____ County, North Carolina, certify that WILSON HOOPER personally came before me this day and acknowledged that he is CITY MANAGER of **the CITY OF BREVARD, NORTH CAROLINA**, a public body corporate and politic of the State of North Carolina, established pursuant to Article 29 of Chapter 160A of the North Carolina General Statutes, and that by authority duly given and as the act of the authority, the foregoing instrument was signed in its name by him/her as its CITY MANAGER.

WITNESS my hand and official seal this ____ day of _____, 2024.

Notary Public

My commission expires:

[NOTARIAL SEAL]

EXHIBIT A

All of those 3 certain tracts or parcels of land, lying and being in Transylvania County_, North Carolina, more particularly described as follows:

TRACT 1

BEGINNING at an iron pin near the eastern edge of Azalea Avenue in the line of Mills, and running thence with said line, N 70 deg. 11 min. E 98.01 ft.; thence S 2S deg. E 4.0 feet to an iron pin, corner of Green; thence with Green's line, N 67 Deg. 29 min. E 99.54 ft. to an iron pin, corner of a 9.11 acre tract; thence with the line of said tract, N 25 deg. W 513.64 ft. to an iron pin in the line of Morris; thence with said line, S 64 deg. 07 min. W 141.30 ft. to an iron pin, corner of Hunnicut; thence with the line of Hunnicut, two calls as follows; S 25 deg. 46 min. E 101.71 ft. to an iron pin, and S 63 deg. 14 min. W 143.73 ft, to a stake at the edge of the pavement of Azalea Avenue; thence along said edge, S 25 deg. 29 min. E 377.225 ft. to a stake; thence N. 70 deg. 11 min. E 7.5 ft. to the point of BEGINNING. Containing 2.87 acres, more or less.

Being all the property described in Deed Book 191, Page 536, Transylvania County.

TOGETHER WITH AND SUBJECT TO those rights of way, easements and restrictive covenants as recorded in the Transylvania County, North Carolina Register's Office; reference to which is hereby made and incorporated herein.

Being that property described in Deed Book 277, at Page 443 of the Transylvania County, NC Register's office; reference to which is hereby made and incorporated for a more particular description of said property.

PIN: 8596-05-5538-000

TRACT 2

Being all of the same land described in a deed from Gregory Cochran and wife, Martha Cochran, to Thomas Fulcher dated January 12, 1996, and recorded in the office of the Register of Deeds for Transylvania County in Deed Book 396, page 801, said land being more particularly described in said deed as follows:

BEGINNING at an iron pipe found in the north margin of the right of way of Old US Highway 64, said iron pipe being located in the property line of a tract of land described in a deed to Miller recorded in Book 278, Page 450, Records of Deeds for Transylvania County, and runs thence leaving said margin of the right of way of said highway and along the property line of Miller, North 25 deg. 00 min. 00 sec. West 150.19 feet to an iron pipe found just south of a fence line in the property line of a tract of land described in a deed to Cain recorded in Book 277, Page 443, Records of Deeds for Transylvania County; thence leaving the property line of Miller and along the property line of Cain, North 68 deg. 10 min. 09 sec. East 99.96 feet to an iron pipe found in the property line of a tract of land conveyed to Lyday in a deed recorded in Book 222, Page 258, Records of Deeds for Transylvania County; thence leaving the property line of Cain and along the property line of Lyday, South 24 deg. 59 min. 29 sec. East 142.82 feet to an Iron pipe found in

the north margin of the right of way of Old US Highway 64; thence leaving the property line of Lyday and along said margin of the right of way of said highway, South 63 deg. 56 min. 25 sec. West 99.80 feet to the BEGINNING. Containing 0.336 acres, more or less, as surveyed and platted by Robert L. Haller, RLS, on October 31, 1990, and updated on January 8, 1996, designated as Drawing Number 95135.

This conveyance is made subject to the right of way of all roads which may presently traverse the property, to all road rights of way which may presently appear of record, to the rights of way of all utility lines which may presently traverse the property and to all rights of way for utility lines which may presently appear of record.

PIN: 8596-05-6391-000

TRACT 3

Being all of Lot 1, 0.463 acres, more or less, as shown on a survey entitled Martha Lyday Dobbins et al dated November 9, 2009 and recorded in Plat File 13 at Slide 339, Transylvania County Registry.

This conveyance is made subject to all roads rights-of-way of all roads which may presently traverse the property, to all road rights of way which may presently appear of record, to the rights- of-way of all utility lines which may presently traverse the property to all rights of way for public utilities which may presently appear of record.

PIN: 8596-05-8315-000

Exhibit B

Memorandum of Option to Purchase

STATE OF NORTH CAROLINA

COUNTY OF ___TRANSYLVANIA___

MEMORANDUM OF
OPTION TO PURCHASE

IN CONSIDERATION OF the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, **_ KIRK DAVIS HOOPER and wife, SHARON VANCE HOOPER and PATRICK BRIAN SCOTT and wife, AMBER HOOPER SCOTT,** (the “Grantor”), does hereby grant to **_the City of Brevard, North Carolina_**, a public body corporate and politic of the State of North Carolina, established pursuant to Article 29 of Chapter 160A of the North Carolina General Statutes (the “Grantee”), an option (the “Option”) to purchase the property described in Exhibit A attached hereto and incorporated herein by reference (the “Property”), on the terms and conditions provided in that certain Option to Purchase Agreement (the “Option Agreement”) between Grantor and Grantee of even date herewith (the terms of which Option Agreement are incorporated in this memorandum as if fully set forth herein).

The Option shall terminate if Grantee does not exercise the Option prior to the date which is six (6) months from the date of the Option Agreement.

{Signatures appear on the following two (2) pages.}

WITNESS our hands this _____ day of _____, 2024.

GRANTORS:

By: _____

Name: _____

Title: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public in and for _____ County, North Carolina, certify that KIRK DAVIS HOOPER and wife, SHARON VANCE HOOPER and PATRICK BRIAN SCOTT and wife, AMBER HOOPER SCOTT personally came before me this day and acknowledged that personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal this ____ day of _____, 2024.

Notary Public

My commission expires:

[NOTARIAL SEAL]

GRANTEE:

CITY OF BREVARD, NORTH CAROLINA

By: WILSON HOOPER, CITY MANAGER_____

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public in and for _____ County, North Carolina, certify that _ WILSON HOOPER_____ personally came before me this day and acknowledged that he is CITY MANAGER of **the CITY OF BREVARD, NORTH CAROLINA**_, a public body corporate and politic of the State of North Carolina, established pursuant to Article 29 of Chapter 160A of the North Carolina General Statutes, and that by authority duly given and as the act of the authority, the foregoing instrument was signed in its name by him/her as its CITY MANAGER.

WITNESS my hand and official seal this ____ day of _____, 2024.

Notary Public

My commission expires:

[NOTARIAL SEAL]

EXHIBIT A

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PIN: 8596-05-5538-000

TRACT 2

Being all of the same land described in a deed from Gregory Cochran and wife, Martha Cochran, to Thomas Fulcher dated January 12, 1996, and recorded in the office of the Register of Deeds for Transylvania County in Deed Book 396, page 801, said land being more particularly described in said deed as follows:

BEGINNING at an iron pipe found in the north margin of the right of way of Old US Highway 64, said iron pipe being located in the property line of a tract of land described in a deed to Miller recorded in Book 278, Page 450, Records of Deeds for Transylvania County, and runs thence leaving said margin of the right of way of said highway and along the property line of Miller, North 25 deg. 00 nun. 00 sec. West 150.19 feet to an iron pipe found just south of a fence line in the property line of a tract of land described in a deed to Cain recorded in Book 277, Page 443, Records of Deeds for Transylvania County; thence leaving the property line of Miller and along the property line of Cain, North 68 deg. 10 min. 09 sec. East 99.96 feet to an iron pipe found in the property line of a tract of land conveyed to Lyday in a deed recorded in Book 222, Page 258, Records of Deeds for Transylvania County; thence leaving the property line of Cain and along the property line of Lyday, South 24 deg. 59 min. 29 sec. East 142.82 feet to an Iron pipe found in the north margin of the right of way of Old US Highway 64; thence leaving the property line of Lyday and

along said margin of the right of way of said highway, South 63 deg. 56 min. 25 sec. West 99.80 feet to the BEGINNING. Containing 0.336 acres, more or less, as surveyed and platted by Robert L. Haller, RLS, on October 31, 1990, and updated on January 8, 1996, designated as Drawing Number 95135.

This conveyance is made subject to the right of way of all roads which may presently traverse the property, to all road rights of way which may presently appear of record, to the rights of way of all utility lines which may presently traverse the property and to all rights of way for utility lines which may presently appear of record.

PIN: 8596-05-6391-000

TRACT 3

Being all of Lot 1, 0.463 acres, more or less, as shown on a survey entitled Martha Lyday Dobbins et al dated November 9, 2009 and recorded in Plat File 13 at Slide 339, Transylvania County Registry.

This conveyance is made subject to all roads rights-of-way of all roads which may presently traverse the property, to all road rights of way which may presently appear of record, to the rights- of-way of all utility lines which may presently traverse the property to all rights of way for public utilities which may presently appear of record.

PIN: 8596-05-8315-000

RESOLUTION NO. 2024-XX

**RESOLUTION ENDORSING TERMS OF THE OPTION TO PURCHASE PROPERTIES ON
AZALEA AVENUE AND OLD HENDERSONVILLE HIGHWAY FOR DEVELOPMENT OF
AFFORDABLE HOUSING AND AUTHORIZING ITS EXECUTION**

WHEREAS, the City of Brevard is committed to the expanding housing opportunities for all residents and is pursuing affordable housing initiatives in response; and

WHEREAS, the City contracted the Development Finance Initiative (DFI) to identify sites for a potential multi-family affordable housing project and identified a 2.98 acre parcel on Azalea Ave; and

WHEREAS, the vision for the property is use it for a City-supported multi-family affordable housing project and to leverage this development potential to secure funding to extend sewer to the entire Azalea / Rhododendron neighborhood; and

WHEREAS, the second part of the City's agreement with the Development Finance Initiative calls for an assessment of the selected site to determine whether it is suitable for building low-to-moderate income housing; and

WHEREAS, the Constitution of the State of North Carolina prohibits public resources from being used for the benefit of a private party; and

WHEREAS, therefore, the City must have legal control over the property to legally conduct its activities; and

WHEREAS, City staff and the property owners of three properties on Azalea Avenue and Old Hendersonville Highway have negotiated an option to purchase the property agreement that gives the City control of the property for up to six months for due diligence prior to full acquisition; and

WHEREAS, City Council heard a presentation on the option to purchase agreement and its terms at its October 8, 2024, meeting.

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

Section 01. The terms of the draft option to purchase agreement attached hereto and presented to the City Council at its meeting on October 8, 2024 area hereby endorsed; and

Section 02. Wilson Hooper, the City Manager, is authorized to execute the document attached hereto on the City's behalf.

Adopted and approved this the 8th day of October, 2024.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

STAFF REPORT

City Council, Tuesday, October 8, 2024

Title: Approve Housing Trust Fund (HTF) Allocation and "Mini-Brooks" Act Exemption for Development Finance Initiative Phase II Work

Speaker: Wilson Hooper, City Manager
Emily Brewer, Senior Planner

Prepared by: Emily Brewer, Senior Planner

Approved by: Paul Ray, Planning Director, Wilson Hooper, City Manager

Background

In early 2023, the City contracted the UNC School of Government's Development Finance Initiative (DFI) to identify potential sites for multifamily affordable housing development, conduct financial feasibility assessments on a selected site and assist the City is soliciting a development partner. As part of the feasibility assessment, a number of professional services must be procured to assess the developability of the property, and provide estimates to DFI of what it would take to make the site development-ready. DFI will help coordinate the work (and compile the results), but the City must be the party of record and pay for the services.

This action also requires a complementary administrative action by full Council The procurement of architects, engineers and the like is governed by NCGS 143-64.31. It gives local governments the ability to use a "Qualification Based System" (QBS) for the acquisition of these services. Though less restrictive than formal bidding requirements, QBS still requires cumbersome advertisement and solicitation procedures. However, NCGS 143-64.32 offers an exemption for certain service contracts under \$50,000 if a procedure is followed.

Council passed a "Mini-Brooks" exemption prior to exploration of the BDRPC property earlier this year. Less than \$20,000 was spent determining the developability of that property. A second exemption is needed for the exploration of the Azalea Ave. property.

Discussion

Earlier in the meeting's agenda, City Council was asked to approve the terms of an option to purchase three parcels in the Azalea / Rhododendron neighborhood. Phase II of the project begins with an evaluation of the existing physical and environmental conditions of the site and how they might impact any theoretical development there. To do so the City must procure professional services from an architect, a geotechnical specialist, a surveyor, and an environmental specialist. Based on their experience and their knowledge about the scope of the work that's needed from each of the professional services, DFI projects spending about \$50,000 total on these services

Work will not begin until the option to purchase the property is finalized. Staff wish to

have this appropriation (and corresponding "Mini-Brooks" extension) completed now so that it can begin shopping for the services, and lining them up to begin work once the agreement is approved by the participating parties.

Staff are seeking Council's permission to utilize what's informally known as a "Mini-Brooks exemption" to speed the process of hiring surveyor, engineer, etc. for the project. Council approval is not legally required, but the School of Government recommends doing it so that the exemption is memorialized and made public.

Fiscal Impact

The Housing Trust Fund will be used to pay for the services. Professional services in the pursuit of housing creation is an eligible expense in the Housing Trust Fund bylaws. These expenses will leave the HTF with an available balance of approximately \$385,500 in cash and \$172,500 in non-spendable receivables. The General Fund will also be allocating an additional \$148,500 to the Housing Trust Fund in the next three quarters of FY 25, in accordance with the adopted annual budget.

Action

Staff request Council approve the attached resolution approving the appropriation from the Housing Trust Fund exempting DFI "Phase 2" from the state's Mini-Brooks Act.

Attachments:

1. Draft Resolution Mini-Brooks Exemption DFI Phase II

RESOLUTION NO. 2024-XX

**RESOLUTION APPROVING HOUSING TRUST FUND APPROPRIATION FOR
PHASE II FEASIBILITY ASSESSMENT SERVICES AND EXEMPTING THE
PROJECT FROM N.C.G.S. 143-64.31 REQUIREMENTS**

WHEREAS, the Brevard Housing Trust Fund lists professional services procured for the purpose of housing creation as an eligible expense; and

WHEREAS, the second part of the City's agreement with the Development Finance Initiative calls for an assessment of the selected site to determine whether it is suitable for building low-to-moderate income housing; and

WHEREAS, City staff proposes entering into one or more contracts for professional services to assess the feasibility of the selected site; and

WHEREAS, N.C.G.S. 143-64.31 requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management at risk services, and design-build services (collectively "design services") to be based on qualifications and without regard to fee; and

WHEREAS, N.C.G.S. 143-64.32 authorizes units of local government to exempt contracts for design services from the qualifications-based selection requirements of N.C.G.S. 143-64.31 if the estimated fee is less than \$50,000; and

WHEREAS, the estimated fee for design services for Phase II is less than \$50,000.

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

Section 01. Appropriates no more than \$50,000 from the Housing Trust Fund for Phase II design services.

Section 02. The above-described project is hereby made exempt from the provisions of N.C.G.S. 143-64.31.

Section 03. This resolution shall be effective upon adoption.

Adopted and approved this the 8th day of October, 2024.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC
City Clerk

STAFF REPORT

City Council, Tuesday, October 8, 2024

Title: Planning Board Appointment

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

Prepared by: Denise Hodsdon

Approved by: Wilson Hooper, City Manager

Background

In accordance with NCGS 160D-307(a) the City of Brevard Code of Ordinances Chapter 15 was amended by Ordinance No. 2024-14 on May 20, 2024 to increase the number of Planning Board members residing within the city from four members to five members, and decreasing the number of ETJ members from three members to two members.

Staff conducted an open recruitment for citizens interested in serving on the Planning Board to fill two upcoming vacancies and the newly created seat. At its August 26, 2024 meeting, the Finance, Human Resources and Citizen Appointment Committee reviewed all applications and recommended the reappointment of two current Planning Board members, and agreed to extend the recruitment period for the newly added city-appointed seat in order to recruit more candidates.

At its meeting on September 17, 2024, the Finance, Human Resources and Citizen Appointment Committee reviewed applications for the newly added city-appointed seat and recommended the appointment of Karen Darity to the Planning Board.

Action

Consider a resolution appointing Karen Darity to the Planning Board.

Attachments:

1. Planning Board Applications
2. Resolution Appointing a Member to Brevard Planning Board

EMPLOYMENT APPLICATION



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

Darity, Karen
202200016 STATUTORY / CODE COMMITTEE MEMBER
Planning Board

Received: 9/12/24 11:39 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) Darity, Karen		SOCIAL SECURITY NUMBER: N/A
ADDRESS: (Street, City, State/Province, Zip/Postal Code) 21 Mills Avenue, Brevard, North Carolina 28712		EMAIL ADDRESS: ka_dari@hotmail.com
HOME PHONE: 828-216-6999	ALTERNATE PHONE: 828-883-8990	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? Associate'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
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.
Rise and Shine
Site Coordinator
3. Please list any other appointed positions you currently hold in Brevard or Transylvania County. If none, please type "none or n/a"
Mary C. Jenkins Community Center Board Member
Board of Education Board Member
Glade Creek Baptist Church Scholarship Committee Member
4. Why do you want to be a member of this Board and/or Committee?
As a current resident of Rosenwald Community in Brevard, I would like to be a part of the solution for some of the issues that directly affect us.
5. How would your experience, education and/or occupation be a benefit to this board or committee and the City of Brevard?
My experience working with multiple organizations within the community, helps me understand some of the critical needs within the city, specifically relating to housing and infrastructure.
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 Mary C. Jenkins Board Member, and previously served on The Mary C. Jenkins Task Force and the Rosenwald Advisory Committee.
7. Boards and Committees may meet in mornings, afternoons and or evening hours. What limitations do you have for attending meetings?
my unavailability would be from 2:00-4:30 each afternoon, due to current job responsibilities

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 Karen Darity on 9/12/24 11:39 AM

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.
- 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 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>

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.

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- 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 Gerald Yunker on 8/20/24 8:42 PM

RESOLUTION NO. 2024-42

**RESOLUTION APPOINTING A MEMBER TO
THE BREVARD PLANNING BOARD**

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; and

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

WHEREAS, the City of Brevard Code of Ordinances Chapter 15 was amended by Ordinance No. 2024-14 to increase the number of Planning Board members residing within the city from four members to five members, and decreasing the number of ETJ members from three members to two members; 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 Planning Board to fill two upcoming vacancies and the newly created city-appointed seat; and

WHEREAS, the Finance, Human Resources and Citizen Appointment Committee considered applications at their August 26, 2024 meeting and recommended reappointment of two current Planning Board members and agreed to extend the recruitment period for the newly added city-appointed seat to recruit more candidates; and

WHEREAS, the Finance, Human Resources and Citizen Appointment Committee considered additional applications at its meeting on September 17, 2024 and recommended appointment to the Planning Board's newly created seat.

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 Karen Darity to the Brevard Planning Board effective October 2024 and expiring in September 2024.

Adopted and approved this the 8th day of October, 2024.

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC