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

BILTMORE FOREST HELD SEPTEMBER 12, 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 Fran Cogburn, present

Commissioner Glenn Kelly, not present

Mr. Jonathan Kanipe, the Town Manager, was also present. Mr. William Clarke, the Town Attorney, and Commissioner Glenn Kelly were not 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 August 8, 2023. Commissioner Loomis seconded the motion. The motion was unanimously approved.

Chief Trevor Lance from the Skyland Fire Department was unable to attend the Board meeting due to working at the North Carolina Mountain State Fair.

Chief Chris Beddingfield gave the report for the Police Department. There were a total of 566 calls for the month of August. There were several arrests for the month. One arrest was at MAHEC and one arrest was at a residential home in Town.

Chief Beddingfield said the Town now has two license plate readers installed and they are working great. Chief Beddingfield also said they are hoping to cover the entrances and exits throughout Town soon.

Mayor Goosmann thanked the Police Department for all their hard work.

Mr. Harry Buckner gave the report for the Public Works Department. There were five trees that fell blocking the road this month. They were all taken care of.

As far as larger projects go, Mr. Buckner said the contractors are partially complete with the striping project. They are waiting for good weather to finish the project.

They are working on annual backflow systems for the irrigation systems in Town. A subcontractor is currently working on this project and there are approximately six left until completion. There are about 145 devices to check overall. There was only one failing backflow device.

Mr. Buckner said they received a clean sign off from OSHA (Occupational Safety Health Administration).

The Town’s solid waste report was also completed. The state will review it and Mr. Buckner will provide a copy to the Board once finished.

Mr. Buckner said the trails consultant came and looked at Brooklawn Park. He will be back tomorrow, and staff are going to walk the proposed route. He will provide a proposal in order to move forward.

Work will begin at Greenwood Park around the beginning of October. Mayor Goosmann asked about putting goats in Brooklawn Park. Mr. Buckner said he did not have any experience with this but referenced a few other places in the area where he had seen them used. Commissioner Loomis said Brooklawn and the Brookside Road area looks great and thanked Mr. Buckner. Mayor Goosmann thanked Mr. Buckner for all their hard work.

PUBLIC COMMENT

There was no public comment.

Mr. Tony Williams gave the Planning report. Mr. Williams had 45 conferences regarding planning applications. There were six violations and all six were resolved. There were eleven complaints. Twenty-one plans were reviewed this month. They are very busy with no signs of slowing down. There were ten items on the Board of Adjustment agenda last month. Mayor Goosmann suggested they put a cap on the number of cases per month. Mr. Kanipe said they have discussed this, and the Planning Commission is going to look further into this as well. Mayor Goosmann said Mr. Williams is doing a great job and thanked him.

Mr. Jonathan Kanipe gave the report for the Town and said there was an incorrect charge noted on the Metropolitan Sewerage District fee schedule. The correct fee schedule was shown to the Board. It was about twenty cents off per thousand gallons. A motion was made to amend the fee schedule by Commissioner Loomis. Commissioner Cogburn seconded the motion and was unanimously approved.

Mr. Kanipe said the first Ford F-150 was delivered in early August with the Town’s agreement with Enterprise. We have placed an order for a Ford Ranger as well. Mr. Kanipe said the Police vehicle orders are delayed due to no availability at this time. The Police Department vehicles are still in good shape. We are now leasing our vehicles instead of buying them and so far, it has worked out very well.

Mr. Kanipe said the exterior painting of the Town Hall is currently being done. They are doing a great job. They will then work on painting the interior of the Town Hall.

The roof leaks/repairs have been fixed at the Town Hall and Police Department. The mold issue will also be fixed and addressed in Chief Beddingfield’s office.

The Centennial event Austin Healy car show will be at Rosebank Park September 23, 2023.

New Business discussed was Amended Zoning Ordinance recommendations regarding:

Ch. 153.034 – Landscaping and Grading Plans, Land Disturbance, and Sedimentation Control

Ch. 153.050 – Tree Preservation (New Section to Replace Ch. 93 in Town Code)

Ch. 153.060 – Buffers, Screening, and Landscaping Requirements

All three of the above Zoning Ordinances will have a Public Hearing in October. Mr. Kanipe indicated that Chapter 153.034 talked about landscaping and grading plans and didn’t require grading plans, it just mentioned landscaping plans. The Planning Commission went through it and defined what they wanted. Mr. Tony Williams is meeting with landscape architects and contractors to make sure they are abiding by the Ordinance. We are requiring this pre-construction process and make sure this is all being done.

The next Ordinance is 153.050 regarding the Tree Preservation Ordinance. It dovetails very well when landscape architects present their plans and guidelines. The Ordinance does change quite a bit with what they have laid out, mainly in what needs to be replanted. In this Ordinance, we did change paragraph C, the word “exemption” was taken out. It clarifies more of what is expected of certain entities in Town that have forestry management plans. This will be regulated differently. The word “exemption” was moved to page seven which flows a lot better because they are already talking about non-residential lots. Mr. Kanipe created an allocation for trees being removed outside the setback within a calendar year. A diagram of the setback area was shown in the handouts.

The last Ordinance discussed is 153.060. This is regarding buffers, screening, and landscaping. This allows the Town to have a landscaping and grading plan back in and allows us to have replanting at a significant level. There is a distinction between adding on a large addition as opposed to a mudroom.

These will all be published on the website and the Public Hearing will be held on October 10, 2023.

Commissioner Cogburn discussed hazardous trees and additional plantings and ensuring safety along the Town streets. Mr. Kanipe referenced additional buffering and replanting included within the proposed ordinance as potentially being an avenue to address this concern.

Commissioner Loomis expressed her concerns of the Board to be the judges of replanting and buffering. Mr. Kanipe said Mr. Clarke will look this over.

The Brooklawn Chase trail and woodland clean-up update was discussed. This will be a wonderful opportunity to clean this up and get some great work done. We will report back next month to see where we are with this update. Mr. Buckner said the concept is to have a mile-long loop. More information will be presented at next month’s meeting.

Mr. Kanipe said we had a Special Call Meeting for the selection of an architect for the Town’s Master Facility Project update. DP3 architects were selected. Staff will have a meeting with them Thursday morning to discuss the proposal.

The meeting was adjourned at 5:11 pm. The next meeting is scheduled for Tuesday, October 10th, 2023 at 4:30 pm.

ATTEST:

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Laura Jacobs George F. Goosmann, III  
Town Clerk Mayor