

MINUTES OF THE MEETING OF THE MAYOR AND THE TOWN COMMISSIONERS OF
BILTMORE FOREST HELD JUNE 8, 2021.

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 was present and Mr. William Clarke, the Town Attorney were also present. Roll call was taken by the Clerk.

Mayor Goosmann called the meeting to order at 4:30 pm. Roll call was taken by the Clerk. Commissioner Cogburn made a motion to approve the minutes from May 11, 2021. The motion was seconded by Commissioner Loomis and unanimously approved.

Interim Chief Trevor Lance gave the report for the Skyland Fire Department. Chief Lance said to have residents call 811 before you dig. There were many calls regarding gas leaks. Chief Lance also said to maintain safety when using fireworks. Chief Lance also encouraged everyone to drive safely as this holiday is always very busy. The Skyland Fire Department will be participating in the July 3rd parade and picnic. Mr. Lance will be promoted from Interim Fire Chief to Fire Chief effective June 25th. The Board congratulated Chief Lance.

Chief Chris Beddingfield gave the report for the Police Department. There have been several scrap metal thefts which have been solved. It ended up being an internal employee of a construction company. There was also a landscape fraud case and warrants have been issued for this individual who lives in Florida. Catalytic convertors were also stolen at Double Tree hotel and officers are still working on solving this.

Commissioner Kelly asked how the new hybrid vehicles are working out. Chief Beddingfield said they are working out well. Chief Beddingfield said there have been no issues mechanically so far and the plan is to go all hybrid with the vehicles. A gas analysis has not been conducted yet but the savings will be tremendous in the long run.

Mr. Harry Buckner gave the report for the Public Works Department. Two employees are out with injury, one is getting close to healing and should be coming back within the next four to eight weeks.

Mr. Buckner said last month, four employees went for certification on the water system. Everyone passed their exams and staff is working on continuing education. The Municipal and County Administration course was completed by Mr. Buckner and he thanked the Board for letting him attend.

Mr. Buckner said the dog waste stations have been relocated to the cut through on Westwood and Greenwood Place. They also relocated the waste station at Stuyvesant and Hilltop and the one on Lone Pine and Vanderbilt was relocated.

Mr. Buckner said they will be working on hiring a new public services employee.

The Mayor thanked the public works department for all of their hard work.

Mr. Jonathan Kanipe provided his monthly report. Mr. Kanipe is asking people that come to Town Hall to abide by CDC guidelines regarding COVID-19. Mr. Kanipe said things are going very well. All three buildings are cleaned and sanitized on a weekly basis and work stations are cleaned daily.

Mr. Kanipe said there will also be an Independence Day picnic on Saturday, July 3rd this year from 10am-12pm. The Town is also asking for volunteers to help. Mr. Young will be organizing the car show.

The Zoom talks Mr. Kanipe had scheduled with Dr. Jennifer Mullendore will still be held via Zoom on June 30th.

Mr. Kanipe said staff has done a tremendous job during the past year dealing with COVID. Mr. Kanipe said staff have been fortunate to be healthy during this time.

Mr. Kanipe said tree removal began at Rosebank Park today. This project is to remove dead and diseased/hazardous trees. Eight trees in total were removed. Also, on Vanderbilt and East Forest, some dead trees will be removed as well from this area. The plans for the fall will be to replant. Mr. Mike Dale is a landscape architect so we will rely on some of his skills for the replanting.

Regarding the Greenwood Park Stream Restoration, the project will be advertised on June 24th, open bids will start on June 27th, and finally the Board of Commissioners will look over those bids on August 10th. The bid would be reviewed and hopefully considered and accepted by the Board.

Mr. Kanipe said the last food truck went great and was a good turnout. Mr. Kanipe said there were at least 300 people at the park where the food truck was held. Mr. Kanipe said this coming Friday, “The Gypsy Queen” food truck will be there. There will be kid friendly items on the menu as well. Also, “Pelicans” ice cream truck will be attending. Commissioner Kelly asked if the food trucks sell beer and wine. Mr. Kanipe said no.

PUBLIC HEARING

Commissioner Cogburn made a motion to go into Public hearing at 4:52pm, Commissioner Loomis seconded the motion. The motion was unanimously approved.

Mr. Kanipe went over a Budget summary. The Budget for FY 22 was presented last month during the regular Board of Commissioners meeting. The information is also posted on the Town’s website as well as in the Citizen-Times newspaper. It is a revaluation year for Buncombe County

and we are required by State law to state what the tax rate would be as a Revenue Neutral tax rate. The Revenue Neutral tax rate would be .325. Mr. Kanipe proposed the tax rate to stay at .345. The reason for doing that is to move forward with many upcoming projects. There were no further Budget questions. Commissioner Loomis made a motion to go out of Public Hearing at 4:54pm, Commissioner Cogburn seconded the motion. The motion was unanimously approved.

Commissioner Cogburn made a motion to go into Public Hearing at 4:54 pm. Commissioner Kelly seconded the motion. The motion was unanimously approved.

The ZTA (Zoning Text Amendment) 2021-01 was discussed regarding 160-D and the Land Use Development code. The bulk of these changes were clerical and grammatical language changed. The Planning Commission came back with proposed changes in April. In May, the red line version was submitted to the Commissioners for approval.

Commissioner Loomis thanked the Planning Commission for working on these changes and appreciated their hard work making these changes. Mr. Kanipe said this needs to be approved by June 30th and will be effective July 1st.

A motion was made by Commissioner Cogburn to go out of Public Hearing at 5:00pm. The motion was seconded by Commissioner Kelly and unanimously approved.

Consideration of FY 21-22 Annual Budget was discussed. Mr. Kanipe said he backed the \$410,000 out of the Budget Ordinance the Town was anticipating to receive from the American Recovery Program. This was done because it has to be in a separate fund. Mr. Kanipe is waiting for further guidance on whether or not parks will be an allowable use.

Mr. Kanipe said there will also be a 3% COLA (Cost of Living Increase) for all Town employees. There will also be a merit pool program available based on employee performance.

A motion was made by Commissioner Kelly to adopt the FY 21-22 budget. Commissioner Loomis seconded the motion and was unanimously approved.

The next topic discussed was the Consideration of FY 21-22 Fee Schedule. There is a 2.5% water increase and a 2.75% sewer increase. A motion was made by Commissioner Loomis to adopt the FY 21-22 Fee Schedule. Commissioner Kelly seconded the motion and was unanimously approved.

Mr. Kanipe discussed the Zoning Text Amendment 2021-01. The Planning Commission will reconvene in August or September. A motion was made by Commissioner Kelly and seconded by Commissioner Cogburn. The motion was unanimously approved.

Consideration of FY 21 Budget Amendment. This Amendment is to reflect funding delayed or that has exceeded projections. Since the bid for Greenwood Park has yet to be awarded, the Town cannot get the funds from the State for reimbursement yet. The other reduction was COVID-19 reimbursements from the County. A motion was made by Commissioner Loomis, seconded by Commissioner Cogburn and unanimously approved.

Mr. Kanipe discussed the Consideration of FY 21 Audit Agreement with Carter, PC. This contract has to be approved by Local Government Commission requirements. The LGC then signs off on it and they approve the Town to pay Carter PC. The audit contract price is \$18,000 for the audit itself and \$6,000 for financial statements. They will also be doing the Town's AFIR which is reported to the Census and the State which is a \$900 fee. Commissioner Cogburn made a motion to approve the audit contract, Commissioner Loomis seconded the motion and was unanimously approved.

Mayor Goosmann thanked the Town staff for all of their hard work during the COVID-19 pandemic. Mayor Goosmann thanked Mr. Jonathan Kanipe for an outstanding job managing the budget and managing employees. Mayor Goosmann said there was surplus in the budget and the Mayor and Commissioners said the Town employees need to be rewarded for this. A \$1,000 bonus was passed for employees who worked the entire pandemic. Commissioner Loomis moved to authorize Mr. Kanipe to issue \$1000 bonuses to the Town employees in recognition of

their diligence during the year, with employees working less than one year receiving a pro-rated amount.

Public Comment

Mr. Drew Stephens made Public Comment.

Ms. Joyce Young made Public Comment.

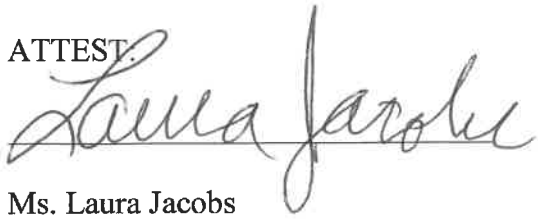
A motion was made by Commissioner Loomis to go into Closed Session at 5:14pm to discuss a personnel matter. Commissioner Cogburn seconded the motion and was unanimously approved.

A motion was made by Commissioner Loomis to go out of Closed Session, the motion was seconded by Commissioner Kelly and unanimously approved. The Closed Session meeting was adjourned at 5:51 p.m.

Mayor Goosmann expressed his concern for a Town resident's safety who came into another resident's home within the Town. Mr. Kanipe discussed this matter with Chief Chris Beddingfield. Mr. Kanipe said Chief Beddingfield has spoken to the District Attorney about this matter and tried to make him understand how important the charges were that were filed on the break in at the Police Department. Mr. Kanipe believes they are moving toward prosecution. Mr. Kanipe said the charges are there for the resident who broke into the Police Department. The issue has been with the Magistrate's office. The charges are still pending but when officers took the resident to the jail, he was released without bond. Chief Beddingfield is working through the District Attorney's office to get full prosecution for this matter. Mr. Clarke suggested involuntary commitment.

Mayor Goosmann adjourned the meeting at 5:59 p.m. The next meeting is scheduled for Tuesday, July 13, 2021 at 4:30 pm.

ATTEST.



Ms. Laura Jacobs
Town Clerk



George F. Goosmann, III
Mayor