

MINUTES OF THE MEETING OF THE MAYOR AND THE TOWN COMMISSIONERS OF  
BILTMORE FOREST HELD OCTOBER 11, 2022

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.

The Pledge of Allegiance was conducted.

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

Commissioner Cogburn made a motion to approve the minutes from September 13, 2022. The motion was seconded by Commissioner Loomis and unanimously approved.

Chief Trevor Lance from Skyland Fire Department gave the monthly report. There were 25 total calls. There was a mutual aid fire they responded to outside of the district. Chief Lance said make sure to get your chimney inspected. The fire department also has a new app that people can download for updates from Skyland Fire Department.

Chief Chris Beddingfield gave the report for the Police Department. There were 579 calls for service.

The UTV has been fully outfitted with striping and lighting. This was reimbursed through the Governor's Crime Commission. The police department's new hire, Adam Cabe has been hired

and is bringing many years of experience from Asheville Police Department. He is very knowledgeable and will be a great asset for the department.

The Police Department had a going away party for Lieutenant Mark Allen celebrating his 23 years with the department. Chief Beddingfield said the Police Department app has quite a few users that have signed up and they are recommending residents to keep signing up for it. It is very helpful for distribution of community information to inform residents what is going on throughout Town.

Commissioner Kelly asked if we are going to have a motorcycle purchased for the Police Department and asked if this is in our current budget. Chief Beddingfield said they are working on a grant with Bike Safe North Carolina which is a motorcycle safety program. Chief Beddingfield said it is not in our current budget, but they are planning on submitting a grant for this in the future.

Commissioner Kelly also asked Chief Beddingfield about the speeding on Hendersonville Road of someone driving 105 mph in a 45 mph speed zone. Chief Beddingfield said there have been many instances of impaired people driving on this road at night and the Officers are currently working on combatting this.

Mr. Harry Buckner gave the report for the Public Works Department. An offer was extended for a potential applicant, but he backed out and decided to stay with his current employer. Mr. Buckner said they are having trouble finding applicants, but they are still pursuing candidates for the position. Mr. Buckner said they are going to investigate hiring a temporary employee for leaf pickup season.

Mr. Buckner said the all-way stop conversion will be completed next week.

Mr. Mike Dale attended the 13<sup>th</sup> annual tree conference in Greensboro and learned a great deal of information.

The contractor is back on site at Greenwood Park. The plant delivery will occur next week which is the final stage of the project. The consultant is continuing to push through on the stormwater project. They are in communication with us and moving along. Water bills are going out this week.

Public Works staff is wrapping up mowing for the year and November 1<sup>st</sup> begins leaf collection season. Brush collection will stop around October 30<sup>th</sup>. Leaf collection goes until January 15<sup>th</sup>.

Mr. Jonathan Kanipe gave the report for the Town. Mr. Kanipe discussed the 65-gallon trash containers, and they are still currently on a delay with them being delivered. Town staff is on hoping for a delivery soon.

Mr. Kanipe said Mr. Buckner has been working on the street light project and this is coming along.

Town staff is currently working on the Paymentus implementation which should be completed by the end of the year.

The next Board of Commissioners meeting will be held on Tuesday, November 15<sup>th</sup> due to Election Day on Tuesday, November 8<sup>th</sup>.

Mr. Phil Hardin asked a question regarding Duke Energy and the power lines being buried throughout Town. Mr. Stephens said the lines are buried by his home and the transformers are on back order. Mr. Kanipe said Mr. Avery Dolinger from Duke Energy will most likely return to next month's Board meeting and answer questions the public has about the underground project.

Mr. Pigossi said there is a difference between the cables of AT&T and the power lines. This is very labor intensive, and AT&T is going to have to fix their issue as well.

The Board began discussion of new business and reviewed potential amendments to the Town Code of Ordinances for Compliance with S.L. 2021-138 (second review for consideration). Mr. Billy Clarke and the Board went over these revisions.

Commissioner Loomis made a motion to accept the Amendments to the Town Code of Ordinances for Compliance with S.L. 2021-138. Commissioner Kelly seconded the motion. The motion was unanimously approved. This will go into effect on October 12, 2022.

The Consideration of Easement to Duke Energy for a portion of Rosebank Park was discussed. Duke has requested several easement requests that will allow necessary underground infrastructure installation. Several three phase power lines enter the Town in this area of Town, and these higher capacity lines require placement in several specific places. Several lines converge at, or near, Rosebank Park. Mr. Clarke has reviewed this easement and had no concerns from a legal perspective. Biltmore Farms must also sign and approve the easement (attached to memo in packet) since they are held in a 99-year lease to the Town. A motion was made by Commissioner Cogburn to approve, seconded by Commissioner Loomis, and unanimously approved.

Mr. Kanipe updated the Board on the Cedar Hill Road stabilization project. The Town selected Jennings Environmental to perform this design work which was completed in Spring 2022. Since this time, the Town has gone through necessary permitting review and approval from the United States Army Corps of Engineers and the North Carolina Division of Water Quality. These approvals were received in Summer 2022.

The erosion of the stream bank has increased over the years and a significant amount of the erosion has encroached toward Cedar Hill Drive. Significant work will occur adjacent to and on a portion of 2 Hemlock Road. Mr. Kanipe provided the draft Request for Proposal (RFP) for the Board's review. The goal is to have this project constructed by the end of April of 2023. Drawings of the project were also attached. Commissioner Loomis asked when residents will be informed of the project and when it will occur. Mr. Kanipe said detailed information will be posted on our website.

The Board then considered Resolution 2022-04, supporting the option of Local Governments to hold Public Meetings via remote electronic methods or hybrid Public Meetings during non-emergency times. A draft resolution was provided to the Board. Commissioner Loomis said she supported the option to hold Public Meetings remotely during non-emergency times as long as there are stated limitations regarding remote attendance by elected officials, which the resolution includes. A copy of the corrected record was provided. A motion was made by Commissioner Cogburn as amended. Commissioner Loomis seconded the motion. The motion was unanimously approved.

The last topic of discussion is for Consideration of Chair Appointment for the Friends of Biltmore Forest-Lauren Karlson. Chair Katie Valeika is stepping down and has recommended Ms. Lauren Karlsson as the new chair. A motion was made by Commissioner Cogburn to approve of Ms. Karlsson as the Chair and seconded by Commissioner Loomis. The motion was unanimously approved.

#### Public Comment

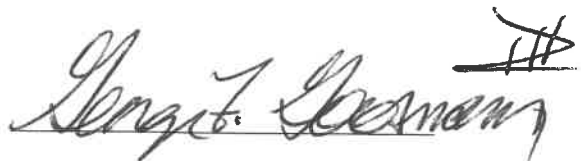
Mr. Phil Hardin asked about the plans for the 100<sup>th</sup> anniversary.

Mayor Goosmann adjourned the meeting at 5:23 p.m. The next meeting is scheduled for Tuesday, November 15th, 2022 at 4:30 pm.

ATTEST:



Laura Jacobs  
Town Clerk



George F. Goosmann, III  
Mayor