

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.

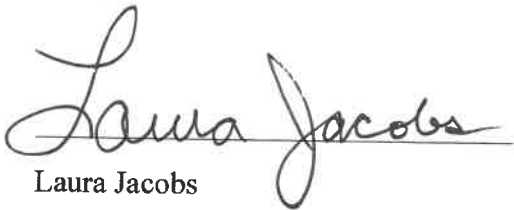
PUBLIC COMMENT


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

Ms. Martha Barnes made public comment.

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