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

BILTMORE FOREST HELD OCTOBER 10, 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, present

Mr. Jonathan Kanipe, the Town Manager and Town Attorney, Billy Clarke 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 September 12, 2023. Commissioner Loomis seconded the motion. The motion was unanimously approved.

PUBLIC COMMENT

There was no Public Comment.

Chief Trevor Lance gave the report for the Skyland Fire Department. The Fire Department was busy with the State Fair last month. There were five medical assist calls and a total of 27 calls this month. Chief Lance said it is the time of year to clean out chimneys and get a certified chimney sweep. Also, when turning on space heaters, remember to keep a distance of three feet. Mayor Goosmann thanked Chief Lance for all their hard work.

Chief Chris Beddingfield gave the report for the Police Department. There were a total of 579 calls. There were two arrests this past month. Two officers and two telecommunicators went to Crisis Intervention Training.

An individual was pulled over by officers who tested four times the legal limit for blood alcohol content.

The North Carolina League of Municipalities police department audit occurred and went very well. They were pleased with the work of the police department and this certification from NCLM may lead to a 15 percent policy discount for the Town. Chief Beddingfield said Sergeant Matt Kelly and Officer Michael Anton are attending an eight-week intensive leadership class through Blue Ridge Community College. This class teaches basic leadership concepts, self-management, balancing personal life and work life, and personality traits.

Mayor Goosmann thanked Chief Beddingfield for the Department’s hard work.

Mr. Harry Buckner gave the report for the Public Works Department. September was a very busy month. Mr. Buckner notified the Board that the Town’s the Consumer Confidence Report (water quality reporting) was received and successfully met State requirements. The report can be found on the Town’s website.

Mr. Buckner said the streetlight at 394 Vanderbilt Road is fully functional.

Mike Dale was able to attend the North Carolina tree conference in Cary, NC which went very well.

Mr. Buckner said the back flow testing was also completed. The Town provides this service and tests back flow devices for residents. There was only one failing device out of 118 devices.

Mr. Buckner thanked Mike Dale for shepherding the installation of park benches at Hemlock Road and in lower Vanderbilt Park which were installed along with beautiful landscaping.

In October, Public Works will prepare for leaf season and fall/winter activities. Mr. Buckner said the leaf vacuum was refurbished. Mr. Buckner said Buena Vista and White Oak will be completed before Halloween to prepare for trick-or-treaters.

The salt and sand trucks have been maintained for the upcoming winter service as well. All public works staff is attending chainsaw safety training in Boone on Friday. Mayor Goosmann thanked Mr. Buckner for all their hard work.

Mr. Tony Williams gave the Town Planning report. There were six violations this month and seven resolved violations. There were four Board of Adjustment cases for the month of September. There were twelve complaints and seventeen plans reviewed. There was one approved permit as well. Mr. Williams is in the process of creating an information list to be handed out with permits for construction to address parking, work hours, and other Town concerns before construction begins. Mayor Goosmann thanked Mr. Williams for his hard work.

Mr. Jonathan Kanipe provided his monthly report. Painting in the Board room was completed yesterday. The painters will work on painting the social room next. They plan on having the social room completed by the next Centennial event on November 3rd.

Mr. Kanipe said Asheville Wildlife Rescue completed remediation efforts at all three Town buildings during the week of October 2nd. This included placing metal gridding over vent openings in all buildings and repairing soffits along the rear wall of the Police Department.

Mr. Kanipe discussed Greenwood Park paving and grading. The paving and grading contractor began work to prepare the area for new parking spaces, removed the existing, unsafe spaces, and installed the area for the walking path. It is likely that paving work for the parking spaces will occur in October prior to the picnic shelter installation. The Town is still awaiting approval from Buncombe County building inspections for the permit to construct this facility. The structural engineer designing the bridge should have this work finalized within the next few weeks and we intend to have a local contractor build this structure once the final design and permitting is completed. New playground infrastructure, specifically new swing sets, is scheduled to be installed in late November.

Mr. Kanipe said the road striping on Eastwood and Browntown Roads, and a portion of Vanderbilt Road north of Interstate 40, was completed the week of September 25th. The contractor also completed thermoplastic installation on the Town’s speed bumps and will be installing the thermoplastic at the speed table adjacent to the Biltmore Forest Country Club within the next week or two. Re-striping will occur on the crosswalk on Stuyvesant Road north of Southwood Road which provides access for golf carts and pedestrians to cross.

Mr. Kanipe said the Fiscal Year 2023 audit should be completed within the next few weeks.

New Business was discussed, and a Proclamation of Domestic Violence Awareness month was addressed by Mayor Goosmann.

***Town of Biltmore Forest***

***Proclamation***

***Proclamation of Domestic Violence Awareness Month***

***Whereas***: Domestic violence is a serious crime that violates an individual's security and humanity due to the systematic use of emotional, psychological, physical, sexual, and economic control;

***Whereas***: An average of 24 people per minute experience rape, physical violence, and/ or stalking by an intimate partner in the United States, more than 12 million people over the course of a single year;

***Whereas***: The problems of domestic violence are not confined to any specific groups of people, but can happen to anyone regardless of racial or ethnic identity, sexual orientation, education level, socio-economic status, gender identity, or religious beliefs, and these problems are sustained by societal indifference;

***Whereas***: Intersecting layers of vulnerability due to race, ethnicity, gender identity, sexual orientation, age, ability, religion/ spirituality, citizenship status, and spoken language, in the context of American society, make it easier for abusers to isolate, control, and create and sustain power over survivors with marginalized identities;

***Whereas***: Children who grow up witnessing domestic violence in their homes are deeply impacted and are more likely to have trouble in school, more likely to perpetuate and be victimized by violence themselves, and more likely to experience long-term mental and physical health challenges;

***Whereas***: Survivors should have help to find the compassion, comfort, and healing they need, and abusers should be held accountable for their violent behavior;

***Whereas***: Powerful partnerships exist locally between many non-profit and governmental organizations that are committed to supporting survivors in their journey toward safety and healing;

***Whereas***: It is survivors of abuse who have been at the forefront of efforts to bring peace and equality to the home;

***Whereas***: Domestic Violence Awareness Month is an opportunity to stand with survivors, to celebrate the progress we have made in combating these crimes, and to recommit to preventing domestic violence in our community;

***NOW THEREFORE***, be it proclaimed on behalf of all of the members of Board of Commissioners of the Town of Biltmore Forest and residents of the Town of Biltmore Forest, that the month of October 2023 be proclaimed Domestic Violence Awareness Month, and we urge our residents to make the commitment to stop domestic violence by speaking out against it and learning more about the resources available to survivors and their families.

The Board considered Ordinance 2023-04 which is an amendment to amend the Town of Biltmore Forest Zoning Ordinances and Town Code of Ordinances.

Chapter 153.034, Landscaping and Grading Plans, Land Disturbance, and Sedimentation Control. Commissioner Loomis made a motion to approve, Commissioner Kelly seconded the motion, and the motion was unanimously approved.

153.050, Tree Preservation. This would move the Tree Preservation Ordinance into the Zoning Ordinance because of the process we are in right now. Mr. Billy Clarke clarified the language of this. A motion was made by Commissioner Cogburn to approve, Commissioner Loomis seconded the motion to approve, Commissioner Kelly denied the motion. The motion was approved.

153.060, Buffers, Screening, and Landscaping Requirements. Mr. Drew Stephens, Mr. Gordon Taylor, and Ms. Diane Zimmerman addressed these updates and provided feedback. Commissioner Cogburn made a motion to approve, Commissioner Kelly seconded the motion. The motion was unanimously approved.

Mr. Kanipe discussed the Consideration of Brooklawn Chase Trail Proposal. The trail contractor, Long Cane Trails, has visited the site on multiple occasions and developed a route that will provide slightly over a one-mile loop around the site. A benefit of this trail is that it alleviates the need for a replacement bridge across Four Mile Creek that runs through Brooklawn Park. The cost of the trail itself is nearly the same cost estimate as the bridge over Four Mile Creek.

The trail includes 1.1 miles of graveled trail. This would allow easier access for residents as they walk the trail and allows greater maintenance flexibility for the trail. The cost is slightly over $150,000. This would also include a ten-foot locust bridge, one six-foot locust bridge, 2,500 feet of locust plank in wet areas, and steps along portions of the trail. Funds for this project will be allocated from the Town’s American Rescue Plan funds.

Commissioner Loomis made a motion to approve the project, Commissioner Cogburn seconded the motion, the motion was unanimously approved.

The last topic of discussion is the Consideration of Professional Services Agreement with DP3 Architects for Master Facility Planning Work. During a Special Call meeting on September 5, 2023, the Board of Commissioners selected DP3 architects for the Town’s master facility planning project. DP3 will coordinate work for this project and finalize the project making a presentation at the March 2024 meeting. The placeholder budget for this project was just over $45,000, so another $10,000 will be re-allocated during the project process. This is recommended for Board approval.

A motion was made by Commissioner Cogburn to approve the agreement with DP3 Architects, seconded by Commissioner Loomis, and unanimously approved.

The meeting was adjourned at 5:45 pm. The next meeting is scheduled for Tuesday, November 14, at 4:30 pm.

ATTEST:

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Laura Jacobs George F. Goosmann, III  
Town Clerk Mayor