

PROPOSED AGENDA

Meeting of the Town of Biltmore Forest Board of Commissioners

To be held Tuesday, March 14, 2023 at 4:30 p.m.

A. Pledge of Allegiance

B. Roll Call

Mayor George F. Goosmann, III
Commissioner Fran G. Cogburn
Commissioner E. Glenn Kelly
Commissioner Doris P. Loomis

C. The minutes of the February 14, 2023 meeting will be presented for approval.

D. Reports of Officers

1. Chief of Skyland Fire and Rescue
2. Administrative Captain Gary Gudac
3. Public Works Director Harry Buckner
4. Town Manager Jonathan Kanipe

E. Proclamation – Tick-Borne Diseases Awareness Month

F. New Business

1. Consideration of Ordinance 2023-02 – An Ordinance to Amend the Town of Biltmore Forest Town Code
2. Review Zoning Ordinance Amendment Recommendation – Residential Electric Vehicle (EV) Charging Stations
3. Hendersonville Road Traffic Safety Discussion
4. Consideration of Greenwood Park Master Plan Components

G. Public Comment

H. Adjourn

For those interested in viewing the Board meeting remotely, please utilize the following information:

<https://us02web.zoom.us/j/82228455470?pwd=SG9WU0FwUjFSdGZveS95b3pLTUIHdz09>

Meeting ID: 822 2845 5470

Passcode: 966757

MINUTES OF THE MEETING OF THE MAYOR AND THE TOWN COMMISSIONERS OF
BILTMORE FOREST HELD FEBRUARY 14, 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 E. Glenn Kelly, present

Commissioner Fran Cogburn, present

Mr. Jonathan Kanipe, the Town Manager, and Mr. William Clarke, the Town Attorney, 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 minutes from January 10, 2023. Commissioner Loomis seconded the motion. The motion was unanimously approved.

Chief Trevor Lance gave the report for the Skyland Fire Department. There were a total of 29 calls. There was a small fire at 4 Hilltop Road which was a dishwasher fire. There were a few accidents with injuries and a few without injury. There were eight malfunction fire alarm calls. Chief Lance thanked the Police Department for their help with a tree that fell on a residence on Brookside Road.

Chief Chris Beddingfield gave the report for the Police Department. There was a serious incident in the month of February and Chief Beddingfield recognized some of the personnel that were involved on the call. This was answered by Telecommunicator Shelby Tate which involved

a small child and an adult who had a tree fall on their home. There were multiple injuries and struck individuals. Sergeant Kim Rhinehart, Officer Michael Anton, and Officer Joseph Zub went into the house to help the injured victims until the fire department and EMS arrived on scene to assist. Chief Beddingfield presented awards of merit to all four employees.

Mr. Harry Buckner gave the report for the Public Works Department. Mr. Buckner congratulated Mr. Mike Dale for passing his ISA Certified Arborist exam.

Mr. Buckner said the damaged slide has been replaced at Rosebank Park. Mr. Buckner said they have assisted with rebuilding the pressure release valves at MAHEC. Street lights are also still in the process of being converted to LED. The project is substantially more complicated than they anticipated. Public Works has stopped with leaf collection pickup and are now working on grounds maintenance.

Mr. Jonathan Kanipe gave the report for the Town and gave an update on last Fiscal Year's audit presentation which will occur in March or April.

Mr. Kanipe discussed the Town Planner position and said we received nineteen total applications. Staff will be interviewing five potential applicants.

On Monday, March 6th at 4:00pm, there will be a joint meeting between the Board of Adjustment and the Planning Commission. This meeting will be open to the public and also available on Zoom.

Mr. Kanipe said, as discussed briefly last month, the Town has submitted a letter of interest and application to the State's Land Planning Grant division. The purpose of this grant is to map all streams within the Town limits and develop a stream restoration master plan. In addition to this impact, Mr. Kanipe discussed with Buncombe County administration regarding the Commissioners' environmental focus on the French Broad River. As the Town streams drain to

the French Broad, this master planning document may allow for coordination between the Town and the County on funding sources and opportunities. Work would begin in January 2024.

Regarding the Cedar Hill stream restoration project, this was awarded to Baker Grading. The Town's consultant on this project, Jennings Environmental, has reviewed their contract proposal and staff are reviewing this. They will move forward with the work once the schedule is defined.

The Town received a request from the property owners at 398 Vanderbilt Road for a tax penalty waiver. As you know, state law prohibits Town staff from making adjustments or providing waivers without prior Governing Board approval. In this case, the tax notice was mailed to an old address (also in Biltmore Forest). Unfortunately, this occurred last year as well but the new address was not updated. The tax payer has paid the full taxes owed and requests a waiver of the initial interest penalty that remain on the account. The waiver amount of penalty and interest is \$540.33.

A motion was made by Commissioner Kelly to approve the waiver and tax penalty, Commissioner Cogburn seconded the motion. The motion was unanimously approved.

Mr. Scott Slechter of 58 Forest Road is requesting a curb cut and a new driveway entrance. Mr. Slechter would like to construct a new driveway entrance that will connect onto Forest Road. This residence currently has a driveway entrance, but Mr. Slechter would like to construct a new driveway loop as part of an overall planned renovation. Documentation was provided to the Board and shows tree cuttings associated with the planned driveway and tree replacement. This plan also shows a new porch on the front of the home. This has been approved by the Design Review Board. A motion was made by Commissioner Cogburn, seconded by Commissioner Loomis and unanimously approved.

The Consideration of Ordinance 2023-01 was discussed, an Ordinance to establish the Biltmore Forest Police Department's Auxiliary Police Officers for the Town of Biltmore Forest. Chief Beddingfield and Mr. Kanipe discussed this. N.C.G.S. 160A-282 allows local law

enforcement agencies to designate volunteer members as auxiliary members of the Police Department. Typically, these are officers who are retired from law enforcement service but want to retain their sworn law enforcement certification. Often, these officers do not work regularly as part-time or reserve officers but currently retain status as a “reserve” officer. Designation as an auxiliary officer more accurately identifies these officers and also removes those who do not work regularly from the Town’s payroll. Auxiliary officers, by statute, are volunteer members.

Chief Beddingfield and Police Department staff have spent considerable time reviewing and updating internal policies to better align with best practices and the League’s recommendations. Many policies are being amended internally, but the creation of an auxiliary police officer division requires Board approval via ordinance.

Commissioner Kelly asked if this was a benefit to the Town or to the employee. Chief Beddingfield said both.

Commissioner Cogburn made a motion to approve, Commissioner Kelly seconded the motion. The motion was unanimously approved.

PUBLIC COMMENT

Mr. Drew Stephens made public comment and thanked the police and fire department for their assistance.

Ms. Martha Barnes made public comment.

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The meeting was adjourned at 4:52 pm. The next meeting is scheduled for Tuesday, March 14, 2023 at 4:30 pm.

ATTEST:

Laura Jacobs
Town Clerk

George F. Goosmann, III
Mayor



Skyland Fire & Rescue

Biltmore Forest Valley Springs Station

Phone: (828) 684-6421 Address: PO Box 640 Skyland NC 28776 Fax (828) 684-1010
www.skylandfire.com



Biltmore Forest Valley Springs Station

Incident Response

February 2023

Station: 4 - BILTMORE FOREST STATION	
311 - Medical assist, assist EMS crew	4
320 - Emergency medical service, other	1
321 - EMS call, excluding vehicle accident with injury	4
322 - Motor vehicle accident with injuries	1
324 - Motor vehicle accident with no injuries.	2
554 - Assist invalid	1
611 - Dispatched & cancelled en route	2
622 - No incident found on arrival at dispatch address	2
651 - Smoke scare, odor of smoke	1
735 - Alarm system sounded due to malfunction	2
745 - Alarm system activation, no fire - unintentional	3
# Incidents for 4 - Biltmore Forest Station:	23

Respectfully Submitted,

Trevor Lance

Chief Trevor Lance
Skyland Fire Rescue

Biltmore Forest Police
355 Vanderbilt Road
Biltmore Forest, NC 28803
828-274-0822
Chief M. Chris
Beddingfield



George F. Goosmann, III, Mayor
Doris P Loomis, Mayor-Pro Tem
E. Glenn Kelly, Commissioner
Fran Cogburn, Commissioner
Jonathan Kanipe, Town Manager

Biltmore Forest Police Department March- 14th, 2023 Commission Report

February 2023 Data

Total Calls For Service:

526 (540 last month)

Arrests:

0-Felony Arrests-

1-Misdemeanor Arrest-Assault on a Female (Outstanding warrant)-Out of a traffic stop

Citations:

19 Citations for various traffic violations (16 last month)

Time Consumption Summary:

Approximations:

Business Checks- 4 hours

House Checks- 4 hours

Radar Operation- 2 hour

Vehicle Crash Investigation- 6 hours

Notable Calls and Projects:

Three more officers completed Crisis Intervention Training (CIT). All sworn officers are now certified. This is an in-depth de-escalation training. When the chief started at BFPD it was a goal to have all officers certified. We are now going to start non-sworn personnel through the program.

We were dispatched to and first on scene of two separate fatal traffic accidents on Hendersonville Rd. We worked together with APD on both of these accidents. We have spoken with numerous residents along Hendersonville Rd about ongoing safety issues in this area. The town manager has worked extensively with NC DOT. Have reached out to APD regarding thoughts on this as well.

Continue to work on safety and security issues with Carolina Day School. We met with NC DOT and school officials about the entrance to the school. We have also scheduled training dates for active shooter and shelter in place training.

Biltmore Forest Police Department
355 Vanderbilt Rd
Biltmore Forest , NC 28803

Calls for service- 02/01/2023 - 02/28/2023

BILTMORE FOREST POLICE DEPARTMENT	Count	Percent
911 HANG-UP	2	0.38%
ALARM	33	6.27%
ANIMAL CONTROL	4	0.76%
ASSIST MOTORIST	8	1.52%
ASSIST OTHER AGENCY	3	0.57%
ASSIST RESIDENT	2	0.38%
BUSINESS CHECK	202	38.40%
CRIME PREVENTION	8	1.52%
DEBRIS IN ROADWAY	2	0.38%
DEPARTMENT OTHER	2	0.38%
DISTURBANCE	1	0.19%
DOMESTIC	1	0.19%
DOWN POWER LINES	2	0.38%
EXTRA PATROL	3	0.57%
FOLLOW-UP INVESTIGATION	3	0.57%
FRAUD	1	0.19%
HIT AND RUN	1	0.19%
HOUSE CHECK	111	21.10%
IMPROPER PARKING	1	0.19%
LARCENY	1	0.19%
MEDICAL EMERGENCY	4	0.76%
MISSING PERSON	1	0.19%
No CallType	2	0.38%
ORDINACE VIOLATION	3	0.57%
PROPERTY DAMAGE	1	0.19%
RADAR OPERATION	15	2.85%
ROAD BLOCKED	1	0.19%
SPECIAL ASSIGNMENT	1	0.19%
SPECIAL CHECK	11	2.09%
SUSPICIOUS PERSON	12	2.28%
SUSPICIOUS VEHICLE	20	3.80%
TALK WITH OFFICER	8	1.52%
TOWN HALL BUSINESS	1	0.19%
TRAFFIC CONTROL	5	0.95%
TRAFFIC STOP	43	8.17%
TREE DOWN	3	0.57%
VEHICLE ACCIDENT	3	0.57%
WELFARE CHECK	1	0.19%
Total Records For BILTMORE FOREST POLICE DEPARTMENT	526	Dept Calls/Total Calls 100.00%
Total Records	526	



MEMORANDUM

To: Jonathan Kanipe, Town Manager
Mayor and Board of Commissioners

From: Harry B. Buckner, PE, Director of Public Works

Re: Public Works Department
February 2023 Monthly Report

Date: March 10, 2023

HB

Recurring Activities:

The Public Works Department has completed the following activities during the month of February:

- Collected 33.41 tons of garbage.
- Diverted 12.57 tons of recycled goods from garbage.
- Picked up 15 loads of brush (approximately 450 cubic yards) over 7 days.
- Responded to 81 total utility locate requests, comprised of 50 new requests and 29 updates. This total includes 2 emergency, 2 short-term, and 1 rush request.
- Visited 4 residences for Tree Assessments, approving the removal of 10 trees, and requiring the installation of 11 trees.
- Completed daily chlorine residual tests across town and passed the required two bacteriological tests.
- Completed and passed the four (4) required quarterly disinfection byproduct tests.
- Assisted Mrs. Jacobs with the bi-monthly water billing cycle.
- Used the Beacon/Badger Meter automated meter reading system to monitor for water leaks daily and informed residents of suspected leaks.
- We continue to perform litter pick-ups as needed, focusing on the entrances.
- Normal brush collection was performed on the North Route beginning on February 15th, and the South Route beginning on February 28th. Pick-ups will continue as scheduled with one pick up per route until further notice.

Miscellaneous Activities in February

- We continue to advertise for two (2) open Public Services Worker Positions and expanded the advertisement to include a posting on Indeed and contact through temporary staffing services. Should anyone know of a candidate they would be willing to refer, please reach out to either me or Supervisor Dale.

- We extended an offer to a potential candidate earlier this week after two phone interviews and an in-person interview. We are awaiting their response.
- MAHEC completed a successful fire flow test and repairs to their backflow devices on February 18th.
- Supervisor Dale worked with three residents on Ridgefield, Lone Pine, and Forest Road to remove trees that posed hazards to the public right-of-way.
- Staff responded to and repaired a Duke Energy damaged water line near 16 Stuyvesant Road on February 9, 2023.
- Staff installed fresh mulch and pine straw in several of the cul-de-sac islands in Town.
- We received budgetary pricing for our next paving project on Vanderbilt Road, from near Brookside Park south to Southwood Road (approximately 3800 feet). We are adjusting and confirming the scope to ensure the repairs meet our needs for this segment of roadway.
- We have completed servicing of the mowing equipment and are ready to begin routine maintenance as soon as necessary.
- We continued to receive complaints of “cloudy” water in the high points of Stuyvesant Road, Stuyvesant Crescent, and Cedar Hill Road the week of February 13th. We have determined that the cloudy water is arriving at the Town through the Parkway interconnect and have been working with the City of Asheville to attempt to remediate the issue. Cloudy water is not a health hazard, but is a nuisance, caused by air entrained in the water. The cloudiness will clear up in just a few seconds to a few minutes if left on the counter. To help the situation, we performed some extensive line flushing in the Stuyvesant, Stuyvesant Crescent, Frith, and Holly Hill areas on February 20th, 2023, with limited success. We also borrowed a portable air release valve from the City and installed it on the hydrant at the corner of Stuyvesant and Frith Roads. We continue to be in contact with residents about the situation and have received some reports of improvement over time.
- New service extensions to Town-owned streetlights by Duke Energy continues to be paused. We are continuing to work with them on a strategy for moving forward.
- MB Haynes has completed the conversion of 12 streetlights in total, 7 of which are ready to be energized by Duke. One is already in service, and the remaining 5 need service extended by Duke prior to being placed back in service. Work will continue on the initial batch of 21 lights when we will reassess our approach before proceeding with the remaining lights.
- We have completed several repairs to multiple garbage trucks, including new tires, PTO repairs, transmission repairs, and other significant maintenance.
- Supervisor Dale has instituted a formal weekly vehicle safety inspection including documentation of any needed repairs.
- I participated in the French Broad River Metropolitan Planning Organization (MPO) Technical Coordinating Committee (TCC) monthly meeting on February 9th via Zoom.
- We continue to collect unwanted garbage cans and are recycling them at the Curbside Management facility in Woodfin.

- We assisted the FOBF Committee with logistics for the 100th anniversary Art Show from Tuesday, February 14th through Thursday, February 16th.
- On-call staff responded to four (4) downed trees on February 17th, three of which were across the roadway and the third was in Lower Vanderbilt Park.
- On February 23rd we performed some significant brush and invasive plant removals from around the material storage area behind the fueling station as a part of our Town Hall Complex clean-up activities.
- Staff replaced five (5) water meters throughout Town as part of our preventive maintenance work.
- Our entire team participated in interviews over several days the week of February 27th with Mr. Steve Allen, owner of Solutions for Local Government, who is performing the space needs assessment for the Town.
- We completed repairs to mold remediation in the evidence room in the Police Department.

Larger/Capital Projects Updates

Greenwood Park Stream Restoration

- The final paperwork has been received from the Engineer and the final reimbursement request is being submitted to the State. Reimbursement will conclude this project and I will remove it from the Capital Project Update next month.

Cedar Hill Road Stream Stabilization Project

- Contract edits were submitted back to the Engineer on February 28, and we are awaiting the revisions to be returned.
- Manager Kanipe has a separate agenda item in his Manager's report with more project details.

Master Plan Project Area 1 & Area 9 – Vanderbilt/Stuyvesant/Lone Pine Stormwater Project

- Additional surveying was completed in mid-February, and we are anticipating the plats to be delivered at any time. Once in hand, we and the Town Attorney will complete the easement packages and contact affected property owners.
- We still anticipate bidding the project in the late winter or early spring for construction next fiscal year.

Upcoming in March

- We are continuing to focus on filling the open Public Services Worker position, including using temporary or seasonal workers.
- Staff will complete the monthly bacteriological testing.

- Normal brush collection will continue on the North Route on March 15th, and the South Route on March 30th.
- I will be finalizing the scope and budget on the upcoming annual paving project on Vanderbilt Road.
- I will be completing the required annual Local Water Supply Plan for submittal to the State by April 1, 2023.
- We have identified additional segments of road right-of-way for clearing and maintenance to improve pedestrian safety. This includes segments of Southwood Road and Hilltop Road.
- We have several maintenance items on the water system including the replacement of meter boxes and updating meters throughout Town.
- We will begin initial mowing and finish winter clean-up in Town-owned public spaces this month, including aerating and overseeding.
- Work will continue on power service extensions to, and retrofits of, the Town street lights.
- Fabrication of a replacement streetlight for the location at 394 Vanderbilt Road will continue.
- We will be installing the new water irrigation meter at the Club for the new clay tennis courts.
- Old garbage container collections will continue as requested.
- I will be working with Manager Kanipe on the department budget.

As always, please do not hesitate to contact me with any questions or feedback.



BOARD OF COMMISSIONERS MEETING

STAFF MEMORANDUM

MARCH 14, 2023

AGENDA ITEM D-4 TOWN MANAGER'S MONTHLY REPORT

Fiscal Year 2022 Audit Update

The Town's FY22 audit was submitted to the Local Government Commission (LGC) the last week in February. Our audit firm, Carter PC, will be at the next Board meeting to present their findings and review any questions the Board may have. The Town's fund balance last year increased by \$335,840 and overall net position increased by \$514,469. The auditors will provide a much more detailed review next month.

Town Planner Position Update

Interviews were conducted with four applicants during the week of March 6-10. We are moving forward to extending offers and will likely conduct another review with department heads and staff within the next two-three weeks. I am hopeful that we will have an offer extended and accepted by our next meeting.

Board of Adjustment/Planning Commission Joint Meeting

The Board of Adjustment and Planning Commission held their joint meeting on Monday, March 6. Topics of discussion centered on amending Town Zoning Ordinances to require final landscaping plans, with more information, for most all submissions – not just new residence construction. In addition, the creation of a separate fence, gate, and wall application was discussed with consensus that this application indicating what *is* allowed may provide better feedback to applicants interested in installing compliant fences. Staff will work to create this application and begin utilizing it within the next few months. The two boards also discussed the possibility of creating more administrative level reviews that would expedite fully compliant projects. The Planning Commission will now review these ideas and suggestions and consider how, if at all, to begin making recommendations to the Board of Commissioners based on this meeting.

Space Needs Assessment

The Town is working with Solutions for Local Government to conduct a space needs and efficiency assessment for Town facilities. Steve Allan, president of SLG, is performing this work and will provide

the Town with a full report based on his review of existing spaces, equipment, and interviews with Town employees. Mr. Allan has been on site a total of five days beginning March 1. I am hopeful to have a full report to the Board no later than our May meeting.

Centennial Celebration Events

Art Show/Centennial Celebration

The art show and centennial celebration last month was a rousing success. Approximately 150 people attended the art show over 3 ½ days, and the centennial celebration itself welcomed over 100 visits during both sessions. We are very appreciative to Sarah Lavelle for organizing this event and the entire Centennial Committee and Friends of Biltmore Forest for assisting.

Tickborne Disease Discussion

On Sunday, March 12, town resident Angela Newnam will present a talk about Lyme disease at 2pm in the social room at Town Hall. Ms. Newnam, along with other residents, will share information about prevention, symptoms, and common misconceptions. This will be a good opportunity for residents to learn how to protect yourself, your family, and your pets as outdoor activities resume once more.

Trolley Tours of Biltmore Forest

On Sunday, March 19, the Centennial Committee will host two trolley tours of Biltmore Forest. Members of the 100th Anniversary History Committee will be giving brief descriptions of points of interest relating to people and events in our Town's history. Reservations for these tours came in quickly and all spaces were filled by early last week. There is currently a waiting list and the possibility of another tour later in the year. The tours start at 2 pm and 3:30p.m on Sunday, March 19.

Bird Watching Event – April 15

On April 15 at 8:15 a.m., the family sports and fitness committee will meet at Town Hall to start the tour with renowned birding guide, Aaron Sneed. Mr. Sneed has been interested in birds and natural history his entire life. Originally from Wilmington, NC, Aaron holds a B.S. in General Biology from the University of North Carolina at Asheville and has worked numerous ornithological field positions in North Carolina, Texas, Kansas, California and Arizona, focusing primarily on endangered or imperiled species.

Flexibility and Balance Class

The family sports and fitness committee is also coordinating continuing flexibility and balance classes the first Sunday of each month. The classes are held in the Social Room of Town Hall at 5 pm on the first Sunday of each month. There is no charge to attend the class, and all ages are welcome! Please bring your own mat and any stretching aids you regularly use (blocks, bands, etc.).

REVENUE & EXPENDITURE STATEMENT

07/01/2022 To 02/28/2023

Town of Biltmore Forest

FY 2022-2023

*100 in the % Used column indicates that no budget exists

Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
3010 Ad Valorem Tax						
Revenue						
3010 Ad Valorem Tax						
10-3010-0000 AD VALOREM TAXES (PROPERTY)	2,920,559.00	2,975,728.43	2,975,728.43	0.00	-55,169.43	102
10-3010-0100 AD VALOREM TAXES (DMV)	109,396.00	62,484.40	62,484.40	0.00	46,911.60	57
10-3010-0200 TAX INTEREST & PENALTIES	5,000.00	6,582.88	6,582.88	0.00	-1,582.88	132
3010 Ad Valorem Tax Subtotal	\$3,034,955.00	\$3,044,795.71	\$3,044,795.71	\$0.00	-\$9,840.71	100
Revenue Subtotal	\$3,034,955.00	\$3,044,795.71	\$3,044,795.71	\$0.00	-\$9,840.71	100
After Transfers	Excess Of Revenue Subtotal	\$3,034,955.00	\$3,044,795.71	\$3,044,795.71	\$0.00	100
3020 Unrestricted Intergovernm						
Revenue						
3020 Unrestricted Intergovernm						
10-3020-0000 FRANCHISE & UTILITIES TAX DIST.	211,384.00	113,155.26	113,155.26	0.00	98,228.74	54
10-3020-0100 ALCOHOL BEVERAGE TAX	6,450.00	0.00	0.00	0.00	6,450.00	0
10-3020-0200 BUNCOMBE COUNTY 1% TAX	793,429.00	530,508.22	530,508.22	0.00	262,920.78	67
10-3020-0300 1/2 CENT SALES TAX A.40	330,137.00	227,466.75	227,466.75	0.00	102,670.25	69
10-3020-0400 1/2 CENT SALES TAX A.42	419,847.00	281,879.80	281,879.80	0.00	137,967.20	67
10-3020-0600 SALES TAX REFUND	15,000.00	21,218.99	21,218.99	0.00	-6,218.99	141
10-3020-0700 GASOLINE TAX REFUND	3,500.00	5,923.24	5,923.24	0.00	-2,423.24	169
3020 Unrestricted Intergovernm Subtotal	\$1,779,747.00	\$1,180,152.26	\$1,180,152.26	\$0.00	\$599,594.74	66
Revenue Subtotal	\$1,779,747.00	\$1,180,152.26	\$1,180,152.26	\$0.00	\$599,594.74	66
After Transfers	Excess Of Revenue Subtotal	\$1,779,747.00	\$1,180,152.26	\$1,180,152.26	\$0.00	66
3030 Restricted Intergovernmen						
Revenue						
3030 Restricted Intergovernmen						
10-3030-0000 SOLID WASTE DISPOSAL TAX	975.00	832.89	832.89	0.00	142.11	85
10-3030-0100 POWELL BILL	66,849.00	67,207.41	67,207.41	0.00	-358.41	101
3030 Restricted Intergovernmen Subtotal	\$67,824.00	\$68,040.30	\$68,040.30	\$0.00	-\$216.30	100
Revenue Subtotal	\$67,824.00	\$68,040.30	\$68,040.30	\$0.00	-\$216.30	100
After Transfers	Excess Of Revenue Subtotal	\$67,824.00	\$68,040.30	\$68,040.30	\$0.00	100
3040 Permits & Fees						
Revenue						
3040 Permits & Fees						
10-3040-0000 ZONING PERMITS	45,000.00	20,760.00	20,760.00	0.00	24,240.00	46
10-3040-0100 DOG LICENSE FEE	1,300.00	1,135.10	1,135.10	0.00	164.90	87
3040 Permits & Fees Subtotal	\$46,300.00	\$21,895.10	\$21,895.10	\$0.00	\$24,404.90	47
Revenue Subtotal	\$46,300.00	\$21,895.10	\$21,895.10	\$0.00	\$24,404.90	47
After Transfers	Excess Of Revenue Subtotal	\$46,300.00	\$21,895.10	\$21,895.10	\$0.00	47

REVENUE & EXPENDITURE STATEMENT

07/01/2022 To 02/28/2023

Town of Biltmore Forest

FY 2022-2023

*100 in the % Used column indicates that no budget exists

Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
3050 Investment Earnings						
Revenue						
3050 Investment Earnings						
10-3050-0000 INTEREST EARNED	2,000.00	70,443.12	70,443.12	0.00	-68,443.12	3,522
3050 Investment Earnings Subtotal	\$2,000.00	\$70,443.12	\$70,443.12	\$0.00	-\$68,443.12	3,522
Revenue Subtotal	\$2,000.00	\$70,443.12	\$70,443.12	\$0.00	-\$68,443.12	3,522
After Transfers Excess Of Revenue Subtotal	\$2,000.00	\$70,443.12	\$70,443.12	\$0.00		3,522
3060 Miscellaneous						
Revenue						
3060 Miscellaneous						
10-3060-0000 RENTAL COMMUNITY HALL	0.00	150.00	150.00	0.00	-150.00	*100
10-3060-0100 AMERICAN TOWER AGREEMENT	45,600.00	30,510.17	30,510.17	0.00	15,089.83	67
10-3060-0200 MISCELLANEOUS	20,000.00	14,890.93	14,890.93	0.00	5,109.07	74
3060 Miscellaneous Subtotal	\$65,600.00	\$45,551.10	\$45,551.10	\$0.00	\$20,048.90	69
Revenue Subtotal	\$65,600.00	\$45,551.10	\$45,551.10	\$0.00	\$20,048.90	69
After Transfers Excess Of Revenue Subtotal	\$65,600.00	\$45,551.10	\$45,551.10	\$0.00		69
3290						
Revenue						
3290						
30-3290-0000 INTEREST EARNED	50.00	1,712.07	1,712.07	0.00	-1,662.07	3,424
3290 Subtotal	\$50.00	\$1,712.07	\$1,712.07	\$0.00	-\$1,662.07	3,424
Revenue Subtotal	\$50.00	\$1,712.07	\$1,712.07	\$0.00	-\$1,662.07	3,424
After Transfers Excess Of Revenue Subtotal	\$50.00	\$1,712.07	\$1,712.07	\$0.00		3,424
3350 Commissions, Sw Chg Coll						
Revenue						
3350 Commissions, Sw Chg Coll						
30-3350-0000 COMMISSIONS, SEWER CHARGE COLL	8,000.00	3,548.32	3,548.32	0.00	4,451.68	44
3350 Commissions, Sw Chg Coll Subtotal	\$8,000.00	\$3,548.32	\$3,548.32	\$0.00	\$4,451.68	44
Revenue Subtotal	\$8,000.00	\$3,548.32	\$3,548.32	\$0.00	\$4,451.68	44
After Transfers Excess Of Revenue Subtotal	\$8,000.00	\$3,548.32	\$3,548.32	\$0.00		44
3500 Other Financing						
Other Financing Source						
3500 Other Financing						
10-3500-0000 SALE OF PERSONAL PROPERTY	10,000.00	0.00	0.00	0.00	10,000.00	0
10-3500-0700 INTERGOVERNMENTAL LOAN (RESTRIC	292,000.00	0.00	0.00	0.00	292,000.00	0
3500 Other Financing Subtotal	\$302,000.00	\$0.00	\$0.00	\$0.00	\$302,000.00	0
Other Financing Source Subtotal	\$302,000.00	\$0.00	\$0.00	\$0.00	\$302,000.00	0
After Transfers Deficiency Of Revenue Subtotal	\$302,000.00	\$0.00	\$0.00	\$0.00		0

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Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
3710 Water Sales						
Revenue						
3710 Water Sales						
30-3710-0000 WATER CHARGES	369,000.00	318,062.32	318,062.32	0.00	50,937.68	86
30-3710-0100 MSD CHARGES	248,284.00	269,201.91	269,201.91	0.00	-20,917.91	108
30-3710-0200 AMI TRANSMITTER CHARGES	7,700.00	5,477.06	5,477.06	0.00	2,222.94	71
3710 Water Sales Subtotal	\$624,984.00	\$592,741.29	\$592,741.29	\$0.00	\$32,242.71	95
Revenue Subtotal	\$624,984.00	\$592,741.29	\$592,741.29	\$0.00	\$32,242.71	95
After Transfers	Excess Of Revenue Subtotal	\$624,984.00	\$592,741.29	\$592,741.29	\$0.00	95
3730 Water Tap & Connect Fees						
Revenue						
3730 Water Tap & Connect Fees						
30-3730-0000 WATER TAP AND CONNECTION FEES	6,000.00	6,390.00	6,390.00	0.00	-390.00	107
3730 Water Tap & Connect Fees Subtotal	\$6,000.00	\$6,390.00	\$6,390.00	\$0.00	-\$390.00	107
Revenue Subtotal	\$6,000.00	\$6,390.00	\$6,390.00	\$0.00	-\$390.00	107
After Transfers	Excess Of Revenue Subtotal	\$6,000.00	\$6,390.00	\$6,390.00	\$0.00	107
3800						
Revenue						
3800						
10-3800-0000 LAW ENF.BLOCK GRANT	0.00	23,538.38	23,538.38	0.00	-23,538.38	*100
3800 Subtotal	\$0.00	\$23,538.38	\$23,538.38	\$0.00	-\$23,538.38	*100
Revenue Subtotal	\$0.00	\$23,538.38	\$23,538.38	\$0.00	-\$23,538.38	*100
After Transfers	Excess Of Revenue Subtotal	\$0.00	\$23,538.38	\$23,538.38	\$0.00	*100
4000						
Revenue						
4000						
40-4000-1100 ARP DISTRIBUTION	451,275.58	225,637.79	225,637.79	0.00	225,637.79	50
4000 Subtotal	\$451,275.58	\$225,637.79	\$225,637.79	\$0.00	\$225,637.79	50
Revenue Subtotal	\$451,275.58	\$225,637.79	\$225,637.79	\$0.00	\$225,637.79	50
After Transfers	Excess Of Revenue Subtotal	\$451,275.58	\$225,637.79	\$225,637.79	\$0.00	50
4200 Administration						
Expenditure						
4200 Administration						
10-4200-0200 SALARIES	226,063.00	179,152.76	179,152.76	0.00	46,910.24	79
10-4200-0300 OVERTIME	3,000.00	0.00	0.00	0.00	3,000.00	0
10-4200-0500 FICA	17,293.00	11,420.67	11,420.67	0.00	5,872.33	66
10-4200-0600 HEALTH INSURANCE (MEDICAL)	24,158.00	17,033.20	17,033.20	0.00	7,124.80	71
10-4200-0650 DENTAL, VISION, LIFE INSURANCE	4,935.00	3,303.42	3,303.42	0.00	1,631.58	67

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10-4200-0675 HEALTH REIMBUSEMENT ACC	3,750.00	2,500.00	2,500.00	0.00	1,250.00	67
10-4200-0700 LGERS RETIREMENT	41,231.00	29,082.95	29,082.95	0.00	12,148.05	71
10-4200-0800 401K SUPP RETIREMENT	11,453.00	7,875.03	7,875.03	0.00	3,577.97	69
10-4200-1000 ACCOUNTING & TAXES	51,400.00	15,619.75	17,369.75	1,750.00	34,030.25	34
10-4200-1200 POSTAGE, PRINTING, STATIONARY	10,140.00	5,000.14	6,466.35	1,466.21	3,673.65	64
10-4200-1400 MILEAGE & BOARD SALARY	21,600.00	14,468.68	14,468.68	0.00	7,131.32	67
10-4200-1500 BLDG & GRNDS MAINTENANCE	20,000.00	6,373.23	6,373.23	0.00	13,626.77	32
10-4200-3300 SUPPLIES AND EQUIPMENT	7,722.00	7,255.35	7,908.04	652.69	-186.04	102
10-4200-5300 DUES & FEES	5,070.00	4,703.85	4,991.35	287.50	78.65	98
10-4200-5700 MISCELLANEOUS	1,000.00	922.44	922.44	0.00	77.56	92
10-4200-6500 STAFF DEVELOPMENT	16,000.00	11,495.08	14,606.24	3,111.16	1,393.76	91
4200 Administration Subtotal	\$464,815.00	\$316,206.55	\$323,474.11	\$7,267.56	\$141,340.89	70
Expenditure Subtotal	\$464,815.00	\$316,206.55	\$323,474.11	\$7,267.56	\$141,340.89	70
Before Transfers	Deficiency Of Revenue Subtotal	-\$464,815.00	-\$316,206.55	-\$316,206.55	-\$7,267.56	68
After Transfers	Deficiency Of Revenue Subtotal	-\$464,815.00	-\$316,206.55	-\$316,206.55	-\$7,267.56	68
5100 Police Department						
Expenditure						
5100 Police Department						
10-5100-0200 SALARIES	951,387.00	696,851.37	696,851.37	0.00	254,535.63	73
10-5100-0300 OVERTIME	26,000.00	0.00	0.00	0.00	26,000.00	0
10-5100-0400 SEPARATION ALLOWANCE	38,117.00	27,519.03	27,519.03	0.00	10,597.97	72
10-5100-0500 FICA	72,781.00	51,194.49	51,194.49	0.00	21,586.51	70
10-5100-0600 HEALTH INSURANCE (MEDICAL)	164,272.00	102,694.84	102,694.84	0.00	61,577.16	63
10-5100-0650 DENTAL, VISION, LIFE INSURANCE	35,558.00	12,362.08	12,362.08	0.00	23,195.92	35
10-5100-0675 HRA HEALTH REIMB ACCT	25,500.00	16,250.00	16,250.00	0.00	9,250.00	64
10-5100-0700 LGERS RETIREMENT	185,598.00	124,259.32	124,259.32	0.00	61,338.68	67
10-5100-0800 401K SUPP RETIREMENT	48,996.00	33,848.06	33,848.06	0.00	15,147.94	69
10-5100-1500 MAINT/REPAIR - BLDG/GROUNDS	20,000.00	3,216.27	3,216.27	0.00	16,783.73	16
10-5100-1600 MAINT/REPAIR - EQUIPMENT	1,000.00	1,316.15	1,316.15	0.00	-316.15	132
10-5100-1700 MAINT/REPAIR - VEHICLES	10,000.00	7,586.15	9,481.53	1,895.38	518.47	95
10-5100-3100 MOTOR FUELS	24,600.00	13,512.29	13,512.29	0.00	11,087.71	55
10-5100-3300 SUPPLIES	20,080.00	12,321.31	13,645.91	1,324.60	6,434.09	68
10-5100-3600 UNIFORMS	15,000.00	14,451.73	40,181.70	25,729.97	-25,181.70	268
10-5100-3700 SOFTWARE	18,725.00	16,274.26	16,274.26	0.00	2,450.74	87
10-5100-3800 TECHNOLOGY	58,740.00	30,523.77	34,491.82	3,968.05	24,248.18	59
10-5100-5700 MISCELLANEOUS	8,265.00	3,882.84	4,259.39	376.55	4,005.61	52
10-5100-5800 PHYSICAL EXAMS	2,000.00	1,495.26	1,495.26	0.00	504.74	75
10-5100-6500 STAFF DEVELOPMENT	15,000.00	9,178.26	9,553.26	375.00	5,446.74	64
10-5100-7400 CAPITAL EQUIPMENT PURCHASES	102,500.00	115,424.29	117,684.73	2,260.44	-15,184.73	115

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5100 Police Department Subtotal	\$1,844,119.00	\$1,294,161.77	\$1,330,091.76	\$35,929.99	\$514,027.24	72
Expenditure Subtotal	\$1,844,119.00	\$1,294,161.77	\$1,330,091.76	\$35,929.99	\$514,027.24	72
Before Transfers	Deficiency Of Revenue Subtotal	-\$1,844,119.00	-\$1,294,161.77	-\$1,294,161.77	-\$35,929.99	70
After Transfers	Deficiency Of Revenue Subtotal	-\$1,844,119.00	-\$1,294,161.77	-\$1,294,161.77	-\$35,929.99	70
5200 Fire Services						
Expenditure						
5200 Fire Services						
10-5200-0000 FIRE CONTRACT	425,000.00	106,250.00	106,250.00	0.00	318,750.00	25
5200 Fire Services Subtotal	\$425,000.00	\$106,250.00	\$106,250.00	\$0.00	\$318,750.00	25
Expenditure Subtotal	\$425,000.00	\$106,250.00	\$106,250.00	\$0.00	\$318,750.00	25
Before Transfers	Deficiency Of Revenue Subtotal	-\$425,000.00	-\$106,250.00	-\$106,250.00	\$0.00	25
After Transfers	Deficiency Of Revenue Subtotal	-\$425,000.00	-\$106,250.00	-\$106,250.00	\$0.00	25
5600 Public Works						
Expenditure						
5600 Public Works						
10-5600-0200 SALARIES	244,822.00	165,191.97	165,191.97	0.00	79,630.03	67
10-5600-0300 OVERTIME	5,000.00	0.00	0.00	0.00	5,000.00	0
10-5600-0500 FICA	19,111.00	11,080.81	11,080.81	0.00	8,030.19	58
10-5600-0550 UNEMPLOYMENT INSURANCE	500.00	0.00	0.00	0.00	500.00	0
10-5600-0600 HOSPITAL INSURANCE (MEDICAL)	43,484.00	20,227.13	20,227.13	0.00	23,256.87	47
10-5600-0650 DENTAL, VISION, LIFE INSURANCE	8,883.00	2,589.88	2,589.88	0.00	6,293.12	29
10-5600-0675 HRA HEALTH REIMB ACCT	6,750.00	3,312.50	3,312.50	0.00	3,437.50	49
10-5600-0700 LGERS RETIREMENT	44,968.00	27,847.87	27,847.87	0.00	17,120.13	62
10-5600-0800 401K SUPP RETIREMENT	12,491.00	7,061.68	7,061.68	0.00	5,429.32	57
10-5600-1000 OUTSIDE SERVICES	10,000.00	275.00	275.00	0.00	9,725.00	3
10-5600-1300 STREETLIGHTS ELECTRIC	7,000.00	2,946.18	2,946.18	0.00	4,053.82	42
10-5600-1500 MAINT/REPAIR - BLDG/GROUNDS	9,600.00	4,938.60	4,938.60	0.00	4,661.40	51
10-5600-1600 MAINT/REPAIR- STREETLIGHTS	35,000.00	1,564.55	1,564.55	0.00	33,435.45	4
10-5600-1700 MAINT/REPAIR - VEHICLES	10,000.00	4,512.32	4,512.32	0.00	5,487.68	45
10-5600-3100 MOTOR FUELS	20,000.00	10,680.52	10,680.52	0.00	9,319.48	53
10-5600-3300 SUPPLIES	10,000.00	4,485.72	4,718.78	233.06	5,281.22	47
10-5600-3400 STREET SIGNS & NUMBERS	1,000.00	93.89	93.89	0.00	906.11	9
10-5600-3600 UNIFORMS	8,650.00	5,452.28	6,242.60	790.32	2,407.40	72
10-5600-3800 TECHNOLOGY	9,500.00	8,711.85	8,711.85	0.00	788.15	92
10-5600-5200 PARKS	60,000.00	4,696.31	4,944.65	248.34	55,055.35	8
10-5600-5202 GREENWOOD PARK STREAM RESTORA	292,000.00	246,032.38	246,032.38	0.00	45,967.62	84
10-5600-5800 PHYSICAL EXAMS	500.00	0.00	0.00	0.00	500.00	0
10-5600-5900 MISCELLANEOUS	1,000.00	204.30	204.30	0.00	795.70	20
10-5600-6500 STAFF DEVELOPMENT	8,000.00	4,080.12	4,080.12	0.00	3,919.88	51

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40-5600-7401 ARP CAPITAL PROJECTS	451,275.58	23,441.16	23,441.16	0.00	427,834.42	5
5600 Public Works Subtotal	\$1,319,534.58	\$559,427.02	\$560,698.74	\$1,271.72	\$758,835.84	42
Expenditure Subtotal	\$1,319,534.58	\$559,427.02	\$560,698.74	\$1,271.72	\$758,835.84	42
Before Transfers	Deficiency Of Revenue Subtotal	-\$1,319,534.58	-\$559,427.02	-\$559,427.02	-\$1,271.72	42
After Transfers	Deficiency Of Revenue Subtotal	-\$1,319,534.58	-\$559,427.02	-\$559,427.02	-\$1,271.72	42
5700 Streets & Transportation						
Expenditure						
5700 Streets & Transportation						
10-5700-1700 VEHICLE REPAIRS - STREET DEPT.	10,000.00	470.88	470.88	0.00	9,529.12	5
10-5700-2200 CONTRACTS- PAVING & STRIPING	210,000.00	71,765.00	71,765.00	0.00	138,235.00	34
10-5700-2300 SUPPLIES	10,000.00	7,276.26	12,228.53	4,952.27	-2,228.53	122
10-5700-2400 TRAFFIC SIGNS	500.00	809.48	809.48	0.00	-309.48	162
10-5700-2500 STORM WATER DRAINAGE	275,000.00	1,035.30	1,728.66	693.36	273,271.34	1
10-5700-3800 TECHNOLOGY	5,000.00	0.00	0.00	0.00	5,000.00	0
10-5700-6500 STAFF DEVELOPMENT	1,000.00	0.00	0.00	0.00	1,000.00	0
10-5700-7400 CAPITAL EQUIPMENT PURCHASES	5,000.00	0.00	0.00	0.00	5,000.00	0
10-5700-7500 ENGINEERING	100,000.00	54,660.50	54,660.50	0.00	45,339.50	55
5700 Streets & Transportation Subtotal	\$616,500.00	\$136,017.42	\$141,663.05	\$5,645.63	\$474,836.95	23
Expenditure Subtotal	\$616,500.00	\$136,017.42	\$141,663.05	\$5,645.63	\$474,836.95	23
Before Transfers	Deficiency Of Revenue Subtotal	-\$616,500.00	-\$136,017.42	-\$136,017.42	-\$5,645.63	22
After Transfers	Deficiency Of Revenue Subtotal	-\$616,500.00	-\$136,017.42	-\$136,017.42	-\$5,645.63	22
5800 Sanitation & Recycling						
Expenditure						
5800 Sanitation & Recycling						
10-5800-0200 SALARIES	125,190.00	95,672.58	95,672.58	0.00	29,517.42	76
10-5800-0300 OVERTIME	5,000.00	0.00	0.00	0.00	5,000.00	0
10-5800-0500 FICA	9,960.00	6,936.05	6,936.05	0.00	3,023.95	70
10-5800-0600 HEALTH INSURANCE (MEDICAL)	28,989.00	15,818.84	15,818.84	0.00	13,170.16	55
10-5800-0650 DENTAL, VISION, LIFE INSURANCE	5,922.00	1,655.16	1,655.16	0.00	4,266.84	28
10-5800-0675 HRA HEALTH REIMB ACCT	4,500.00	3,000.00	3,000.00	0.00	1,500.00	67
10-5800-0700 LGERS RETIREMENT	23,435.00	16,733.81	16,733.81	0.00	6,701.19	71
10-5800-0800 401K SUPP RETIREMENT	6,510.00	4,647.48	4,647.48	0.00	1,862.52	71
10-5800-1700 MAINT/REPAIRS - VEHICLES	25,000.00	22,213.30	30,779.30	8,566.00	-5,779.30	123
10-5800-3100 MOTOR FUELS	30,000.00	18,853.64	18,853.64	0.00	11,146.36	63
10-5800-3300 SUPPLIES	1,000.00	814.81	825.22	10.41	174.78	83
10-5800-3600 UNIFORMS	1,000.00	0.00	0.00	0.00	1,000.00	0
10-5800-3800 TECHNOLOGY	600.00	1,695.98	1,695.98	0.00	-1,095.98	283
10-5800-5800 PHYSICAL EXAMS	500.00	0.00	0.00	0.00	500.00	0
10-5800-5900 MISCELLANEOUS	1,000.00	0.00	0.00	0.00	1,000.00	0

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10-5800-6000 CAPITAL OUTLAY	55,000.00	43,154.95	43,154.95	0.00	11,845.05	78
10-5800-8000 TIPPING FEES & BRUSH REMOVAL	30,000.00	31,019.28	31,019.28	0.00	-1,019.28	103
10-5800-8100 RECYCLING	6,000.00	6,113.70	6,113.70	0.00	-113.70	102
10-5800-8200 BRUSH & LEAF DISPOSAL FEES	31,200.00	13,460.00	13,460.00	0.00	17,740.00	43
5800 Sanitation & Recycling Subtotal	\$390,806.00	\$281,789.58	\$290,365.99	\$8,576.41	\$100,440.01	74
Expenditure Subtotal	\$390,806.00	\$281,789.58	\$290,365.99	\$8,576.41	\$100,440.01	74
Before Transfers	Deficiency Of Revenue Subtotal	-\$390,806.00	-\$281,789.58	-\$281,789.58	-\$8,576.41	72
After Transfers	Deficiency Of Revenue Subtotal	-\$390,806.00	-\$281,789.58	-\$281,789.58	-\$8,576.41	72
6600 General Government						
Expenditure						
6600 General Government						
10-6600-0401 LEGAL SERVICES	35,000.00	17,794.51	17,794.51	0.00	17,205.49	51
10-6600-1100 TECHNOLOGY	92,120.00	68,672.47	68,672.47	0.00	23,447.53	75
10-6600-1300 MUNICIPAL UTILITIES	25,000.00	32,837.60	32,837.60	0.00	-7,837.60	131
10-6600-1500 GE. REPS. AND MAINT.	28,200.00	33,446.01	33,446.01	0.00	-5,246.01	119
10-6600-2800 ELECTIONS	6,000.00	184.24	184.24	0.00	5,815.76	3
10-6600-5400 INSURANCE	105,000.00	105,578.21	105,578.21	0.00	-578.21	101
10-6600-6000 CONTINGENCY	181,444.00	0.00	0.00	0.00	181,444.00	0
10-6600-6100 MISCELLANEOUS	10,000.00	4,793.69	4,793.69	0.00	5,206.31	48
10-6600-6201 COVID EXPENDITURES	2,000.00	8,500.00	8,500.00	0.00	-6,500.00	425
10-6600-6300 COMMUNITY EVENTS	50,000.00	6,399.13	6,399.13	0.00	43,600.87	13
10-6600-6301 4TH OF JULY	10,000.00	4,340.73	4,340.73	0.00	5,659.27	43
10-6600-6302 NATIONAL NIGHT OUT	7,000.00	0.00	0.00	0.00	7,000.00	0
10-6600-6303 HOLIDAY LIGHTING	21,500.00	9,875.96	9,875.96	0.00	11,624.04	46
10-6600-6304 ARBOR DAY EVENT	2,000.00	0.00	0.00	0.00	2,000.00	0
10-6600-6400 WILDLIFE MANAGEMENT	5,000.00	2,729.90	2,729.90	0.00	2,270.10	55
10-6600-6500 FOREST MANAGEMENT	60,000.00	44,800.00	44,800.00	0.00	15,200.00	75
6600 General Government Subtotal	\$640,264.00	\$339,952.45	\$339,952.45	\$0.00	\$300,311.55	53
Expenditure Subtotal	\$640,264.00	\$339,952.45	\$339,952.45	\$0.00	\$300,311.55	53
Before Transfers	Deficiency Of Revenue Subtotal	-\$640,264.00	-\$339,952.45	-\$339,952.45	\$0.00	53
After Transfers	Deficiency Of Revenue Subtotal	-\$640,264.00	-\$339,952.45	-\$339,952.45	\$0.00	53
6700 Debt Service						
Expenditure						
6700 Debt Service						
10-6700-0100 Police Dept Renovations-Principal	23,334.00	17,499.99	17,499.99	0.00	5,834.01	75
10-6700-0200 Street Improvements-Principal	6,667.00	5,000.01	5,000.01	0.00	1,666.99	75
10-6700-0500 Public Works Building-Principal	84,211.00	42,105.26	42,105.26	0.00	42,105.74	50
10-6700-0600 2020 POLICE CARS-PRINCIPAL	29,106.00	28,326.38	28,326.38	0.00	779.62	97
10-6700-1100 Police Dept Renovations-Interest	1,445.00	1,166.82	1,166.82	0.00	278.18	81

REVENUE & EXPENDITURE STATEMENT

07/01/2022 To 02/28/2023

Town of Biltmore Forest

FY 2022-2023

*100 in the % Used column indicates that no budget exists

Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
10-6700-1200 Street Improvements-Interest	413.00	333.37	333.37	0.00	79.63	81
10-6700-1500 Public Works Building-Interest	17,685.00	9,195.79	9,195.79	0.00	8,489.21	52
10-6700-1600 2020 POLICE CARS-INTEREST	801.00	1,579.37	1,579.37	0.00	-778.37	197
6700 Debt Service Subtotal	\$163,662.00	\$105,206.99	\$105,206.99	\$0.00	\$58,455.01	64
Expenditure Subtotal	\$163,662.00	\$105,206.99	\$105,206.99	\$0.00	\$58,455.01	64
Before Transfers	Deficiency Of Revenue Subtotal	-\$163,662.00	-\$105,206.99	-\$105,206.99	\$0.00	64
After Transfers	Deficiency Of Revenue Subtotal	-\$163,662.00	-\$105,206.99	-\$105,206.99	\$0.00	64
8100 Water Dept.						
Expenditure						
8100 Water Dept.						
30-8100-0200 SALARIES	144,572.00	73,550.92	73,550.92	0.00	71,021.08	51
30-8100-0400 PROFESSIONAL SERVICES	5,000.00	2,513.24	3,655.04	1,141.80	1,344.96	73
30-8100-0500 FICA	11,060.00	5,201.64	5,201.64	0.00	5,858.36	47
30-8100-0600 HEALTH INSURANCE (MEDICAL)	19,326.00	10,578.81	10,578.81	0.00	8,747.19	55
30-8100-0650 DENTAL, VISION, LIFE INSURANCE	3,948.00	1,669.74	1,669.74	0.00	2,278.26	42
30-8100-0675 HRA HEALTH REIMBURSEMENT ACCT	3,000.00	1,687.50	1,687.50	0.00	1,312.50	56
30-8100-0700 LGERS RETIREMENT	26,023.00	13,182.94	13,182.94	0.00	12,840.06	51
30-8100-0800 401K SUPP RETIREMENT	7,229.00	4,673.73	4,673.73	0.00	2,555.27	65
30-8100-1200 POSTAGE, PRINTING,& STATIONARY	5,000.00	606.42	606.42	0.00	4,393.58	12
30-8100-1500 GENERAL REPAIRS	10,000.00	17,175.39	17,175.39	0.00	-7,175.39	172
30-8100-3300 SUPPLIES & EQUIPMENT	15,000.00	7,984.02	9,313.95	1,329.93	5,686.05	62
30-8100-3800 TECHNOLOGY	5,000.00	0.00	0.00	0.00	5,000.00	0
30-8100-4800 WATER PURCHASES	179,580.00	124,237.12	124,237.12	0.00	55,342.88	69
30-8100-4900 SEWER PURCHASES	185,400.00	199,740.88	199,740.88	0.00	-14,340.88	108
30-8100-5000 AMI TRANSMITTER FEES	7,700.00	3,638.34	3,638.34	0.00	4,061.66	47
30-8100-5700 MISCELLANEOUS	6,196.00	56.00	56.00	0.00	6,140.00	1
30-8100-6500 STAFF DEVELOPMENT	5,000.00	1,183.78	1,183.78	0.00	3,816.22	24
30-8100-7400 CAPITAL IMPROVEMENT	29,939.00	0.00	0.00	0.00	29,939.00	0
8100 Water Dept. Subtotal	\$668,973.00	\$467,680.47	\$470,152.20	\$2,471.73	\$198,820.80	70
Expenditure Subtotal	\$668,973.00	\$467,680.47	\$470,152.20	\$2,471.73	\$198,820.80	70
Before Transfers	Deficiency Of Revenue Subtotal	-\$668,973.00	-\$467,680.47	-\$467,680.47	-\$2,471.73	70
After Transfers	Deficiency Of Revenue Subtotal	-\$668,973.00	-\$467,680.47	-\$467,680.47	-\$2,471.73	70

Town of Biltmore Forest

Official Proclamation

TICKBORNE DISEASES AWARENESS MONTH

WHEREAS, Tickborne diseases, such as Lyme disease, can be a very serious infection caused by a bacteria and scientists have identified more strains and species of this bacteria in the Southeastern United States than in any other region; and

WHEREAS, ticks, the vector of Lyme disease, are carried by many different animals and therefore ticks are frequently encountered by people who live in Biltmore Forest and Western North Carolina; and

WHEREAS, because ticks can be the size of a poppy seed and hard to detect many people who are infected with Lyme disease do not remember being bitten by a tick; and

WHEREAS, improper methods of removing ticks are dangerous and can actually increase the risk of being infected; and early recognition is needed as prompt treatment and adequate antibiotic therapy in the early stage may cure Lyme disease and prevent serious complications; and leaving Lyme disease untreated or being inadequately treated for Lyme disease can sometimes lead to death; and

WHEREAS, Lyme disease can affect the brain, heart, joints, and other organs; and some patients do not develop the characteristic rash; and symptoms may not appear for months or even years following the initial infection; and patients are often misdiagnosed with more familiar conditions; and

WHEREAS, citizens should know that testing for tick-borne diseases, such as Lyme disease may be inaccurate; and with over a dozen tick-borne diseases in the southeastern United States everyone is urged to take all tick bites seriously.

NOW, THEREFORE, I, George F. Goosmann, III, Mayor of the Town of Biltmore Forest, do hereby proclaim March 2023 as “TICKBORNE DISEASES AWARENESS MONTH” in the Town of Biltmore Forest, and implore all citizens to practice personal preventative techniques when engaging in outdoor activities – such as frequent full body tick checks, using various methods to repel and avoid ticks, and proper tick removal techniques.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Biltmore Forest, North Carolina, to be affixed this 14th day of March, 2023.

Mayor George F. Goosmann, III



BOARD OF COMMISSIONERS MEETING

STAFF MEMORANDUM

MARCH 14, 2023

AGENDA ITEM F-1

CONSIDERATION OF ORDINANCE 2023-02

AN ORDINANCE AMENDING THE TOWN CODE FOR THE TOWN OF BILTMORE FOREST

Background

As part of their ongoing review of the Town's Zoning Ordinance, the Planning Commission discussed the creation of an abandoned and junked vehicle ordinance. Staff provided sample ordinances from the City of Asheville and Buncombe County as part of this review. The Planning Commission discussed the necessity of an ordinance and determined that a formal regulation regarding abandoned and junked vehicles was appropriate. Town staff prepared a draft ordinance that complies state law and is applicable to the Town's specific areas of concern.

This ordinance was drafted for placement within the Town's Code of Ordinances and not within the Zoning Ordinance. As such, this amendment does not require a formal recommendation from the Planning Commission or a public hearing prior to consideration and adoption. However, because the Planning Commission originated the discussion, it seemed appropriate that they provide a formal review and recommendation to the Board.

Draft Ordinance for Review

The attached draft ordinance complies with North Carolina statutes regarding abandoned and junked vehicles and provides parameters used by town officials when determining whether the benefit to the community of removing a vehicle from a private property outweighs the monetary loss to the apparent owner. These measurements allow decisions to be made in a timely manner, with basis and justification for removal, rather than having to wait a certain period before action can be taken. Certainly, the practical day-to-day process will involve Town staff (either via the Police Department or Administration) reaching out to the property owner to determine the status of the vehicle. But, in the event the property owner or vehicle owner is unwilling to abide by the Town's standards, this ordinance provides levers for taking appropriate action.

Planning Commission Recommendation

The Planning Commission recommends approval of the attached ordinance. Discussion during the Commission's review centered on compliance with state law regarding abandoned and junked vehicles and including language to assure that vehicles wholly housed within an enclosed garage or building were not considered junked vehicles. Language to this effect was added in § 94.06 (C).

ORDINANCE 2023-02
AN ORDINANCE TO AMEND CHAPTER 94 OF THE TOWN CODE
OF THE TOWN OF BILTMORE FOREST

CHAPTER 94: ABANDONED, JUNKED AND NUISANCE VEHICLES

Section

- 94.01 Intent
- 94.02 Definitions
- 94.03 Administration
- 94.04 Abandoned vehicle unlawful; removal authorized
- 94.05 Nuisance vehicle unlawful; removal authorized
- 94.06 Junked motor vehicle regulated
- 94.07 Removal of vehicles; pre-towing notice required; appeals
- 94.08 Exceptions to prior notice requirement
- 94.09 Removal of vehicles; post-towing notice requirements
- 94.10 Right to probable cause hearing before sale or final disposition of vehicle
- 94.11 Redemption of vehicle during proceedings
- 94.12 Sale and disposition of unclaimed vehicle
- 94.13 Conditions on removal of vehicles from private property
- 94.14 Protection against criminal or civil liability
- 94.15 Exceptions
- 94.16 Unlawful removal of impounded vehicle

§ 94.01 INTENT.

It shall be the intent of this chapter to promote and enhance the aesthetic appearance of the town; to protect property values in the town; and to enhance public safety. It is further the intent of this chapter to promote and enhance the attractiveness and safety of the town's residential streets by controlling and regulating abandoned, junked and nuisance vehicles.

§ 94.02 DEFINITIONS.

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED VEHICLE. As authorized and defined in G.S. § 160A-303, an ABANDONED MOTOR VEHICLE is a motor vehicle which:

- (1) Is left upon a public street or highway in violation of a law or ordinance a;
- (2) Is left on a public street or highway for longer than two days;
- (3) Is left on property owned or operated by the town for longer than 24 hours; or
- (4) Is left on private property without the consent of the owner, occupant or lessee thereof, for longer than two hours.

AUTHORIZING OFFICIAL. Any code enforcement officer or police officer on duty that day or the Town Manager, respectively, is designated to authorize the removal of vehicles under the provisions of this chapter.

JUNKED MOTOR VEHICLE. As authorized and defined in G.S. § 160A-303.2, a vehicle that does not display a current license plate upon that vehicle and that:

- (1) Is partially dismantled or wrecked; or
- (2) Cannot be self-propelled or moved in the manner in which it originally was intended to move.

MOTOR VEHICLE OR VEHICLE. All machines designed or intended to travel over land by self-propulsion or while attached to any self-propelled vehicle.

NUISANCE VEHICLE. A vehicle on public or private property that is determined and declared to be a health or safety hazard, a public nuisance and unlawful and including a vehicle found to be:

- (1) A breeding ground or harbor for mosquitoes, other insects, rats or other pests;
- (2) A point of heavy growth of weeds or other noxious vegetation over eight inches in height;
- (3) A point of collection of pools or ponds of water;
- (4) A point of concentration of quantities of gasoline, oil or other flammable or explosive materials as evidenced by odor;
- (5) One which has areas of confinement, such as trunks, hoods and the like, which cannot be operated from inside the area of confinement;
- (6) One so situated or located that there is a danger of it falling or turning over;
- (7) One which is a point of collection of garbage, food waste, animal waste or any other rotten or putrescible matter of any kind;
- (8) One which has sharp parts thereof which are jagged or contain sharp edges of metal, glass or other rigid materials; or

(9) The creation of another similar condition(s) or circumstance(s) which exposes the public to safety or health hazards.

§ 94.03 ADMINISTRATION.

The Police Department and the Town Manager shall be responsible for the administration and enforcement of this chapter. The Police Department shall be responsible for administering the removal and disposition of vehicles determined to be “abandoned” on the public streets and highways within the town and on property owned by the town. The Town Manager or Town Manager’s designee shall be responsible for administering the removal and disposition of “nuisance” or “junked motor vehicles” located on private property. The town may, on a case-by-case basis, contract with private tow truck operators or towing businesses to remove, store, and dispose of abandoned vehicles, nuisance vehicles and junked motor vehicles in compliance with this chapter and applicable state laws. Nothing in this chapter shall be construed to limit the legal authority or powers of officers of the Town Police Department in enforcing other laws or in otherwise carrying out their duties.

§ 94.04 ABANDONED VEHICLE UNLAWFUL; REMOVAL AUTHORIZED.

(A) Upon investigation, a proper authorizing official of the town may determine and declare that a vehicle is a health or safety hazard or an abandoned vehicle as defined above, and order the vehicle removed.

(B) It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle, or for the owner, lessee, or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared an abandoned vehicle.

§ 94.05 NUISANCE VEHICLE UNLAWFUL; REMOVAL AUTHORIZED.

(A) Upon investigation, a proper authorizing official of the town may determine and declare that a vehicle is a health or safety hazard or a nuisance vehicle as defined above, and order the vehicle removed.

(B) It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle, or for the owner, lessee or occupant of the real property upon which the vehicle is located to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle.

§ 94.06 JUNKED MOTOR VEHICLE REGULATED.

(A) Upon investigation, the Town Manager or Town Manager’s designee may order the removal of a junked motor vehicle as defined in this chapter after finding in writing that the aesthetic benefits of removing the vehicle outweigh the burdens imposed on the private property owner. The findings

shall be based on a balancing of the monetary loss of the apparent owner against the corresponding gain to the public by promoting or enhancing community, neighborhood, or area appearance. The following, among other relevant factors, may be considered:

- (1) Protection of property values;
- (2) Protection of public health and safety;
- (3) Preservation of the character and integrity of the community; or

Provided, however, no vehicle that is used on a regular basis for business or personal use shall be removed or disposed of pursuant to this division (A).

(B) It shall be unlawful for the registered owner or person entitled to the possession of a junked motor vehicle, or for the owner, lessee, or occupant of the real property upon which a junked motor vehicle is located to leave or allow the vehicle to remain on the property after the vehicle has been ordered removed.

(C) A vehicle wholly enclosed inside a garage, other building, and not visible to the public shall not be considered a junked vehicle for the purposes of this chapter.

§ 94.07 REMOVAL OF VEHICLES; PRE-TOWING NOTICE REQUIRED; APPEALS.

(A) Notice required. Except as set forth in § 94.08, an abandoned, nuisance or junked vehicle which is to be removed shall be towed only after notice to the registered owner or person entitled to possession of the vehicle. In the case of a nuisance vehicle or a junked motor vehicle, if the names and mailing addresses of the registered owner or person entitled to the possession of the vehicle, or the owner, lessee, or occupant of the real property upon which the vehicle is located can be ascertained in the exercise of reasonable diligence, the notice shall be given by first class mail. Reasonable diligence shall include notification to the registered owner of the vehicle at his or her last known address according to the latest registration certificate or certificate of title on file with the North Carolina Division of Motor Vehicles; notice to the owner of real property as recorded in the Buncombe County Registry; notice to the owner, lessee or occupant as contained in the records of the town. The person who mails the notice shall retain a written record to show the name and address to which mailed, and the date mailed. If the names and addresses cannot be ascertained or if the vehicle to be removed is an abandoned motor vehicle, notice shall be given by affixing on the windshield or some other conspicuous place on the vehicle a notice indicating that the vehicle will be removed by the town on a specific date (no sooner than two days after the notice is affixed). The notice shall state that the vehicle will be removed by the town on specified date, no sooner than two days after the notice is affixed or mailed, unless the vehicle is moved by the owner or legal possessor prior to that time.

(B) Appeals. The registered owner or person entitled to possession of a vehicle which has been determined to be an abandoned vehicle on private property, nuisance vehicle or junked motor vehicle who has received a notice pursuant to division (A) of this section may appeal the determination. In the case of notice for removal of a junked motor vehicle where the determination has been made that the aesthetic benefits of removing the vehicle outweigh the burdens on the private property owner, in accordance with § 94.06(A), the registered owner or person entitled to possession of the junked motor vehicle may appeal that determination. Any appeal shall be made

within ten days upon receipt of the notice for removal of the vehicle as provided in division (A) of this section. All appeals shall be made to the Town Board of Commissioners in writing. Appeals held pursuant to this section shall be conducted by the Town Board of Commissioners within 45 days after the receipt of a request for a hearing, and further proceedings to remove the vehicle shall be stayed until the appeal is heard and decided.

§ 94.08 EXCEPTIONS TO PRIOR NOTICE REQUIREMENT.

The following vehicles may be removed without prior notice to the owner or person entitled to possession:

(A) Vehicles abandoned on the public streets. For vehicles left on the public streets and highways, the Police Department or Town Manager hereby determines that immediate removal of the vehicles may be warranted when they are:

- (1) Obstructing traffic;
- (2) Parking in violation of an ordinance prohibiting or restricting parking;
- (3) Parked in a no-stopping or standing zone;
- (4) Parked in loading zones;
- (5) Parked in violation of temporary parking restrictions imposed under any town ordinance.

(B) Nuisance vehicles and abandoned vehicles on private property. These vehicles may be removed without giving prior notice in those circumstances where the authorizing official finds a special need for prompt action to protect and maintain the public health, safety, and welfare. By way of illustration and not limitation, such circumstances include vehicles blocking or obstructing ingress or egress to businesses and residences, vehicles parked in a location or manner posing a traffic hazard or vehicles causing damage to public or private property.

(C) Vehicles left on private property. A vehicle may be removed that has been left on private property without the consent of the owner, occupant or lessee thereof for longer than two hours and the owner, occupant or lessee has complied with § 94.13, or in those circumstances where there is a finding of a special need for prompt action to eliminate traffic obstructions or to otherwise maintain and protect the public safety and welfare.

§ 94.09 REMOVAL OF VEHICLES; POST-TOWING NOTICE REQUIREMENTS.

(A) Any abandoned, nuisance or junked vehicle which has been ordered removed may, as directed by the proper authorizing official of the town, be removed to a storage garage or area by the tow truck operator or towing business contracting to perform those services for the town. Whenever a vehicle is removed, the authorizing town official shall immediately notify the last known registered owner of the vehicle, the notice to include the following:

- (1) The description of the removed vehicle;
- (2) The location where the vehicle is stored;

- (3) The violation with which the owner is charged, if any;
- (4) The procedure the owner must follow to redeem the vehicle; and
- (5) The procedure the owner must follow to request a probable cause hearing on the removal.

(B) The town shall attempt to give notice to the vehicle owner by telephone; however, whether or not the owner is reached by telephone, written notice, including the information set forth in divisions (A)(1) through (5) of this section, shall also be mailed to the registered owner's last known address, unless the notice is waived in writing by the vehicle owner or his or her agent.

(C) If the vehicle is registered in North Carolina, notice shall be given within 24 hours. If the vehicle is not registered in the state, notice shall be given to the registered owner within 72 hours of the removal of the vehicle. Written notice by mail shall be deemed to have been given upon deposit in the US mail.

(D) Whenever an abandoned, nuisance or junked motor vehicle is removed and the vehicle has no valid registration or registration plates, the authorizing town official shall make reasonable efforts, including checking the vehicle identification number to determine the last known registered owner of the vehicle and to notify him or her of the information set forth in divisions (A)(1) through (5) of this section.

§ 94.10 RIGHT TO PROBABLE CAUSE HEARING BEFORE SALE OR FINAL DISPOSITION OF VEHICLE.

After the removal of an abandoned vehicle, nuisance vehicle or junked motor vehicle, the owner or any other person entitled to possession is entitled to a hearing for the purpose of determining if probable cause existed for removing the vehicle. A request for hearing must be filed in accordance with the provisions of G.S. Chapter 20, Article 7A, as amended.

§ 94.11 REDEMPTION OF VEHICLE DURING PROCEEDINGS.

At any stage in the proceedings, including before the probable cause hearing, the owner may obtain possession of the removed vehicle by paying the towing fee, including any storage charges, or by posting a bond for double the amount of the fees and charges to the tow truck operator or towing business having custody of the removed vehicle. Upon regaining possession of a vehicle, the owner or person entitled to the possession of the vehicle shall not allow or engage in further violations of this chapter.

§ 94.12 SALE AND DISPOSITION OF UNCLAIMED VEHICLE.

Any abandoned, nuisance, or junked vehicle which is not claimed by the owner or other party entitled to possession will be disposed of by the tow truck operator or towing business having custody of the vehicle. Disposition of the vehicle shall be carried out in accordance with G.S. Chapter 44A, Article 1.

§ 94.13 CONDITIONS ON REMOVAL OF VEHICLES FROM PRIVATE PROPERTY.

Except as provided in § 94.06(A), as a general policy, the town will not remove a vehicle from private property if the owner, occupant or lessee of the property could have the vehicle removed under applicable state laws. In no case will a vehicle be removed by the town from private property without a written request of the owner, occupant or lessee, except in those cases where a vehicle is a nuisance vehicle or is a junked motor vehicle which has been ordered removed by the Town Manager pursuant to § 94.06(A). The town shall require any person requesting the removal of an abandoned, nuisance or junked motor vehicle from private property to indemnify the town against any loss, expense or liability incurred because of the removal, storage or sale thereof.

§ 94.14 PROTECTION AGAINST CRIMINAL OR CIVIL LIABILITY.

Any person who removes a vehicle pursuant to this chapter shall not be held liable for damages for the removal of the vehicle to the owner, lien holder or other person legally entitled to the possession of the vehicle removed; however, any person who intentionally or negligently damages a vehicle in the removal of the vehicle, or intentionally or negligently inflicts injury upon any person in the removal of the vehicle, may be held liable for damages.

§ 94.15 EXCEPTIONS.

Nothing in this chapter shall apply to any vehicle:

(A) Which is located in a bona fide "automobile graveyard" or "junkyard" as defined in G.S. §§ 136-143, et seq. and G.S. §§ 160A-303.1 and 160A-303.2;

(B) Which is in an enclosed building;

(C) Which is on the premises of a business enterprise being operated in a lawful place and manner if the vehicle is necessary to the operation of the enterprise; or

(D) Which is in an appropriate storage place or depository maintained in a lawful place and manner by the town.

§ 94.16 UNLAWFUL REMOVAL OF IMPOUNDED VEHICLE.

It shall be unlawful for any person to remove or attempt to remove from any storage facility designated by the town any vehicle which has been impounded pursuant to the provisions of this chapter unless and until all towing and impoundment fees which are due, or bond in lieu of the fees, have been paid.

Adopted this, the 14th day of March, 2023.

George F. Goosmann, III
Mayor

Attest:

Laura M. Jacobs
Town Clerk



BOARD OF COMMISSIONERS MEETING

STAFF MEMORANDUM

MARCH 14, 2023

AGENDA ITEM F-2

REVIEW ZONING ORDINANCE AMENDEMENT RECOMMENDATION ELECTRIC VEHICLE (EV) CHARGING STATIONS

Background

Last month, the Planning Commission considered a recommendation to the Board of Commissioners regarding a regulation on electric vehicle (EV) charging stations. Discussion focused heavily on how to ensure and require buffering if an EV station was outside. The consensus was not to treat the charging station as an accessory structure and to include it within the Town's existing utility structure ordinance with specific guidelines for buffering when outside.

Draft Ordinance for Review

The attached draft ordinance adds a new section to existing Zoning Ordinance regulations that govern residential screening of utility structures. These utility structures are generally considered pieces of utility equipment (HVAC, generators) that allow for the operation of a residence. This seemed an appropriate place for the EV charging ordinance. The draft ordinance strongly recommends placement of EV charging stations within garages or buildings, but when not possible, this ordinance provides specific regulations on the installation of a charging station outside.

Public Hearing Process

Because this amendment falls within the Zoning Ordinance, the Board of Commissioners are required to hold a public hearing. This public hearing will be scheduled for the April 2023 meeting. The ordinance is being presented now to allow any additional thoughts or reflection from the Board of Commissioners on the proposed ordinance. Please let me know if there are specific questions or concerns, or if there are any potential changes you would like to see considered within this amendment.

Planning Commission Recommendation

This ordinance is being drafted for placement within the Town's Zoning Ordinance within the existing section 153.069 that regulates screening of utility structures. Unlike the abandoned and

junked vehicle ordinance, this ordinance requires a formal recommendation to the Board of Commissioners and a statement from the Planning Commission that the proposed ordinance is consistent with the Town's Comprehensive Plan. In both instances, the Planning Commission voted unanimously to recommend the ordinance for adoption and believes it is consistent with the Town's Comprehensive Plan.

Existing Ordinance

§ 153.069 RESIDENTIAL SCREENING OF UTILITY STRUCTURES.

It is required that all new utility structures, whether they are part of a new dwelling or are being added to an existing dwelling, located out of doors, including, but not limited to, heat pumps, air conditioning units (with the exception of window units), and generators shall be screened on all sides except the side closest to the dwelling. The screening shall consist of evergreen shrubs planted a maximum of 36 inches apart, with a height of 18 to 24 inches at time of planting. The shrubs may be planted three feet away from the utility structures so they do not interfere with proper functioning.

(Ord. passed 10-19-1983; Ord. passed 6-8-2021)

Proposed Change

§ 153.069 RESIDENTIAL SCREENING OF UTILITY STRUCTURES.

(A) —It is required that all new utility structures, whether they are part of a new dwelling or are being added to an existing dwelling, located out of doors, including, but not limited to, heat pumps, air conditioning units (with the exception of window units), and generators shall be screened on all sides except the side closest to the dwelling. The screening shall consist of evergreen shrubs planted a maximum of 36 inches apart, with a height of 18 to 24 inches at time of planting or constructed screening. Constructed screening shall be subject to approval by the Board of Adjustment. The shrubs may be planted three feet away from the utility structures so they do not interfere with proper functioning.

(B) Electric vehicle (EV) charging stations are hereby included as a utility structure for the purposes of this chapter. The Town recommends that EV charging stations be installed inside a garage and out of the public view. However, when this is not possible, the following requirements shall apply.

- 1) The EV charging station shall not be located within a front, side, or rear yard setback.
- 2) The EV charging station shall be screened from the public road and adjacent properties per requirements in section (A) above. The only exception to this requirement is that screening is not required in a location inhibiting the ability to charge the vehicle per the manufacturer's recommendation.
 - a. A site plan shall be provided to the Town prior to installation indicating the location, species, and planting timeline for screening. This site plan shall also include applicable setback lines for the appropriate zoning district and the distance of the proposed EV charging station to each property line.
- 3) Upon approval from the Town regarding the placement of the EV charging station, the property owner must obtain building inspections approval from Buncombe County for installation. The applicant shall provide all appropriate documentation submitted to Buncombe County, and subsequent approvals, to the Town once permitted.



BOARD OF COMMISSIONERS MEETING

STAFF MEMORANDUM

MARCH 14, 2023

AGENDA ITEM F-3

HENDERSONVILLE ROAD TRAFFIC SAFETY DISCUSSION

Background

Over the course of 18 months, there have been seven serious traffic accidents on Hendersonville Road bordering Biltmore Forest. Since January, there have been three fatal accidents, including a bicyclist who was struck by a vehicle, a single-car accident, and a multi-vehicle accident that resulted from a medical emergency. The latter two accidents happened on consecutive days the first of March.

Several accidents have occurred within the same general location, specifically, the block between Busbee and Browntown Roads. The properties on this portion of Hendersonville Road's west side are all single-family homes within the Town limits. When wrecking in this location, the vehicles generally have ended up in the yards of residents.

Requests to NCDOT

Prior to the two fatal accidents on March 1 and 2, Police Department staff and I met with homeowners along this section of road, informally, to discuss their concerns. I then reached out to NCDOT and requested a review for guardrail and additional warning signage in this location. The road has a slight bend heading south, and vehicles that have crashed typically have done so due to speed or being under the influence, or both in some cases. NCDOT reviewed the request for a guardrail or additional warning signage and found that neither was warranted in this location.

Town Follow-Up

After the fatal accident last Wednesday, I followed back up with NCDOT to request a second guardrail review and to inquire about whether the Town could install guardrail, in collaboration with the homeowners, and then turn that over to NCDOT as part of an encroachment agreement. NCDOT staff reviewed this request and provided me with more information as to why a guardrail was not appropriate in this location. Their typical installation for guardrail involves placement immediately behind a curb and the installation of two "end" sections with a long unbroken section connecting them. Multiple driveway intersections in this location limit the ability to install this full

system. While NCDOT cannot prohibit the Town from working with homeowners and installing guardrail further behind the curb or on the property, they strongly advise against installation beyond the curb and not consistent with the full “system” installation due to potential liability issues.

Next Steps

Hendersonville Road is a state-maintained road and the Town is unable to make any direct changes or improvements without going through NCDOT. However, the Town does have the ability to request further safety reviews or alterations. As such, staff requests the Board’s thoughts on how to proceed with NCDOT regarding traffic safety concerns on Hendersonville Road. Several options considered by the Police Department are as follows:

1. Requesting a review of the speed limit from 485 Hendersonville Road south beyond the Blue Ridge Parkway. This area includes the only single-family residential homes on Hendersonville Road in Buncombe County – all in Biltmore Forest – and Carolina Day School.
2. Requesting additional safety reviews from NCDOT for additional signage and safety measures.
3. Collaboration with NC State Highway Patrol and other law enforcement agencies for multi-agency speed and traffic enforcement.

These are ideas Chief Beddingfield and I have discussed in an effort to increase safety to this section of Hendersonville Road. We understand these may be quixotic suggestions that, if implemented, may not curtail excessive speeding or lead to a significant reduction in vehicle accidents. We are also aware that our police department cannot – and should not – be expected to patrol Hendersonville Road for speeding or traffic calming. But, we have data and evidence indicating this specific portion of road needs *something* to better protect motorists and our residents, and we believe these options may help. Staff requests Board feedback regarding these ideas and any others the Board may offer.



BOARD OF COMMISSIONERS MEETING

STAFF MEMORANDUM

MARCH 14, 2023

AGENDA ITEM F-4

CONSIDERATION OF GREENWOOD PARK MASTER PLAN COMPONENTS

Background

The Board of Commissioners reviewed a draft master plan concept for Greenwood Park at the November 2022 meeting. During the meeting, the Board requested feedback from parents within the Town on the components. Commissioner Cogburn has spoken with multiple parents regarding the plan on the Town's behalf.

Information Gathered

The most frequent recommendation was to have some type of bathroom facility installed. Parents cited the need for children to be able to use facilities at the park rather than having to leave and go back to their home. Additional feedback included recommendations to install accessible play equipment and adding age-appropriate play equipment for young children up to adolescents. This specific point was also raised regarding Rosebank Park. A covered shelter was also requested, and this component was included within the original concept plan presented.

Board Feedback Requested

The bathroom facility was not shown previously on the plan, but staff is comfortable with its feasibility. Before re-orienting the site and improvements, staff requests the Board's thoughts on the potential installation of a bathroom facility at Greenwood Park. If the Board desires to install a bathroom facility, Town staff will develop protocols for how the bathroom is managed and maintained, including hours when the facility is closed and locked. These protocols would be enacted as part of a new set of rules and regulations for the entire park.

The modernized play structures will be accessible for all, and staff will take into consideration the age appropriateness of equipment prior to making any final decisions. The bulk of these improvements will be funded via the remaining American Recovery Plan (ARP) allocation. These funds afford significant flexibility and have to be committed for use by FY24, which provides a good opportunity to finalize this project.

MASTER PLAN CONCEPT

