RESOLUTION NO. _____

RESOLUTION AUTHORIZING BUNCOMBE COUNTY TO ACCEPT AND EXPEND GRANT FUNDS FOR THE PURCHASE AND DEVELOPMENT OF DEAVERVIEW MOUNTAIN AS A PUBLIC PARK

WHEREAS, pursuant to N.C. Gen. Stat. § 153A-444, a county may establish parks and provide recreational programs;

WHEREAS, pursuant to N.C. Gen. Stat. § 160A-17.1(a), the governing body of a county is authorized to make contracts for and to accept grants-in-aid from the federal and State governments for constructing, expanding, maintaining, and operating any project or performing any function with county may be authorized by general law or local act to provide or perform; and

WHEREAS, pursuant to N.C. Gen. Stat. § 160A-17.1(a), in order to exercise the authority granted § 160A-17.1(a), the governing body of a county may: (1) enter into and carry out contacts with the State or federal governments or any agency or institution thereof under which such government grants financial or other assistant to the county; (2) accept such assistance or funds as may be granted or loaned by the State or federal government with or without such a contract; (3) agree to and comply with any lawful and reasonable conditions which are imposed upon such grants or loans; (3a) agree to and comply with minimum minority business enterprise participation requirements established by the federal government and its agencies in projects financed by federal grants-in-aid or loans, by including such minimum requirements in the specifications for contracts to perform all or part of such projects and awarding bids pursuant to G.S. 143-129 and 143-131, if applicable, to the lowest responsible bidder or bidders meeting these and any other specifications; and (4) make expenditures from any funds so granted; and

WHEREAS, on or about April 18, 2023, the Board of Commissioners adopted Resolution #23-04-11 declaring its intent, by and through the Parks & Recreation Department, to explore creating a county park or preserve of three tracts of real property, PINs 9618-59-4662, 9618-59-4213, and 9618-87-3388 (collectively, "Deaverview Mountain") for passive recreation and educational opportunities. This resolution also directed staff to partner with the Southern Appalachian Highlands Conservancy to seek state and federal funding for the acquisition of the approximately 346-acre property;

WHEREAS, in April 2025, in accordance with the directives of Resolution #23-04-11, Buncombe County, by and through the Parks & Recreation Department, applied for an Outdoor Recreation Legacy Partnership (ORLP) grant through the North Carolina Department of Natural and Cultural Resources ("NC DNCR");

WHEREAS, on or about August 1, 2025, Buncombe County was awarded, as a subgrantee of NC DNCR (Grant #P25AP01320 awarded by the United States Department of the Interior Land and Water Conservation Fund to the NC DNCR) a grant in the amount of $4,475,000 to purchase Deaverview Mountain;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE AS FOLLOWS:

1. The Recitals set forth above, along with the definitions of certain terms, are incorporated herein by reference as if fully restated.

2. Buncombe County accepts, as a subgrantee of the North Carolina Department of Cultural and Natural Resources, federal Outdoor Legacy Recreation Partnership grant funds in the amount of $4,475,000. Buncombe County shall comply with any lawful and reasonable conditions which are imposed upon the grant.

3. Buncombe County is authorized to expend grant funds to purchase and develop the Deaverview Mountain property so that it may be used as a county park and recreation area.

4. The Chair and County Manager, or either of them, is hereby authorized to execute such documents as may be required to effect the purposes and intents of this resolution and the Clerk is authorized to attest to any document signed in the County's name.

5. All acts and doings of officers, employees, and agents of the County taken prior to or on the date of this Resolution that are in conformity with and in furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved, and confirmed.

6. This Resolution shall be effective upon its adoption.

Adopted this the _____ day of September 2025.

ATTEST

_____
Sarah Gross, Clerk

BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE

By: _____
Amanda Edwards, Chair

APPROVED AS TO FORM

_____
County Attorney