MINUTES OF THE MEETING OF THE MAYOR AND THE TOWN COMMISSIONERS OF

BILTMORE FOREST HELD JUNE 6, 2023

Be it remembered by those that follow these proceedings that the Governing Board of the Town of Biltmore Forest met and conducted the following business:

Roll call taken by the Clerk:

Mayor George F. Goosmann, III, present

Commissioner Doris P. Loomis, present

Commissioner E. Glenn Kelly, present

Commissioner Fran Cogburn, present

Mr. Jonathan Kanipe, the Town Manager, and Mr. William Clarke, the Town Attorney, were also present.

Mayor Goosmann called the meeting to order at 4:30 pm.

The Pledge of Allegiance was conducted.

Commissioner Cogburn made a motion to approve the amended minutes from May 9, 2023. Commissioner Loomis seconded the motion. The motion was unanimously approved.

Chief Trevor Lance was not available to give the report for the Skyland Fire Department.

Chief Beddingfield gave the report for the Police Department. There were a total of 599 calls for the month. Twenty-two citations were issued for various traffic violations. Officer Hunter Graham successfully completed Basic Law Enforcement Training. Mr. Graham received several top achievement awards for his performance. Chief Beddingfield said Mr. Graham is waiting for his certification to return from North Carolina Criminal Justice Standards. The solar powered speed sign has arrived. It has been placed on Hendersonville Road and is working well. Personnel also assisted the Deerfield community with active shooter preparedness and a tabletop discussion. They are currently working with MAHEC on the same topic. The Police Department continues to partner with Carolina Day School to improve safety procedures and active shooter preparedness.

Commissioner Kelly inquired about retention of police personnel and asked about the number of Police Officers that retired in the past several years. Chief Beddingfield said there were two employees that retired and two employees who resigned within the past three years. Commissioner Kelly also asked how many employees are eligible to retire in the next few years. Chief Beddingfield said there will be three eligible for retirement in the next few years.

Mr. Harry Buckner gave the report for the Public Works Department. Mr. Buckner introduced Mr. Brian Barnette and Mr. Wayne Husko. Mr. Buckner said they are doing an excellent job and they are thankful to have them working for the Town. Mr. Buckner said most of the streetlights have power to them and they are going to check after dark to make sure they are all functioning. Commissioner Kelly said he drove around through various streets starting at Cedarcliff going all the way down to Cedar Hill and Commissioner Kelly said he found eighteen streetlights not working. Mr. Buckner said he will follow up with this and thanked Commissioner Kelly for letting him know.

Mr. Buckner gave an update on the pedestrian bridges. The field work was concluded, and they will generate the drawings so they can get the work started at Greenwood Park. Commissioner Loomis asked Mr. Buckner if they will inform residents to let them know these bridges can be used to walk on. Mr. Buckner said yes, Mr. Dale and Mr. Buckner will come up with a way to let residents know they can use the bridges to walk on.

Mr. Buckner said water bills will be mailed out this month. Mr. Buckner also said there will be a visit from OSHA (Occupational Safety Health Administration) in July. Mr. Buckner said they are continuing to do more work on the water shortage response plan. The Consumer Confidence Report (CCR) is being reviewed and we will be doing a mass mailing this month.

Commissioner Kelly expressed his disapproval regarding the temporary speed bump on Stuyvesant Road near Hilltop Road. Commissioner Kelly asked if it could be removed. Mr. Buckner said this has been a topic of discission and the Town has received positive and negative feedback about this. Mr. Buckner said the goal could be to find a more appropriate speed bump at this location. Mr. Buckner said he is willing to work with what the Board wants. Mr. Kanipe said they did have a different temporary speed ordered but unfortunately it was on back order. Commissioner Loomis asked Commissioner Kelly if he would be satisfied with a speed bump at the same location but having the current one removed and replacing it with one better suited for this area. Commissioner Kelly said yes. Mr. Buckner said he will investigate a few different options for replacement of the current temporary speed bump to reduce the severity. Commissioner Cogburn said she received positive feedback about the temporary speed bump.

Mr. Kanipe gave the report for the Town. Regarding the Cedar Hill Road stabilization project, the contractor for the project anticipated starting work roughly two weeks ago but rain has delayed this project. They have mobilized and installed some site controls and we anticipate beginning the full project within the next week. The scheduled completion date remains June 30 with plantings scheduled to be installed in the fall.

Mr. Kanipe said the previously approved audio-visual project for the Social Room at Town Hall continues to be delayed. We were originally scheduled to have work completed by mid-January and this has been extended multiple times due to several pieces of equipment not being available. Mr. Kanipe received an update on Friday, June 2 that indicated the delay is likely to continue as the vendor TSA Choice is utilizing for the 4-channel amp cannot provide an ETA on its delivery. I have asked them if they can provide us with a different solution with materials that are currently available to get this work completed.

Additionally, Town staff is acquiring bids from local painting contractors for painting the interior and exterior of the Town Hall. Mr. Kanipe does not have these bids yet but will provide them to the Board once available.

Public Hearing-ZTA 2023-02 which is an Ordinance to Amend the Town of Biltmore Forest Zoning Ordinance. Commissioner Loomis moved to go into Public Hearing. Commissioner Cogburn seconded the motion and was unanimously approved. The Board went into Public Hearing at 4:55pm. Mr. Kanipe discussed the Budget Ordinance shown below.

# **BUDGET ORDINANCE**

**BUDGET ORDINANCE FOR THE TOWN OF BILTMORE FOREST**

**NORTH CAROLINA FOR THE FISCAL YEAR 2023-2024**

BE IT ORDAINED by the Board of Commissioners of the Town of Biltmore Forest, North Carolina, that in accordance with NCGS 159-13(b)(16) the 2023-2024 Budget be approved as follows:

## SECTION 1. GENERAL FUND REVENUES

It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2023 and ending June 30, 2024:



## SECTION 2. GENERAL FUND APPROPRIATIONS

The following amounts are appropriated in the General Fund for the operation of the Town government and its activities for the fiscal year beginning July 1, 2023 and ending June 30, 2024 in accordance with the chart of accounts heretofore established for this Town on June 6, 2023:



## SECTION 3. WATER FUND REVENUES

It is estimated that the following revenues will be available in the Water Fund for the fiscal year beginning July 1, 2023 and ending June 30, 2024:



## SECTION 4.WATER FUND APPROPRIATIONS

The following amounts are appropriated in the Water Fund for the operation of the enterprise fund and its activities for the fiscal year beginning July 1, 2023 and ending June 30, 2024:



## SECTION 5. LEVY OF TAXES

There is hereby levied a tax at the rate of $0.345 per one hundred dollars ($100) valuation of property as listed for taxes as of January 1, 2023, as listed as “Ad Valorem Taxes” in the General Fund section 1 of this ordinance. The rate is based on an estimated valuation of $864,349,093 and an estimated rate of collection of 99.94%.

## SECTION 6. FEES & CHARGES

There is hereby established, for fiscal year 2023-2024, various fees and charges as contained in the Schedule of Fees attachment to this document.

## SECTION 7. SPECIAL AUTHORIZATION OF THE BUDGET OFFICER

The Budget Officer is authorized to transfer appropriations of up to $5,000 between line items within the same department. Reallocations of appropriations transferred shall be reported to the Town Board monthly.

## SECTION 8. CLASSIFICATION & PAY PLAN

The Cost of Living Adjustment (COLA) for all full-time Town employees shall be 5.60% and shall begin the first payroll in the new fiscal year.

## SECTION 9. RE-APPROPRIATION OF ENCUMBERED FUNDS

Operating funds encumbered on the financial records as of June 30, 2023 are hereby re-appropriated to fiscal year 2023-24.

## SECTION 10.COPIES OF THIS BUDGET ORDINANCE

Copies of this Budget Ordinance shall be furnished to the Finance Director of the Town of Biltmore Forest to be kept on file for the disbursement of funds.

Commissioner Kelly asked where the new administrative employee is going to be located. Mr. Kanipe said this person will be working in the Town Hall office with us. The space needs are being evaluated at the current time and we will hopefully have a more permanent plan soon of where employees will be placed within the Town Hall building.

A motion was made to go out of Public Hearing by Commissioner Cogburn. Commissioner Loomis seconded the motion. The motion was unanimously approved at 5:01pm.

A motion was made by Commissioner Loomis to approve the 2023-2024 Budget. Commissioner Cogburn seconded the motion. The motion was unanimously approved.

A motion was made by Commissioner Cogburn to go into Public Hearing to discuss the Zoning Text Amendment 2023-02:An Ordinance to Amend the Town of Biltmore Forest Zoning Ordinance. Commissioner Kelly seconded the motion and was unanimously approved at 5:02pm.

The three Ordinances discussed were Chapter 153.043-Maximum Roof Coverage, Chapter 153.048-Impervious Surface Coverage, and Chapter 153.071-Recreational and Commercial Vehicle Storage. Mr. Kanipe said the Planning Commission has spent many months reviewing the Town’s Zoning Ordinances and considering areas for special review and potential amendments. The Planning Commission met with the Board of Adjustment in March to review these potential changes. The Planning Commission voted unanimously to recommend approval for the Ordinance Amendments at their meeting on April 25th. The Planning Commission found the proposed Amendments are consistent with the Town’s Comprehensive Plan as adopted in May 2022.

Commissioner Loomis made a motion to come out of Public Hearing. Commissioner Cogburn seconded the motion. The motion was unanimously approved at 5:04 pm.

Commissioner Kelly moved to approve the Consideration of Ordinance 2023-04. Commissioner Cogburn seconded the motion. The motion was unanimously approved.

Commissioner Kelly moved to approve the Consideration of the Fiscal Year 2023 Audit Contract with Carter P.C. Commissioner Loomis seconded the motion. The motion was unanimously approved.

Consideration of the Fiscal Year 2023-2024 Fee Schedule was discussed. Mr. Kanipe discussed the updated fee schedule. There will be a 2.5% water and sewer increase. The zoning permit fee will also increase to $50.

Commissioner Loomis made a motion to approve the 2023-2024 Fee Schedule. Commissioner Cogburn seconded the motion and was unanimously approved.

The Facility Needs Prioritization Recommendation was discussed. Last month, the Board heard a presentation from Steve Allan regarding the Space Needs Assessment he performed for the Town. The Board directed staff to develop a prioritization recommendation for this month’s meeting. Based on Mr. Allan’s space needs assessment, we believe the first priority is to begin work with a professional programming consultant on the Police Department which is lacking in many modern-day amenities for public buildings. The second highest priority is the removal of the existing storage building on the northwest corner of the Town property and figuring out potential relocation. These two projects are connected.

The third priority is working on the Town Hall complex and creating more office space. Mr. Kanipe said this is the Board’s decision as to what should happen, but he also has Young Office plans as to what the office could potentially look like to create a better work area for administrative staff at Town Hall. Commissioner Kelly said he was shocked to hear that Mr. Allan said the police department was a high priority. The police department was remodeled in 2011 and the personnel worked very well in the mobile village while it was being remodeled. Commissioner Kelly also said it wouldn’t make sense to move the public works staff a mile away to a new facility when Mr. Buckner and Mr. Dale would be working in this building further away from their employees. Mr. Kanipe said most of the time they are not in the office anyway and are out in the field working with their employees. Commissioner Kelly said he does not want to see vehicles parked in a garage every night and does not see this as necessary. Mayor Goosmann disagreed with Commissioner Kelly about the storage of vehicles. Commissioner Kelly said these storage facilities have metal, chain link, barbed wire, and corrugated metal buildings and are not aesthetically pleasing. Mayor Goosmann said we don’t have to design a building like this, and we will make it look nice. Commissioner Kelly said the nicer it looks, the more expensive it costs. Commissioner Loomis said we are not moving forward with building anything. First, we need to hire a professional programming consultant to review what our needs are. Commissioner Kelly said need to take pictures of various places like Fletcher, Black Mountain, MSD and show the Board what their facilities look like. Mayor Goosmann, Commissioner Loomis, and Commissioner Cogburn said we are not approving any kind of plans, drawings, or costs at this time. The first thing that needs to be done is to hire the programming consultant to see what the various possibilities are. Commissioner Loomis clarified that the only thing we are doing now is moving forward to hire a programmer to see what ideas they have to bring.

Commissioner Loomis made a motion to hire a programming consultant for the Space Needs Prioritization. Commissioner Cogburn seconded the motion. The motion was unanimously approved.

PUBLIC COMMENT

There was no Public Comment

The meeting was adjourned at 5:46 pm. The next meeting is scheduled for Tuesday, July 11, 2023 at 4:30 pm.

ATTEST:

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Laura Jacobs George F. Goosmann, III  
Town Clerk Mayor