

MINUTES OF THE MEETING OF THE MAYOR AND THE TOWN COMMISSIONERS OF
BILTMORE FOREST HELD JUNE 9, 2020.

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 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 was present and Mr. William Clarke, the Town Attorney were also present.

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

Mr. Clarke said a roll call needs to be taken for every action the Board takes since the meeting is being conducted in a remote fashion. Mayor Goosmann asked for a motion to approve the May 12, 2020 meeting minutes. The motion was made by Commissioner Cogburn. The motion was seconded by Commissioner Kelly. Ms. Laura Jacobs, Town Clerk, asked Commissioner Loomis, Commissioner Kelly, and Commissioner Cogburn for their vote. All were in favor of the minutes being approved.

Chief Ryan Cole said call volume was down the past few months, but is now going up. Chief Cole noticed many people would like to seek treatment but not be transported to the hospital. The County has done a phenomenal job with the public health and getting everything in place regarding COVID-19.

Chief Cole said Sunday night there was a grease fire in the Town. The patient was moved to the burn center and the other was treated locally. The Police Department did a great job with helping out.

Chief Cole said Mr. Kanipe was with Chief Cole quite a bit at the Emergency Operations Center and appreciated his involvement with the Covid-19 crisis. The County management and municipalities have all worked well together throughout this time.

Chief Chris Beddingfield gave the Police Department monthly report. Three officers completed their college education; two with Bachelor's degrees and one with an Associate's degree. Chief Beddingfield said this is something they are very proud of. Chief Beddingfield's goal is to improve the levels of training and education since hired as Police Chief and he is extremely proud of those who have furthered their education. Commissioner Kelly asked who the Officers were that received their college degrees. Chief Beddingfield said Officer Michael Anton (B.S.), Officer Olivia Presley (B.S), and Sergeant Kenny Merritt (A.S) received their college degrees. Commissioner Loomis asked Chief Beddingfield to congratulate the graduates from the Board.

Chief Beddingfield said the Police Department has been busy with calls lately, including assisting other agencies. Chief Beddingfield wanted to emphasize the Town is the number one priority.

Chief Beddingfield thanked the Board and all Town personnel for their support during this time and was thankful for the team effort of all town staff. Mayor Goosmann thanked all the police personnel for all their hard work.

Mayor Goosmann asked about the situation in downtown Asheville. Town Police personnel were working downtown dealing with people throwing rocks, frozen water bottles, fireworks, spray painting and graffiti, and broken windows due to possible gunfire.

Mr. Harry Buckner gave the monthly report for the Public Works Department. Mr. Buckner said garbage and brush have stabilized a bit. They have been very busy the past few months and the employees did a wonderful job of keeping up with this.

Mr. Buckner said mulch was put out in front of Town Hall recently. B.B. Barnes will be working soon to landscape the back of Town Hall.

Tomorrow will be next phase of brush compliance initiative. The north end should be receiving a CodeRed call reminding them of the five day window to place brush on the curb. Brush pickup will begin on the 15th. Another CodeRed call will occur on June 25th for the south end of Town.

The newsletter will go out within the next two weeks and Public Works will submit their article with important information for residents.

Mr. Buckner remarked that Public Works was now fully staffed with the addition of two new Public Works employees, Mr. Cody Bartlett and Mr. John DiVello. Mr. Buckner thanked the Board for their support.

Mr. Buckner asked the Board for any feedback and encouraged the Board to make him aware of any concerns. Commissioner Loomis asked about the speed bumps on Stuyvesant north of Hilltop. Mr. Kanipe said this is being reviewed as part of the street assessment program. Mayor Goosmann asked for Cedar Hill Road to be included as well because people travel too fast on that road. Mr. Buckner said the challenge with the speed hump is there is a posted speed limit and the humps are designed to be passed over at the speed limit not above the speed limit. It is supposed to be uncomfortable over the speed limit.

Commissioner Kelly asked what separates lines from the north and south Side of Town. Mr. Buckner said it is basically the Biltmore Forest Country Club. Everything between Hendersonville Road and Stuyvesant Road is on the north end of Town. Vanderbilt, Forest, Park,

Arboretum, East Forest are also on the north end. Mayor Goosmann said the report from Mr. Buckner was excellent.

The Planning and Zoning Report was given by Mr. Kanipe. The Board of Adjustment meeting has thirteen items on the agenda. Mr. Kanipe noted Ms. Adrienne Isenhower appreciated and enjoyed working with everyone in the Town. Commissioner Loomis thanked Adrienne for all she did for the Town. Mr. Kanipe said the Town's planning contract with Land of Sky was not extended for FY21.

PUBLIC HEARING

Mayor Goosmann declared the Public Hearing open at 5:00pm. The virtual meeting statute requires a 24-hour period after the meeting begins at 4:30. There was notice of the Public Hearing in the Asheville *Citizen-Times* newspaper, it was also noted on the Town Hall doors, and posted on the Town's website.

Mr. Kanipe discussed the Budget. A 2% cost of living increase was discussed for all non-appointed employees. Mr. Kanipe said there were questions about this last month, and wanted ensure the Board was comfortable with this. Mr. Kanipe said the Town ended up saving approximately \$85,000 on the Public Works building project. Mr. Kanipe discussed street assessment also included in the upcoming Budget. The Town Hall renovation has been put on hold for now. The planning contract with Land of Sky was not renewed. This will now be handled by Mr. Kanipe and Mr. Buckner will assist with his experience in plan review. Administration staff will handle paperwork duties.

Mayor Goosmann mentioned the paving schedule and suggested Mr. Kanipe and Mr. Buckner get together about the streets that need to be paved. Mr. Kanipe said that is what he and Mr. Buckner are planning to do.

Commissioner Kelly asked who the appointed employees are. Mr. Kanipe said he is the only one who is appointed. Mr. Kanipe said it was much more important for the non-appointed employees to get the 2% COLA.

Commissioner Kelly asked what the starting salary of a sworn police officer is in Biltmore Forest and also what is the starting salary of a new public works employee. Mr. Kanipe said regarding a police officer, the approximate starting salary is \$38,000. Regarding a public works employee, it really depends on their qualifications and prior experience. Right now, it is in the \$34,000-\$35,000 range. Mr. Kanipe said we are competitive with other municipalities our size.

Mr. Kanipe said he would like to discuss merit increases later in the fiscal year.

Mayor Goosmann closed the Public Hearing at 5:10pm.

Mr. Kanipe updated the Board on COVID-19. Mr. Kanipe said the Town Hall will remain closed for the time being. The Republican primary runoff election at Town Hall will be June 23rd. A disinfecting will be done before and after the election. Mr. Kanipe and Ms. Jacobs will be working remotely that day to limit contact.

The Town staff is fully supplied with personal protective equipment. The department heads have asked employees for any additional requests. Mr. Kanipe said we want to make sure we have everything necessary to protect our employees.

Mr. Kanipe provided the Board a copy of the request made to the County for CARES Act funding in the amount of \$37,175.50. The bulk of this is for public health expenses, disinfecting equipment, and personnel reimbursements.

Commissioner Kelly asked if there have been any adverse reactions to cancelling the 4th of July parade. Mr. Kanipe said no, in fact the reactions have been positive so far.

Mr. Kanipe discussed the Schedule of Fees as shown below.

SCHEDULE OF FEES

Amounts due are based upon the Schedule of Fees in effect at the time payment is due. It is the Town Board of Commissioners' intention that the Schedule of Fees be revised as needed by July 1st of each year, however some fees may be adjusted during the year as circumstances change. FY 2020-2021

ADMINISTRATIVE

Ad Valorem Tax	\$ 0.345 per \$100 assessed valuation
Dog License Fee	\$ 5 sterile; \$10 fertile
Return Check/Draft Charge	\$25.00

PLANNING & ZONING

Zoning Permit	\$25 first \$2,000 of construction value plus \$2 for each additional \$1,000 of construction value
Conditional Use Permit	\$100 due with application
Variance	\$300 due with application
Demolition Permit	\$100 due with application
Non-permitted Construction	Double the Zoning Permit Fee

WATER & SEWER CHARGES

New/Transfer Account		\$	30.00
AMI Transmitter Fee	<i>per bill</i>	\$	1.78
Meter Rental Fee			
5/8" meter	<i>per bill</i>	\$	0.10
1" meter	<i>per bill</i>	\$	0.18
1 1/2" meter	<i>per bill</i>	\$	0.50
2" meter	<i>per bill</i>	\$	0.65
Water Charges			
Base Rate (no consumption)		\$	28.15
1-2,250 gallons	<i>per 1,000 gallons</i>	\$	9.26
2,251-60,000 gallons	<i>per 1,000 gallons</i>	\$	5.82
60,001-100,000 gallons	<i>per 1,000 gallons</i>	\$	5.40
100,001+ gallons	<i>per 1,000 gallons</i>	\$	3.35
Sewer Charges (as set by Metropolitan Sewerage District of Buncombe County)			
Base Rate			
5/8" meter	<i>per bill</i>	\$	17.04
1" meter	<i>per bill</i>	\$	40.12
1 1/2" meter	<i>per bill</i>	\$	88.64
2" meter	<i>per bill</i>	\$	154.86
Treatment Fee	<i>per 1,000 gallons</i>	\$	6.31

Mr. Kanipe said Ms. Helen Stephens included a \$25 return check fee or 10% of the amount of the check for taxes which is based on the State Statute.

Commissioner Loomis asked if someone does not apply for a zoning permit related to a special use, and they put up a structure and later get it approved, do they pay one or two permit fees. Mr. Kanipe said they double the permit fee and then pay the Special Use permit fee as well.

Commissioner Loomis made a motion to approve the Fiscal Year 2020-2021 Fee Schedule. Commissioner Cogburn seconded the motion. Ms. Jacobs, Town Clerk, conducted the roll call and it was unanimously approved.

Mr. Kanipe said \$83,000 was saved on the Public Works building project. The final cost of the building project was \$1,411,463. The Town will also receive sales tax back on the project.

Mr. Kanipe discussed the Hendersonville Road Corridor study. This is going on through the French Broad Metropolitan Planning Organization. It is a study of 5.8 miles from Airport Road north to Rock Hill Road. It is important for citizens to be involved and participate. Mr. Kanipe participated in the first Zoom call last week. Mr. Clarke said it will be important for pedestrian and public transit issues. This link will be available on the Town's website and on the MPO website. The survey is an opportunity for everyone to voice their opinion.

Mr. Kanipe discussed the Board of Adjustment virtual meeting information. There will be thirteen cases and five have been waiting since March. The Town has not held a Quasi-Judicial meeting since February. Consent forms have been sent to 172 property owners to alert to the meeting process in June. The information about the upcoming meeting is already on the website. Everything has been done to follow new statutory requirements.

Mr. Kanipe gave the Manager's report and noted that improvements for the Town's virtual meetings are in process with a local vendor. Mr. Kanipe indicated that work on the Police Department dispatch center is scheduled for the end of June. There will also be additional painting and cleaning. Ms. Aslyne Tate has done an excellent job organizing this project.

Mr. Kanipe noted the Town's census response rate was currently 67.5%. Biltmore Forest is 49th in the State and 2nd in Buncombe County. Information regarding the census will be put in the newsletter. Commissioner Loomis suggested putting a CodeRed message to inform residents. Mr. Kanipe said this will be done.

The Stream Restoration project continues and engineering should be approved by August 1st. Funds will be recouped that were already expended.

Mr. Kanipe discussed stormwater project area four and noted that the consultant is working on the notification process for the U.S. Army Corps of Engineers and State Department of Environmental Quality.

Commissioner Cogburn said she looks forward to what will be presented for the Frith/Stuyvesant intersection. Mr. Buckner said as you approach the Parkway entrance on Stuyvesant going toward Frith, one sign will be placed indicating a side road intersection which is a T-intersection sign. This is to give people advanced notice the Parkway is coming in from the left. The sign will be placed approximately 250 feet between Stuyvesant Crescent and the Parkway. Coming from the other direction, the diamond sign will be taken down that has reflectors on it that says "no parking." This is the sign you see heading toward Frith. Directional chevrons will be placed instead. As one goes across the Parkway to turn onto Frith, it would be on the left side of the road with a directional arrow notifying people it is a hard right hand turn. On the same post coming from Frith to Stuyvesant, A chevron pointing out toward Stuyvesant which will notify people it is a hard 90 degree turn. The "yield" sign is coming down because it is not a place to yield. It is not a proper sign to have there. Also, a smaller "no parking" sign will be placed to discourage parking. Lastly, the street light may be relocated at Frith and Stuyvesant to the Parkway and Stuyvesant. We will explore this possibility. Mr. Kanipe said it will also help with the Board's desire to identify that motorists are entering Biltmore Forest. Commissioner Loomis thought it was wonderful that Mr. Kanipe and Mr. Buckner asked for feedback from the residents about this. Mr. Buckner said there was quite a bit of email correspondence as well. The Board thanked Mr. Buckner for his explanation.

Public Comment

Ms. Joyce Young sent the Town an email which states the following:

To the Board of Commissioners and Town Manager:

There was a Planning Report listed for the June agenda but there was none in the packet.

A. What happened to the May planning report? **A copy of the Planning Report was emailed to her. The report was inadvertently not included in the Board's agenda packet.**

B. If the 2020-2021 budget is approved without renewing the planning contract with Land of Sky Regional Council, that function reverts to the administration department which has limited personnel.

1) Who will assume these duties? **Mr. Buckner, Mr. Kanipe, Ms. Jacobs**

2) How will the effectiveness of the planning/zoning oversight be affected? **It is tough to say but they will see as they work through the process. Staff will attempt to handle code enforcement more proactively.**

2. In the 2020-2021 budget, there is no money for capital improvements to Administration (Town Hall). In the 2019-2020 budget, there was \$20,000 budgeted with only \$6,500 actual spent to date. **The \$6,500 was the amount of money spent on the initial design for renovations, but this project was put off in March 2020.**

A. How will this elimination in next year's budget affect promised improvements in the public meeting space, especially having to do with improving acoustics for such meetings? **We are moving back in the Board room permanently which has better acoustics and the ceiling height is lower. Other areas will be worked on if needed.**

3. Many thanks to the Public Works Department for the May brush pickup. We appreciate how the crew always cleans the roadside well.

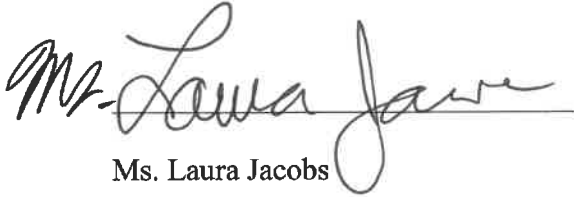
4. The audio of the first Board of Commissioners Zoom meeting was very difficult to understand. I was glad to hear of the ongoing efforts by the Town Manager for improvement. As this gets better, would it be possible for the Zoom host to record the meeting and make it available on the town website as other municipalities do? **We do have it recorded and we hope to upload it to the website. Mr. Kanipe is hoping the audio will be better this time.**

Mayor Goosmann asked if the Town is reapplying for the Greenwood Park grant. Mr. Kanipe said we have not reapplied this year.

Commissioner Kelly asked about the deteriorating house on Cedarcliff Road. Mr. Kanipe said they are working on having a cleanup crew come out and the charges for this will be placed on the homeowner's tax bill. Commissioner Kelly asked if someone still lives there. Mr. Kanipe said yes.

Mayor Goosmann recessed the meeting for Wednesday, June 10th, 2020 at 4:30 pm.

ATTEST:

A handwritten signature in cursive script that reads "Ms. Laura Jacobs". The signature is written over a horizontal line.

Ms. Laura Jacobs

Town Clerk

A handwritten signature in cursive script that reads "George F. Goosmann, III". The signature is written over a horizontal line.

George F. Goosmann, III

Mayor