

# Memorandum of Understanding

Between the County of Jackson in North Carolina and the Southern Off-Road Bicycle Association (SORBA), Nantahala Area Chapter

## Purpose

The purpose of this MOU is to establish a framework of cooperation upon which mutually beneficial work projects and bicycling activities may be planned and accomplished by Jackson County, North Carolina and the Southern Off-Road Bicycle Association (SORBA), Nantahala Area Chapter (NAS) working cooperatively at the Jackson County Greenway. Such programs, projects, and activities will complement the Jackson County and are in best interest of the public.

## Introduction

Jackson County Parks and Recreation staff are responsible for natural resource management at the Jackson County Greenway. All walking, running, and biking opportunities fall under the direction of the Jackson County Parks and Recreation Department.

SORBA and NAS engage in advocacy, education, and work to provide recreational opportunities that carry out its mission to promote land access, trail preservation, and new trail development. SORBA is widely recognized as an authority on the design, construction and maintenance of sustainable recreational multi-use trails in the southeastern United States.

NAS, SORBA, and Jackson County will benefit from the agreement's definition of the partner and volunteer aspects of this relationship. Both organizations are constrained by finite resources. All parties recognize that we can achieve more by combining and focusing our efforts towards the accomplishment and maintenance of mutually beneficial programs and projects.

## Jackson County Parks shall:

1. Make the area designated for the kid's bike park on the Jackson County Greenway available for the furtherance of this MOU subject to applicable County laws, regulations, and management direction.
2. Provide SORBA information regarding lands available for a kid's mountain bike park to be constructed on the Jackson County Greenway.
3. Provide SORBA guidance as to trail limits along the Jackson County Greenway.
4. Acknowledge the time and efforts of SORBA volunteers as an in-kind contribution to County Parks and to Jackson County approximately equal to, but not to exceed, the commercial value of such labor and services

**Nantahala Area SORBA shall:**

5. Provide technical assistance to the land managers involved in work projects and mountain bicycling opportunities. This is to include construction and maintenance of the bike park and management suggestions during and after the bike park is completed.
6. Encourage its members to work with Jackson County officials to discuss and identify opportunities for cooperative work on mutually beneficial projects or activities.
7. Trail plans and modifications for the Jackson County Greenway Kid's Bike Park must be approved by Jackson County Parks and Recreation and a qualified SORBA representative.
8. Request approval for all projects taking place at the Jackson County Greenway Kid's Bike Park from the Director of Jackson County Parks and Recreation.

**It is mutually agreed and understood by and between said parties that:**

9. This MOU is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between the parties of this MOU will be handled in accordance with applicable laws, regulations, and procedures. Such endeavors will be outlined in separate agreements that shall be made in writing by representatives of the parties.
10. This MOU may be modified or amended upon written consent of both parties or may be terminated with 60-day written notice of either party.
11. Nothing in this memorandum shall obligate Jackson County Parks and Recreation to NAS or SORBA to expand appropriations or to enter in any contract or other obligation.
12. The cooperators shall comply with all Federal Statutes relating to non-discrimination and all applicable requirements of all Federal laws, executive orders, regulations, and policies. These include but are not limited to (a) Title IV of the Civil Rights Act of 1964 (40 U.S.C. 2000), which prohibits discrimination on the basis of race, color, handicap, or national origin; (b) Title IX of the Education amendments of 1972, as amended (20 U.S.C. 1681-1683), which prohibits discrimination on basis of sex.
13. The principle contacts for this agreement are:

John P. Gannon  
President, Nantahala Area SORBA

Jennifer Wyderko  
Vice President, Nantahala Area SORBA

Tom Sauret, Executive Director  
Southern Off-Road Bicycle Association  
2125 Elachee Dr  
Gainesville, GA 30504  
770-654-3291

Jackson County Manager  
Currently, Don Adams  
401 Grindstaff Cove Rd Suite A207  
Sylva, NC 28779  
828-631-2295

Jackson County Parks and Recreation Director  
Currently Rusty Ellis  
88 Cullowhee Mtn Rd  
Cullowhee, NC 28723  
828-293-3053 ext 1

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Signature \_\_\_\_\_ Date \_\_\_\_\_

County of Jackson

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Signature \_\_\_\_\_ Date \_\_\_\_\_

By: Brian T. McMahan, Chairman, Jackson County Board of Commissioners

Attest: \_\_\_\_\_

Angela M. Winchester, Clerk to the Board \_\_\_\_\_ Date \_\_\_\_\_