MINUTES
BREVARD CITY COUNCIL
Regular Meeting
February 16, 2026 – 5:30 PM

The Brevard City Council met in regular session on Monday, February 16, 2026, at 5:30 p.m. in the Council Chambers of City Hall with Mayor Copelof presiding.

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

Staff Present – City Attorney Mack McKeller, City Manager Wilson Hooper, City Clerk Denise Hodsdon, Assistant City Manager/Finance Director Dean Luebbe, Assistant to the City Manager Shawnee Cummings, Planning Director Paul Ray, Senior Planner Emily Brewer, Police Chief Christy Wentzell, Fire Chief Chase Owen, Public Works Director Wesley Shook, Water Treatment Plant ORC Dennis Richardson, Wastewater Treatment Plant ORC Aaron Winans, and Community Center Director Tyree Griffin

Press – None.

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

B. Invocation – Pastor Brian Land of Grace Brevard Church offered an invocation.

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

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

E. Approval of Agenda – Mr. Baker requested to move Item K-1. Accept State Revolving Fund Loan for Wastewater Treatment Plant Phase 1 Construction from the Consent Agenda to New Business as Item M-4. Attorney McKeller requested to add a Closed Session to discuss a Potential Litigation matter. Mr. Daniel moved, seconded by Mr. Baker to approve the agenda as amended. The motion carried unanimously.

F. Approval of Minutes

F-1. February 2, 2026 Regular Meeting – Mr. Wise moved, seconded by Ms. Holder to approve the minutes of the February 2, 2026 Regular Meeting as presented. The motion carried unanimously.

G. Certificates / Awards / Recognition – None.

H. Public Comments

Rodney Locks mentioned that the House Select Committee on Property Tax Reduction and Reform aims to study options to reduce the property tax burden on North Carolina taxpayers. He suggested that Council provide an input to this process before the committee makes a final decision, as it will affect local government budgets and constituents. He also noted that the City had a warming station at the Fire Dept. during the recent storm and asked if there has been any consideration of temporary use permits to use vacant buildings in an emergency to protect public health and safety.

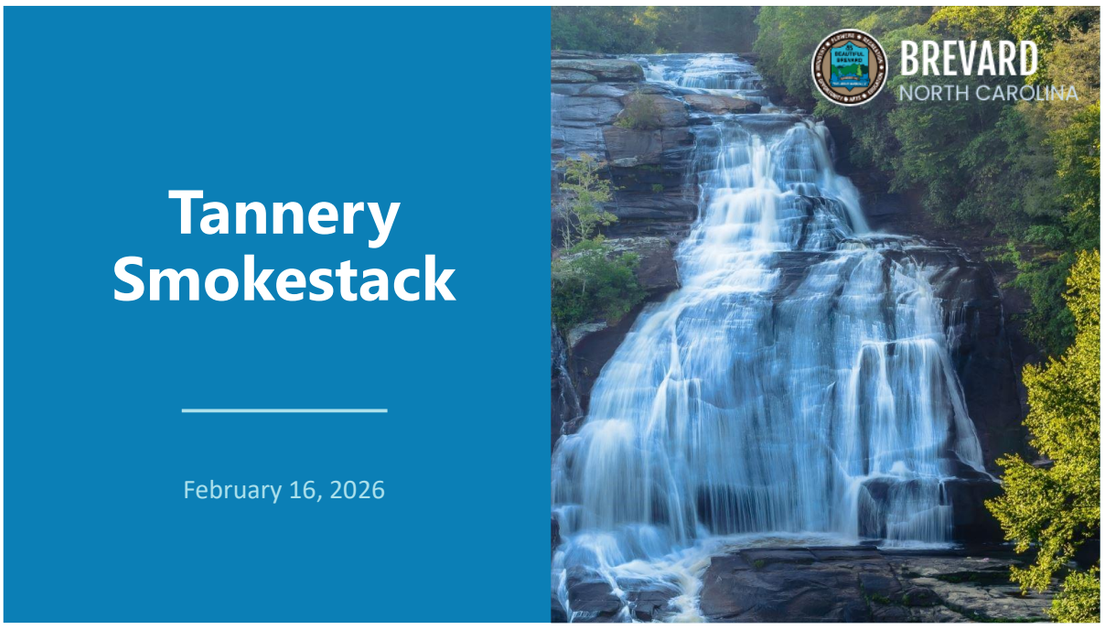
Doug Powell commented on Pisgah Piper's prediction for another six weeks of winter weather. He said considering that we have all enjoyed yet another beautiful day here in the 60's, this is another clear example that just because a particular outcome is predicted, doesn't mean it is destined to happen. That is why Benjamin Franklin has

been attributed in saying it is the first responsibility of every citizen to question authority, and we always need to trust but verify what is being presented as fact. That is why it is imperative to dive into original source documentation regarding our American history and study the actual documents our founders debated and codified, so that none of us are duped into believing a false statement about our country just because it has been said over and over again. One quick example is the word "democracy". We often hear that we need to protect and defend our democracy, except this word simply can't be located in any of our founding documents. In fact, our founders believed that a pure democracy was one giant step towards tyranny. The founding fathers loathed democracies and would never in their wildest dreams have presented to the states for ratification a democracy. Their constituents would have tarred and feathered them. That is why Benjamin Rush, a signer of the Declaration said a simple democracy is one of the greatest of evils. And another signer, John Adams, and our second president declared "remember a democracy never lasts long; it soon wastes, exhausts and murders itself." There never was a democracy yet that did not commit suicide. I would encourage all of you to ignore our dear Pisgah Piper's prediction, take your Constitution outside, and look up Article 4, Section 4 and discover what actual form of government the framers guaranteed to the citizens of these United States.

Linda Gallo thanked the Public Works Dept. for the long hours they put in through the two recent storms, and for giving us garbage collection that next week. She said they are a great team, and those guys have a heart of gold.

I. Special Presentations

I-1. Tannery Smokestack Update – Mr. Hooper presented information regarding the condition of the Tannery Smokestack, noting that the structure is 125 years old. Over the past year staff have been working to better understand its condition, whether it is contaminated with remnants of the tannery operation, and the risk it poses to users of the future trail segment. His presentation concluded with staff's recommended path forward, including demolition of the smokestack.



Presentation contents

- History
- Site conditions
- Smokestack condition
- Additional aggravating factors
- What's our recommended path forward?
- Why must we take that path?



BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 2

History

- Transylvania Tanning opened in 1917
- Facility ceased operations in 1950s
- Purchased by Charles Taylor in 1968 who demolished buildings and levelled site
- Site brought to the attention of US EPA in 2006 via citizen's petition.
- Samples collected in 2010
- Not labelled "Superfund", however…
- Contaminants on site earned it a "Brownfield" designation 2014
- City took ownership in 2015



BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 3

Site Conditions

- The facility used the vegetable tanning process, not chrome.
- The tannery burned coal to generate power.
- EPA ground sampling showed the presence of arsenic, copper, and lead above state maximums. Chromium detected above trace amounts but below maximums.
- Chromium, copper, lead, nickel and zinc were detected in samples taken from the onsite portion of Norton Creek, but none downstream
- Monitoring wells are still present on the site but no longer being used.
- Special measures must be utilized during redevelopment to limit the likelihood of ground disturbance.
- A large underground "vault" containing an unknown oily substance is present and must be removed prior to redevelopment.
- Two areas of possible lead contamination may not be accessible to the public even after redevelopment.

BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 4

Smokestack condition

- An initial assessment of the stack was conducted in 2015
- As part of the brownfield agreement, a second assessment was commissioned in late 2024.
- Initial results were returned in early 2025, but amended and resubmitted in May 2025.
- The engineer “conclude[d] that the overall structure is generally in poor condition.”



BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 5

Smokestack condition

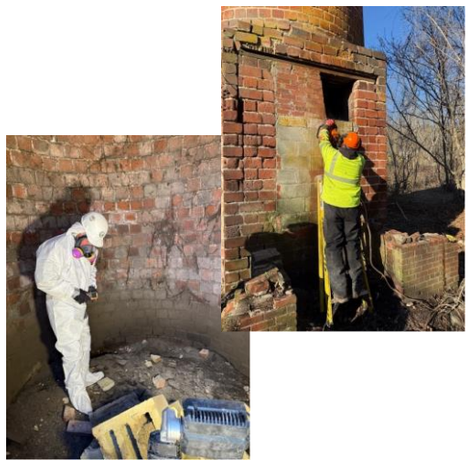




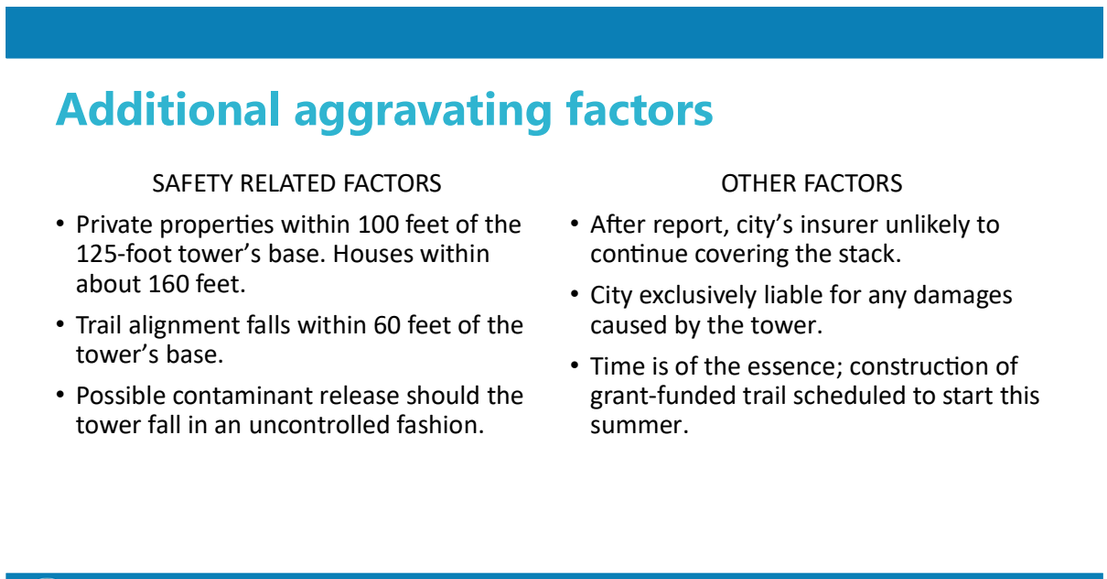
BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 6

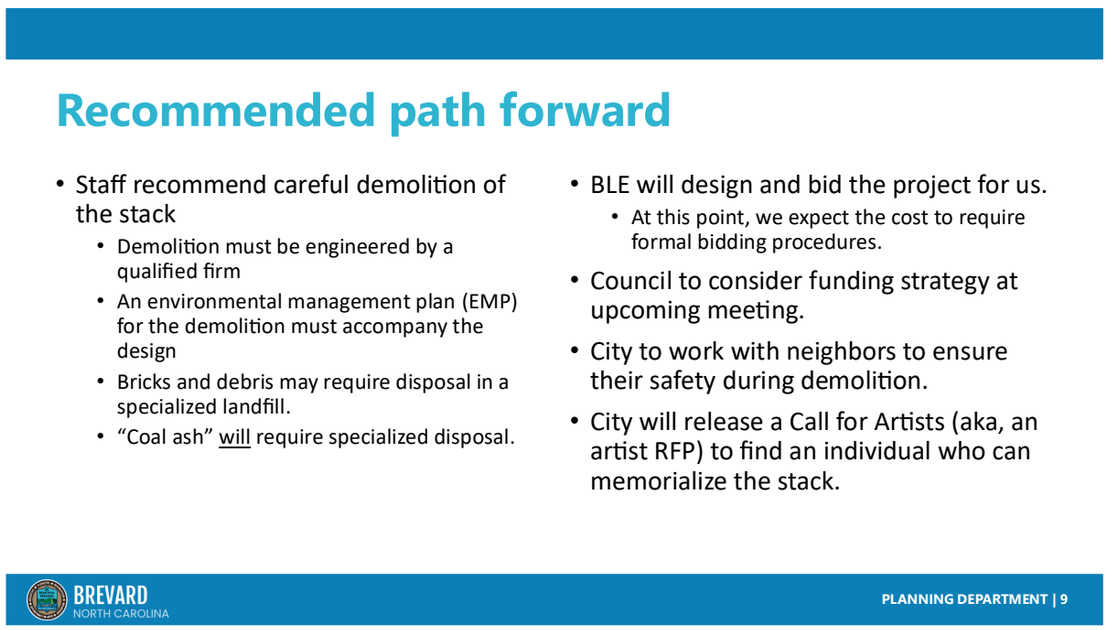
Smokestack condition

- Structural engineer monitored access for contaminant testing
- Testing vendor took samples from ash on ground, mortar, and bricks themselves
- Tested for the presence of asbestos in brick and mortar; heavy metals in ash/ debris
- Analysis revealed no observable asbestos contamination in bricks and mortar
- Detritus at the bottom is “coal ash”
  - Higher than normal levels of boron, uranium, and thorium



BREVARD NORTH CAROLINA PLANNING DEPARTMENT | 7





During Council questions/comments Mr. Wise asked if there is any feasible way to save a part of the smokestack. Mr. Hooper explained that the City would be liable for any part of the stack that is left as the City's insurer would not insure it. Ms. Holder expressed concern about how the contaminates would be contained and whether the neighbors had been notified. Mr. Hooper confirmed that BLE will advise in advance how the contaminates will be contained and that the neighbors whose properties are within the fall zone have been notified. Mr. Baker asked if the bricks could be demolished in such a way that they remain separate and able to be taken away in a less expensive manner. Mr. Hooper noted that one of the disposal options that NCDOT has proposed is burying the bricks onsite, but staff plans to ask BLE to explore whether it would be economical to grind up the bricks and use them as beneficial fill for the trail.

J. Public Hearing(s)

J-1. Proposed Amendment to the Official Zoning Map of the City of Brevard – The Family Place – Emily Brewer explained that The Family Place has applied for a rezoning for their property at 970 Old Hendersonville Highway. The request is to remove the conditional zoning district that was enacted in June 2011 and apply the base district of Residential Mixed Use (RMX). The chief condition of the CZD was to allow the "Community Service Organization" land use, which was not allowed in the General Residential zoning district, so that the Family Place could operate on the parcel. The Community Service Organization land use is no longer listed in the UDO's use matrix. The best match in the current use matrix is "Cultural or Community Facility,"

which is allowed by right in RMX. Therefore, the requested rezoning would maintain the Family Place as a legal conforming use. Future use and development of the site would follow RMX regulations. At its meeting on January 27th the Planning Board unanimously recommended approval of the request.

At 6:15 p.m. Mr. Baker moved, seconded by Ms. Holder to open the public hearing. The motion carried unanimously.

Public Participation:

Tony Gillman of 143 Holland Rd., Pisgah Forest and current board member and former chair of The Family Place said that The Family Place has been a non-profit, strengthening families in this city and county for about 30 years. Its mission is to strengthen families and build resiliency through support, education and community building. We offer programs for parents, support programs, at-risk programs, and it allows a parent to bring their child in for some open play and to connect with other parents. The purpose of the application is to put on a new sign. We developed a new logo about a year ago and we have a small sign that people miss all the time, so we're proposing to increase that sign by two feet, but apparently to do that we needed to do the zoning application change. We are here to answer any questions you may have about this application.

At 6:17 p.m. Ms. Holder moved, seconded by Mr. Baker to close the public hearing. The motion carried unanimously.

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

K-2. 2025 Unpaid Taxes and Authorization to Advertise and Begin Enforced Collection Remedies

K-3. Estatoe Trail Project Amendment – Great Trails State Grant - $168,500

ORDINANCE NO. 2026-04
CAPITAL PROJECT ORDINANCE TO AMEND ORDINANCE
NO. 2026-03 ESTATOE TRAIL PROJECT

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

Section 1: The City was awarded the Great Trails State Grant from the North Carolina Division of Parks and Recreation in July of 2025 and received the signed and executed grant agreement from the state in January 2026. The funding is intended to bring engineering from 30% to 100% for the Main Street to Mary C. Jenkins and the Rosman Highway to Brevard High School sections of the Estatoe Trail. These are the last two undesigned sections of the City's main Estatoe Trail greenway system. The maximum grant funding is $112,333 and the City's required match is $56,167. The City will be utilizing Summit Engineering to perform these services.

Section 2: The Estatoe Trail Project currently has a budget of $1,505,100 and this amendment will increase that budget to $1,673,600. The fund balance for the project is currently $851,286. The project also has $512,075 of current encumbrances, which leaves a spendable fund balance on the project of $339,611. The General Fund will be transferring an additional $47,500 to the Project prior to June 30, 2026.

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

Account Number	Account Name	Budget Amount
78-6300-4400	Estatoe Trail Project	$168,500
	TOTAL PROJECT APPROPRIATION	**$263,500**

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

Account Number	Account Name	Budget Amount
78-3345-0500	**Great Trails State Grant**	**$112,300**
78-3990-0000	**Fund Balance Approp**	**$56,200**
	TOTAL PROJECT REVENUE	**$168,500**

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

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

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

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

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

ADOPTED by the City Council of the City of Brevard, North Carolina, on this 16th day of February, 2026.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk s/ Maureen Copelof, Mayor
Approved as to Form: s/ Mack McKeller, City Attorney

K-4. Budget Amendment – Police Accreditation Grant - $131,600

ORDINANCE NO. 2026-05
AN ORDINANCE AMENDING THE FY2025-2026 BUDGET.
BUDGET AMENDMENT NUMBER 26-03

SUBJECT: Budget Amendment to increase General Fund expenditures and revenues by $131,600 for the Police Accreditation Grant.

AGENDA INFORMATION

Agenda Location **Consent**
Department: **Finance**
Contact: **Dean Luebbe, Assistant City Manager and Finance Director**

BRIEF SUMMARY: The City of Brevard Police Department was awarded the FY24 COPS Community Policing Development – Supporting Law Enforcement Agencies Seeking Accreditation Grant in October 2024. While only minimal expenditures have been recorded to date, the department now intends to accelerate project activities to ensure full utilization of the grant award. The total eligible amount of $131,600 is expected to be expended and reimbursed by June 30, 2026.

This grant supports the Police Department's efforts to strengthen organizational professionalism and effectiveness by advancing accreditation-related initiatives. These initiatives help reduce liability and operational risk, promote consistent adherence to established industry standards and best practices, and enhance the overall efficiency and effectiveness of departmental operations.

Approval of this budget amendment will allow the BPD to fully execute the grant's objectives and position the Police Department to achieve and maintain accreditation.

MOTION FOR CONSIDERATION: To approve Budget Amendment 26-03, as submitted, increasing the budget in expenditure account:

10-5100-3700 – Police Accreditation Expenses	$131,600
TOTAL	**$131,600**

And increasing the budget in the revenue account:

10-3910-1020 Police Accreditation Grant	$131,600
TOTAL	**$131,600**

ATTACHMENTS: None.

MANAGER'S RECOMMENDATION: Adopt as presented.

Approved and adopted this 16th day of February 2026.

Attest: s/ Denise Hodsdon, CMC, NCCMC, City Clerk s/ Maureen Copelof, Mayor
Approved as to Form: s/ Mack McKeller, City Attorney

K-5. Resolution Appointing Conserving Carolina Representative to the Ecusta Trail Advisory Board

RESOLUTION NO. 2026-07
A RESOLUTION APPOINTING A REPRESENTATIVE FROM
CONSERVING CAROLINA AS A MEMBER OF THE
BREVARD/TRANSYLVANIA COUNTY ECUSTA TRAIL ADVISORY BOARD

WHEREAS, on August 5, 2024 Council adopted Resolution No. 2024-31 Updating the Membership and Charge of the Brevard/Transylvania County Ecusta Trail Advisory Board (ETAB); and

WHEREAS, the membership of ETAB was reconstituted to include two members of Brevard City Council, two at-large members, and one representative from each of the following entities, per each entity's recommendation: Transylvania County Tourism Development Authority, Friends of Ecusta Trail, Conserving Carolina, Transylvania Economic Alliance, Heart of Brevard and Transylvania County; and

WHEREAS, the membership terms are indefinite; and

WHEREAS, Rebekah Robinson was appointed as the representative for Conserving Caolina; and

WHEREAS, Conserving Carolina has advised that they wish to make a substitution to their representative and recommend that their board member and city resident Kathy Klepfer represent Conserving Carolina going forward.

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 Kathy Klepfer as a member of the Brevard/Transylvania County Ecusta Trail Advisory Board as the representative for Conserving Carolina.

Adopted and approved this the 16th day of February, 2026.

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

K-6. Tax Settlement Report – January 2026

K-7. Public Works and Utilities Committee Minutes – January 7, 2026

K-8. Housing Committee Meeting Minutes – December 9, 2025

L. Unfinished Business – None.

M. New Business

M-1. Habitat for Humanity Request for Tap Fee Reimbursement – Emily Brewer explained that Transylvania Habitat for Humanity has submitted a request for a $12,375 tap fee reimbursement through the Housing Trust Fund for two of its projects. The first is a recently completed single-family house located at 465 W Main Street. The second is a 6-unit cluster home development at the intersection of Curlee Street and Kings Mill Road. Habitat is also partnering with Blue Ridge Community College to help build the homes which are currently under construction. Transylvania Habitat for Humanity's program aligns with the beneficiary requirements of the Housing Trust

Fund. The Housing Committee considered the request at its February 10th meeting and unanimously recommended approval.

Mr. Baker moved, seconded by Mr. Daniel to grant the request from Habitat for Humanity for tap fee reimbursement. The motion carried unanimously.

M-2. Authorization to Apply for North Carolina Helene Recovery Recycling Infrastructure Grant – Shawnee Cummings explained that this grant is specifically for counties that were impacted by Hurricane Helene to help strengthen recycling infrastructure and reduce waste. The program offers up to $5M per project, with no local match required. The City's grant application would be for two projects. The first project includes purchasing a new fleet of five recycling trucks, approximately $250,000 each and totaling $1.25M. The second proposed project is to purchase 3,000 durable tipper carts for residential waste collection. The carts are estimated to cost $60 each, for a total project cost of $180,000.

Mr. Lytle moved, seconded by Mr. Daniel to approve the resolution authorizing the grant application. The motion carried unanimously.

RESOLUTION NO. 2026-08
A RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR RECYCLING COLLECTION TRUCKS AND TIPPER CARTS

WHEREAS, the North Carolina Department of Environmental Quality has a grant available to strengthen recycling infrastructure and reduce waste for Hurricane Helene-impacted local governments, with no local match required; and

WHEREAS, the City of Brevard's existing recycling program serves approximately 3,900 residents, commercial businesses, local institutions, and industrial facilities on a biweekly basis; and

WHEREAS, the City's recycling program currently shares collection trucks with the solid waste disposal program; and

WHEREAS, the City's collection trucks are aging and require substantial maintenance and repairs; and

WHEREAS, the City intends to request funding for five recycling collection trucks; and

WHEREAS, the City's solid waste disposal program currently does not use tipper carts; and

WHEREAS, the City intends to request funding for 3,000 tipper carts to increase the Sanitation Department's efficiency and reduce injury risk; and

WHEREAS, the City of Brevard desires to submit a grant application requesting $1,430,000 in grant funding toward the purchase of five collection trucks and 3,000 tipper carts.

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

1. City Council hereby authorizes City staff to submit a grant application in the amount of $1,430,000 to the North Carolina Department of Environmental Quality for the purchase of five collection trucks and 3,000 tipper carts.

2. The City Manager is authorized to execute all necessary agreements, contracts, and related documents to implement the project in accordance with the terms and conditions of the grant.

3. This Resolution shall become effective upon its adoption and approval.

Adopted and approved this the 16th day of February, 2026.

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

M-3. Resolution of Intent to Annex City-owned Property on Azalea Avenue and Old Hendersonville Hwy – Emily Brewer recalled that in June 2025 the City acquired approximately 3.7 acres on Azalea Avenue and Old Hendersonville Highway to pursue a City-supported affordable housing development. The City has entered into an agreement with Fitch Irick Corporation to submit the project for a Low-Income Housing Tax Credit award. To facilitate the development, the City needs to annex the property

prior to the final application deadline in May to show the project is able to connect to sewer. Staff is requesting that Council adopt a resolution stating its intent to annex the property and setting the date for the public hearing as March 16, 2026.

Mr. Daniel moved, seconded by Mr. Wise to adopt the resolution. The motion carried unanimously.

RESOLUTION NO. 2026-09
A RESOLUTION DECLARING THE INTENT OF THE BREVARD CITY COUNCIL TO CONSIDER ANNEXING CITY-OWNED PROPERTY LOCATED ON AZALEA AVENUE AND OLD HENDERSONVILLE HIGHWAY AND FIXING THE DATE OF PUBLIC HEARING ON THE QUESTION OF ANNEXATION PURSUANT TO NCGS 160A-31, AS AMENDED

WHEREAS, North Carolina General Statute §160A-31 authorizes the City Council to initiate annexation of contiguous property owned by the municipality, provided that certain procedures are followed, including the adoption of a resolution declaring the City's intent to do so and the scheduling of a public hearing; and

WHEREAS, the City of Brevard owns three parcels located on Azalea Avenue and Old Hendersonville Highway, Brevard, NC 28712, consisting of 3.669 acres, more or less (Tax Property Identification Numbers: 8596-05-5538; 8596-05-8315; and 8596-05-6391); and

WHEREAS, the City Council desires to initiate the process required by State law in order to consider annexation of the parcels described herein.

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

1. Intent Declared. It is the intent of the City Council to consider annexing the following described properties:

   TRACT 1 – PIN: 8596-05-5538-000
   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 25 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 377.25 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.

   TRACT 2 – PIN: 8596-05-8315-000
   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 the 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 and to all rights-of-way for public utilities which may presently appear of record.

   Tract 1 and Tract 2 being the same property described in a deed from Kirk Davis Hooper and wife, Sharon Vance Hooper to The City of Brevard, dated June 9, 2025, and recorded in the office of the Register of Deeds for Transylvania County in Deed Book 1152, Pages 647-649.

   TRACT 3 – PIN: 8596-05-6391
   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.

Tract 3 being the same property described in a deed from Patrick Brian Scott and wife, Amber Hooper Scott to The City of Brevard, dated June 9, 2025, and recorded in the office of the Register of Deeds for Transylvania County in Deed Book 1152, Pages 644-646.

2. Public Hearing Scheduled. A public hearing on the question of annexation will be held at Brevard City Hall at 5:30 P.M. on the 16th day of March, 2026, at which time all interested persons will be given an opportunity to be heard.

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

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

Adopted and approved this, the 16th day of February, 2026.

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

M-4. (K-1.) Accept State Revolving Fund Loan for Wastewater Treatment Plan Phase 1 Construction – Mr. Hooper reported that the City has been awarded $5M from NCDEQ's State Revolving Fund (SRF) Loan program to fund construction of Phase 1 of the WWTP upgrade. The $5M loan is at 100% principal forgiveness. Mr. Hooper noted that with this award, the estimated cost of Phase 1 of the WWTP project is fully funded.

Mr. Daniel moved, seconded by Mr. Wise to approve the resolution authorizing the acceptance of the loan. The motion carried unanimously.

RESOLUTION NO. 2026-06
RESOLUTION ACCEPTING LOAN OFFER FOR
WASTEWATER TREATMENT PLANT UPGRADES PROJECT – PHASE 1

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects; and

WHEREAS, the North Carolina Department of Environmental Quality has offered a Clean Water State Revolving Fund Loan Helene Funds in the amount of $5,000,000 at 100% Principal Forgiveness for the construction of Wastewater Treatment Plant Upgrades Project – Phase 1; and

WHEREAS, the City of Brevard intends to construct said project in accordance with the approved plans and specifications.

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

Section 1. That the City of Brevard does hereby accept the Clean Water State Revolving Fund Loan Helene Funds offer of $5,000,000 at 100% Principal Forgiveness.

Section 2. That the City of Brevard does hereby give assurance to the North Carolina Department of Environmental Quality that all items specified in the loan offer, Section II - Assurances will be adhered to.

Section 3. That Wilson Hooper, City Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

Section 4. That the City of Brevard has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Approved and adopted this the 16th day of February, 2026.

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

N. Remarks/Future Agenda Considerations.

Mr. Wise expressed thanks to Public Works for the great work they do. He also expressed appreciation for staff's efforts in going after and receiving grants. He thanked Mr. Powell for his comments about Pisgah Piper's prediction and noted that it has been really warm. He said it is interesting to me because we are seeing more of a warming trend, and we have been discussing the tannery and the smokestack, and the rampant industrialism that happened, and is still happening in our country. We are contending with Ecusta and the smokestack brownfield sites to this day. I think it is important to remember that the current administration just rescinded all EPA regulations about global warming, which we can physically see and measure. We should pay attention to that because of the impact it has on us here locally and the world. He mentioned that this is President's Day, and he thought it was important to keep in mind what that office is meant to be about—an executive branch to enforce law and not create law. He said we should work to make sure that all three branches of our government are working the way they should, and not the way they are working now.

Ms. Holder clarified her remarks at the last meeting about people who do not have homes and are in the streets when it is cold. She said I didn't mean it for temporary situations like the warming station, but was thinking of a longer term than just when we have a storm—warm places for people to go when we don't have a storm. She also mentioned that today is President's Day and said I thought of the first and only African American president we have ever had, Barack Hussein Obama and if you saw the recent post of him and his beautiful wife…we live in a beautiful America and I just wish everybody would understand that, especially when we are in leadership and in that type of leadership. I'm glad I live in a city where I don't think most of us feel that way, and most of us would not agree with that depiction. I was angered and hurt by it and I am glad that I was able to see the fulfillment of my Dad's prophecy that one day we would have a Black president. I hope that we will have another one and that we will be leaders and not just people who are about themselves.

Mr. Baker mentioned that Canton recently passed a moratorium on data centers and noted that there have been companies that have looked at the Ecusta site. He said as we talk about resources that we have that are limited, one of our greatest resources which is very limited is buildable land. Given what we already know about those operations, which are an incredible drain of resources, and they do not provide very many jobs, he hoped Council would agree to ask staff and the City Attorney to look at what Canton has done and figure out what is legal for us to consider in that space and then consider taking action at a later date. There was consensus to proceed. Mr. Baker also said that we intend to fill up agendas with items that need an action, and I wonder if we need to set aside some time, both at the committee level and at the council level,

for staff to just give general updates to the public. I think we have an obligation to share certain things with the public.

Mr. Daniel echoed Mr. Baker's comments regarding data centers, noting that their operations are bad environmentally. He added that the CoEd Theater was discussed at the last Downtown Master Plan Committee meeting and it was brought up by the Heart of Brevard that there is a grant that the City can apply for up to $800,000. He said I realize that we don't have an itemized estimate of what needs to be done, but I would like to see our staff begin to work on making that application, which I believe is due in April. I think that even if the insurance companies pay for the damage that's done, I think this grant, as I understood it, would be available even to upgrade the building itself.

Mayor Copelof commented that we live in a special place with a lot going on, and staff has done such a great job—a $5M grant added to the $8M we already had, plus the grants we have for building the trails. She said yes, we have challenges, and I think staff have done a wonderful job finding out all of the issues and the details so we can make good risk analysis decisions regarding the tannery smokestack. She encouraged everyone to vote in the upcoming Primary Election and noted that Community Garden applications are available beginning February 18th. She mentioned upcoming events in celebration of Black History Month, and an upcoming public listening session regarding HCA and Mission Hospital.

O. Closed Sessions

O-1. Potential Litigation: NCGS §143 318.11(a)(3) – At 7:04p.m. Mr. Baker moved, seconded by Ms. Holder to go into closed session to discuss a potential litigation 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 and City Clerk Denise Hodsdon.

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. Mr. Wise moved, seconded by Mr. Baker, to adjourn the meeting. The motion carried unanimously.

Maureen Copelof	Denise Hodsdon, CMC
Mayor	City Clerk

Minutes Approved: March 16, 2026