

MINUTES OF THE MEETING OF THE MAYOR AND THE TOWN COMMISSIONERS OF  
BILTMORE FOREST HELD DECEMBER 13, 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.

Mayor Goosmann introduced Dr. Rob Jackson, Superintendent of Buncombe County Schools. Dr. Jackson has been in this role for about 1 ½ months, and he is delighted to have this opportunity to return home. Dr. Jackson recognizes the strong partnership with municipalities and wanted to visit each of the Town Councils within Buncombe County. Dr. Jackson said they are always available if anyone needs anything. Mayor Goosmann thanked Dr. Jackson for coming by the meeting.

Commissioner Cogburn made a motion to approve the minutes from November 15, 2022. The motion was seconded by Commissioner Loomis and unanimously approved.

Chief Trevor Lance from Skyland Fire Department was not available to give the monthly report, but Mayor Goosmann said the Fire Department had twenty calls for service for the Month

of November. Mr. Kanipe said the structure fire that occurred was outside of the district. Mayor Goosmann thanked the Fire Department for all their hard work.

Chief Chris Beddingfield gave the report for the Police Department. There were 600 calls for the month of November. There was only one arrest. There was a vehicle pursuit on Hendersonville Road but the officer on duty discontinued it due to it being too dangerous. Administrative Captain Gudac and Chief Beddingfield have been working on a new pursuit policy. Anytime the Officers are involved in a pursuit, they are reviewed by Captain Gudac to make sure there are no policy violations and that it was not done incorrectly.

Chief Beddingfield said there are still some homeless issues at the Doubletree Hotel, MAHEC, and TGI Friday's. We are trying to divert services to the homeless to help them. It is a challenging situation to face because many do not want to be helped and want to be left alone.

Commissioner Kelly asked about the current grants we have right now. Chief Beddingfield said they just finished the Government Crime Commission grant for the UTV. That is the only active grant we have right now. The motorcycle grant is currently in the works but has not been submitted yet. We just received funds from the State which were approximately \$24,000 for the UTV which we did the Budget Amendment for last month.

Mr. Gary Missel asked what kind of help Biltmore Forest Police receives from Asheville Police Department or Buncombe County if there are pursuits on Hendersonville Road. Chief Beddingfield said every agency is very short staffed at the moment, so the County has a lengthy response time. They must follow their policies and guidelines as well. Asheville Police have helped us in the past with pursuits.

Chief Beddingfield mentioned the vests are also on a grant which are paid for at 50 percent with the Federal Vest Partnership and the North Carolina League of Municipalities. Mayor George Goosmann thanked the Police Department for all their hard work.

Mr. Harry Buckner gave the report for the Public Works Department. Public Works is focusing on leaf pickup. Round one of the pickup will be completed by the end of the week. Mr. Buckner said the street light conversion is coming along. Beginning next Monday, the subcontractor will start installing those underground services. The meeting regarding LED conversions will occur tomorrow.

Mr. Mike Dale will be attending training tomorrow to become a certified Arborist.

The mud puddle at Greenwood Park will also be removed. The new trash containers should be here at the beginning of the new year. Commissioner Kelly told Mr. Buckner, the reflective part of the large speed hump by the Country Club is peeling off. Mr. Buckner said they will renew this and other striping throughout Town and the supplies have already been ordered. Mayor Goosmann thanked Public Works for all their hard work.

Mr. Jonathan Kanipe gave the report for the Town. Mr. Kanipe discussed the audio/visual upgrades to the Town's social room. These funds are being expended through the American Rescue Plan which are allocated directly to the Town from the federal government. The project has been delayed due to equipment being on backorder and is not scheduled for mid-January.

Mayor Goosmann and Mr. Kanipe met with Jack Cecil and Lee Thomason, from Biltmore Farms, last month to review the Town's desire to transfer multiple parcels to the Town. These larger parcels have been maintained by the Town for nearly 100 years. The property at Rosebank Park and Lower Vanderbilt Park is included in this discussion, though that property was leased to the Town in 1928 for a 99-year term. The other parcels (Busbee/Hendersonville Road intersection; East Forest Road/Forest Road intersection; area adjacent to Southwood Road; area between Westwood Road and Greenwood Place) were simply never formally conveyed to the Town. The meeting was productive, and they are providing some requested information to Biltmore Farms regarding the parcels in question.

Mr. Kanipe discussed the Planning and Zoning position. During the FY23 budget process, the Board discussed the potential for a new position focused on zoning and ordinance matters. The final discussion included moving allocated funds from salary and benefits line item to the general government miscellaneous line item. The purpose for this movement in the final budget was to have funds allocated and revisit the position during the year. Mr. Kanipe will provide information at the meeting in January regarding this position.

Mr. Kanipe discussed the Paymentus implementation. The Town approved an agreement with Paymentus as the new online payment vendor. Town staff meet weekly with the implementation specialist. The current goal is to go live in late February or early March 2023.

Regarding the 65-gallon trash container update, the representative indicated these containers are still scheduled for delivery by the end of the year. Once they are delivered, Public Works staff will get these out to residents as quickly as possible.

Red Oaks and Sugar Maple trees were delivered today by the Arbor Day Foundation and Mr. Kanipe said Board members are welcome to take two home.

Consideration of Resolution 2022-05 which is a Resolution of the Town of Biltmore Forest regarding the designation of an official to make recommendations to the NC ABC Commission on ABC Permit Applications. The Town's current designee is still shown as Mr. Nelson Smith. Mr. Smith retired as the Town Administrator in 2014 and this change must be made to authorize it as official so Mr. Kanipe can sign off on these requests. A motion was made by Commissioner Cogburn, seconded by Commissioner Kelly and unanimously approved.

Mr. Kanipe discussed the Cedar Hill Road stabilization and stream restoration project update. In October, the Board received a report regarding the plans for this project. The Town issued the Request for Proposal for this project on Wednesday, November 30<sup>th</sup>. The estimated cost is under the formal bidding threshold. The Town is able to invite specific bidders to review the proposal and consider the project. Responses for the RFP must be returned to the Town no later than Wednesday, December 21<sup>st</sup> at 2:00pm. They will then be opened and reviewed at the Town

Hall during this time. A formal recommendation for the Board at the next Board of Commissioners meeting will be on Tuesday, January 10, 2023.

The Town of Biltmore Forest centennial celebration was discussed. Cindy Holman was unable to attend but on Sunday, January 1<sup>st</sup> is the first Centennial 5k run/walk. There is registration information on the Town's website. Ms. Diane Zimmerman will be providing a lecture on Sunday, January 8<sup>th</sup> on the history of Biltmore Forest. Finally, on February 14, 2023, is the Town's 100<sup>th</sup> anniversary. There will be several different events going on. Before the Board of Commissioners meeting, a formal proclamation will be issued. There will also be an event for children before the meeting. The 100<sup>th</sup> anniversary committee will also be putting on an art show after the meeting. All this information is also on the Town's website and was published in the newsletter that was mailed out a few weeks ago to Town residents.

The next item of discussion is the Planning Commission update. Chairman Paul Zimmerman and Mr. Tony Saponaro discussed the updates. Copies were issued to the Board of a draft Town information guide.

Mr. Saponaro said they would like to incorporate the Tree Ordinance into the Zoning Ordinances. He also discussed residential vs. non-residential (Carolina Day School, MAHEC, Biltmore Forest Country Club) uses. The Planning Commission has been studying other Towns to figure out what might work in the Town of Biltmore Forest. Landscaping and grading plans were discussed. Mr. Saponaro also mentioned enhancing and increasing the number of replacement trees. Enhancements may include, having a different chart for the four different land uses, having different (increased) replacement requirements when a tree is in a setback, along a roadway or a lot perimeter, increasing both the size and number of replacement trees the bigger the removed trees were and designate species of replacement trees. Mayor Goosmann thanked Mr. Zimmerman and Mr. Saponaro for all their hard work on the Planning Commission.

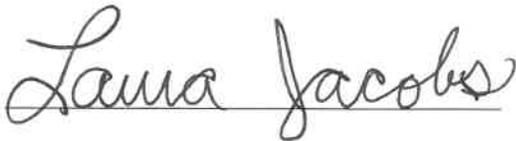
### Public Comment

Mr. Gordon Taylor asked if the Town has reached out to a Forestry professional and the managing of it throughout Town. He also mentioned the number of trees and limbs throughout Town that are hazardous. He also asked how we are going to maintain the rights-of-way when Duke buries all the power lines. Mr. Kanipe responded to these concerns.

Mr. Gary Missel praised the Police Department and said they are top notch. Mr. Missel said the Chief of Police looks out for this Town and he is very impressed with all his staff. Mr. Missel also praised the Council and said they do a great job. Chief Beddingfield thanked Mr. Missel.

Mayor Goosmann adjourned the meeting at 5:41 p.m. The next meeting is scheduled for Tuesday, January 10, 2023 at 4:30 pm.

ATTEST:



Laura Jacobs  
Town Clerk



George F. Goosmann, III  
Mayor