Council Member _____ made a motion to approve the following resolution. A vote of _-_ in favor.

A RESOLUTION SUPPORTING EFFORTS TO RESTORE TOWN OF BLACK MOUNTAIN PUBLIC SAFETY FACILITIES

RESOLUTION NO. R-26-XX

WHEREAS, the Town of Black Mountain Public Safety Building at 106 Montreat Rd. experienced damage as a result of flooding and unstable bearing soils beneath the building foundation; and

WHEREAS, this damage has caused structural instability to the building resulting in the building's partial condemnation and the evacuation of the fire, police, and EMS staff from the facility; and

WHEREAS, Town staff have worked closely with North Carolina Emergency Management, who have graciously provided temporary facilities to accommodate fire and police departments for the short-term but these facilities are insufficient for the Town's long-term needs; and

WHEREAS, the Town's request for assistance to FEMA Public Assistance for the Public Safety Building was initially denied and that determination is currently under appeal; and

WHEREAS, the Town has received funding from the Office of State Budget Management to address these public safety needs; and

WHEREAS, the State of North Carolina has donated land located on North Fork Road for the express purpose of housing police and fire facilities and this land is properly zoned for this use; and

WHEREAS, the Town has received many reports regarding the condition of the Public Safety Building, with recent assessments showing more deterioration of the building and the site conditions; and

WHEREAS, these reports include the following:

- A 1985 Nilsson & Watts engineering report establishing a baseline for the building
- A 2011 ECS Carolinas soil boring report showing groundwater at 9-10 feet below the slab in the three boring locations and soil conditions which did "not appear to present an immediate threat to the structural integrity of the building; however, given time the subsurface conditions aggravated by flooding and high water table events will likely continue to cause additional distress to the structure"
- A 2012 Medlock report showing minor additional deterioration over a 27-year period compared with the 1985 Nilsson & Watts report
- A 2019 Medlock engineering report that shows no noticeable changes occurred in the structural instability between 2012 and 2019
- A post-Helene 2024 Medlock report indicating the failure of the stormwater pipe running under the Northeast corner of the building, with the pipe showing cracks and leaks

- A 2026 McGill & Associates report which included, among other findings, signs of separation on both the North and East walls, differential settlement in the slab near the North wall, and substantial horizontal cracking along the brick exterior on the North wall
- A 2026 ESP Associates soil boring report with three cores taken – the two lower-level slab cores showing standing groundwater at 0.8 feet and 1.0 feet below the top of the slab and the upper-level core showing standing groundwater at 9.0 feet below the slab. This report also states in its conclusions that "based on the results of the exploratory hand auger borings [of which there were eight], the observed slab-on-grade and exterior veneer distress within the northeastern portion of the PSB [Public Safety Building] structure appears to be associated with variable near-surface low consistency fill soils and/or near surface water beneath portions of the building."

WHEREAS, the Town recognizes the need to maintain an active fire response facility in the downtown area while also recognizing a unique opportunity to utilize the North Fork location for police, EMS, and additional fire resources; and

WHEREAS, the Town has obtained a Preliminary Engineering Report, Site Plan, and Environmental Review which indicate that this is a feasible site for a combined public safety facility; and

WHEREAS, the Town, at the direction of North Carolina Emergency Management, has submitted a grant application to the Building Resilient Infrastructure and Communities (BRIC) program for the relocation of the combined public safety building to the North Fork Road location; and

WHEREAS, if awarded, the BRIC grant would cover the majority of construction costs for this facility.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BLACK MOUNTAIN, NORTH CAROLINA, THAT:

1. The Town Council reiterates its support for efforts underway to explore avenues through which to adequately fund a public safety facility and its intention to accept funding through the BRIC program to build a public safety facility should the project be awarded funding.
2. The Town Council reiterates its support of Town staff exploring additional grant programs which could potentially fund the design and construction of a public safety facility.

Adopted this 12th day of October, 2026.

_____

C. Michael Sobol, Mayor

Attest:

_____

Wesley M. Barker, Town Clerk