RESOLUTION NO. 2024-31

A RESOLUTION UPDATING THE MEMBERSHIP AND CHARGE OF THE BREVARD/TRANSYLVANIA COUNTY ECUSTA TRAIL ADVISORY BOARD

WHEREAS, the Ecusta Trail is a planned 19+ mile multi-use path stretching from Brevard, NC to Hendersonville, NC; and

WHEREAS, in June 2021 the City of Brevard passed Resolution 2021-21 agreeing to become the "lead agency" for the trail in Transylvania County to "secure funding, oversee design, oversee construction, and manage public use of the section of the trail in Transylvania County"; and

WHEREAS, in December 2021 the City of Brevard passed Resolution 2021-58 establishing the Ecusta Trail Advisory Board (ETAB) and delegating oversight of the above listed activities to it; and

WHEREAS, between 2021 and 2023, under the direction of the ETAB and the Brevard City Council, the City of Brevard applied for and won three large Federal grants - FLAP ($1M), NSFLTP ($21.4M) and RAISE ($24.5M)- to fund design and construction of the trail; and

WHEREAS, in August 2023 the City of Brevard received permission from US Department of Transportation to transfer its awards to NC Department of Transportation (NCDOT) for execution; and

WHEREAS, while NCDOT is technically the executor of the project, it is deferring decisions on all elective components of the project to the City of Brevard; and

WHEREAS, in spring/summer 2024 with engineering and design underway, NCDOT notified that City of Brevard of approaching deadlines for decisions on branding, alignment, amenities, and other matters; and

WHEREAS, the City of Brevard has also identified several additional projects, some of which are time sensitive that, if completed, will complement the Trail and multiply its impact; and

WHEREAS, Henderson County plans to open the first segment of the Ecusta Trail, located entirely within its jurisdiction, in calendar year 2024, and is seeking Brevard's input on matters that may affect the Transylvania County segment once it is completed; and

WHEREAS, the ETAB's authority is unclear and its membership reflective of conditions in 2021; and

WHEREAS, in consideration of these factors and in recognition of the large potential impact the completed Trail is expected to have on the Brevard community, there is interest among City of Brevard staff and elected officials in clarifying the ETAB's charge and reviewing its membership; and

WHEREAS, the Council expressed this interest publicly in a Workshop dedicated to Ecusta Trail governance held on June 26, 2024; and

WHEREAS, on August 5, 2024 the Brevard City Council discussed this matter at its regular public meeting.

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

The Ecusta Trail Advisory Board is hereby reconstituted with the following provisions

1.) Membership shall consist of the following members:

a. A chairperson appointed by the Brevard City Council from amongst its members (Aaron Baker)
b. A co-chairperson appointed by the City Council from amongst its members (Mac Morrow)
c. One representative as recommended by the Transylvania County Tourism Development Authority from amongst its membership or staff. (Dee Dee Perkins)
d. One representative as recommended by the Friends of Ecusta Trail from amongst its membership (John Ditillo)
e. One representative as recommended by Conserving Carolina from amongst its membership or staff (Rebekah Robinson)
f. One representative as recommended by the Transylvania Economic Alliance from amongst its membership (Shelia Carland)
g. One representative from Heart of Brevard from amongst its members (Doug Miller)
h. One representative as recommended by Transylvania County (Larry Chapman)
i. Two at-large representatives as appointed by City Council (Madeline Hanley and Meredith Carli)

2.) The Mayor of the City of Brevard and a representative from the Henderson County RTAC shall serve in non-voting ex-officio capacities. These seats shall not be considered in the quorum calculation.

3.) To be eligible for appointment, a participant must be deemed by the appointing authority, Brevard City Council, to be vested, with a personal or professional stake in the affairs of the City of Brevard and the Ecusta Trail. City residency is not required.

4.) The membership terms are indefinite. The board's membership, charge, and authority shall be reviewed every three years, with new appointments/reappointments made at that time.

5.) The committee chairperson is granted flexibility on meeting rules and procedures

6.) The work of the ETAB shall be facilitated by the City Manager (or his designee) with participation by city staff. Staff shall participate in ETAB only in a non-voting, advisory role. Staff shall not count towards quorum calculations. Voting seats vacated by staff shall not be refilled.

7.) ETAB agenda shall be created by staff in cooperation with the committee chairperson. Items may be added by the chairperson at his/her discretion, administratively by the City Manager, or via referral of the full City Council.

8.) The ETAB's recommendations shall be forwarded to City Council typically through its "Consent Agenda" process.

9.) The ETAB's charge shall be to consider and make recommendations on matters related to trail usability and community impact. Examples include:
a. On-trail amenities
b. Maintenance prioritization
c. Signage (types, content, and placement)
d. Trail "rules" and user standards
e. Integration of Ecusta Trail into existing trails/facilities

f. Type and location of complementary amenities outside federally funded project footprint.
g. Construction timing
h. Complementary programs (e.g. Trail Partners) intended to leverage the trail's presence to create community impact
i. Encroachment requests within trail corridor in conjunction with technical analysis by staff.

10.) The provisions of this resolution supersede the related provisions of the below resolutions. Unaffected provisions of the below resolutions remain in effect:
a. Resolution 2021-21
b. Resolution 2021-58
c. Resolution 2022-40

Adopted and approved this the 5th day of August, 2024.

CITY OF BREVARD

Maureen Copelof
Mayor

ATTEST:

Denise Hodsdon, CMC